

On this the 20th day of March, 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
 Angie Alonzo, Commissioner Place Two
 James Stow, Commissioner Place Five
 Rocky Bhakta, Commissioner Place Six
 Steve Bartels, City Manager
 Suzanne Finch, City Secretary
 Audie Sciumbato, City Attorney

Absent: Reyna Ruiz, Commissioner Place One
 Clint Savoini, Commissioner Place Three
 Mark Collier, Commissioner Place Four

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, Finance Manager Wade Hawkins, Kole Glover, Captain Kirsten Williams, Dolores Gonzalez, Abel Bosquez, Margaret Del Toro, Carmen Castaneda, Ramon Nunez, Linda Castaneda, Grace Gamez, Jamie Garcia, and Noah Garcia.

Mayor Bunch voiced the invocation and then asked Commissioner Bhakta 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:

ITEM 1 – Public Comments.

Dolores Gonzalez requested a meeting with the mayor and city manager.

Margaret Del Toro encouraged them to meet with her to see what she has to say.

PUBLIC HEARINGS:

(Mayor Bunch opened the public hearing at 6:36 p.m.)

ITEM 2 – Consider approval of condemnation proceedings for dangerous buildings located at 509 & 511 S. Progressive legally described as La Villa Lot 9 & 10, City of Hereford, Deaf Smith County, Texas. (Property owned by Noah Garcia)

Noah Garcia stated he spoke to city officials about demolishing the property and they never got back to him. City Manager Bartels explained if the order is approved, the owner would

have 30 days to secure the property; he offered to have one of the guys meet with him to explain what is required. City Manager Bartels also offered to meet with Mr. (Noah) Garcia to discuss this further.

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 buildings located at 509 & 511 S. Progressive legally described as La Villa Lot 9 & 10 in the City of Hereford, Deaf Smith County are 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 buildings 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 Bhakta seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 3 - Consider approval of condemnation proceedings for dangerous building located at 110 La Villa Dr. legally described as La Villa Lot 11, City of Hereford, Deaf Smith County, Texas. (Property owned by Nicholas Garcia)

Jamie Garcia stated his dad passed away a few years ago and his dad is the one that owned the lots. Mr. (Jamie) Garcia asked to be able to keep the house there; noting the roof and windows need repair but the building is still sound.

City Manager Bartels stated if the order is approved, the owner has 30 days to either bring the building up to Code or secure it.

Assistant City Manager Turney stated the paperwork was filed January 10, 2023 and the property has broken windows making it accessible to kids and transients.

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 110 La Villa Dr. legally described as La Villa Lot 11, City of Hereford, Deaf Smith County 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 Bhakta seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 4 - Consider approval of condemnation proceedings for dangerous building located at 129 La Villa legally described as La Villa Lot 18, City of Hereford, Deaf Smith County, Texas. (Property owned by Zachary M. Gonzales)

There were no public comments on this item.

City Manager Bartels stated he did talk to the brother, Deion Gonzales (co-owner of the property on agenda Item #5), and explained the process to him and he was fine with it. City Manager Bartels stated Deion may be able to get his dad to either secure or demolish it.

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 129 La Villa legally described as La Villa Lot 18, City of Hereford, Deaf Smith County 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 Bhakta seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 5 - Consider approval of condemnation proceedings for dangerous building located at 123 La Villa Dr. legally described as La Villa Lot 19-20, City of Hereford, Deaf Smith County, Texas. (Property owned by Zachary M. & Deion Gonzales)

Commissioner Alonzo made the motion to demolish. Commissioner Bhakta seconded the motion and it passed with the unanimous vote of the Commission.

(Mayor Bunch continued on through the agenda until the end of Item #10. Before moving on to Agenda Item #11, City Attorney Sciumbato asked the City Commission for a motion, second, and vote to reconsider Item #5. After receiving the required vote, Mayor Bunch moved back to Item #5).

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 123 La Villa Dr. legally described at La Villa Lot 19-20, City of Hereford, Deaf Smith County 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 Bhakta seconded the motion and it passed with the unanimous vote of the Commission.

(After reconsideration of Item #5, Mayor Bunch moved back to Agenda Item #11).

ITEM 6 – Consider approval of condemnation proceedings for dangerous building located at 115 La Villa Dr. legally described as La Villa Lot 21, City of Hereford, Deaf Smith County, Texas. (Property owned by Noah Garcia)

Noah Garcia stated they are trying to secure the house so they don't have people coming near his mother's house located at 122 La Villa.

Commissioner Bhakta 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 115 La Villa Dr., legally described as La Villa Lot 21, City of Hereford, Deaf Smith County 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 Alonzo seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 7 - Consider approval of condemnation proceedings for dangerous building located at 107 La Villa Dr. legally described as La Villa Lot 22-23, City of Hereford, Deaf Smith County, Texas. (Property owned by Noah Garcia)

Noah Garcia stated this is his property as well.

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 107 La Villa Dr. legally described as La Villa Lot 22-23, City of Hereford, Deaf Smith County 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 Bhakta 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 8 - Consider approval of minutes for the March 6th, 2023 Regular meeting.

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

ITEM 9 - Consider approval of Resolution No. 03.20.23 authorizing City Manager Steve Bartels and Finance Manager Wade Hawkins to execute all documentation for the City of Hereford pertaining to its participation in the Texas Comptroller of Public Accounts Cooperative Purchasing Program and acknowledging the City of Hereford's obligation to pay annual participation fees established by the Texas Comptroller of Public Accounts.

Resolution No. 03.20.23

State of Texas, County of Deaf Smith

Whereas, the Texas Comptroller of Public Accounts is authorized to provide purchasing services for local governments pursuant to Sections 271.082 and 271.083 of the Local Government Code.

