



CITY COUNCIL AGENDA

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, JUNE 22, 2021, 601 SOUTH FIRST STREET, FOR THE PURPOSE OF CONSIDERING AND TAKING OFFICIAL ACTION ON THE FOLLOWING ITEMS:

1. **CALL TO ORDER:**
2. **INVOCATION:**
3. **CONSULTING AGREEMENT:** City Council to consider approving an agreement between City of Lamesa, Texas and Danny Love for his professional services for the advice and counsel in the groundwater and wastewater treatment. *(City Manager and Public Utility Director)*
4. **BUDGET AMENDMENT X:** 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) Texas Communities*
5. **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 *(City Manager & Finance Director) Cares Act*
6. **AN ORDINANCE AMENDING CHAPTER 1 ENTITLED "GENERAL PROVISIONS" OF THE CODE OF ORDINANCES OF THE CITY OF LAMESA, TEXAS, TO AMEND ARTICLE §1.08.006(b) REGARDING FEES.:** City Council to consider approving an Ordinance on second reading amending Chapter 1 entitled "General Provisions" of the Code of Ordinances, to amend Article 1.08.006(b) regarding fees.. *(City Manager)*
7. **DECLARE REGULARLY CALLED MEETINGS FOR BUDGET:** City Council to declare regularly called meetings for Budget for the following dates to discuss and set priorities for the 2021-2022 operating budget.
8. **CLOSED EXECUTIVE SESSION:** Council to consider convening into closed executive session regarding:

Sec. 551.074, Texas Government Code: "Personnel Matters; CLOSED MEETING. (a) This chapter does not require a governmental body to conduct an open meeting: (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee."

9. BUDGET WORKSHOP # 1: Council to meet with city staff to discuss and set priorities for the 2021 – 2022 operating budget.

10.ADJOURNMENT: *The next regularly scheduled meetings of the City Council of the City of Lamesa will be July 20, 2021 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., June 18th 2021**, in accordance with Chapter 551.041 of the Government Code.

Betty Conde, City Secretary

City Council Agenda *City of Lamesa, Texas*

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
MORGAN VERMILLION	Council Member District 1
FRED VERA	Council Member – District 2 Mayor Pro-tem
GLORIA V. RODRIGUEZ	Council Member – District 3
DORE EVAN RODRIGUEZ	Council Member - District 4
BOBBY G. GONZALES	Council Member – District 5
DOUG MORRIS	Council Member – District 6

City Staff members present at the meeting:

Wayne CHAPMAN	City Manager
BETTY CONDE	City Secretary
RUSSELLCASSELBERRY	Attorney

Members of the press present at the meeting:

Members of the public present at the meeting:



City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: JUNE 22, 2021

AGENDA ITEM: 3

SUBJECT: CONSULTING AGREEMENT:

PROCEEDING:

SUBMITTED BY: City Staff

EXHIBITS:

AUTHORITY:

SUMMARY STATEMENT

City Council to consider approving an agreement between City of Lamesa, Texas and Danny Love. for his professional services for the advice and counsel in the groundwater treatment. *(City Manager and Public Utility Director)*

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ to approve an agreement between City of Lamesa, Texas and Danny Love. for his professional services for the advice and counsel in the groundwater treatment. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

VOTING: "AYE" _____ "NAY" _____ "ABSTAIN" _____

CITY MANAGER'S MEMORANDUM

Recommend approval

CONSULTING AGREEMENT
BETWEEN CITY OF LAMESA AND DANNY LOVE

THIS AGREEMENT is made effective _____, 2021 ("Consulting Agreement" or "Agreement") by and between CITY OF LAMESA 601 South 1st Street, Lamesa, Texas 79331 ("City"); and DANNY LOVE, P.O. BOX 443, Canyon, Texas 79015 ("Consultant").

WHEREAS, The Consultant has gained a great amount of experience in the groundwater and wastewater treatment and has acquired a vast knowledge of the affairs of the water treatment processing industry; and has and continues to serve as a Consultant for other organizations.

WHEREAS, Consultant has a Groundwater Treatment Operator License Class B and a Wastewater Treatment Operator License Class B, both issued by Texas Commission on Environment Quality.

WHEREAS, Consultant is not an employee of the CITY OF LAMESA.

WHEREAS, the City desires an association with the Consultant, to secure the benefit of his services, experience, reputation, and associations in the industry, and his knowledge of the business affairs of the treatment of ground and wastewater and to provide the consultant with an incentive for his valued service in the form of remuneration and other consideration; and the Consultant desires to accept such assignment and remuneration, all of the terms and conditions hereof.

WHEREAS, the City and Consultant desire to enter into this consulting agreement on _____, 2021 ("Commencement Date") and now THEREFORE, in consideration of the mutual promises continued here, it is agreed.

