

**TULIA CITY COUNCIL  
TUESDAY MAY 10, 2022  
AT 6:00 P.M.  
TULIA CITY HALL, CITY COUNCIL CHAMBERS**

**1. Call to Order and Quorum Call**

|                             |                             |
|-----------------------------|-----------------------------|
| _____ Dusty George, Mayor   | _____ City Manager          |
| _____ Israel 'Bibo' Ramirez | _____ City Secretary        |
| _____ Jay Smith             | _____ Finance Director      |
| _____ Jed Owens             | _____ City Attorney         |
| _____ Greg Needham          | _____ Public Works Director |
|                             | _____ Chief of Police       |
|                             | _____ Electric Director     |

**2. Presentations and Public Comment** (Public Comments is limited to 3 minutes per speaker.)

**3. Consider action on the Consent Agenda** (usually approval of council meeting minutes will be placed under consent agenda along with non-controversial items that may have already been discussed or routinely handled in the past. This may include resolutions but not ordinances. A council member may remove an item from the consent agenda and place it on the Discussion and Action agenda before a vote on the Consent Agenda items.)

- CONSIDER AND APPROVE MINUTES FROM THE APRIL 12, 2022 MEETING

**4. Items for Discussion and Action**

a. ADMINISTER OATH OF OFFICE TO CITY COUNCIL MEMBERS

Dusty George, Mayor  
Jed Owens, District III  
Israel Bibo Ramirez IV

b. APPRAISAL DISTRICT PRESENTATION

c. DISCUSS AND APPROVE UPDATING GENERAL SERVICE AGREEMENT WITH KSA ENGINEERING

- d. DISCUSS AND APPROVE ORDINANCE 2022-02 ADOPTING THE 2015 INTERNATIONAL BUILDING CODES: INTERNATIONAL PLUMBING CODES, AND INTERNATIONAL RESIDENTIAL CODES
- e. DISCUSS AND APPROVE RESOLUTION 2022-03 AUTHORIZING THE USE OF AMERICAN RESCUE PLAN FUNDS FOR A JOINT SEAL COAT PROJECT WITH SWISHER COUNTY AND AUTHORIZING THE CTIY MANAGER TO TRANSFER THE FUNDS.
- f. DISCUSS AND APPROVE MISSION STATEMENT FOR CITY OF TULIA

## **5. Announcements**

## **6. Adjournment**

The City Council of the City of Tulia reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberation about Real Property), 551.073 (Deliberation about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development)

This agenda was posted on or before May 6, 2022 by 5:00 p.m.

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Kristina Solomon, City Secretary

STATE OF TEXAS                      X

COUNTY OF SWISHER                X

CITY OF TULIA                        X

ON the 12<sup>th</sup> day of April, 2022, the City Council of the City of Tulia met in the City Council Chambers at 6:00 p.m.

|               |                       |                |
|---------------|-----------------------|----------------|
| Present were: | Dusty George          | Mayor          |
|               | Israel 'Bibo' Ramirez | Mayor ProTem   |
|               | Jed Owens             | Council Member |
|               | Jay Smith             | Council Member |
|               | Gregory Needham       | Council Member |

|                    |                  |                       |
|--------------------|------------------|-----------------------|
| Also present were: | BJ Potts         | City Manager          |
|                    | Kristina Solomon | City Secretary        |
|                    | Russell Proctor  | Public Works Director |
|                    | Brandon Franco   | Chief of Police       |
|                    | Steve Rohde      | City Attorney         |
|                    | Brian West       | Electric Director     |

|             |             |                  |
|-------------|-------------|------------------|
| Absent was: | James Davis | Finance Director |
|-------------|-------------|------------------|

### **1. Call to Order and Quorum Call Work Session**

Dusty George called the meeting to order at 6:00 p.m. in the City Council Chambers.

### **2. Presentations and Public Comment** (Public Comment is limited to 3 minutes per speaker.)

No public comment

### **3. Consider action on the Consent Agenda** (usually approval of council meeting minutes will be placed under consent agenda along with non-controversial items that may have already been discussed or routinely handled in the past. This may include resolutions but not ordinances. A council member may remove an item from the consent agenda and place it on the Discussion and Action agenda before a vote on the Consent Agenda

- CONSIDER AND APPROVE MINUTES FROM THE MARCH 8, 2022 MEETING

Greg Needham made a motion to approve the minutes as presented. A second was made by Jay Smith and passed with a 4-0 vote.

#### **4. Items for Discussion and Action**

##### **a. PROCLAMATION FOR APRIL AS CHILD ABUSE AWARENESS MONTH**

Linda Coronado with CASA (court appointed special advocate) spoke about what CASA does and how they help children of abuse.

Bibo made a motion to approve April as Child Abuse Awareness Month. A second was made by Greg Needham and passed with a 5-0 vote.

