

On this the 3rd day of April, 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
 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: Angie Alonzo, Commissioner Place Two
 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, Finance Manager Wade Hawkins, Captain Kirsten Williams, Corporal Sky Holcomb, Ally Hubbard, Paige Goodell, Corinna Morris, Rose Mary Barrett, Dolores Gonzalez, Carmen Nunez, and Ramon Nunez.

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 HEARINGS:

ITEM 1 – Public Comments.

Dolores Gonzalez thanked the mayor, city manager, and city attorney for meeting with them.

ITEM 2 - Consider approval of minutes for the March 20, 2023 Regular meeting.

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

ITEM 3 - Consider approval of appointment of Lt. Daniel Garcia as the Local Rabies Control Authority.

Mayor Bunch noted that Lt. Garcia is over the Animal Control Department.

Commissioner Savoini made a motion to approve the appointment of Police Lt. Daniel Garcia as the Local Rabies Control Authority. Commissioner Stow seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 4 – Consider approval of re-appointments to the Board of Electrical Examiners.

Mayor Bunch stated Aaron Walker and Joe Sanchez both agreed to serve again on the Board of Electrical Examiners.

Commissioner Collier made a motion to approve the re-appointment of Aaron Walker and Joe Sanchez to another four-year term on the City of Hereford's Board of Electrical Examiners. Commissioner Savoini seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 5 - Consider approval of re-appointments to the Plumbing and Mechanical Board of Adjustments and Appeals.

Mayor Bunch stated Mark Nielsen, Harold Barrett, and Shannon Wilburn all agreed to serve another term on the Plumbing and Mechanical Board of Adjustments and Appeals.

Ramon Nunez inquired how to get on a board. City Manager Bartels explained some of the boards have specific requirements: for example, this board has six members composed of an HVAC, three plumbers, a building contractor, and one member of the general public. City Manager Bartels stated in the past we have had a hard time getting people to serve and advised we keep a list of those that have indicated they would be willing to be on a board and encouraged Mr. Nunez to contact us if he would like to have his name added to the list.

Commissioner Collier made a motion to approve the re-appointment of Mack Nielsen, Harold Barrett, and Shannon Wilburn to serve another four-year term on the City of Hereford's Plumbing and Mechanical Board of Adjustment and Appeals. Commissioner Stow seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 6 - Consider Resolution No. 04.03.23 of the City Commission of the City of Hereford, Texas authorizing the City of Hereford's representatives in matters pertaining to the City of Hereford's participation in the Texas Community Development Block Grant Program.

Mayor Bunch called upon Paige Goodell of Panhandle Regional Planning Commission to give a brief explanation of each of the three resolutions related to the TxCDBG Program. Ms. Goodell explained these resolutions are needed and include the required language to meet all TDA requirements in case the City of Hereford is funded for the Down Town Revitalization Program as it will make for a much more streamlined start-up.

RESOLUTION NO. 04.03.23

A RESOLUTION OF THE CITY COMMISSION OF CITY OF HEREFORD, TEXAS AUTHORIZING CITY REPRESENTATIVES IN MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

WHEREAS, the City Commission of City of Hereford desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, it is necessary and in the best interests of City of Hereford to participate in the Texas Community Development Block Grant Program; and

WHEREAS, the City Commission of City of Hereford is committed to compliance with federal, state, and program rules, including the current TxCDBG Project Implementation Manual; and

NOW, THEREFORE, BE IT RESOLVED by the City Commission of City of Hereford, Texas:

That the City Commission directs and designates the following to act in all matters in connection with any grant application and the City's participation in the Texas Community Development Block Grant Program:

- The City Manager and Assistant City Manager shall serve as the City's Chief Executive Officer and Authorized Representatives to:
 - execute a grant application and any subsequent contractual documents,
 - certify environmental review documents between the Texas Department of Agriculture and the City, and
 - certify the Payment Request form and/or other forms required for requesting funds to reimburse project costs, and
 - be assigned the role of Authorized Official in the TDA-GO grant management system.
- In addition to the above designated officials, should any grant be funded the City Secretary is authorized to:
 - certify the Payment Request form and/or other forms required for requesting funds to reimburse project costs,
 - prepare and submit other financial documentation, and
 - be assigned the role of Project Director or Payment Processor in the TDA-GO grant management system.

Passed and approved this 3rd day of April, 2023.

/s/ Cathy Bunch
Cathy Bunch

Attest:

/s/ Suzanne Finch
Suzanne Finch, City Secretary
City of Hereford

Commissioner Savoini made a motion to authorize City of Hereford representatives in matters pertaining to the TxCDBG Program. Commissioner Stow seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 7 - Consider Resolution No. 04.03.23A of the City Commission of the City of Hereford, Texas, determining that an area of the city contains conditions which are detrimental to the public health, safety, and welfare of the community and constitutes a slum/blighted area.

RESOLUTION NO. 04.03.23A

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HEREFORD, DETERMINING THAT AN AREA OF THE CITY CONTAINS CONDITIONS WHICH ARE DETRIMENTAL TO THE PUBLIC HEALTH, SAFETY, AND WELFARE OF THE COMMUNITY AND CONSTITUTES A SLUM/BLIGHTED AREA.

