

MINUTES
REGULAR MEETING
TUESDAY, SEPTEMBER 28, 2021

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
Alan Nicholas	Attorney for the City
Billy Riley	Chief of Police MPD
Teresa Burnett	Executive Director Chamber of Commerce
T.J. Perkins	Self
Gerald Carlson	Self
Doug Roeber	Self
Smokey Briggs	The Monahans News
Guy Thames	Self
Marielena Saenz	Self
Edgar DeAnda	Self
Ashley Adatao	Director MEDC
Richard Covington	Public Works Director
Paso Emini	Self

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 September 14, 2021 Regular Council Meeting.

Motion by Councilman Carrell, seconded by Councilman Valenzuela to approve the minutes of the September 14, 2021, 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 of citizens to be heard. Guy Thames addressed the Council by reading a statement. Mr. Thames, a resident of the City of Monahans, strongly urges the Monahans City Council to pass a Resolution and Ordinance as fast, as possible, to keep illegal immigrants from staying in the city. Mr. Thames mentioned several topics of concern, such as, COVID and other health conditions; by doing nothing, the City would see a huge criminal surge; overcrowded schools and hospitals; and police departments would be affected. Mr. Thames stated that this is a Code Red Emergency and urged the Council to act now. Mr. Thames thanked the Council for the opportunity to speak. Teresa Burnett, Executive Director of the Chamber of Commerce, mentioned that they have prepared new brochures and they are being released to promote businesses and tourism. Ms. Burnett indicated that the mural projects will begin in the next few weeks. Ashley Aduato, Director of the MEDC, stated that they are working on bids to finish up Monahans Parkway and they continue to work on the broadband project.

ITEM #5 City Manager Rex M. Thee briefed the Council regarding Second and Final Reading of Ordinance No. 1294 Rezoning Lots 1, 2, 3, & 4, Block 23, East Monahans Subdivision, City of Monahans, Ward County, Texas from a R-1 (Single Family Dwelling) to a R-3 (Multi-Family Dwelling). Mr. Thee indicated that these are the four lots between the fenced detention pond and East 15th Street across from the new 8:28 Carwash, addressed as 1601, 1607, 1613, 1617 East 15th Street. Mr. Thee stated that the rezone was approved by the Planning and Zoning Board at their meeting Tuesday, September 2, 2021, by a 4 to 1 vote. Mr. Thee mentioned that a public hearing was held, at the last regular meeting, with 14 citizens present, and one citizen presented 50 unofficial and unverified signatures against the rezone. Mr. Thee stated that Brian Franks, President of the MEDC Board was present at that meeting to discuss the merits of Paso Emini. Mr. Thee stated that Builder Paso Emini wanted to have the lots rezoned so he could purchase them from MEDC and build a 20-unit apartment building. Mayor Steen opened the floor for any last comments, prior to the Council's final vote. Paso Emini addressed the Council stating that most people know his work of tearing down homes and building new ones. Mr. Emini stated that no one will want to build homes, at said location, with a car wash in front and a detention pond in the back of their property. Mr. Emini stated that the apartments he plans to build are not low income and would not make the value of the property go down. Mr. Emini indicated that it would be better to put something there, rather than to have nothing there at all. Ms. Aduato addressed the Council with a reminder that the utilities have already been installed, there is a need for more apartments in our community and asked the Council to take that into consideration. Ms. Saenz asked if there was a minimum valuation that is given to an apartment complex and is concerned about the devaluation of the properties in that area. Councilman Wilson stated that Mr. Emini's work is good, but the council members represent the majority of the people and the property owners in that area do not want an apartment complex there. Councilman Carrell stated that he echoed what Councilman Wilson had to say and he is wanting the City to lead the way in taking down old homes so new ones can be built. Mr. Thee reminded the

council that the vote was unanimous, with Councilman Hawkins absent, to deny rezoning this property, on the first reading of the Ordinance. Mr. Thee informed the Council that the Ordinance will be decided with the outcome of the second and final reading.

Motion by Councilman Wilson, seconded by Councilman Hawkins **not to approve** Ordinance No. 1294:

ORDINANCE NO. 1294
AN ORDINANCE AMENDING ZONING ORDINANCE NO. 486
OF THE CITY OF MONAHANS, REZONING CERTAIN LANDS
SITUATED IN THE CITY OF MONAHANS AS DESCRIBED
HEREIN; AND DECLARING AN EFFECTIVE DATE.

Section 1: That Lots 1, 2, 3, & 4, Block 23, East Monahans Subdivision, City of Monahans, Ward County, Texas be rezoned from a R-1(Single Family Dwelling) to a R-3 (Multi-Family Dwelling).

Mayor Steen called for “Aye” for all those in favor of the rezone. *There were no Ayes.*

Mayor Steen called for “Nay” for all those that oppose the rezone.

Votes were as follows:

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

Motion carried.