##### **b. CONSIDER AND TAKE ACTION REGARDING MACKENZIE MUNICIPAL WATER AUTHORITY (MMWA) BOARD APPOINTMENT**

After speaking with Corey Hoelting, who currently fills the expired seat on the MMWA board, he is interested in continuing to serve on the board.

Greg Needham made a motion to re-appoint Bill Marten to the Mackenzie Municipal Water Authority Board. A second was made by Jed Owens and passed with a 5-0 vote.

##### **c. DISCUSS AND TAKE ACTION ON MSW EQUIPMENT**

BJ and Russell explained to the council the need for a new trash truck and loader.

Jay Smith made a motion to approve the purchase of a new trash truck and lease of loader. A second was made by Greg Needham and passed with 5-0 vote.

#### **5. Announcements**

Reception for Judge Hodges Wednesday the 27<sup>th</sup> at 3:00 pm

BJ gave update on park project

BJ looking in to a grant for a pickle ball court

Josh Barretto will be going to Canyon PD, Ben Rojas will replace him

National Dispatchers week, Brandon will be cooking fajitas for them Wednesday

#### **6. Adjournment**

With no further business to discuss the meeting was adjourned at 6:56 p.m.

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Mayor, Dusty George

ATTEST:

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City Secretary, Kristina Solomon



## **ORDINANCE NO. 2022-2**

**AN ORDINANCE AMENDING ARTICLE 3.02 ENTITLED "BUILDING AND TECHNICAL CODES DIVISION 2. "BUILDING CODE" SEC. 3.02.031, OF CHAPTER 3 ENTITLED "BUILDING REGULATIONS", OF THE TULIA CITY CODE; AMENDING ARTICLE 3.02 ENTITLED "BUILDING AND TECHNICAL CODES DIVISION 3. "RESIDENTIAL CODE" SEC. 3.02.061 OF CHAPTER 3 ENTITLED "BUILDING REGULATIONS"; AMENDING ARTICLE 3.02 ENTITLED "BUILDING AND TECHNICAL CODES DIVISION 4 "PLUMBING", SEC 3.02.091, OF CHAPTER 3 OF ENTITLED "BUILDING REGULATIONS", OF THE TULIA CITY CODE, ALL ADOPTED BY ORDINANCE 2012-05, FEBRUARY 14, 2012, PROVIDING FOR LANGUAGE REMOVING ADOPTION OF AMENDMENTS AND NEW ADDITIONS TO REFERENCED CODES; CONTAINING A PENALTY CLAUSE; CONTAINING A REPEALING CLAUSE, A SAVINGS CLAUSE AND PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TULIA, TEXAS:**

Section 2. That Article 3.02.031 entitled "Division 2 Building Code" of Article 3.02 of the "Building Code and Technical Codes" of Chapter 3 entitled "Building Regulations" of the Tulia City Code, last amended and adopted by Ordinance 2012-05, sec. 1, adopted 2/27/12, is hereby amended to read as follows:

### Sec. 3.02.031 BUILDING CODE.

The 2015 International Building Code, as adopted by the International Code Council, Inc., (hereinafter called "building code") is hereby adopted and incorporated herein by reference the same as if set out herein verbatim. A complete copy of the code is maintained on file in the office of the city secretary. Notwithstanding any provision in the building code to the contrary, the owner of residential property constituting the owner's homestead and the owner of single-family and multifamily residential rental properties may themselves make installations, modifications and repairs to such properties having to obtain certified, licensed or master professionals to perform the work as may other wise be required under the building code. Nothing in the forgoing sentence shall relieve the owners of such properties from obtained the required permits and being subject to and complying with required inspections by the appropriate city officials related to any such installations, modifications and repairs, all subject to State law references - Building and Residential codes, Local Government Code, sec. 214.211 et seq.; adoption of rehabilitation codes or provisions, Local Government Code, sec. 214.215, and International Building Code as municipal commercial building code, Local Government Code, sec. 214-216.

Section 3. That Article 3.02.031 entitled "Division 3 Residential Code" of Article 3.02 of the "Building Code and Technical Codes" of Chapter 3 entitled "Building Regulations" of the Tulia City Code, last amended and adopted by Ordinance 2012-05, sec. 1, adopted 2/27/12, is hereby amended to read as follows:

Sec. 3.02.061 RESIDENTIAL CODE

The 2015 International Residential Code, as adopted by the International Code Council, Inc., (hereinafter called "International Residential Code") as adopted by and incorporated herein by reference the same as if set out herein verbatim. A complete copy of the International Residential Code is maintained on the file in the office of the city secretary. Notwithstanding any provision in the International Residential Code to the contrary, the owner of residential property constituting the owner's homestead and the owner of single-family and multifamily residential rental properties may themselves make installations, modifications and repairs to such properties owned by them without having to obtain certified, licensed or master professionals to perform the work as may otherwise be required under the International Residential Code. Nothing in the foregoing sentence shall relieve the owners of such properties from obtaining the required permits and being subject to and complying with the required inspections by the appropriate city officials related to any such installations, modifications and repairs. (Ordinance 2012-05, sec.4, adopted 2/27/12), all subject to State law references - International Residential Code adopted as a municipal residential building code, Local Government Code, sec. 214.212.

