

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

**MINUTES OF THE CITY COUNCIL SPECIAL CALLED MEETING:
SEPTEMBER 1, 2015**

On this the 1st day of September, 2015, at 5:30 P.M. there came on and was held a special 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 Nix 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 7 the Council Members were present:

DAVE NIX	MAYOR
MARIE BRISENO	COUNCIL MEMBER – DISTRICT 2
JOSH STEVENS	MAYOR PRO-TEM /COUNCIL MEMBER – DISTRICT 1
FABIAN RUBIO	COUNCIL MEMBER – DISTRICT 3
BOBBY G. GONZALES	COUNCIL MEMBER – DISTRICT 4
FRED VERA	COUNCIL MEMBER – DISTRICT 5
CHANCE BRITT	COUNCIL MEMBER – DISTRICT 6

City staff members present at the meeting:

SHAWNA D. BURKHART	CITY MANAGER
VACANT	CITY SECRETARY
RUSSELL CASSELBERRY	CITY ATTORNEY

Members of the public present at the meeting:

Regina Crutcher	Dale Alwan	Victor Dimas	Sylvia Dimas
Tele Gonzales	Chris Norris	Wayne Chapman	Tommy Arguijo
Irma Ramirez	Robert Ramirez	Sandy Trevino	Melba Rush
Lenda Vogler			

Invocation was given by Council Member Chance Britt

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 with correction of the council meeting held on August 25, 2015.

Motion by Council Member Britt approve item 3a. Motion seconded by Council Member Stevens and upon being put to a vote the motion passed.

VOTING: "AYE" 7 "NAY" 0 "ABSTAIN" 0

REPORT BY MUNICIPAL GOLF BOARD REGARDING MANAGEMENT, MAINTENANCE AND BEAUTIFICATION OF THE MUNICIPAL GOLF COURSE: Under Section 1.09.036 of the Code of Ordinance, the municipal golf board shall function as an advisory board only and in this capacity shall advise the city council from time to time concerning the management, maintenance and beautification of the golf course. Report requested by Councilman Gonzales.

City Council Member Josh Stevens requested this item be tabled at this time, since President Ronnie Angeley has just been elected to office. City Council agreed to pass on this item.

APPOINTMENT- MUNICIPAL GOLF BOARD MEMBER TO FILL UNEXPIRED TERM OF ABARISTO OGEDA: Consider passing a resolution appointing one (1) member to the Municipal Golf Board, to fill the unexpired term of Abaristo Ogeda, for a partial one (1) year term ending on December 31, 2015

Motion by Council Member Gonzales to approve Mario Dimas to fill the unexpired term of Abaristo Ogeda (term ending December 2015). Motion seconded by Council Member Stevens and upon being put to a vote the motion passed.

VOTING: “AYE” 7 “NAY” 0 “ABSTAIN” 0

INDEPENDENT AUDITOR – LETTER OF AGREEMENT: Consider appointing an independent auditor for Fiscal Year 2014-2015, and to authorize the Mayor to enter into a letter of engagement to provide for an audit of the books of the City in accordance with the provisions of the City Charter.

Motion by Council Member Vera to approve appointing Davis Kinard & Co. PC as the independent auditor for Fiscal Year 2014-2015 and authorize the Mayor to enter into the letter of engagement to provide for an audit of the books of the City in accordance with the provisions of the City Charter. Motion seconded by Council Member Gonzales and upon being put to a vote the motion passed.

VOTING: “AYE” 7 “NAY” 0 “ABSTAIN” 0

PERSONNEL POLICY AMENDMENT: Consider passing a resolution approving amendments to the Personnel Policy of the City of Lamesa.

Motion by Council Member Stevens approve the Personnel Policy Amendment as presented. Motion seconded by Council Member Vera and upon being put to a vote the motion passed.

VOTING: “AYE” 6 “NAY” 0 “ABSTAIN” 1

INVESTMENT POLICY: Consider passing a resolution approving the investment policy for all City funds for Fiscal Year 2015-2016 as required by state law.