Whereas, the City Commission of the City of Hereford, is a municipality defined as an entity qualified to participate in the Texas SmartBuy Membership Program of the Texas Comptroller of Public Accounts pursuant to Section 271.081 of the Local Government Code.

Steve Bartels, City Manager and Wade Hawkins, Finance Manager are authorized to execute all documentation for City of Hereford pertaining to its participation in the Texas Comptroller of Public Accounts Cooperative Purchasing Program; and

Whereas, City of Hereford acknowledges its obligation to pay annual participation fees established by the Texas Comptroller of Public Accounts.

Now, Therefore Be it Resolved, that request be made to the Texas Comptroller of Public Accounts to approve City of Hereford for participation in the Texas Comptroller of Public Accounts Cooperative Purchasing Program.

Adopted this 20th day of March, 2023 by City of Hereford.

By: /s/ Cathy Bunch, Mayor
/s/ Steve Bartels, City Manager
/s/ Wade Hawkins, Finance Manager

City Manager Bartels stated this is a purchasing coop by the Texas Comptroller's Office that allows the Police Department to purchase alcohol test kits and this is the only place they can buy them. He noted part of the requirements for joining is to pass this resolution.

Commissioner Bhakta made the motion to approve Resolution No. 03.20.23. Commissioner Alonzo seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 10 - Hear report from Hereford Economic Development Corporation.

HEDC Executive Director Kurt Jones reported on the following:

- Completed the contract with Caviness
- Completed the agreement with Hereford Vet Clinic
- Received check for the second piece of property
- Should be retail businesses placed on both of these properties
- 10 duplexes behind Amarillo College (next to the apartments)
 - Not typical project
 - See what we can do
- 61 projects completed since HEDC began

City Attorney Sciumbato stated the motion on Item #5 on the agenda was not as defining as he would like it to be and asked the City Commission to reconsider it. Commissioner Stow made the motion to reconsider Item #5. Commissioner Alonzo seconded the motion and it passed with the unanimous vote of the Commission.

(Mayor Bunch moved back to Item #5.)

ITEM 11 – Receive and consider possible action (Resolution No. 03.20.23A) of proposals received for engineering services for application to the 2023 TXCDBG Downtown Revitalization Program & associated engineering consideration if funded.

Mayor Bunch stated this is the initial step to get engineers to get a grant for revitalization of downtown.

RESOLUTION 03.20.23A

WHEREAS, the City of Hereford is applying for grant assistance under the 2023 Texas Community Development Block Grant (TxCDBG) Downtown Revitalization Program operated by the Texas Department of Agriculture, and;

WHEREAS, the City of Hereford has completed the Request for Proposals process required under the Professional Services Procurement Act, and has ranked those firms submitting proposals based upon qualifications and ability to perform, and;

WHEREAS, the City of Hereford believes that Parkhill is the most qualified of those proposing firms to perform the desired services, and;

WHEREAS, the City of Hereford is desirous to use the services of Parkhill to serve as project engineer for the TxCDBG Downtown

Revitalization Program and, if funded, further negotiations for project engineering will occur under this agreement;

WHEREAS, the City of Hereford and Parkhill will enter into a contractual agreement for engineering services for the development of a TxCDBG Application and, if funded, further negotiations for project engineering will occur under this agreement.

NOW THEREFORE BE IT RESOLVED that the City of Hereford has selected Parkhill to provide engineering services for the City's participation in the TxCDBG Downtown Revitalization Program and hereby authorizes the City Manager to execute any and all documents to effectuate said engineering services contract.

PASSED THIS 20th DAY OF MARCH, 2023.

/s/ Cathy Bunch
Cathy Bunch, Mayor

Attest:

/s/ Suzanne Finch
Suzanne Finch, City Secretary

Commissioner Bhakta made a motion to approve Resolution No. 03.20.23A. Commissioner Alonzo seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 12 - Hear presentation by Parkhill on downtown improvements.

Mayor Bunch stated the rendering is our initial letting the public know what we want to do and to allow the City Commission time to think about it.

Kole Glover of Parkhill stated we started in February of last year in conjunction with the TxCDBG application – the selection of an engineer is part of what Panhandle Regional Planning Commission needs to submit an application. He noted we did not find out that we were not selected to receive the grant until November or December – so we had already burned about a year waiting. He proposed moving forward with the City starting on downtown revitalization and then if we did get the grant this year using it too for ADA and lighting. Mr. Glover stated downtown revitalization has become very popular as it improves the look of downtown and helps with the vacancies. He stated there are lots of options – vegetation, lighting, signage, banners - if the City does the project and they are working on drilling down the cost.

ITEM 13 - Announcements and comments from Mayor and City Commissioners.

Commissioner Stow stated he appreciates Dolores and Margaret coming in and asking for a meeting as this is exactly what we want them to do in order to get answers to questions.

Mayor Bunch gave a brief summary of the joint entities meeting (she started back up at lunch today); noting this is a way for the taxing entities to communicate and collaborate and it was good to get the meetings started again.

Mayor Bunch also encouraged everyone to participate in the "Scouting for Food" project Trevor Driskell and the local Scouts have scheduled for March 24th, 25th, & 26th. She stated participants can leave food by their mailbox and the Scouts will pick it up or if you prefer you may call Rebecca Carrasco at (806)344-5790 and she will send someone to pick up the donation.

ITEM 14 – Announcements and comments from City Staff.

City Manager Bartels stated he will be doing a second round of interviews for the police chief position.

City Manager Bartels apologized to anyone being affected by the contractors and stated he appreciates their patience noting they are only blocking one intersection at a time.

There being no further business before the Commission, the meeting was adjourned at approximately 7:12 p.m.