Section 4. That Article 3.02.091 entitled "Division 4 Plumbing" of Article 3.02 of the "Building Code and Technical Codes" of Chapter 3 entitled "Building Regulations" of the Tulia City Code, last amended and adopted by Ordinance 2012-05, sec. 1, adopted 2/27/12, is hereby amended to read as follows:

Sec. 3.02.091 PLUMBING

The 2015 International Plumbing Code, as adopted by the International Code Council, Inc., (hereinafter called "plumbing code", is hereby adopted and incorporated herein by reference the same as if set out herein verbatim. A complete copy of the code is maintained on file in the office of the city secretary. Notwithstanding any provision in the plumbing code to the contrary, the owner of residential property constituting the owner's homestead and the owner of single-family and multifamily residential rental properties may themselves make plumbing installations, modifications and repairs to such properties owned by them without having to obtain certified, licensed or master professionals to perform the work as may otherwise be required under the plumbing code, except that any such installations, modifications and/or repairs to natural gas lines or appliances, or lines or appliances through which other highly flammable substances pass, will not be exempt the requirements of the plumbing code for a certified, licensed or master plumber to make such installations, modifications, and/or repairs. Nothing in the foregoing sentence shall relieve the owners of such properties from obtaining the required permits and being subject to and complying with required inspections by the appropriate city officials related to any such installations, modifications and repairs, all subject to State law references - Authority to appoint plumbing inspector, Local Government Code, sec. 214-011; authority to regulate

sewers and plumbing; Local Government Code, secs. 214.012 and 214.013; authority to regulate plumbing, Occupations Code, ch. 1301; adoption of plumbing codes and amendment of codes by municipality, Occupations Code sec.1301-255.

Section 5. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this ordinance shall be and the same are hereby repealed.

Section 6. The invalidity of any section, subsection, paragraph, sentence, clause, phrase, word or words shall not invalidate any other part of this ordinance. It is the intention of the City Council in enacting this ordinance that the provisions are separable, and no provision hereof shall become inoperative or fail by reason of the invalidity of any other provision.

Section 7. This ordinance shall take effect and be in full force from and after its passage, approval and publication as required by law.

PASSED AND APPROVED this the 10th day of May, 2022.

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DUSTY GEORGE  
Mayor, City of Tulia, Texas

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City Secretary

**City of Tulia, Texas  
Swisher County, Texas  
RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TULIA, SWISHER COUNTY, TEXAS, AUTHORIZING THE USE OF AMERICAN RESCUE PLAN FUNDS FOR A JOINT SEAL COAT PROJECT WITH SWISHER COUNTY AND AUTHORIZING THE CITY MANAGER TO TRANSFER THE FUNDS.**

**WHEREAS**, the City of Tulia received funding from the American Rescue Plan Act of 2021; and,

**WHEREAS**, the City Council of the City of Tulia desires to utilize funds to maximize the provision of government services to the citizens of the city; and

**WHEREAS**, the City of Tulia and Swisher County have agreed, in principal, to work together on a seal coat project along a roadway that is frequently traveled by citizens of Tulia and Swisher County; and

**WHEREAS**, the City of Tulia and Swisher County work on cooperative projects from time to time.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TULIA, SWISHER COUNTY, TEXAS AS FOLLOWS:**

**SECTION 1.** The City Council authorizes the transfer of \$125,000 in American Rescue Plan funding to Swisher County for the purposes of completing the specified seal coat project and the City Manager is authorized to execute the transfer of funds.

**SECTION 2.** Should any word, sentence, paragraph, subdivision, clause, phrase or section of this resolution be adjudged or held to be invalid, void or unconstitutional, the same shall not affect the validity of the remaining portions of said Resolution which shall remain in full force and effect.

**SECTION 3.** All provisions of the Resolutions of the City of Tulia, Texas in conflict with the provisions of this Resolution be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of this Resolution shall remain in full force and effect.

**SECTION 4.** This Resolution shall become effective immediately from and after its passage, as the law in such cases provide.

**DULY RESOLVED**, by the City Council of the City of Tulia, on this the 10th day of May, 2022.

**APPROVED:**

\_\_\_\_\_  
Dusty George, Mayor

**ATTEST:**

\_\_\_\_\_  
Kristina Solomon, City Secretary

## City of Tulia, Texas

### Mission Statement

Founded in 1909, the mission set-forth by the City of Tulia is to maintain and ensure a future that is enduring, desire driven and sustainable for generations to come. We are focused on working together, changing when needed and being acceptable of all those that seek a future in our rural community in the beautiful Texas Panhandle.