Motion by Council Member Rubio pass a resolution approving the City's Investment Policy for FY 2015-2016 as required by State Law. Motion seconded by Council Member Britt and upon being put to a vote the motion passed.

VOTING: "AYE" 7 "NAY" 0 "ABSTAIN" 0

Res. No. R-20-15

Ord. Book No. 11

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PUBLIC HEARING - FISCAL YEAR 2015-2016 BUDGET: 1st Public Hearing, in accordance with State Law (Local Government Code, Chapter 102), to hear a report from the City Manager and to hear comments from the public regarding the proposed Annual Budget for Fiscal Year 2015-2016 beginning on October 1, 2015. ***THE PROPOSED BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$91,715 WHICH IS A 4.95615 PERCENT INCREASE FROM LAST YEAR'S BUDGET.***

City Manager Shawna Burkhart gave a brief overview of the proposed city budget for fiscal year 2015-2016. Mayor Nix announced the opening of a public hearing on the proposed budget for Fiscal Year 2015-2016. Councilman Vera, Mayor Nix, Councilman Britt and Councilwoman Briseno spoke. There being no other person wishing to speak, the public hearing was closed.

AD VALOREM TAX RATE – 2015: 2nd Public Hearing on a proposed hearing on a proposed property tax rate of 0.740000 for 2015. This tax rate will raise \$ 1,948,672 which is \$91,715 more than taxes imposed last year.

Mayor Nix announced the opening of a public hearing on a proposed hearing on a proposed property tax rate of 0.740000 for 2015. This tax rate will raise \$ 1,948,672 which is \$91,715 more than taxes imposed last year. There being no person wishing to speak, the public hearing was closed.

FISCAL YEAR OCTOBER 2015-2016 BUDGET – ADOPTION: Consider passing an ordinance on first reading adopting the proposed Annual Budget for Fiscal Year 2015-2016 beginning on October 1, 2015. ***THE PROPOSED BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$91,715 WHICH IS A 4.95615 PERCENT INCREASE FROM LAST YEAR'S BUDGET.***

Motion by Council Member Britt to pass an ordinance on first reading Consider passing an ordinance on first reading adopting the proposed Annual Budget for Fiscal Year 2015-2016 beginning on October 1, 2015. Motion seconded by Council Member Stevens and upon being put to a vote the motion passed.

RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS

VOTING	"AYE"	"NAY"	"ABSTAIN"
Dave Nix	<u>X</u>	_____	_____
Josh Stevens	<u>X</u>	_____	_____
Marie A. Briseno	_____	<u>X</u>	_____
Fabian Rubio	<u>X</u>	_____	_____
Bobby Gonzales	_____	<u>X</u>	_____
Fred Vera	_____	<u>X</u>	_____
Chance Britt	<u>X</u>	_____	_____

Ord. No. O-14-15

Ord. Book No. 11

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RATIFY 2014-2015 BUDGET PROPERTY TAX INCREASE: Consider ratifying the property tax increase reflected in the Fiscal Year 2015-2016 budget that raises more property taxes than the Fiscal Year 2014-2015. **THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.17 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$15.70 {(Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.**

Motion by Council Member Stevens to ratify the property tax increase reflected in the Fiscal Year 2015-2016 budget which raises more property taxes (based on a tax rate of .740000 than the Fiscal Year 2014-2015 (based on a tax rate of .724300). Motion seconded by Council Member Britt and upon being put to a vote the motion passed.

