

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

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

**April 19, 2022**

On this the 19th day of April 2022, 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 4 City Council Members were present:

JOSH STEVENS	Mayor
MORGAN VERMILLION	Council Member – District 1
FRED VERA	Council Member – District 2 MAYOR PRO-TEM(ABSENT)
GLORIA V. RODRIGUEZ	Council Member – District 3
DANNY JACOBS	Council Member - District 4 ABSENT
BOBBY G. GONZALES	Council Member – District 5
VACANT	Council Member – District 6

City staff members present at the meeting:

JOE HINES	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:

Robert Ramirez	Leticia Dimas	Ryan Owens
Larry Duyck	Sandy Trevino	Bob Henderson
Wayne Chapman	Carter T. Schildknecht	Doug Morris
Josh Peterson	Lee Peterson	Robin Wiley
Morgan Verette		

**INVOCATION: Josh Stevens**

**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

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

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

**EXPRESSION OF APPRECIATION:** City Council to Consider passing a resolution of appreciation to Doug Morris for 5 years of service on City Council District 6. *(City Council)*

Plaque was presented

**A RESOLUTION ADOPTING THE ATTACHED POLICIES IN CONNECTION WITH THE CITY OF LAMESA, TEXAS PARTICIPATION IN FEDERALLY FUNDED PROJECTS ASSOCIATED WITH THE AMERICAN RESCUE PLAN ACT – CORONAVIRUS LOCAL FISCAL RECOVERY FUND (ARPA – CLFRF) AND ADHERENCE TO THE REGULATIONS DESCRIBED THEREIN:** City Council to adopt the attached policies in connection with the City of Lamesa Texas participation in federally funded projects associated with the American Rescue Plan Act-Coronavirus Local Fiscal Recovery Fund and adherence to the regulations therein. *(City Manager)*

Motion by Council Member Morgan Vermillion to authorize a resolution adopting policies in connection with the American Rescue Plan Act – Coronavirus Local Fiscal Recovery Fund and adherence to the regulations therein. Motion seconded by Council Member Bobby Gonzales and upon being put to a vote the motion passed.

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, AUTHORIZING THE ACCEPTANCE OF AMERICAN RESCUE PLAN ACT (ARPA) – CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS (CLFRF) AND AUTHORIZING THE MAYOR AND THE MAYOR PRO TEM TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S IMPLEMENTATION OF THE AMERICAN RESCUE PLAN ACT (ARPA) – CORONAVIRUS LOCAL FISCAL RECOVERY FUNDS (CLFRF) FUNDS:** City Council to authorize the acceptance of American Rescue Plan Act -Coronavirus Local Fiscal Recovery Funds and authorizing the Mayor and the Mayor Pro Tem to act as the City's executive officer and authorized representative in all matters pertaining to the City's implementation of the American Rescue Plan Act -Coronavirus Local Fiscal Recovery Funds. *(City Manager)*

Motion by Council Member Bobby Gonzales to authorize the acceptance of American Rescue Plan Act -Coronavirus Local Fiscal Recovery Funds and authorizing the Mayor and the Mayor Pro Tem to act as the City's executive officer and authorized representative in all matters pertaining to the City's implementation of the American Rescue Plan Act - Coronavirus Local Fiscal Recovery Funds. Motion seconded by Council Member Gloria Rodriguez and upon being put to a vote the motion passed.

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

**A RESOLUTION OF THE CITY OF LAMESA, TEXAS ADOPTING THE "STANDARD ALLOWANCE" PROVISION DETAILED IN THE AMERICAN RESCUE PLAN (ARPA):** Consider passing resolution for the City to take advantage of a "standard allowance" provision as detailed in the ARPA Final Rule which allows the City to declare all funds received as "Lost Revenue".  
*(City Manager)*

Motion by Council Member Morgan Vermillion to authorize a resolution. for the City to take advantage of a "standard allowance" provision as detailed in the ARPA Final Rule which allows the City to declare all funds received as "Lost Revenue". Motion seconded by Council Member Bobby Gonzales and upon being put to a vote the motion passed.

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

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, ESTABLISHING AN ELIGIBLE DEFERRED COMPENSATION PLAN PURSUAT TO SECTION 457 OF THE INTERNAL REVENUE CODE:** City Council to consider adopting a resolution to establish an eligible deferred compensation plan pursuant to section 457 of the Internal Revenue Code. *(City Manager)*

Motion by Council Member Bobby Gonzales to. adopt a resolution to establish an eligible deferred compensation plan pursuant to section 457 of the Internal Revenue Code. Motion seconded by Council Member Gloria Rodriguez and upon being put to a vote the motion passed.

