

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

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

**October 17, 2023**

On this the 17th day of October 2023, 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 6 City Council Members were present:

JOSH STEVENS	Mayor
VACANT	Council Member – District 1
FRED VERA	Council Member – District 2
GLORIA V. RODRIGUEZ	Council Member – District 3
DANNY JACOBS	Council Member - District 4 Mayor Pro Tem
BOBBY G. GONZALES	Council Member – District 5
RUDY SAUSEDA JR.	Council Member – District 6

City staff members present at the meeting:

JOE HINES	CITY MANAGER
BETTY CONDE	CITY SECRETARY ABSENT
RUSSELL CASSELBERRY	CITY ATTORNEY

Members of the press present at the meeting:

Mary Elizabeth

Members of the public present at the meeting:

Leticia Dimas	Norma Garcia	Angie Hernandez	Ashley Tidwell
Brian Beck	Victor Dimas	Mona Ferguson	Ron Smith
Josh Peterson	Wayne Chapman	Miles Richards	Dionicio Garza Jr.

Brian Beck Leticia Dimas Larry Duyck Jeanie Gibson Elda Barrera  
Alvin Jarett

**INVOCATION:** Bobby Gonzales

**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 City Council regular meeting held on September 12<sup>th</sup>, 2023.
- b. **BILLS FOR AUGUST AND SEPTEMBER 2023:** Approval of the bills paid by the City of Lamesa for the month of August and September 2023

Motion by Council Member Bobby Gonzales to approve items 3a and b. Motion seconded by Council Member Rudy Sauseda and upon being put to a vote the motion passed.

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

**PRESENTATION FROM RON SMITH**

Ron Smith gave an update on Vista Park Lamesa LLC.

**RENEWAL OF ATMOS FRANCHISE AGREEMENT:** City Council to consider approving an Ordinance on second reading for the renewal of the Atmos Franchise Agreement and authorizing the mayor to execute all necessary documents. (*City Manager*)

Motion by Council Member Danny Jacobs to approve an Ordinance on second reading for the renewal of the Atmos Franchise Agreement and authorizing the Mayor to execute all necessary documents. Motion seconded by Council Member Gloria Rodriguez and upon being put to a vote the motion passed .

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

**AN ORDINANCE GRANTING TO DAMIAN GALLEGOS DOING BUSINESS AS RECYCLE LAMESA THE RIGHT AND CONSENT FOR THE USE OF ITS PRESENT AND FUTURE STREETS AND ALLEYS IN SAID CITY UNDER REGULATIONS AND RESTRICTIONS AS STATED THEREIN AND PROVIDING THAT THE SAID CITY SHALL RECEIVE AN ANNUAL PAYMENT FOR SAME.:** City Council to consider passing an ordinance on second reading granting Damian Gallegos doing business as Recycle Lamesa the right and consent for the use of its present and future streets and alleys in said city under regulations and restrictions as stated therein and providing that the said city shall receive an annual payment for same. (*City Manager*)

Motion by Council Member Rudy Sauseda to pass an ordinance on second reading granting Damian Gallegos doing business as Lamesa Recycle the right and consent for the use of its present and future streets and alleys in said city under regulations and restrictions as stated therein and providing that the said city shall receive an annual payment for same. Motion seconded by Council Member Bobby Gonzales and upon being put to a vote the motion passed.

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

**ANNEXATION – (RAIDER PUMP AND SUPPLY, INC.):** Consider passing an ordinance on second reading annexing the described land in accordance with State Law, on proposed annexation by the City of Lamesa, Texas of the following described property to-wit.

That the hereinafter described land is less than one-half mile in width and is contiguous and adjacent to the City of Lamesa, Dawson County, Texas; is vacant and without residents or has fewer than three (3) qualified resident voters and as such is subject to annexation into the city limits of the City of Lamesa.

