

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

The City Council of the City of Marfa met in a Regular Meeting on Tuesday, March 8, 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 Ben-Yehuda, Council Member Johnston, Council Member Pallarez, and Council Member Lara.

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.

**Public Hearing:**

4. Public Hearing to take public comments on the proposed closure of 3,893 square feet of North Gonzales Street, located 19.23 feet to the east of a portion of Lot 1, Lots 2 and 3, and a portion of Lot 4, Block 5, Mahon Addition to the City of Marfa, Presidio County, Texas. The City proposes to exchange this property for 2,560 square feet of land containing a city natural gas line, located on the westernmost 12.65 feet of the same parcels.

5. Adjourn Public Hearing: 6:04pm

No comments from Council or the public.

**Presentations:**

- Presentations from City Manager Roane and Tourism Director Abby Boyd of the new City of Marfa websites.

City Manager Roane presented to council via a shared screen, the outlay and overview of the new City of Marfa website. She shared how to navigate the City's side of the website as well as the "Visit Marfa" side. Council made suggestions on things they would like to see different. City Manager Roane added that the website has not gone live yet so more changes will be done to perfect the layout and accessibility.

## **Minutes:**

6. Adopt and approve Minutes from previous City Council Meetings.

- February 24, 2022 – Mayor Pro Tem Salgado made a motion to approve the minutes as corrected, to include that Mayor Baeza was present for Executive Session #16. Council Member Johnston seconded the motion. All were in favor. Motion carried. 5-0.

## **Financial Reports:**

7. Discussion with action as appropriate to authorize Accounts Payable Report.

Mayor Pro Tem Salgado made a motion to authorize the Accounts Payable Report as presented. Council Member Lara seconded the motion. All were in favor. Motion carried 5-0.

## **Old Business:**

8. Discussion with action as appropriate to adopt Resolution No. 2022-01 in support of Chinati's community dinner to be held on April 30, 2022, which includes previously approved street closure of State Hwy 17 (Highland Ave).

Council Member Ben-Yehuda made a motion to adopt Resolution No. 2022-01 in support of Chinati's community dinner to be held on April 30, 2022. Council Member Lara seconded the motion. All were in favor. Motion carried. 5-0.

9. Update and discussion with attorney Thomas Brocato regarding February 2022 natural gas supply invoice from WTG Gas Marketing, LLC in the amount of \$114,257.80 for transportation costs from the February 2021 winter storm; take action as appropriate regarding the invoice.

City Attorney informed Council that this item must be discussed in an Executive Session. Mayor Pro Tem Salgado made a motion to table Agenda item #9 until the next regular meeting on March 31, 2022, where it can be included on the agenda as an Executive Session item. Council Member Johnston seconded the motion. All were in favor. Motion carried. 5-0.

## **New Business:**

10. Discussion with action as appropriate to approve and accept proposed Budget Amendment #1.

Mayor Pro Tem Salgado made a motion to approve and accept the Budget Amendment #1 as presented. Council Member Lara seconded the motion. All were in favor. Motion carried. 5-0.

11. Discussion with action as appropriate to adopt Ordinance No 2022-07, cancelling the May 7, 2022, General Election and declaring each unopposed candidate Elected to office.

Council Member Ben-Yehuda made a motion to adopt Ordinance No. 2022-07, canceling to May 7, 2022 General Election and declaring each unopposed candidate Elected to office. Council Member Lara seconded the motion. All were in favor. Motion carried. 5-0.

12. Discussion with Action as appropriate to establish long term leases for the Marfa/Presidio County Museum and or Marfa Volunteer Fire Department. (Council Member Ben-Yehuda)

Council Member Ben-Yehuda explained to Council about the franchise tax credits that Marfa & Presidio County Museum and Marfa Volunteer Fire Department could potentially benefit from through the Marfa Historical District only if there were long term lease agreements in place. The leases would need to be a minimum 39 year agreement. Council unanimously agreed that they would like to see a Draft lease agreement from City Attorney Todd before agreeing to anything. Mayor Pro Tem made a motion to table this agenda item until next regular meeting on March 31, 2022 and would like to speak to and/or hear from the Marfa & Presidio County Museum Board on their stance. Council Member Ben-Yehuda seconded the motion. All were in favor. Motion carried. 5-0.