Ordinance No. 1294 READ, And **NOT APPROVED** on second and final reading this 28th day of September 2021.

ITEM #6 City Manager Rex M. Thee briefed the Council regarding Resolution No. 2021-037 CARES Act Airport Grant Agreement and Airport Coronavirus Relief Grant Program (ACRGP) Grant Agreement between the City of Monahans and Texas Department of Transportation.

Mr. Thee mentioned that these funds are provided by the Coronavirus Response and Recovery Supplemental Appropriations Act (CRRSAA). Mr. Thee indicated that these two grants are specifically for airport related maintenance or operations needs and are 100% no match funds. Mr. Thee stated that the CARES Act is \$30,000 and the ACRGP is \$13,000. Mr. Thee mentioned that TxDOT has agreed to allow the funds to be used for taxiway crack cleaning and repair. Mr. Thee stated that he has opened a request for quotes to area pavers for the project and hope these funds will cover the project costs for the most part.

Motion by Councilman Carrell, seconded by Councilman Hernandez to approve Resolution No. 2021-037: that the City of Monahans hereby directs Rex M. Thee, City Manager, to execute on behalf of the City of Monahans, at the appropriate time, and with the appropriate authorizations of this governing body, and all contracts and agreements between the Texas Department of Transportation (TxDOT), for and on behalf of the State of Texas and City of Monahans, Texas for Roy Hurd Memorial Airport.

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 regarding Resolution No. 2021-038 Joining the Opioid Settlement Class Action Lawsuit. Mr. Thee indicated that Texas has joined the settlement which provides \$1.1 billion for Texas and political subdivisions including cities and counties. Mr. Thee stated that the City of Monahans would be in line to receive \$5,849 when the settlement funds are paid to the state. Mr. Thee mentioned that this resolution looks a little different from our usual format because the state provided the resolution with specific wording to meet the legalities of the settlement.

Motion by Councilman Hawkins, seconded by Councilman Valenzuela to approve Resolution No. 2021-038: that we, the City of Monahans City Council:

1. Support the adoption and approval of the Texas Term Sheet in its entirety; and
2. Finds as follows:
 - a. There is a substantial need for repayment of opioid-related expenditures and payment to abate opioid-related harms in and about the City of Monahans; and
 - b. The City of Monahans City Council supports in its entirety and hereby adopts the allocation method for opioid settlement proceeds as set forth in the STATE OF TEXAS AND TEXAS POLITICAL SUBDIVISIONS’ OPIOID ABATEMENT FUND COUNCIL AND SETTLEMENT ALLOCATION TERM SHEET, attached hereto as Exhibit A. The City of Monahans City Council understands that the purpose of this Texas Term Sheet is to permit collaboration between the State of Texas and Political Subdivisions to explore and potentially effectuate resolution of the Opioid Litigation against Pharmaceutical Supply Chain Participants as defined therein. We also understand that an additional purpose is to create an effective means of distributing any potential settlement funds obtained under this Texas Term Sheet between the State of Texas and Political Subdivisions in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic in this City and throughout Texas.

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 regarding a request from St. John Catholic Church to temporarily close East 6th Street from James Avenue to Kenneth Avenue on October 9, 2021 from 10:30 a.m. to 6:00 p.m. for the Annual Bazaar. Mr. Thee stated that we have 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 9, 2021 from 10:30 a.m. to 6:00 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 #9 Mayor Steen read the following statement aloud in open session. “The City Council will begin its Executive Session on this 28th day of September 2021 at 3:35 p.m. Pursuant to the provisions of the Open Meetings Law – Texas Government Code, in accordance with the authority contained in:

- a. Section 551.074 Personnel Matters: Monahans Economic Development Board Appointment (Two members/three-year terms 10/01/2021 to 09/30/2024).”

ITEM #10 Mayor Steen read the following statement aloud in open session. “The City Council has completed its Executive Session on the 28th day of September 2021 at 4:01 p.m.”

City Manager Rex M. Thee briefed the Council with regards to approving Resolution No. 2021-035 Appointment to Monahans Economic Development Board (Two members/three-year terms 10/01/2021 to 09/30/2024). Mr. Thee stated that two positions are open on the MEDC board.

Motion by Councilman Valenzuela, seconded by Councilman Wilson to approve Resolution No. 2021-035: To appoint Renee Heflin and reappoint Richard Erwin to a three-year term as Monahans Economic Development Board member, for the term of October 1, 2021 through September 30, 2024, subject to their acceptance.

Votes were as follows:

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

Motion carried.

ITEM #11 Motion by Councilman Hawkins, seconded by Councilman Valenzuela to adjourn meeting at 4:04 p.m.

Votes were as follows:

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

Motion carried.

Passed and approved by the Monahans City Council on October 12, 2021.

ATTEST:

APPROVED:

Tonya Todd, City Secretary

Adam Steen, Mayor