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

**AN ORDINANCE DECLARING UNOPPOSED CANDIDATE IN THE MAY 7, 2022, GENERAL ELECTION FOR MAYOR, ELECTED TO OFFICE; CANCELING THE ELECTION PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE:** City Council to Consider passing an ordinance on second reading declaring the unopposed candidate in the May 7, 2022, General Election for Mayor, elected to office; canceling the election providing a severability clause; providing an effective date. *(City Secretary)*

Motion by Council Member Morgan Vermillion\_ to pass an ordinance on second reading declaring the unopposed candidate in the May 7, 2022, General Election for Mayor, elected to office; canceling the election providing a severability clause; providing an effective date.

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

VOTING:                    "AYE" 4                    "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 TOOT 'N TOTUM FOOD STORES, LLC:** City Council to consider passing a resolution approving an economic incentive and performance agreement between Lamesa Economic Alliance Project and TOOT 'N TOTUM FOOD STORES, LLC. *(EDC Director)*

Motion by Council Member Bobby Gonzales to pass a resolution approving an economic incentive and performance agreement between Lamesa Economic Alliance Project and TOOT 'N TOTUM FOOD STORES, LLC.

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

VOTING:                    "AYE" 4                    "NAY"                    "ABSTAIN"

**AN ORDINANCE GRANTING TO RYAN OWENS DOING BUSINESS AS RYNO 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:** City Council to consider passing an ordinance on second reading granting Ryan Owens doing business as Ryno 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.*(City Manager)*

Motion by Council Member Morgan Vermillion to pass an ordinance on second reading granting Ryan Owens doing business as Ryno 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" 4                    "NAY"                    "ABSTAIN"

**REQUEST FOR SPECIFIC USE PERMIT:** City Council to consider approving an Ordinance on second reading approving specific use permit for the following property: E 52' of Lot 8 & W 1' OF Lot 7 Block 3 Chicago Heights Addition to the City of Lamesa, Dawson County, Texas located at 214 N 22<sup>nd</sup> Place for a Dog Grooming Business. *(Building Official)*

Motion by Council Member Bobby Gonzales to approve an Ordinance on second reading for a specific use permit for Danny Jacobs 214 N 22<sup>nd</sup> Place for a Dog Grooming Business. Motion seconded by Council Member Morgan Vermillion and upon being put to a vote the motion passed.

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

**REQUEST FOR SPECIFIC USE PERMIT:** City Council to consider approving an Ordinance on second reading approving specific use permit for the following property: All of Lot 17 of the Meador Addition to the City of Lamesa, Dawson County, Texas located at 202 Raleigh Circle for use as a rental property for a Manufactured Home *(Building Official)*

Motion by Council Member Morgan Vermillion to approve an Ordinance on second reading for a specific use permit with a two (2) year limit to allow the placement of a Manufactured Home on such property located at 202 Raleigh Circle, Lamesa, Texas. Motion seconded by Council Member Bobby Gonzales and upon being put to a vote the motion passed.

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

**BUDGET AMENDMENT IV:** City Council to consider amending Ordinance O-22-21 on first reading with respect to the budget for the fiscal year beginning October 1, 2021 and ending September 30, 2022. *This budget amendment reflects the proceeds from Texas Municipal League Insurance (City Manager & Finance Director)*

Motion by Council Member Bobby Gonzales to amend Ordinance O-22-21 on first reading with respect to the budget for the fiscal year beginning October 1, 2021 and ending September 30, 2022. Motion seconded by Council Member Morgan Vermillion and upon being put to a vote the motion passed.

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

**BUDGET AMENDMENT V:** City Council to consider amending Ordinance O-22-21 on first reading with respect to the budget for the fiscal year beginning October 1, 2021 and ending September 30, 2022. *This budget amendment reflects the proceeds from the sale of scrap metal. (City Manager & Finance Director)*

Motion by Council Member Morgan Vermillion to amend Ordinance O-22-21 on first reading with respect to the budget for the fiscal year beginning October 1, 2021 and ending September 30, 2022. Motion seconded by Council Member Gloria Rodriguez and upon being put to a vote the motion passed.

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

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

**INVESTMENT REPORT:** Finance Director to report on the city's investments for the second quarter of FY 2021-2022.

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

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

**MAYOR'S REPORT:** Mayor to report on future events.

**EXECUTIVE SESSION:** 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.

Motion by Council Member Bobby Gonzales to convene in closed executive session in accordance with the provisions of the Texas Open Meetings to discuss and consider personnel matters. Motion seconded by Council Member Gloria Rodriguez and upon being put to a vote the motion passed.

**VOTING:**

"AYE" 4

"NAY"

"ABSTAIN"

**RECONVENE TO OPEN SESSION:** City Council to reconvene into open session to consider taking action.

Motion by Council Member Bobby Gonzales to approve amending section 5:03.02 of the personnel policy of the City of Lamesa. . Motion seconded by Council Member Morgan Vermillion and upon being put to a vote the motion passed.

**VOTING:**

"AYE" 4

"NAY"


"ABSTAIN"

**ADJOURNMENT:** *The next regularly scheduled meeting of the City Council of the City of Lamesa will be May 17, 2022 at 5:30 P.M.*

ATTEST:

  
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Betty Conde  
City Secretary

APPROVED:

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