13. Discussion with action as appropriate in regard to continuing with P.P.P. (Public Power Pool) for Competitive Procurement Process.

Council Member Ben-Yehuda made a motion to continue with P.P.P. for Competitive Procurement Process. Council Member Johnston seconded the motion. All were in favor. Motion carried. 5-0.

14. Discussion with action as appropriate to write a letter of support to UTEP in support of an aerospace training and manufacturing facility proposed for the Sul Ross State University Alpine campus and in Van Horn, with mobile outreach to the surrounding communities.

Council Member Pallarez made a motion to authorize City Manager Roane to speak with Robert Halpern from the RioCOG about committing to offering MAC Building office space, outdoor space at the Recycle Center, and the promotion of the aerospace program(s) via the city's website and social media pages and signing the letter of support. Council Member Lara seconded the motion. All were in favor. Motion carried. 5-0.

15. Discussion with action as appropriate to approve:

- a. A collaborative purchase with the City of Alpine of Zartico Digital Dashboard. (Abby Boyd)

Council Member Pallarez made a motion to approve the collaborative purchase with City of Alpine of Zartico Digital Dashboard, contingent that HOT Funds will indeed cover the costs. Council Member Lara seconded the motion. All were in favor. Motion carried. 5-0.

- b. A brand review and update of the Marfa Department of Tourism by Theory Praxis. (Abby Boyd)

Council Member Lara made a motion to agree to the terms of Theory Praxis. Council Member Pallarez seconded the motion. All were in favor. Motion carried. 5-0.

**Executive Sessions:**

16. Convene into executive session pursuant to Texas Government Code §551.071 (consultation with attorney); specifically, 551.071(1)(A) (threatened litigation) and 551.071(2) (privileged attorney-client communications) to consult with counsel regarding the Texas Commission on Environmental Quality's Notice of Violation for deteriorating sewer pipes on the private property of the Chinati Foundation; reconvene into open session to take action as appropriate.

No update. Mayor Pro Tem Salgado made a motion to table agenda item #16 until the next regular meeting. Council Member Lara seconded the motion. All were in favor. Motion carried. 5-0.

17. 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.

No update. Mayor Pro Tem Salgado made a motion to table agenda item #17 until the next regular meeting on March 31, 2022. Council Member Lara seconded the motion. All were in favor. Motion carried. 5-0.

**Reports:**

18. Mayor's Report – NONE

19. City Manager's Report

City Manager Roane reported that EMS's ambulance remount has been pushed to 3/17/22 or later. EMS Director Bert Lagarde is keeping up with the updates. She also announced that the Food Establishment Application is now available on the website. Incode, the new administrative software, is slowly beginning to integrate and office staff is continuing training on all platforms. She concluded with a Thanks to all 1<sup>st</sup> Responders as well as City staff who assisted with the medical emergency that occurred at the dumpster in the alley behind City Hall earlier in the week.

20. Police Chief's Report

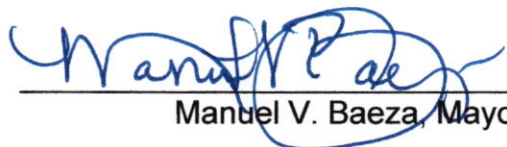
Chief Marquez informed Council that Marfa PD will be hosting an Active Shooter Training at the Marfa High School during Spring Break week. Marfa/Presidio County EMS, Marfa Fire Volunteer Department, and multiple other surrounding agencies have been invited to attend as well.

21. Council Members' Comments

22. Announcements

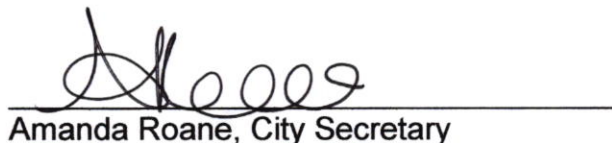
24. Adjourn

Council Member Lara made a motion to adjourn the meeting at 7:56pm. Mayor Pro Tem Salgado seconded the motion. All were in favor. Motion carried. 5-0.



Manuel V. Baeza, Mayor

Attest:



Amanda Roane, City Secretary