

MINUTES
REGULAR MEETING
TUESDAY, APRIL 26, 2022

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	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
Ashley Adatao	Director MEDC
Billy Riley	Chief of Police MPD
Kris Quintana	Captain MPD
Teresa Burnett	Executive Director Chamber of Commerce
Navi Calvert	Admiration CrossFit
Zachary Calvert	Admiration CrossFit
Henry Cutbirth	Quell Petroleum
Cari Cutbirth-Martinez	MAH
Ed Mendez	Oncor
Rocky Rives	Smith & Rives, PC
Richard Covington	Public Works Director
Christy Sullivan	The Monahans News

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 March 22, 2022 Regular Council Meeting.

Motion by Councilman Hawkins, seconded by Councilman Carrell to approve the minutes of the March 22, 2022, Regular Council Meeting, as presented.

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

Motion carried.

ITEM #4 Consider and Act Upon approving the following consent items:

- a. Accounts Payable in the amount of \$805,577.16
- b. Resolution No. 2022-011 Regarding Tax Roll Adjustments
- c. Monthly Reports/Minutes: (a) Airport Manager’s Monthly Report, (b) Animal Control Monthly Report, (c) Building Permit Monthly Report, (d) Code Enforcement Monthly Report (e) MEDC Minutes and Monthly Financial Report, (f) Municipal Court Monthly Report, (g) City Monthly Fund Balance Report, (h) City Monthly Revenue and Expenditure Comparison Summary Report (i) Planning and Zoning Board of Adjustment Minutes (j) Monahans Chamber of Commerce Hotel Occupancy Quarterly Report

Motion by Councilman Valenzuela, seconded by Councilman Wilson to approve the consent items.

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

Motion carried.

ITEM #5 Presentation of citizens to be heard. Cari Cutbirth-Martinez addressed the Council with concerns that she has regarding the lack of parking for the downtown area for businesses such as her own, the Golden Treasure Thrift Store, the CrossFit Gym, AV Fitness Gym and other businesses in the area. Ms. Martinez mentioned that she was told that Complex Community Federal Credit Union was only going to lease the city’s property (i.e., the land) for a temporary building, until their new building was built and then the building would be removed from the city’s property. Ms. Martinez stated that many of the customers in the downtown area have used the city’s parking lot located at 113 S. Allen for many years. Ms. Martinez stated that she felt like she wasn’t told the truth, since the city has now bought the building for the use of the Municipal Court Building. Ms. Martinez asked the Council to reconsider their decision, by removing the building to allow merchants a solution to the issues with parking in that area. City Manager Rex M. Thee thanked her for her comments. Teresa Burnett, Executive Director for the Chamber of Commerce mentioned that they have many upcoming events and will host the Regional Seminar on Hotel Occupancy Tax. Ashley Aduato, MEDC Director stated that the drainage issue, by the Event Center, are getting taken care of and she is working on some of the same projects. No further input from citizens was made and the Council continued with their meeting.

ITEM #6 City Manager Rex M. Thee briefed the Council with regards to the Audit Report of the Financial Statements for Year Ended September 30, 2021 from Smith & Rives. Mr. Thee stated

that Rocky Rives with Smith & Rives, PC was present to make the audit report presentation. Mr. Rives stated that he was thankful to be the Independent Auditor for the City of Monahans. Mr. Rives discussed with the Council several of the financial highlights in the audit report for fiscal year 2020-2021. Mr. Rives mentioned that their firm rendered an unmodified opinion, which is the best that can be rendered, and the net position of the City increased \$971,617. Mr. Rives asked if there were any question and there were none.

Motion by Councilman Carrell, seconded by Councilman Hawkins to approve the Audit Report of the Financial Statements for Year Ending September 30, 2021 from Smith and Rives.

Votes were as follows:	“Aye”	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 with regards to acknowledging Mayor Adam Steen’s Proclamation to set May 2022 as “Clean-Up Monahans Month”. Mayor Steen indicated that he wanted this Proclamation because he had complaints about the city needing to be cleaned up and he hopes this will encourage the citizens of Monahans to clean-up their property.

Motion by Councilman Wilson, seconded by Councilman Carrell to acknowledge Mayor Adam Steen’s Proclamation to set May 2022 as “Clen-Up Monahans Month”.

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

Motion carried.

Mayor Steen read the Proclamation out loud.

ITEM #8 City Manager Rex M. Thee briefed the Council regarding the Second and Final Reading of Ordinance No. 1297 Suspending the Proposed Gas Reliability Infrastructure Program (GRIP) Interim Rate Adjustment of Texas Gas Service Company, A Division of ONE Gas, Inc. Mr. Thee indicated that this second reading of this ordinance is to suspend an Interim Rate Adjustment proposed by Texas Gas Service (TGS) for an additional 45 days beyond the initial 60-day review period by the Public Utilities Commission. Mr. Thee stated that this is the second and final reading. Mayor Steen read the caption of Ordinance No. 1297 out loud.