A 4.299 acre tract of land being all of Lots 11, 12, 53 and 54, and the North 45.00 feet of Lots 13 and 52, all in Block 1, and all of Lots 15 and 16, and the North 45.00 feet of Lot 17, Block 2, all in Industrial Addition to the City of Lamesa, Dawson County, Texas, as per plat recorded in Volume 2, Page 22, Plat records of Dawson County, Texas, together with that portion of closed alley between said Lots in Block 1 and closed street between said Blocks 1 and 2, as closed by the Commissioner's Court of Dawson County, Texas on May 28, 1996, recorded in Volume 472, Page 555, Deed Records of Dawson County, Texas and that portion of the South Plains Lamesa Railroad right-of-way conveyed to DEMA, Inc. by deed dated September 9, 1997 and recorded in Volume 511, Page 425, Deed Records of Dawson County, Texas, lying East of and adjacent to said lots, said 4.299 acre tract being more particularly described as follows:

BEGINNING at a ½" iron rod found in the Southeasterly right-of-way line of U.S. Highway 87 at the Southwest corner of the North 45.00 feet of said Lot 13, Block 1, Industrial Addition, for the Northwest corner of the South 55.00 feet of said Lot 13, Block 1, Industrial Addition, for the Southwest corner of this tract, from which a ½" iron rod with cap marked "NEWTON SURVEYING" found for the Southwest corner of said Block 1, Industrial Addition bears S.26°48'25"W. 2147.60 feet (bearings compared to the Texas Coordinate System of 1983, North Central Zone, distances, and area are surface);

THENCE N.26°48'25"E., along said highway right-of-way line and the Northwesterly line of said Industrial Addition, at 45.00 feet pass the Southwest corner of said Lot 12, Block 1, in all 245.00 feet to a "+" found in concrete for the Northwest corner of said Lot 11, and for the Northwest corner of this tract;

THENCE S.63°11'35"E., at 664.70 feet pass the Northeast corner of said Lot 15, Block 2, Industrial Addition, in all 764.22 feet to a ½" iron rod with cap marked "NEWTON SURVEYING" found in the Southeasterly line of said railroad right-of-way, for the Northeast corner of this tract;

THENCE S.26°45'21"W., along said Southeasterly railroad right-of-way line, 245.00 feet to a 1/2" iron rod with cap marked "NEWTON SURVEYING" found for the Southeast corner of this tract;

THENCE N.63°11'35"W., at 99.74 feet pass the Southeasterly line of said Industrial Addition, in all 764.44 feet to the PLACE OF BEGINNING;

That the use of said land is intended for use as retail sales and that Petitioner requests that said land be annexed into the City of Lamesa, Texas, in zoning district I-2 in accordance with the provisions of Chapter 14 of the Code of Ordinances of the City of Lamesa, Texas. *(City Manager)*

Motion by Council Member Bobby Gonzales to pass an Ordinance on Second reading annexing the following tract in accordance with State Law, on proposed annexation by the City of Lamesa, Texas. Motion seconded by Council Member Danny Jacobs and upon being put to a vote the motion passed.

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

**PUBLIC HEARING REINVESTMENT ZONE:** Public hearing to consider a geographic area within the City of Lamesa Dawson County as a Reinvestment Zone pursuant to Chapter 312 of the Texas Tax Code. *(City Manager)*

The mayor opened the public hearing at 5:53 and closed at 6:00  
No one from the public spoke

**REINVESTMENT ZONE:** Consider passing an ordinance on first reding designating a geographic area within the City of Lamesa, Dawson County, Texas, as a Reinvestment Zone pursuant to Chapter 312 of the Texas Tax Code; adopting provisions related thereto and providing severability. *(City Manager)*

Motion by Council Member Bobby Gonzales to approve an Ordinance on first reading approving. a designated area within the City of Lamesa, Dawson County, Texas as a Reinvestment Zone. Motion seconded by Council Member Danny Jacobs and upon being put to a vote the motion passed.

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

**PUBLIC HEARING ANNEXATION – (Billy D. Chapman)** The Mayor to open the public hearing and announce that the service plan for extension of municipal services is available for inspection. The mayor will ask if anyone desires to speak regarding the above-proposed annexation.

