

**MINUTES
REGULAR MEETING
TUESDAY, SEPTEMBER 24 2019**

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:

*David B. Cutbirth
Rudy Hernandez
Jeppie S. Wilson
Calvin Carrell
Ivy Valenzuela
Richard Hawkins*

*Mayor
Council Member District #1
Council Member District #2/Mayor Pro Tem
Council Member District #3
Council Member District #4
Council Member District #5*

*Rex M. Thee
Tonya Todd
Absent-Alan Nicholas*

*City Manager
City Secretary
Attorney for the the City*

*Ashley Aduato
Billy Riley
Christy Sullivan
Ted Boehm
Lorena Valle*

*MEDC Director
Chief of Police-MPD
Monahans News
Delcom
Finance Officer*

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

ITEM #3 City Manager Rex M. Thee briefed the Council on approving minutes of the September 10, 2019 Regular Council Meeting.

Motion by Councilman Hawkins, seconded by Councilman Hernandez to approve the minutes of the September 10, 2019, 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 Presentation by citizens to be heard. Ashley Aduato stated that things are moving along well with the East Monahans Parkway project.

ITEM #5 City Manager Rex M. Thee briefed the Council with regards to an Easement and Right of Way Agreement with Oncor Delivery Company, on city land in Section 82, Block A, G. & M.M.B.& A., Survey, Abstract 91, Ward County, Texas, and suspension of the existing ROW agreement dated May 28, 2019. Mr. Thee indicated that the City approved an easement May 28, 2019 which Oncor needs to change and extend. Mr. Thee stated that the new route will add 4.475 acres, approximately 780 feet of 160’ Right of Way and 20’ temporary access. Oncor paid \$12,580 for easement and \$285.00 for temporary access on the original easement and Oncor is offering the same payment rate for the added acreage which totals \$17,307. Mr. Thee mentioned that this agreement will also approve suspension of the original easement.

Motion by Councilman Carrell, seconded by Councilman Valenzuela to approve the Easement and Right of Way Agreement with Oncor Delivery Company, on city land in Section 82, Block A, G. & M.M. B. & A, Survey, Abstract 91, Ward County, Texas, and to suspend the existing ROW agreement dated May 28, 2019.

Votes were as follows:

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

Motion carried.

ITEM #6 City Manager Rex M. Thee briefed the Council with regards to an Agreement regarding Division Orders with Concord Energy LLC Property No. 72468C and 72469C. Mr. Thee indicated that there are two division orders with Concord Energy LLC that would pay the City’s decimal interest in South Monahans Queen Unit – Little Battery and South Monahans Queen Unit – Big Battery. The City interest is 0.0010857 on each unit. Mr. Thee stated that Concord has replaced Plains as the buyer of product from KRF Production Company LLC that now owns and operates the wells previously owned by Rick Mitchell, Texas Heat.

Motion by Councilman Wilson, seconded by Councilman Hawkins to approve the Division Order Agreements with Concord Energy LLC for Property No. 72468C and 72469C.

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 a request from St. John Catholic Church to temporarily close East 6th Street from James Avenue to Kenneth Avenue on October 12, 2019 from 11:00 a.m. to 11:00 p.m. for the Annual Bazaar. Mr. Thee mentioned that the City has allowed this closure for the past several years with no issues.

Motion by Councilman Wilson, seconded by Councilman Valenzuela to approve the request from St. John Catholic Church to temporarily close East 6th Street from James Avenue to Kenneth Avenue on October 12, 2019 from 11:00 a.m. to 11:00 p.m. for the Annual Bazaar.

Votes were as follows:

“Aye”	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 regards to the second and final reading of Ordinance No. 1271 adopting the Fiscal Year Budget October 1, 2019 – September 30, 2020. Mr. Thee indicated that the public hearing for the budget was held on August 13, 2019 and the first reading was approved September 10, 2019.

Motion by Councilman Hernandez, seconded by Councilman Carrell to approve the second and final reading of Ordinance No. 1271:

ORDINANCE NO. 1271

AN ORDINANCE OF THE CITY OF MONAHANS, TEXAS ADOPTING THE BUDGET FOR THE CITY OF MONAHANS, FOR THE FISCAL YEAR BEGINNING ON OCTOBER 1, 2019, AND ENDING ON SEPTEMBER 30, 2020, AND REVISING THE BUDGET FOR THE PRECEDING FISCAL YEAR ENDING SEPTEMBER 30, 2019.

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 with regards to the second and final reading of Ordinance No. 1272 adopting the 2019 Property Tax Rate. Mr. Thee indicated that the proposed tax rate is \$.33000 per \$100 of valuation of property, which is one cent lower than last year's rate. Two public hearings were held and the first reading was approved Sept. 10th. Mr. Thee stated that the Council member making the motion to adopt must use specific language.