Motion Councilman Hawkins, seconded by Councilman Carrell to approve the Second and Final Reading of Ordinance No. 1297:

ORDINANCE NO. 1297

AN ORDINANCE OF THE CITY OF MONAHANS, TEXAS SUSPENDING THE PROPOSED GAS RELIABILITY INFRASTRUCTURE PROGRAM INTERIM RATE ADJUSTMENT OF TEXAS GAS SERVICE COMPANY, A DIVISION OF ONE GAS, INC.; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY

A. FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein and such recitals, as findings of fact, are hereby approved.

B. PROPER NOTICE & MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551.

C. EFFECTIVE DATE

This ordinance shall become effective from and after its passage.

D. COPY OF ORDINANCE TO TGS

Within 10 days after passage, a copy of this Ordinance shall be sent Stephanie Houle, Texas Gas Service, Barton Skyway IV, 1301 S. Mopac, Suite 400, Austin, Texas 78746.

Votes were as follows:	“Aye”	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 regarding the Public Funds Investment Report, Quarter Ending March 31, 2022. Mr. Thee named the fund accounts and indicated that funds are kept secured at a 102%, as required by law.

Motion by Councilman Wilson, seconded by Councilman Valenzuela to approve the Public Funds Investment Report, Quarter Ending March 31, 2022.

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

Motion carried.

ITEM #10 City Manager Rex M. Thee briefed the Council with regards to Resolution No. 2022-012 City Manager’s Certification that all improvements required by the Code of Ordinances, City of Monahans, Texas, Chapter 22 – Subdivisions, Article IV. Required Improvements and Article V. Design Standards have been satisfactorily completed in accordance with all city plans and specifications for 2000 Block E. 8th St., 1900 & 2000 Blocks E. 12th St; and 800-1100 Blocks South Victor Ave. Mr. Thee mentioned that he has attached his Administrative

Memorandum Certification as Exhibit “A” to this Resolution and he did receive the Notice of Acceptability of Work from the Engineer.

Motion by Councilman Carrell, seconded by Councilman Hawkins to approve Resolution No. 2022-012:

To approve the City Manager’s certification that all improvements required by the Code of Ordinances, City of Monahans, Texas, Chapter 22 – Subdivisions, Article IV. Required Improvements and Article V. Design Standards have been satisfactorily completed in accordance with all city plans and specifications for such improvements of the East Monahans Subdivision of which said streets are currently in an “R-1” District - Single Family or higher zone.

ITEM #11 Consider and Act Upon Resolution No. 2022-013 Electing a Standard Allowance of \$10 Million for the Use of State and Local Fiscal Recovery Funds (SLFRF) Authorized in the American Rescue Plan Final Rule April 1, 2022. Mr. Thee indicated that the City has been notified to expect an additional \$268,697.36 now, and after October 1, 2022 another payment of at least \$968,908. Mr. Thee mentioned that there are certain categories allowed for expenditure of those funds and entities such as Monahans that receives and expends \$10 million or less can elect a “Standard Allowance” under the category of revenue loss due to the pandemic. Mr. Thee mentioned that the Standard Allowance allowed in the Treasury Department “Final Rule” effective April 1, 2022 broadens the list of eligible expenditures and basically, the funds can be used for governmental services.

Motion by Councilman Wilson, seconded by Valenzuela to approve Resolution No. 2022-013:
To elect a Standard Allowance for expenditures of Coronavirus State and Local Fiscal Recovery Funds received by the City.

Votes were as follows:

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

Motion carried.

ITEM #12 Mayor Steen read the following statement out loud, “The City Council will begin its Executive Session on this 26th day of April 2022 at 3:36 p.m. Pursuant to the provisions of the Open Meetings Law – Texas Government Code, in accordance with the authority contained in:

Section 551.074 Personnel Matters and Section 551.072 Deliberations Regarding Real Property:

- a. Personnel Matters-Chief of Police Position
- b. Deliberation Regarding Real Property-to discuss the purchase, exchange, lease, or value of real property located at 113 S. Allen Avenue.”

ITEM #13 Mayor Steen read the following statement out loud “The City Council has completed its Executive Session on the 26th day of April 2022 at 4:19 p.m.”

- a. Personnel Matters-Chief of Police Position-No action taken

- b. Deliberation Regarding Real Property-to discuss the purchase, exchange, lease, or value of real property located at 113 S. Allen Avenue

Motion by Councilman Wilson, seconded by Councilman Valenzuela to sell the building only, by sealed bid, per state law. Mr. Wilson reiterated that this is the building only, not the property (i.e. the land).

Votes were as follows:

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

Motion carried.

ITEM #14 Motion by Councilman Hawkins, seconded by Councilman Carrell to adjourn meeting at 4:21 p.m.

Votes were as follows:

“Aye”	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 May 10, 2022.

ATTEST:

APPROVED:

Tonya Todd, City Secretary

Adam Steen, Mayor