

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

MINUTES OF THE CITY COUNCIL SPECIAL CALLED MEETING:

August 6, 2019

On this the 6th day of August 2019, at 5:30 P.M., there came on and was held a regularly called meeting of the City Council of the City of Lamesa, Dawson County, Texas. Notice of such meeting having been posted at the City Hall at 601 South First Street in the City of Lamesa, Texas in accordance with the provisions of the Texas Open Meetings Act (Texas Govt. Code, Chapter 551). The following items were listed on the notice and the following proceedings were had, viz.:

CALL TO ORDER: Mayor Stevens announced that the meeting was being held in accordance with the provisions of the Texas Open Meetings Act (Texas Govt. Code, Chapter 551), and that discussion and actions are limited to the agenda items as posted. A quorum being present as evidenced by the presence 6 City Council Members were present:

JOSH STEVENS	Mayor (ABSENT)
BRANT STEWART	Council Member – District 1
MARIE. BRISENO	Council Member – District 2
RICK MORENO	Council Member – District 3
DORE EVAN RODRIGUEZ	COUNCIL MEMBER District 4
BOBBY G. GONZALES	Council Member – District 5
DOUG MORRIS	Council Member – District 6

City staff members present at the meeting:

SHAWNA D. BURKHART	CITY MANAGER
BETTY CONDE	CITY SECRETARY
RUSSELL CASSELBERRY	CITY ATTORNEY

Members of the press present at the meeting:

Russel Skiles

Members of the public present at the meeting:

Cris Norris	Linda Orr	Montana Rodriquez	
Robert Orr	Jeanne Davis	Kicia Lopez	
Yolanda Vidal	Chayene Pierce	Norma Ortega Thomas	
Victoria Bara	Kyle Abbott	Zachary Holbrooks	
Gerry Brown	Dale Alwan	Rosa Garcia	
Doby Huff	Dorothy Evans	Terri Brown	Larry Duyck
James Barron	Cheryl Turner	Ann Tuttle	Wayne Chapman
Dave Lasater	Dave Nix	Irma Ramirez	Carter t. Schildnecht

INVOCATION: Brant Stewart

CONTRACTUAL CHANGES TO CONVEYANCE OF A TRACT OF LAND TO LAMESA REAL ESTATE PARTNERS, LLC: City Council to consider approving changes to the contract for the conveyance of a tract of land to Lamesa Real Estate Partners, LLC, pursuant to Chapter 272 of the Local Government Code of the State of Texas for the purpose of development of low-income or moderate-income housing.

Motion by Council Member Gonzales to approve. changes to the contract for the conveyance of a tract of land to Lamesa Real Estate Partners, LLC, pursuant to Chapter 272 of the Local Government Code of the State of Texas for the purpose of development of low-income or moderate-income housing. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

INTERLOCAL AGREEMENT – E911 PUBLIC SAFETY ANSWERING POINT: Consider approving Interlocal agreement with the Permian Basin Regional Planning Commission relating to the planning, development, operation and provision of 9-1-1 service.

Motion by Council Member Stewart to approve Interlocal agreement with the Permian Basin Regional Commission relating to the planning, development, operation and provision of 9-1-1 service. Motion seconded by Council Member Briseno and upon being put to a vote the motion passed.

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

RE-APPOINTMENT OF CRIS NORRIS TO THE CANADIAN RIVER MUNICIPAL WATER AUTHORITY: City Council to approve the Cris Norris to serve as the City's representative on the Canadian River Municipal Water Authority Board.

Motion by Council Member Gonzales to approve Cris Norris to serve as the City's representative on the Canadian River Municipal Water Authority Board. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

Res. No. R-25-19

Ord. Book 13

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BUDGET AMENDMENT VII: Consider amending Ordinance O-14-18 on Second reading with respect to October 1, 2018. (*Forensic Grant*)

Motion by Council Member Stewart to consider amending Ordinance No.O-14-18 on Second reading with respect to October 1, 2018. Motion seconded by Council Member Rodriguez and upon being put to a vote the motion passed.

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

Ord. No. O-14-19

Ord. Book 13

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EMPLOYEE ASSISTANCE PROGRAM (EAP) AGREEMENT WITH TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER: City Council to consider approving an agreement with Texas Tech University Health Sciences Center to provide an Employee Assistance Program (EAP) to benefit City employees and volunteer firefighters.

Motion by Council Member Moreno to approve an agreement with Texas Tech University Health Sciences Center to provide an Employee Assistance Program (EAP) to benefit City employees and volunteer firefighters. This is a renewal of an existing contract. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

ANIMAL CONTROL ORDINANCE: DISCUSS CODE OF ORDINANCES CHAPTER 2, ARTICLE 2.02, NUISANCE ANIMALS: Discussion of Code of Ordinance Chapter 2, Article 2.02 Maintenance of dogs running at large in the City Limits of Lamesa.

Concerned citizens spoke on the concerns of dogs running at large and want the ordinance enforced.

CREATION OF NEW INTEREST BEARING BANK ACCOUNT FOR POLICE SEIZURE FUNDS: City Council to approve a resolution to open a new interest - bearing bank account for the Police Department for seizure funds. The approved signatories on each account will include: Shawna Burkhart, City Manager, Josh Stevens, Mayor, ale Alwan, Police Chief and Betty Conde, City Secretary. *(City Manager and Police Chief)*

Motion by Council Member Gonzales to approve a resolution to open a new interest bearing bank account for the police department for seizure funds. Motion seconded by Council Member Stewart and upon being put to a vote the motion passed.

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

Res. No. R-26-19

Ord. Book 13

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PURCHASE OF USED VEHICLE FOR CODE ENFORCEMENT: City Council to approve purchase of used vehicle from Ida Rodriguez for use by the Code Enforcement department. (Funds to be used are insurance proceeds.) *(City Manager)*

Passed on agenda item # 10.