CONSULTING SERVICES

- A. The City hereby retains the services of the Consultant in an advisory and consultative capacity (Consulting Services) effective on the Commencement Date. The Consultant hereby accepts such assignment, in accordance with the terms and conditions set forth.
- B. The Consultant will render Consulting Services to the City and serve in a consulting capacity with members of the City, as the City may reasonably request. The Consultant agrees to devote on a part-time basis attention that is reasonably requested of him by

the City; make reasonable efforts to faithfully and diligently perform his duties to the City; make himself available for advice and counsel to the City at all reasonable times by telephone, text, email, letter or in person; and to serve and further the best interests and water treatment of the City.

- C. Consultant will retain his Groundwater Treatment Operator License Class B and Wastewater Treatment Operator License Class B. Both licenses are required in order to fulfill the duties of the Agreement.
- D. Consultant must provide a list of certifications to the City. The Consultant will be responsible for keeping up the certifications.
- E. Consultant must perform this Consulting Agreement as an independent contractor. Nothing in this Consulting Agreement will be constructed to be inconsistent with the independent contractor status. The Consulting Services will in no way be regulated in the detail and in the daily manner as they would be under an employment agreement.

COMPENSATION

- A. As full compensation for the Consulting Services and the promises made by the Consultant, the City will pay to the Consultant Seven Hundred and Fifty dollars and no cents (\$750.00) a month.
- B. City shall pay Consultant monthly starting on the Commencement Date.

In WITNESS WHEREOF, The parties have executed this CONSULTING AGREEMENT as of _____, 2021.

By: CITY OF LAMESA

CONSULTANT

Danny Love

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: JUNE 22, 2021

AGENDA ITEM: 4

SUBJECT: **BUDGET AMENDMENT X**

PROCEEDING: Approval
SUBMITTED BY: City Staff
EXHIBITS: Ordinance, Second Reading

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.

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ 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. 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 15th day of June, 2021, 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)	\$1,500.00	\$1,500.00

SECTION 2. Effective date: That this Ordinance shall become effective as of this July 2nd 2021.

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 June 15th 2021 by a majority vote with amendment; and on June 22nd, 2021, 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

Betty Conde
City Secretary

APPROVED:

Josh Stevens
Mayor

**CITY OF LAMESA
BUDGET AMENDMENT X 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 \$1500.00

Increase Revenues (01-40904) Misc. Revenue	\$1500.00
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Increase Expenditures (01-5081-603) Special Services	\$1500.00
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City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: JUNE 22, 2021

AGENDA ITEM: 5

SUBJECT: BUDGET AMENDMENT XI

PROCEEDING: Approval
SUBMITTED BY: City Staff
EXHIBITS: Ordinance, Second Reading

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.

COUNCIL ACTION

DISCUSSION _____

Motion by Council Member _____ 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. 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 15th day of June, 2021, 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>
TDEM Cares Act Grant(17)	\$ 387,846.98	\$387,846.98

SECTION 2. Effective date: That this Ordinance shall become effective as of this July 1st, 2021.

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 June 15th 2021 by a majority vote with amendment; and on June 21st, 2021, 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

Betty Conde
City Secretary

APPROVED:

Josh Stevens
Mayor

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

Fund (17)

This budget amendment reflects TDEM-Cares Act Grant. This budget amendment totals \$387,846.98

Increase Revenues (17-1001) Misc. Revenue	\$387,846.98.
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Increase Expenditures (17-40555) Special Services	\$387,876.98
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City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: JUNE 22, 2021

AGENDA ITEM: 6

SUBJECT: AN ORDINANCE AMENDING CHAPTER 1 ENTITLED "GENERAL PROVISIONS" OF THE CODE OF ORDINANCES OF THE CITY OF LAMESA, TEXAS, TO AMEND ARTICLE §1.08.006(b) REGARDING FEES.:

PROCEEDING:

SUBMITTED BY: City Staff

EXHIBITS:

AUTHORITY: Code of Ordinances

SUMMARY STATEMENT

City Council to consider approving an Ordinance on second reading amending Chapter 1 entitled "General Provisions" of the Code of Ordinances, to amend Article 1.08.006(b) regarding fees..

COUNCIL ACTION

DISCUSSION: _____

Motion by Council Member _____ to approve passing an Ordinance on Second reading amending Chapter 1 Entitled "General Provisions" to amend Article 1.08.006 (b) regarding fees. Motion seconded by Council Member _____ and upon being put to a vote the motion _____.

VOTING: "AYE" _____ "NAY" _____ "ABSTAIN" _____

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 1 ENTITLED "GENERAL PROVISIONS" OF THE CODE OF ORDINANCES OF THE CITY OF LAMESA, TEXAS, TO AMEND ARTICLE §1.08.006(b) REGARDING FEES.

On the 15th day of June, 2021, 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 (Texas 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 make certain revisions to Article 1.01 of Chapter 1 entitled "General Provisions" of the Code of Ordinances of the City of Lamesa which revisions are in the best interest of the City of Lamesa.

