

MINUTES  
REGULAR MEETING  
TUESDAY, MARCH 14, 2023

The City Council of the City of Monahans, Texas convened on the above date at 3:00 p.m. in the Council Chambers of City Hall with the following members, officers and visitors present:

Adam Steen	Mayor
Rudy Hernandez (absent)	Council Member District No. 1
Jeppie S. Wilson, Jr.	Council Member District No. 2/Mayor Pro Tem
Calvin Carrell	Council Member District No. 3
Ivy Valenzuela	Council Member District No. 4
Richard Hawkins	Council Member District No. 5

Rex M. Thee	City Manager
Frank Heslin	Assistant City Manager
Tonya Todd	City Secretary
Justin Till	Attorney for the City

Kristofer Quintana	Chief of Police MPD
Stormey Laws	Captain MPD
Lorenzo Colon	Officer MPD
Rosanna Milam	Officer MPD
Ben McGilvray	Animal Control Officer
Roy Bean	Justice of the Peace 2 & 3
Teresa Burnett	Executive Director Chamber of Commerce
Christy Sullivan	The Monahans News
Ashley Adatao	Director MEDC
Melton Mitchell	Risk Management Officer

**ITEM #1 & ITEM #2** Mayor Steen called the meeting to order and Councilman Wilson gave the invocation.

**ITEM #3** City Manager Rex M. Thee briefed the Council on approving the minutes of the February 28, 2023 Regular Council Meeting.

Motion by Councilman Hawkins, seconded by Councilman Carrell to approve the minutes of the February 28, 2023 Regular Council Meeting.

Votes were as follows:	Absent	Rudy Hernandez
	“Aye”	Jeppie Wilson
	“Aye”	Calvin Carrell
	“Aye”	Ivy Valenzuela

“Aye” Richard Hawkins

Motion carried.

**ITEM #4** Video Presentation by City Manager to discuss the National Fitness Campaign and 2023 Grant Application for an outdoor Fitness Court. Mr. Thee presented two short video clips regarding the benefits of a Fitness Court. Mr. Thee indicated that the National Fitness Campaign (NFC) and Blue Cross Blue Shield Insurance Company have teamed up to inform communities of a wellness grant program. Mr. Thee mentioned that this presentation is mainly for a discussion to see if the City, in partnership with the Chamber of Commerce and the MEDC, would want to look at some funding in the coming budget process for matching funds to put in a fitness compound on the piece of MEDC property on E. 15<sup>th</sup> Street. Mr. Thee mentioned that the City had exercise equipment around Rudy Park that was well used, but it became obsolete and worn out, and was never replaced. Mr. Thee mentioned that the possible location for the fitness court would be in an area with high traffic and visibility, near other outdoor activity areas, i.e., new county park, walking sidewalk paths at Event Center, elementary and planned Monahans Kidz Zone. Mr. Thee mentioned that the fitness park has a 25-year life, is low maintenance, and can be easily expanded in the future. Mr. Thee along with the Council Members think this would be a great opportunity and add quality of life benefits for our citizens.

**ITEM #5** Presentation by citizens to be heard. Chamber of Commerce Executive Director Teresa Burnett mentioned that Ward County Day at the Capitol, in Austin, Texas was a good trip with approximately 17 from Monahans in attendance. Ms. Burnett indicated that the group met with Senator Sparks, Representative Landgraf, Texas Parks and Wildlife and TxDOT to discuss projects and matters concerning our community. Rosanna Milam new Officer for the Monahans Police Department was introduced by Chief Quintana.

**ITEM #6** City Manager Rex M. Thee briefed the Council regarding the Second and Final Reading of Ordinance No. 1308 adopting and enacting a new Code of Ordinances. Mr. Thee indicated that first reading was approved at the previous meeting. Mr. Thee stated that these changes do not include the City Charter. Mayor Steen read the caption of Ordinance No. 1308 out loud.

