

On this the 6<sup>th</sup> day of February, 2023 at 6:30 p.m., the City Commission of the City of Hereford, Texas, convened in a regular session in the Commission Chamber in City Hall, the meeting being open to the public and notice of said meeting having been given as prescribed by Chapter 551 of the Government Code, with the following members being present and in attendance, to-wit:

Cathy Bunch, Mayor  
 Reyna Ruiz, Commissioner Place One  
 Angie Alonzo, Commissioner Place Two  
 Clint Savoini, Commissioner Place Three  
 Mark Collier, Commissioner Place Four  
 James Stow, Commissioner Place Five  
 Steve Bartels, City Manager  
 Suzanne Finch, City Secretary  
 Audie Sciumbato, City Attorney

Absent: Rocky Bhakta, Commissioner Place Six

Jim Steiert was in attendance from the Hereford Brand to witness the proceedings.

Also, in attendance were Assistant City Manager Dean Turney, Hereford Economic Development Corporation Executive Director Kurt Jones, Captain Kirsten Williams, Estevan Banegas, Dillard Lane, Dolores Gonzalez, Grace Vargas Gamez, Carmen Nunez, Ramon Nunez, Jamie Perez, Abel Bosquez, Annabelle Rice, Danny Rice, Victor Rodriguez, Robert Chavez, Tisha Gerber, Esrael Silva, and Margaret Del Toro.

Mayor Bunch voiced the invocation and then asked Commissioner Savoini to lead the Pledge of Allegiance to the United States flag. She called the meeting to order, welcomed those in attendance, and introduced each item on the agenda.

**REGULAR HEARING:**

*Mayor Bunch stated we will move to agenda Item #4 first and then we will return to agenda Item #1.*

**ITEM 4 - Recognize Police Sergeant Ramey Rice.**

Mayor Bunch read the proclamation.

**CITY OF HEREFORD  
 PROCLAMATION**

*WHEREAS, congratulations and citations are in order for Sergeant Ramey Rice for saving the life of Robert Murray on Saturday, September 10<sup>th</sup>, 2022; and*

*WHEREAS, a loss of life was avoided because of the skillful and quick response of Sergeant Ramey Rice who arrived on the scene, assessed the situation, and immediately took life-saving measures; and*

*WHEREAS, due to the sergeant's calm, cool, and quick actions what could have been a tragic loss of life was averted and this act of heroism deserves special recognition by the governing body of this City; and*

*NOW, THEREFORE, I, Cathy Bunch, by virtue of the authority vested in me as Mayor of the City of Hereford, Texas do hereby proclaim that the sincere appreciation of the City Commission, the City Administration, and all the citizens at large of this community, are hereby extended to Sergeant Ramey Rice for his heroic actions.*

*IN WITNESS WHEREOF, I do hereby set my hand, and cause the Corporate Seal of the City to be affixed this the 6th day of February, in the year of 2023.*

*/s/ Cathy Bunch  
Cathy Bunch, Mayor  
City of Hereford, Texas*

Captain Williams read the Letter of Commendation and presented a pin to Sergeant Rice. Mayor Bunch and the City Commission presented a framed copy of the proclamation to Sergeant Ramey Rice.

#### **ITEM 1 – Public Comments.**

Margaret Del Toro stated the City Commission does not micro-manage but there should be rules in place to notify them of any problems that could put the city at risk for litigation.

Dolores Gonzalez stated she feels since the city paid for an outside investigator the citizens should be able to know the outcome of the investigation.

Ramon Nunez inquired what the status is on the selection process for a chief of police.

Jamie Perez stated he is the President of LULAC, one of the oldest civil rights organizations, and gave a brief overview of what they do.

#### **PUBLIC HEARING:**

*(Mayor Bunch opened the public hearing at 6:50 p.m.)*

#### **ITEM 2 – Consider approval of condemnation proceedings for dangerous building located at 305 Bennett (legally described as Lot 2, Block 75, City of Hereford, Deaf Smith County, Texas.)**

Mayor Bunch noted there are pictures of the property in the agenda packets.