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

SECTION 1. That Section 1.08.006 (b) of the Code of Ordinances of the City of Lamesa, Texas, be, and is hereby, amended to read as follows:

(b) Fees for the use of city swimming pool.

1. Child fee: \$2.00 per day.
2. Adult fee: \$3.00 per day.
3. Splash pass- child (15 visits): \$20.00.
4. Splash pass- adult (15 visits) \$30.00.
5. Rental of Pool: \$300.00 per pool party (4-hour maximum)
Pool rental includes 2 lifeguards per pool party at 25 people per lifeguard. Parties will be held to maximum of 175 people. Lifeguard fees will increase based on the number of people at \$12.25 per hour per lifeguard.

SECTION 2. Effective date: That this Ordinance shall become effective June 22, 2021.

SECTION 3. 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 applicable state law and the City Charter.

Upon being put to a vote, the foregoing ordinance was Passed, on First Reading on the 15th day of June, 2021, by a majority vote; and then on the 22nd day of June, 2021, 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 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 and Final Reading and Adopted this 22nd day of June, 2021, 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:

Betty Conde
City Secretary

APPROVED:

Josh Stevens
Mayor

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: JUNE 22, 2021

AGENDA ITEM: 6

SUBJECT: DECLARE REGULARLY CALLED MEETINGS FOR BUDGET

SUBMITTED BY: City Staff

EXHIBITS:

City Council to declare regularly called meetings for Budget to discuss and set priorities for the 2021-2022 operating budget.

- **July 19, 2019 (Monday) Regular Council Meeting – Budget Workshop #2**
- **July 21, 2021 (Wednesday) Regular Council Meeting – Budget Workshop #3**

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: JUNE 22, 2021

AGENDA ITEM: 7

SUBJECT: EXECUTIVE SESSION:
PROCEEDING: Closed Session
SUBMITTED BY: City Council
EXHIBITS:
AUTHORITY: Texas Open Meetings Act Chapter 551, Government Code

SUMMARY STATEMENT

Consider convening into closed Executive Session with the City Council of the City of Lamesa, Texas for the following:

Sec. 551.074, Texas Government Code: "Personnel Matters; CLOSED MEETING. (a) This chapter does not require a governmental body to conduct an open meeting: (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee."

COUNCIL ACTION

DISCUSSION: _____

Motion by Council Member _____ to enter into executive session. Motion seconded by Council Member _____ and upon being put to a vote the motion passed.

VOTING: "AYE" _____ "NAY" _____ "ABSTAIN" _____

**CERTIFIED AGENDA: EXECUTIVE SESSION OF
THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS**

On this June 22, 2021, at a regularly scheduled meeting of the City Council of the City of Lamesa, Texas the Council adjourned into a closed executive session; notice of said session having been given by a notice posted at the City Hall, 601 South First Street at least seventy-two hours in advance.

A. ANNOUNCEMENT BY PRESIDING OFFICER:

"The City Council will begin its executive session on June 22, 2021 at _____ P.M."

The subject matter of each executive session deliberation is as follows:

Sec. 551.074, Texas Government Code: "Personnel Matters; CLOSED MEETING. (a) This chapter does not require a governmental body to conduct an open meeting: (1) to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee."

B. ANNOUNCEMENT BY PRESIDING OFFICER:

"The City Council has completed its executive session on, June 22, 2021 at _____ P.M."

C. CERTIFICATION:

I hereby certify that this agenda of an executive session of the City Council of the City of Lamesa, Texas is a true and correct record of the proceedings pursuant Texas Open Meetings Act (Chapter 551, Government Code).

WITNESS my hand this June 22, 2021

Josh Stevens, Mayor

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: JUNE 22, 2021

AGENDA ITEM:8

Subject: BUDGET WORK SESSION #1
Proceeding: Discussion and setting of priorities, no final action to be taken
Submitted by: City Staff

SUMMARY STATEMENT

Council to meet with city staff to discuss and set priorities for the 2021 – 2022 operating budget.

- a. General Fund Proposed Budget (Department Heads and City Manager)
- b. Water/Wastewater Utility Fund Proposed Budget (Department Heads and City Manager)
- c. Solid Waste Fund Proposed Budget (Department Heads and City Manager)
- d. All Other Funds Proposed Budgets (Department Heads and City Manager)
- e. Other Fees (Department Heads and City Manager)
- f. Capital Needs (Department Heads and City Manager)

COUNCIL ACTION

Discussion and setting of priorities only; no final action to be taken.

CITY MANAGER'S MEMORANDUM

The City Council and Staff will conduct a work session on the proposed City Budget for the Oct. 2021-2022 fiscal year. No action is required on this matter at this time.

City Council Agenda

City of Lamesa, Texas

DATE OF MEETING: JUNE 22, 2021

AGENDA ITEM: 9

ADJOURNMENT: Announcement by the Mayor - "The next regularly scheduled meetings of the City Council of the City of Lamesa will be **JULY 20th, 2020** at 5:30 P.M."