Motion by Councilman Hawkins, seconded by Councilman Valenzuela to approve the Second and Final Reading of Ordinance No. 1308:

ORDINANCE NO. 1308

AN ORDINANCE OF THE CITY OF MONAHANS, TEXAS, ADOPTING AND ENACTING A NEW CODE OF ORDINANCES; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF NOT EXCEEDING \$500 GENERALLY OR NOT EXCEEDING \$2,000 FOR VIOLATIONS RELATING TO FIRE SAFETY, ZONING OR PUBLIC HEALTH AND SANITATION OR NOT EXCEEDING \$4,000 FOR VIOLATIONS RELATING TO DUMPING OF REFUSE; PROVIDING FOR THE AMENDMENT OF SUCH CODE; AND

PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

Votes were as follows:

Absent	Rudy Hernandez
“Aye”	Jeppie Wilson
“Aye”	Calvin Carrell
“Aye”	Ivy Valenzuela
“Aye”	Richard Hawkins

Motion carried.

**ITEM #7** City Manager Rex M. Thee briefed the Council regarding a request from Monahans Chamber to close 5<sup>th</sup> Street between Allen Avenue and Calvin Avenue, for 4<sup>th</sup> of July 2023 Celebration in Hill Park, July 3<sup>rd</sup> from 8:00 a.m. through July 4<sup>th</sup> 5:00 p.m. Mr. Thee mentioned that this event has been held many times, with no issues.

Motion by Councilman Wilson, seconded by Councilman Hawkins to approve the request from Monahans Chamber to close 5<sup>th</sup> Street between Allen Avenue and Calvin Avenue, for 4<sup>th</sup> of July 2023 Celebration in Hill Park, July 3<sup>rd</sup> from 8:00 a.m. through July 4<sup>th</sup> 5:00 p.m.

Votes were as follows:

Absent	Rudy Hernandez
“Aye”	Jeppie Wilson
“Aye”	Calvin Carrell
“Aye”	Ivy Valenzuela
“Aye”	Richard Hawkins

Motion carried.

**ITEM #8** City Manager Rex M. Thee briefed the Council with regard to acknowledging receipt of Texas Gas Service Company Annual Reporting Requirement Per Rate Schedule Pipeline Integrity Testing (PIT) Rider for the West Texas Service Area for the Calendar Year Ending December 31, 2022. Mr. Thee mentioned that the rate per Ccf (100 Cubic Feet) of \$.00109 will be collected from customers from April 2023 through March 2024 for a total recovery of \$234,224. Mr. Thee indicated that by the end of this month, Texas Gas expects to have recovered all of the authorized PIT costs for the past year; however, the Company will be allowed by the PUC to recover a 2021 – 2022 recovery shortfall of \$38,253 during this recover cycle. Mr. Thee mentioned that the typical residential customer’s monthly bill will be impacted by approximately four cents (\$.04).

Motion by Councilman Carrell, seconded by Councilman Wilson to acknowledge receipt of Texas Gas Service Company Annual Reporting Requirement Per Rate Schedule Pipeline Integrity Testing (PIT) Rider for the West Texas Service Area for the Calendar Year Ending December 31, 2022.

Votes were as follows:

Absent	Rudy Hernandez
“Aye”	Jeppie Wilson
“Aye”	Calvin Carrell

“Aye” Ivy Valenzuela  
“Aye” Richard Hawkins

Motion carried.

**ITEM #9** City Manager Rex M. Thee briefed the Council with regards to the 2023 Consumer Price Index (CPI) Adjustment to Municipal Telecommunications Right-of-Way Access Line Rates. Mr. Thee indicated that the City will see an increase of 4.2883% due to inflation. Mr. Thee stated that if the council takes no action, this increase will take effect, increasing the rate the City charges for telecommunications lines in city rights-of-way. Mr. Thee mentioned that prior to 2019, the FCC ruled that local franchise authorities could not regulate nonvideo services offered by incumbent cable operators, such as broadband internet service, business data services, and Voice over Internet Protocol (VoIP) services. Mr. Thee stated that in October 2019, the FCC concluded that a video streaming service was providing “effective competition” to certain local cable systems, thereby preempting the affected municipalities’ ability to regulate local rates for basic cable service. Mr. Thee indicated that an increasing number of consumers are substituting streaming services for video services provided by cable companies and telephone companies and as a result, the amount of revenue state and local governments receive from cable and telephone service providers subject to franchise fees is declining. Mr. Thee stated that the increased rate makes up somewhat for the loss in revenue; however, rates get passed on to the customer making scrutiny of future increases more important. Mr. Thee mentioned that a response to decline would mean the City could join any future rate case along with other stakeholder cities and he recommends taking no action on this item and accepting this maximum rate increase. Mr. Thee stated that the new rates will go into effect no later than July 1<sup>st</sup> this year.