Dolores Gonzalez inquired about the condemnation procedures in regards to property located in the 200 Block of Bennett.

Estevan Banegas stated he lived at 305 Bennett and has paid the taxes on the property for years even though he is not the legal owner. Mr. Banegas requested 30 days to get the remainder of his personal property out of the house. He inquired if he would owe money on the demolition and if he must pay for it will the city work with him on a payment plan.

Mayor Bunch informed Mr. Banegas as part of the motion, he would get 30 days. City Manager Bartels stated the ownership of the property remains with Mr. Banegas' brother and sister and a lien would be placed against the property and since he is not the legal owner it will not affect him.

Robert Chavez spoke on Mr. Banegas' behalf stating he just wants to clarify that a lien will be filed. City Manager Bartels stated as long as the taxes are paid, the city does not aggressively go after liens until the property is sold.

Commissioner Stow made the following motion: Based on evidence presented at the hearing, I move that the City Commission of the City of Hereford find that the following facts exist:

1. That the building located at 305 Bennett is substandard and a public nuisance; and
2. That the conditions set forth in the building official's report exist to the extent that the life, health, property, or safety of the public are endangered; and
3. That the owner has been given a reasonable opportunity in the past to make the necessary repairs, and there is no reasonable probability that the building(s) will be repaired within a reasonable period of time if additional time is given;

I further move that the City Commission of the City of Hereford order:

1. The owner to demolish or remove the building and all debris within 30 days; and
2. If the owner fails to demolish or remove the building within 30 days, the City shall demolish the building at its expense and place a lien on the property to recover its costs.

Commissioner Savoini seconded the motion and it passed with the unanimous vote of the Commission.

*(Mayor Bunch closed the public hearing at 6:59 p.m.)*

### **REGULAR HEARINGS:**

#### **ITEM 3 - Consider approval of minutes for the January 16th, 2023 Regular meeting.**

Commissioner Savoini made the motion to accept the minutes as presented. Commissioner Ruiz seconded the motion and it passed with the unanimous vote of the Commission.

*(Mayor Bunch moved Item #4 to the beginning of the agenda.)*

#### **ITEM 5 - Hear report from Hereford Economic Development Corporation.**

HEDC Executive Director Kurt Jones reported on the following:

- HEDC has not had a meeting yet in February
- Bids on second property closed on January 31<sup>st</sup>

- HEDC received two bids that they will consider at their Special Meeting to be held this Wednesday at 4:30 p.m.
- Also, there are a couple of bills he is following that affect how EDC's handle real property

Commissioner Savoini inquired if the HEDC is obligated to sell the property if both bids are low. HEDC Executive Director Jones stated they are not required to accept the bids and final approval on whatever action the HEDC takes must go before the City Commission on the March agenda to approve or disapprove.

**ITEM 6 – Consider approval of award of bid for the purchase and installation of new fuel tanks and fueling system at the Hereford Municipal Airport.**

Mayor Bunch stated we received two bids. City Manager Bartels stated we received a bid to replace the existing fuel tanks from Innovative Fueling Solutions in the amount of \$190,808.29 and Willborn in the amount of \$352,389.85 noting they are both out of Amarillo. He stated we did a lot of research to make sure we meet FAA guidelines and there are no hindrances on future grants. He stated a representative from each company is here tonight.

Dillard Lane with Willborn stated under his research of TxDot and FAA requirements the bid specifications are not in compliance with FAA; he stated there are violations in seven places.

Victor Rodriguez of Innovative Fueling Solutions stated if the City wanted to do a full remodel the funds would not be there; they were asked to add storage to the facility. He discussed how they would anchor the tanks. Mr. Rodriguez stated the fire marshal has the final say in regards to spacing.