The public hearing opened at 6:02pm and closed at 6:02pm

No one from the public spoke.

**ANNEXATION – (Billy D. Chapman):** Consider passing an Ordinance on First Reading annexing the described land in accordance with State Law, on proposed annexation by the City of Lamesa, Texas of the following described property to-wit.

That the land sought to be annexed and made part of the City of Lamesa, Dawson County, Texas, is located at 113 North 13<sup>th</sup> Street and described as follows:

A 0.388-acre tract of land located in Section 72, Block 35, T-6-N, Georgetown Ry. Co. Survey, Dawson County Texas, out of the Northwest part of that certain 1.63-acre tract Described in Instrument Recorded in Volume 407, Page 43, Deed Records of Dawson County, Texas, said 0.388-acre tract being more particularly described as follows:

BEGINNING at the Northwest corner of said 1.63-acre tract, for the Northwest corner of this tract;

THENCE N. 77° 32' 35" E., along the North line of said 1.63-acre tract, a distance of 222.55 feet to the most Northly Northwest corner of that certain 0.692-acre tract described in instrument recorded in Volume 830, Page 601, Official Public Records of Dawson County, Texas and for the Northeast corner of this tract;

THENCE S. 12° 16' 30" E. 74.40 feet to a corner of said 0.692-acre tract and a corner of this tract;

THENCE S. 78° 03' 20" W. 52.10 feet to a corner of said 0.692-acre tract and a corner of this tract;

THENCE S. 10° 55' 35" East along a line of said 0.692 tract a distance of 3.80 feet to the North line of Lot 3, Block 1, corrected Plat of the Elwanda Heights Addition to the town of Lamesa, Dawson County Texas, as per Plat Recorded in Volume 1, Page 31, Plat Records Dawson County Texas for the Southeast corner of this tract;

THENCE 77° 39'30" W. along the North line of said Block 1, at 156.00 feet pass the Northwest corner of Lot 6 said Block 1, in all 165.75 feet to the West line of said 1.63, for the Southwest Corner of this tract;

THENCE N. 12° 33' 45" West along the west line of said 1.63-acre tract, a distance of 3.00 feet to a corner of said 1.63-acre tract and a corner of this tract;

THENCE N. 15° 49'30" West 74.54 feet to the PLACE OF BEGINNING.

That the use of said land is intended for use as an RV Park and that the petitioner requests that said land be annexed into the City of Lamesa as Zoning District C-1 in accordance with the provisions of Chapter 14 of the Code of Ordinances of the City of Lamesa, Texas.

Motion by Council Member Bobby Gonzales to pass an Ordinance on first reading annexing the following tract in accordance with State Law, on proposed annexation by the City of Lamesa, Texas. Motion seconded by Council Member Gloria Rodriguez and upon being put to a vote the motion passed

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

**BUDGET AMENDMENT VIII:** City Council to consider amending Ordinance O-18-22 on second reading with respect to the budget for the fiscal year beginning October 1, 2022, and ending September 30, 2023. *(This budget amendments are for TML claims on a Wastewater Pickup and the Landfill Scale house.)*

Motion by Council Member Rudy Sauseda to amend Ordinance O-18-22 on second reading with respect to the budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023. Motion seconded by Council Member Danny Jacobs and upon being put to a vote the motion passed.

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

**BUDGET AMENDMENT IX:** City Council to consider amending Ordinance O-18-22 on first reading with respect to the budget for the fiscal year beginning October 1, 2022, and ending September 30, 2023. *(This budget amendment covers one half of the cost to sewer repairs on South 2<sup>nd</sup> & Bryan reimbursed to the City by MH Civil Constructors on the Bryan Street Project.) City Manager & Finance Director)*

Motion by Council Member Bobby Gonzales to amend Ordinance O-18-22 on first reading with respect to the budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023. Motion seconded by Council Member Gloria Rodriguez and upon being put to a vote the motion passed.