No action taken.

**ITEM #10** City Manager Rex M. Thee briefed the Council regarding the appointment of the City of Monahans Local Rabies Control Authority. Mr. Thee indicated that Ben McGilvray has completed the education and certification required to be a LRCA. Mr. Thee stated that the Rabies Control Act of 1981 provides through Texas Health and Safety Code Chapter 826 the authority for municipalities to adopt a rabies control plan and enact ordinances, which the City did with Codes of Ordinance, Chapter 4, Article VI in 1996. Mr. Thee mentioned that if appointed, Mr. McGilvray will receive incentive compensation already accommodated in this budget.

Motion by Councilman Carrell, seconded by Councilman Wilson to appoint Ben McGilvray as the City of Monahans Local Rabies Control Authority.

Votes were as follows:

Absent	Rudy Hernandez
“Aye”	Jeppie Wilson
“Aye”	Calvin Carrell

“Aye” Ivy Valenzuela  
“Aye” Richard Hawkins

Motion carried.

**ITEM #11** City Manager Rex M. Thee briefed the Council with regards to appointing a Presiding Election Judge and Alternate Judge for the May 6, 2023, Special Election and appointments to the Early Voting Ballot Board for the City of Monahans. Laura Bejaran has served as alternate judge, and Debbie Dearman has served as an election clerk in previous city elections. Mr. Thee stated that this Resolution is to consider appointing Laura Bejaran presiding election judge and presiding judge of the Early Voting Ballot Board, and Debbie Dearman alternate judge for both for the May 6, 2023 special election subject to their acceptance, which Ms. Todd has already verbally received. Mr. Thee stated that the presiding judge will appoint up to four (4) clerks.

Motion by Councilman Wilson, seconded by Councilman Hawkins to approve Resolution No. 2023-010: Appointments for the Special Election for the City of Monahans to be held May 6, 2023 are as follows: Laura Bejaran shall serve as Presiding Election Judge and Presiding Judge for the Early Voting Ballot Board; Debbie Dearman shall serve as Alternate Presiding Judge and Alternate Presiding Judge for the Early Voting Ballot Board, subject to their acceptance. The clerks for the election will be appointed by the Presiding Election Judge, in a number not to exceed four (4) clerks.

Votes were as follows:

Absent	Rudy Hernandez
“Aye”	Jeppie Wilson
“Aye”	Calvin Carrell
“Aye”	Ivy Valenzuela
“Aye”	Richard Hawkins

Motion carried.

**ITEM #12** City Manager Rex M. Thee briefed the Council regarding Resolution No. 2023-011 specifying the hours and polling location for Early Voting by personal appearance and Election Day Voting for the May 6, 2023, Special Election for the City of Monahans. Mr. Thee indicated that Early Voting and Election Day Voting will be held at City Hall.

Motion by Councilman Hawkins, seconded by Councilman Valenzuela to approve Resolution No. 2023-011: That Early Voting by personal appearance will be held at the City of Monahans City Hall Building, in the Council Chambers Room, located at 112 W. 2<sup>nd</sup> St., Monahans, Texas and shall be conducted between the hours of 8:00 a.m. and 6:00 p.m., each weekday, beginning on April 24, 2023 through May 2, 2023. Voting on Election Day, May 6, 2023 will be conducted from 7:00 a.m. to 7:00 p.m. at the City of Monahans City Hall Building, in the Council Chambers Room, located at 112 W. 2<sup>nd</sup> St., Monahans, Texas.

Votes were as follows:

Absent	Rudy Hernandez
“Aye”	Jeppie Wilson

“Aye” Calvin Carrell  
“Aye” Ivy Valenzuela  
“Aye” Richard Hawkins

Motion carried.

**ITEM #13** Motion by Councilman Hawkins, seconded by Councilman Valenzuela to adjourn meeting at 3:38 p.m.

Votes were as follows:

Absent	Rudy Hernandez
“Aye”	Jeppie Wilson
“Aye”	Calvin Carrell
“Aye”	Ivy Valenzuela
“Aye”	Richard Hawkins

Motion carried.

Passed and approved by the Monahans City Council on March 28, 2023.

ATTEST:

APPROVED:

\_\_\_\_\_  
Tonya Todd, City Secretary

\_\_\_\_\_  
Adam Steen, Mayor