Assistant City Manager Turney stated he did a lot of research on this and in his capacity as fire marshal he would not do anything that was not safe. He stated, in response to a question from the audience, by getting rid of the underground fuel tanks that does away with Texas Commission on Environmental Quality (TCEQ) rules. He also noted we would only do the project in phases if it was necessary to do so; main problem now is storage – we can look at fuel hoses later on if that becomes an issue.

Commissioner Collier made the motion to accept the bid from Innovative Fueling Solutions in the amount of \$190,808.29. Commissioner Alonzo seconded the motion and it passed with the unanimous vote of the Commission.

**ITEM 7 - Consider approval of budget amendment for fuel tanks and fueling system at the Hereford Municipal Airport.**

City Manager Bartels stated when we started the budget process, we guessed the cost to be approximately \$150,000.00 to increase fuel capacity. He stated we are asking today for a budget adjustment in the amount of \$50,000.00 to increase that figure to \$200,000.00 to cover the additional cost and any contingencies.

Commissioner Alonzo made the motion to approve the budget amendment in the amount of an increase of \$50,000.00 for the fuel tanks and fueling system at the Hereford Municipal

Airport . Commissioner Savoini seconded the motion and it passed with the unanimous vote of the Commission.

**ITEM 8 - Discuss and consider adding additional holiday(s) to the city's list of approved holidays.**

Commissioner Savoini made the motion to add Martin Luther King, Jr.'s Birthday, Juneteenth, and Columbus Day to the current list of holidays. Commissioner Ruiz seconded the motion and it passed with the unanimous vote of the Commission.

Mayor Bunch read the current list of holidays noting with the addition of the three holidays that brings the total to fourteen.

* New Years Day	January 1 <sup>st</sup>
* Birthday of Martin Luther King, Jr.	3 <sup>rd</sup> Monday in January
* Presidents' Day	3 <sup>rd</sup> Monday in February
* Good Friday	Friday before Easter Sunday
* Memorial Day	Last Monday in May
* Juneteenth National Independence Day	June 19 <sup>th</sup>
* Independence Day	July 4 <sup>th</sup>
* Labor Day	1 <sup>st</sup> Monday in September
* Columbus Day	2 <sup>nd</sup> Monday in October
* Veterans Day	November 11 <sup>th</sup>
* Thanksgiving Day	4 <sup>th</sup> Thursday in November
* Day after Thanksgiving	4 <sup>th</sup> Friday in November
* Christmas Day	December 25 <sup>th</sup>
* Additional Christmas Holiday	As determined by City Manager

**ITEM 9 - Consider cancelling the regular City Commission Meeting scheduled for February 20, 2023.**

Commissioner Ruiz made the motion to cancel the regular City Commission Meeting scheduled for February 20, 2023 in observance of Presidents' Day. Commissioner Collier seconded the motion and it passed with the unanimous vote of the Commission.

**ITEM 10 - Announcements and comments from Mayor and City Commissioners.**

Commissioner Savoini stated the Spicer Gripp Memorial Youth Foundation is to be inducted into the Texas Rodeo Hall of Fame April 29<sup>th</sup>.

Commissioner Stow congratulated Sergeant Rice.

Mayor Bunch thanked the audience for their comments and stated the doors are open and they are welcome to call or contact her, the city manager, or members of the city commission with any concerns.

Mayor Bunch stated City Manager Bartels, possibly with the assistance of a committee, will begin looking at candidates for the police chief position; she noted ultimately the decision is the city manager's as the city commission does not micro-manage.

Mayor Bunch stated based on the reasonable advice she received, she made the decision to hire an outside investigator and like any other business that retains personnel the results of the investigation will not be made public.

**ITEM 11 – Announcements and comments from City Staff.**

City Manager Bartels stated we received the preliminary rendering of the fixed structure and the additional outdoor pool for the aquatic center.

There being no further business before the Commission, the meeting was adjourned at approximately 7:24 p.m.