

**STATE OF TEXAS
CITY OF MARFA
COUNTY OF PRESIDIO**

The City Council of the City of Marfa met in a Regular Meeting on Thursday, July 28, 2022, in-person at 6:00pm in the Casner Room, located in Marfa's City Hall, 113 South Highland Ave, Marfa Texas 79843. Those in attendance were Mayor Baeza, Mayor Pro Tem Salgado, Council Member Ballmann, Council Member Cash, Council Member Lara, and Council Member Pallarez.

1. Call the Meeting to order and establish a quorum.
 - Mayor Baeza called the meeting to order at 6:00pm and established a quorum.
2. Pledge of Allegiance.
3. Citizen Comment Period.

At this time, any person may address the Council for a limited time concerning any matter and should limit their remarks to a period of three minutes. The Council is not allowed to take action on any subject presented, nor is the Council required to provide any response. As allowed in Texas Attorney General Opinion KP-0300, all public comments should be presented during this citizen comment period.

Presentation:

Presentation by Preston Singleton of the FY 2020-2021 Audit by Singleton, Clark & Company.

- Preston Singleton presented the 2020-2021 Audit findings to Council in its completeness, highlighting that he had 7 recommendations going forward.

Presentation of the City of Marfa Gas Department's Annual Emergency Plan by Director, James Mustard.

- Gas Department Director, James Mustard handed out a copy of his Annual Emergency Plan and asked if Council had any questions. Council Member Pallarez asked if there was anything

the Gas Dept needed. Mr. Mustard responded that they still do need a ¾ ton truck but they're still searching for one.

Minutes:

4. Adopt and approve Minutes from previous City Council Meeting(s).
 - July 12, 2022 – Mayor Pro Tem Salgado made a motion to approve the minutes as presented. Council Member Lara seconded the motion. All were in favor. Motion carried. 5-0.

Financial Reports:

5. Discussion with action as appropriate to approve FY 2020-2021 Audit from Singleton, Clark, & Company.
 - Mayor Pro Tem Salgado made a motion to approve the FY 2020-2021 Audit from Singleton, Clark, & Co. Council Member Lara seconded the motion. All were in favor. Motion carried. 5-0.
6. Discussion with action as appropriate to authorize Accounts Payable Report.
 - Mayor Pro Tem Salgado made a motion to approve the Accounts Payable report as presented. Council Member Lara seconded the motion. All were in favor. Motion carried. 5-0.

Old Business:

New Business:

7. Discussion with action as appropriate to:
 - a. Approve RFP for stabilization work needed at the museum, and/or
 - b. Decide to remove the floor as recommended by the engineer for further structural study.
 - Council Member Pallarez made a motion to appoint City Manager

Roane to solicit quotes/bids for floor removal as suggested by engineer for further structural study. Council Member Cash seconded the motion. All were in favor. Motion carried. 5-0.

8. Discussion with action as appropriate to approve Invitation to Bid for the repaving of Russell and Mesa Streets.

- Mayor Pro Tem Salgado made a motion to approve the Invitation to Bid for the repaving of Russell and Mesa Streets including the MAC parking lot and the drive for Meals on Wheels entrance. Mayor Pro Tem Salgado amended her motion to: approve the Invitation to Bid for the repaving of Russel St from San Antonio to Columbia and Mesa St from San Antonio to Lincoln including the MAC Parking lot and the driveway strip for Meals on Wheels as well as allow staff to change the due date if needed. Council Member cash seconded the motion. All were in favor. Motion carried. 5-0.

9. Discussion with action as appropriate regarding renewal options for WTG Gas Contract and other possible options.

- Mayor Pro Tem Salgado made a motion to Table this agenda item until next regular meeting. Council Member Lara seconded the motion. All were in favor. Motion carried. 5-0.

10. Discussion with action as appropriate regarding Lannan Foundation's offer to donate their park on N Gonzales St and W 2nd St to the City of Marfa.

- Council Member Pallarez made a motion to appoint City Manager Roane and City Attorney Todd to work with Lannan regarding their offer to donate their park on N Gonzales St and W 2nd St to the City of Marfa. Council Member Lara seconded the motion. All were in favor. Motion carried. 5-0.