VOTING: "AYE" 4 "NAY" 3 "ABSTAIN" 0

AD VALOREM TAX RATE – 2015 (DEBT SERVICE TAX RATE): Consider establishing an ad valorem tax rate for Fiscal Year 2015-2016 by passing on first reading an ordinance establishing the ad valorem tax rate which will raise the amount of revenue required to pay Debt Service at a rate of \$0.031522 per hundred dollar assessed valuation for Fiscal Year beginning October 1, 2015 and ending September 30, 2016. **THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.17 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$15.70 {(Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.**

Motion by Council Member Stevens; **"I MOVE THAT THE CITY ESTABLISH THE AD VALOREM TAX RATE WHICH WILL RAISE THE AMOUNT OF REVENUE REQUIRED TO PAY DEBT SERVICE AT A RATE OF \$0.031522 PER HUNDRED DOLLAR ASSESSED VALUATION FOR FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016.**

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

RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS

VOTING	"AYE"	"NAY"	"ABSTAIN"
Dave Nix	<u>X</u>	_____	_____
Josh Stevens	<u>X</u>	_____	_____
Marie A. Briseno	_____	<u>X</u>	_____
Fabian Rubio	<u>X</u>	_____	_____
Bobby Gonzales	_____	<u>X</u>	_____
Fred Vera	_____	<u>X</u>	_____
Chance Britt	<u>X</u>	_____	_____

Ord. No. O-15-15

Ord. Book No. 11

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AD VALOREM TAX RATE – 2015 (MAINTENANCE AND OPERATIONS TAX RATE): Consider establishing an ad valorem tax rate by passing on first reading an ordinance establishing the ad valorem tax rate which will raise the amount of revenue required to fund Maintenance and Operation expenditures at a rate of \$.708478 for Fiscal Year beginning October 1, 2015 and ending September 30, 2016. ***THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.17 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$15.70 {(Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.***

Motion by Council Member Britt; **"I MOVE THAT THE CITY ESTABLISH THE AD VALOREM TAX RATE WHICH WILL RAISE THE AMOUNT OF REVENUE REQUIRED TO FUND MAINTENANCE AND OPERATION EXPENDITURES AT A RATE OF \$.708478 PER HUNDRED DOLLAR ASSESSED VALUATION FOR FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING SEPTEMBER 30, 2016.**

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

RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS

VOTING	"AYE"	"NAY"	"ABSTAIN"
Dave Nix	<u>X</u>	_____	_____
Josh Stevens	<u>X</u>	_____	_____
Marie A. Briseno	_____	<u>X</u>	_____
Fabian Rubio	<u>X</u>	_____	_____
Bobby Gonzales	_____	<u>X</u>	_____
Fred Vera	_____	<u>X</u>	_____
Chance Britt	<u>X</u>	_____	_____

Ord. No. O-16-15

Ord. Book No. 11

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AD VALOREM TAX RATE – 2015: Consider establishing an ad valorem tax rate by passing on first reading an ordinance establishing the ad valorem tax rate of \$0.740000 per hundred dollar assessed valuation for the Fiscal Year beginning October 1, 2015 and ending September 30, 2016, and adopting the provisions of Section 31.05 of the State Property Tax Code to provide for discounts under certain conditions. ***THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 2.17 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$15.70 {(Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE)}.***

Motion by Council Member Rubio; ***"I MOVE THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE OF \$0.740000, WHICH IS EFFECTIVELY A 4.939 PERCENT INCREASE IN THE TAX RATE."***

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

RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS

VOTING	"AYE"	"NAY"	"ABSTAIN"
Dave Nix	<u>X</u>	_____	_____
Josh Stevens	<u>X</u>	_____	_____
Marie A. Briseno	_____	<u>X</u>	_____
Fabian Rubio	<u>X</u>	_____	_____
Bobby Gonzales	_____	<u>X</u>	_____
Fred Vera	_____	<u>X</u>	_____
Chance Britt	<u>X</u>	_____	_____

Ord. No. O-17-15

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ADJOURNMENT: Mayor Nix announced that the next regular meeting of the City Council of the City of Lamesa, Texas would be held on September 15, 2015. Persons desiring to present business to the city council at that meeting are directed to submit a request in writing to the city secretary by Wednesday, SEPTEMBER 9, 2015 in order to be included on the agenda. There being no other business, the meeting was adjourned.

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 special called meeting of the City Council of the City of Lamesa, Texas held on August 25, 2015.

ATTEST:

APPROVED:

Shawna D. Burkhart
City Manager

Dave Nix
Mayor