LEDC/LEAP QUARTERLY REPORT: Sean Overeyender, EDC Director to present LEDC/LEAP Quarterly Report to City Council. *(EDC Director)*

LEDC/LEAP FY 2019/2020 BUDGET PRESENTATION AND ADOPTION: City Council to hear presentation regarding the LEDC/LEAP FY 2019/2020 proposed budget and consider adoption of proposed budget. *(EDC Director)*

Motion by Council Member Gonzales to approve FY 2019/2020 LEDC and LEAP annual budgets. Motion seconded by Council Member Briseno and upon being put to a vote the motion passed.

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

PRESENTATION TO GOVERNING BODY OF THE CITY'S 2019 CERTIFIED APPRAISAL ROLL, EFFECTIVE TAX RATE AND ROLLBACK TAX RATE CALCULATIONS: City Manager to present to City Council the City's 2019 Certified Appraisal Roll, the Effective Tax Rate and the Rollback Tax Rate Calculations as certified by the Dawson County Central Appraisal District, Chief Appraiser Norma Brock.

AD VALOREM TAX RATE – 2019: City Council to discuss and set the proposed tax rate, consider voting to holding two (2) public hearings on a proposal to increase the total tax revenues of the City of Lamesa from properties on the tax roll and take a record vote on the following dates:

- Proposed 1st Public Hearing: Thursday, August 22nd, 2019, 5:30 p.m. at City Hall, 601 S. 1ST Street, Lamesa, TX.
- Proposed 2nd Public Hearing – Tuesday, August 27th, 2019, 5:30 p.m. at City Hall, 601 S. 1ST Street, Lamesa, TX.

Motion by Council Member Gonzales to set the proposed tax rate at .834607 and hold two (2) public hearings on a proposal to increase the total tax revenues of the City of Lamesa from properties on the tax roll on August 22, 2019 at 5:30 p.m. and on August 27, 2019 at 5:30 p.m. Motion seconded by Council Member Moreno and upon being put to a vote the motion passed.

(VOTE BY SHOW OF HAND)



VOTING	“AYE”	“NAY”	“ABSTAIN”
Josh Stevens	_____	_____	_____
Brant Stewart	_____ X _____	_____	_____
Marie Briseno	_____	_____	_____
Rick Moreno	_____ X _____	_____	_____
Dore Rodriguez	_____	_____	_____
Bobby G. Gonzales	_____ X _____	_____	_____
Doug Morris	_____ X _____	_____	_____

Marie Briseno and Dore Rodriguez did not vote by show of hands. Josh Stevens was absent from the meeting.

Per Chapter 26 of the Tax Code, Section 26.05 2b, “... For a taxing unit other than a school district, the vote on the ordinance, resolution or order setting a tax rate that exceeds the effective tax rate must be a record vote, and at least 60 percent of the members of the governing body must vote in favor of the ordinance, resolution, or order.”

The City of Lamesa City Council voted 4-0 to set the proposed tax rate at \$.834607 which is equivalent to the effective tax rate. The proposed tax rate does not exceed the effective rate and thus does not require at least 60 percent of the members of the governing body to vote in favor of the ordinance, resolution or order as confirmed by TML Legal Department.

DEPARTMENTAL REPORTS: Dept to report on current activities and answer questions from the City Council.

- a) MS Crude and Cactus Bike Ride Update.

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

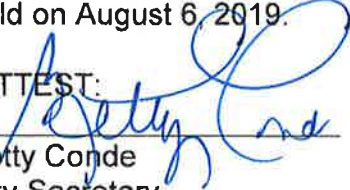
MAYORS REPORT: Mayor to report on future plans and goals.

ADJOURNMENT: *The next regularly scheduled meetings of the City Council of the City of Lamesa will be August 20, 2019 at 5:30 P.M.*

UPCOMING MEETINGS

- **August 13, 2019 (Tuesday)** – *Special Call Meeting*
 - *Budget Workshop*
- **August 15, 2019 (Thursday)** – *Special Call Meeting*
 - **Budget Workshop**
- **August 20, 2019 (Tuesday)-Regularly Scheduled Meeting**
- August 22, 2019 City Council Meeting –
 - 1st Reading of Budget Ordinance
 - 1st Public Hearing on Proposed Tax Rate, if Proposed Tax Rate is higher than the Effective Rate
- **August 27, 2019 City Council Meeting –**
 - 2nd Reading of Budget Ordinance
 - 2nd Public Hearing on Proposed Tax Rate, if Proposed Tax Rate is higher than the Effective Rate
- **Sept. 3, 2019 City Council Meeting -**
 - Ratify Proposed Tax Increase Reflected in the FY 2019/2020 Adopted Budget with record vote.
 - 1st Reading to Adopt Tax Ordinances (M&O, I&S, Combined Tax Rate) with record vote.
- **Sept. 10, 2019 City Council Meeting -**
 - 2nd Reading to Adopt Tax Ordinances (M&O, I&S, Combined Tax Rate) with record vote.
 - Authorize Warrants for FY 2019/2020
- **Sept. 17, 2019** City Council Meeting to be cancelled

Pursuant to the provisions of the Texas Open Meetings Act, the City Council certifies that the items above are a full record of the subject matter of each deliberation and indicates each vote, order, decision or other action taken by the City Council of the City of Lamesa, Texas at the meeting held on the date indicated above. Ratified and approved at the regularly called meeting of the City Council of the City of Lamesa, Texas held on August 6, 2019.

ATTEST:

Betty Conde
City Secretary

APPROVED

Josh Stevens
Mayor