Motion by Councilman Valenzuela "I move that the property tax rate be increased by the adoption of a tax rate of \$.33000, which is effectively a 26.87 percent increase in the tax rate and approve second and final reading of Ordinance No. 1272", seconded by Councilman Hawkins.

ORDINANCE NO. 1272

AN ORDINANCE OF THE CITY OF MONAHANS, TEXAS, LEVYING TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF MONAHANS, TEXAS.

SECTION 2. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

SECTION 3. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 26.87 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$79.00.

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 on Resolution No. 2019-043 regarding Grant Agreement for the Monahans-Roy Hurd Memorial Airport TxDOT CSJ No.: 1906MONHN. Mr. Thee indicated that the agreement is with TxDOT Aviation for the Federal Financial Assisted grant that will cover 100% of the cost to reconstruct the long runway 12-30 and this grant will be \$2,678,997.00.

Motion by Councilman Carrell, seconded by Councilman Hawkins to approve Resolution No. 2019-043: that the City of Monahans approves the acceptance and execution of the Agreement with TxDOT for the above described airport project and does ratify and adopt all statements, representations, warranties, covenants and agreements constituting the described project and incorporated materials referred to in the Agreement, and does accept the Offer, and agrees to the terms and conditions of the Agreement.

Votes were as follows: "Aye" 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 regarding Resolution No. 2019-044 nominating candidates to serve as members of the Board of Directors for the Ward County Appraisal District for a two-year term beginning January 1, 2020. Mr. Thee indicated that the city can nominate up to five candidates for election to the Board of Directors of the Ward County Appraisal District and the election will be December 15, 2019, Monahans has only 100 votes. Mr. Thee mentioned that Ward County, MWP ISD and PBT ISD have a large majority of the votes and Ward County has nominated current board members Vicki Heflin and Camilla Blum.

Motion by Councilman Wilson, seconded by Councilman Valenzuela to approve Resolution No. 2019-044: That the following person(s) are hereby nominated and whose name(s) will be placed on the ballot as a candidate for director of the Ward County Appraisal District by City of Monahans.

David B. Cutbirth

Votes were as follows:

“Aye”	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 with regards to a Scope of Services Agreement with Enprotec/Hibbs and Todd Engineering Firm for engineering, surveying and inspection service for the Quela Street Sewer Lift Station Improvements. Mr. Thee indicated that the agreement is for \$41,500 and the anticipated costs for the improvements to be approximately \$450,000. Mr. Thee stated that Quela will be the last lift station in the city’s system to be upgraded.

Motion by Councilman Valenzuela, seconded by Councilman Wilson to approve the Scope of Services Agreement with Enprotec/Hibbs and Todd Engineering Firm for engineering, surveying and inspection service for the Quela Street Sewer Lift Station Improvements.

Votes were as follows:

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

Motion carried.

ITEM #13 City Manager Rex M. Thee briefed the council on Resolution 2019-045 regarding line item budget amendments to the 2018-2019 Fiscal Year Budget. Mr. Thee indicated that unused funds from capital equipment and vehicles will be moved to pay for increased operations costs in administration and the police department. Mr. Thee mentioned that the increase in the Police department was due to overtime before increased salaries and a full department and these line item budget amendments will not change the overall fund balances.

Motion by Councilman Hawkins, seconded by Councilman Carrell to approve Resolution No. 2019-045: To make the following line item adjustments to the 2018-2019 Budget.

<u>Account No.</u>	<u>Department</u>	<u>Current Amount</u>	<u>Amended Amount</u>
10-5-14-120	Public Safety Operational	\$ 985,462	\$ 1,101,017
10-5-11-120	Administration Operational	\$ 349,828	\$ 455,828
40-5-40-202	Hotel Occupancy Ward County Museum	\$ 50,000	\$ 35,500
40-5-40-210	Special Projects	\$ 40,000	\$ 54,500
20-5-54-940	SW Collection/Disposal Vehicles Trucks Trailers	\$ 198,205	\$ 40,705
20-5-54-998	Equipment	\$ 185,000	\$ 120,945

Votes were as follows:

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

Motion carried.

ITEM #14 Mayor Cutbirth read the following statement “The City Council will begin its Executive Session on this 24th day of September, 2019 at 3:21 p.m. Pursuant to the provisions of the Open Meetings Law – Texas Government Code, in accordance with the authority contained in:

(a) Section 551.071 Consultation with Attorney: Pending litigation Eric Hemphill.”

ITEM #15 OPEN SESSION: Mayor Cutbirth read the following statement aloud. “The City Council has completed its Executive Session on the 24th day of September 2019 at 3:28 p.m.” To take any action deemed necessary after executive session regarding:

(a) Section 551.071 Consultation with Attorney: Pending litigation Eric Hemphill

No action taken.

ITEM #16 Motion by Councilman Hawkins, seconded by Councilman Valenzuela to adjourn meeting at 3:28 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 October 8, 2019.

ATTEST:

APPROVED:

Tonya Todd, City Secretary

David B. Cutbirth, Mayor