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

**BUDGET AMENDMENT X:** City Council to consider amending Ordinance O-18-22 on first reading with respect to the budget for the fiscal year beginning October 1, 2022, and ending September 30, 2023. *(This budget amendment is to recognize the receipt of insurance claim #PR000000146724 for the old Head Start Building.) City Manager & Finance Director)*

Motion by Council Member Rudy Sauseda to amend Ordinance O-18-22 on first reading with respect to the budget for the fiscal year beginning October 1, 2022 and ending

September 30, 2023. Motion seconded by Council Member Danny Jacobs and upon being put to a vote the motion passed.

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

**BUDGET AMENDMENT XI:** City Council to consider amending Ordinance O-18-22 on first reading with respect to the budget for the fiscal year beginning October 1, 2022, and ending September 30, 2023. *(The Finance Department is requesting a Budget Amendment to move FY 2022-2023 Animal Control Services budget for Buildings & Structures forward to FY 2023-2024 for renovation of Animal Shelter Building. The renovation of the Animal Shelter did not begin in time to utilize the funds in FY 2022-2023.)* City Manager & Finance Director

Motion by Council Member Bobby Gonzalez to amend Ordinance O-18-22 on first reading with respect to the budget for the fiscal year beginning October 1, 2022 and ending September 30, 2023. Motion seconded by Council Member Danny Jacobs and upon being put to a vote the motion passed.

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, APPROVING THE EXECUTION OF A INTERLOCAL AGREEMENT TO FURNISH SOLID WASTE LANDFILL ACCESS, FIRE PROTECTION SERVICES AND COMMUNICATIONS AND JAIL SERVICES WITH DAWSON COUNTY, TEXAS, AND AUTHORIZING THE MAYOR OF THE CITY OF LAMESA TO EXECUTE AGREEMENT ON BEHALF OF THE CITY:** City Council to approve the execution of a Interlocal Agreement to furnish Solid Waste Landfill Access, Fire Protection Services and Communications and Jail Services with Dawson County, Texas, and authorizing the mayor of the City of Lamesa to execute agreement on behalf of the City.

Passed on item # 16

**AUTHORIZE WARRANTS - GENERAL OPERATIONS:** Consider passing resolution authorizing the issuance of interest-bearing warrants, payable from the anticipated collections of the current fiscal year, not to exceed five hundred thousand dollars (\$500,000.00), to be used where funds are necessary and needed to meet current expenses of the city for the current fiscal year. *(Finance Director)*

Motion by Council Member Danny Jacobs to pass a resolution authorizing the issuance of interest-bearing warrants, payable from the anticipated collections of the current fiscal year, not to exceed five hundred thousand dollars (\$500,000.00), to be used where funds are necessary and needed to meet current expenses of the city for the current fiscal year.

Motion seconded by Council Member Gloria Rodriguez and upon being put to a vote the motion passed.

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

**APPROVAL FOR TXDOT RAMP GRANT FUNDING:** City Council to consider approving the Lamesa Municipal Airport Board to apply for TxDOT RAMP Grant funding for up to \$50,000 (no grant match required from the City). (*John Farris*)

Motion by Council Member Rudy Sauseda to approve the Lamesa Municipal Airport to apply for TxDOT RAMP Grant funding for up to \$50,000. Motion seconded by Council Member Danny Jacobs and upon being put to a vote the motion passed.

Moved up to item # 4

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

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

**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.
- d. **GOLF COURSE REPORT:** Golf Course Superintendent to report on conditions and events at the Golf Course

**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 2022/2023

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

**MAYOR'S REPORT:** Mayor to report on current activities.



**EXECUTIVE SESSION:** Council to consider convening into closed executive session regarding:


**Section 551.074 Texas Government Code:** Consider meeting in closed executive session to discuss personnel matters regarding to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee.

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


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

**ADJOURNMENT:** *The next regularly scheduled meeting of the City Council of the City of Lamesa will be November 21, 2023, at 5:30 P.M.*

ATTEST:

  
Betty Conde  
City Secretary

APPROVED:

  
Josh Stevens  
Mayor