11. Discussion with action as appropriate to regarding request from Marfa Chamber of Commerce to hang the Marfa Lights banner across Highland Ave from August 4th until September 10, 2022.

- Council Member Lara made a motion to allow Marfa Chamber of Commerce to hang the Marfa Lights Banner across Highland Ave from August 4th until September 10th, 2022. Council Member Cash seconded the motion. All were in favor. Motion carried. 5-0.
12. Discussion with action as appropriate regarding request from Marfa Chamber of Commerce to close the streets around the courthouse as shown on map for the Marfa Lights Festival, September 2-4, 2022.
- Mayor Pro Tem Salgado made a motion to approve the request from Marfa Chamber of Commerce to close the streets around the courthouse plus Highland Ave from Oak St to the courthouse for the Marfa Lights Festival, September 2-4, 2022. Council Member Lara seconded the motion. All were in favor. Motion carried. 5-0.

Executive Sessions:

13. Convene into executive session pursuant to Texas Government Code §551.071 (consultation with attorney); specifically, §551.071(1)(A) (contemplated litigation) and §551.071(2) (privileged attorney-client communications) to consult with counsel regarding streets abandoned in 1999 by the Marfa City Commission in the Buena Vista Addition; reconvene into open session to take action as appropriate.
- Convene into Executive Session: 7:05pm
 - Reconvene into Open Session: 7:27pm
 - Council Member Lara made a motion to Table this agenda item. Council Member Ballmann seconded the motion. All were in favor. Motion carried. 3-0.
 - Council Member Pallarez left the meeting. Mayor Pro Tem stayed in the back office and didn't vote.
14. Convene into executive session pursuant to Texas Government Code §551.071(2) (privileged attorney-client communications); and 551.086 (public power

utilities-competitive matters) to seek advice from counsel regarding legal issues arising out of the \$114,257.80 invoice from WTG Gas Marketing, LLC for “assessment of OFO (Operational Flow Orders) charges by the transporting pipeline during the February 2021 winter weather event”; reconvene into open session to take action as appropriate.

- Convene into Executive Session:
- Reconvene into Open Session:

- No Update. Council Member Cash made a motion to Table this agenda item. Council Member Ballmann seconded the motion. All were in favor. Motion carried. 4-0.

15. Convene into executive session pursuant to Texas Government Code section §551.074 (personnel matters) to conduct annual evaluation of the Marfa City Manager; reconvene into open session to take action as appropriate.

- Convene into Executive session: 7:29pm
- Reconvene into Open Session: 7:49pm

- Mayor Pro Tem Salgado made a motion to continue with the current contract of City Manager. Council Member Ballmann seconded the motion. All were in favor. Motion carried. 4-0.

16. Convene into executive session pursuant to Texas Government Code section §551.074 (personnel matters) to conduct annual evaluation of the Marfa Chief of Police; reconvene into open session to take action as appropriate.

- Convene into Executive Session: 7:51pm
- Reconvene into Open Session: 8:24pm

- Mayor Pro Tem Salgado made a motion to continue with services from Chief of Police. Council Member Cash seconded the motion. All were in favor. Motion carried. 4-0.

17. Convene into executive session pursuant to Texas Government Code section §551.074 (personnel matters) to conduct annual evaluation of the Marfa City Attorney; reconvene into open session to take action as appropriate.

- Convene into Executive Session: 8:25pm
- Reconvene into Open Session: 8:50pm

- Council Member Lara made a motion to continue with services from City Attorney. Council Member Cash seconded the motion. All were in favor. Motion carried. 4-0.

Reports:

18. Mayor's Report

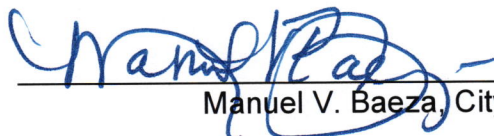
19. City Manager's Report – 3rd QTR Department reports. Library has filled both of its open positions. Water works is still hiring for 1 full time position. The library will be closed on Saturday August 6th as AEP will be replacing a power pole.

20. Council Members' Comments

21. Announcements

22. Adjourn

- Council Member Lara made a motion to adjourn the meeting at 9:00pm. Mayor Pro Tem Salgado seconded the motion. All were in favor. Motion carried 4-0



Manuel V. Baeza, City Mayor

Attest:



Amanda Roane, City Secretary