WHEREAS, the City Commission of the City of Hereford has reviewed and evaluated conditions in the designated Downtown District area of the City; and

WHEREAS, the City Commission has found conditions which are detrimental to public health, safety, and welfare of the community within the designated Main Street area, as follows:

The sidewalks in the area designated below in the City of Hereford's Downtown District do not meet public safety standards and guidelines as they are deteriorated and dilapidated due to age and do not provide safe and adequate access necessary for the disabled and senior citizens to the downtown area. Additionally, parts of this area contain old and insufficient lighting.

WHEREAS, the City Commission of the City of Hereford has authorized an application for funding under the Downtown Revitalization program, as follows:

The project will construct sidewalks, ADA ramps, curb and gutter, and associated appurtenances on the East and West side of Main Street from East 2nd Street to East 3rd Street in the City of Hereford's Downtown District in order to provide adequate ADA accessibility and meet public safety standards.

WHEREAS, these project activities will aid in the elimination of slum/blight in the community by meeting safety standards to provide adequate access for the disabled and senior citizens to the downtown area through sidewalk construction.

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Hereford, Texas that the area identified by the following boundaries to be a slum/blighted area.

Boundaries:

North: East 5th Street

East: Sampson Street

South: East 1st Street

West: Miles Avenue

Passed and approved the 3rd day of April, 2023.

/s/ Cathy Bunch
Cathy Bunch, Mayor

ATTEST:

/s/ Suzanne Finch
Suzanne Finch, City Secretary

Commissioner Savoini made a motion to approve Resolution No. 04.03.23A. Commissioner Collier seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 8 - Consider Resolution No. 04.03.23B of the City Commission of the City of Hereford, Texas, authorizing the submission of a Texas Community Development Block Grant application to the Texas Department of Agriculture for the 2023 Downtown Revitalization Program cycle.

RESOLUTION 04.03.23B

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HEREFORD, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT - DOWNTOWN REVITALIZATION PROGRAM.

WHEREAS, the City Commission of the City of Hereford desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, it is necessary and in the best interests of the City of Hereford to apply for funding under the Texas Community Development Block Grant Program;

WHEREAS, the City of Hereford in consideration for the receipt and acceptance of federal funding if awarded, agrees to comply with all federal rules and regulations including those rules and regulations governing citizen participation and civil rights protections as follows:

- in accordance with Section 109 of the Title I of the Housing and Community Development Act (24 CFR 6); the Age Discrimination Act of 1975 (42 U.S.C. 6101-6107); and Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and for construction contracts greater than \$10,000, to take actions to ensure that no person or group is denied benefits such as employment, training, housing, and contracts generated by the CDBG activity, on the basis of race, color, religion, sex, national origin, age, or disability;
- in accordance with Section 3 of the Housing and Urban Development Act of 1968, as amended, and 24 CFR Part 75, to the greatest extent feasible, to provide training and employment opportunities to lower income residents and contract opportunities to businesses in the Section 3 Service Area;
- in accordance with Section 104(1) of the Housing and Community Development Act, as amended, and State's certification requirements at 24 CFR 91.325(b)(6), to adopt an excessive force policy that prohibits the use of excessive force against non-violent civil rights demonstrations;
- in accordance with Executive Order 13166, to take reasonable steps to ensure meaningful access to services in federally assisted programs and activities by persons with limited English proficiency (LEP) and must have an LEP plan in place specific to the locality and beneficiaries for each TxCDBG project;

- in accordance with Section 504 of the Rehabilitation Act of 1973, to not discriminate on the basis of disability and agrees to ensure that qualified individuals with disabilities have access to programs and activities that receive federal funds; and
- in accordance with Section 808(e)(5) of the Fair Housing Act (42 USC 3608(e)(5)) that requires HUD programs and activities be administered in a manner affirmatively to further the policies of the Fair Housing Act, to conduct at least one activity during the contract period of the TxCDBG contract, to affirmatively further fair housing; and

WHEREAS, the City of Hereford, agrees to maintain written standards of conduct covering conflicts of interest and governing the actions of its employees engaged in the selection, award and administration of contracts.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Hereford, Texas,

1. That a Texas Community Development Block Grant Program application for the Downtown Revitalization Program is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture.
2. That the City's application be placed in competition for funding under the Downtown Revitalization Program.
3. That the application be for \$500,000 of grant funds to provide sidewalk and ADA improvements.
4. That all funds will be used in accordance with all applicable federal, state, local, and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
5. That it further be stated that the City of Hereford is committing a match of at least \$75,000 from its General Fund as a cash contribution toward the construction activities, engineering services, and/or project administration of this sidewalk and ADA improvements project.
6. The City of Hereford adopts/reaffirms the following policies:
 - a. Citizen Participation Plan and Grievance Procedures (Form A1013);
 - b. Excessive Force Policy (Form A1003);
 - c. Fair Housing Policy (Form A1015).
 - d. Section 504 Policy and Grievance Procedures (Form A1004); and
 - e. Code of Conduct Policy (Form A1002).
7. The City of Hereford affirms its commitment to conduct a project-specific analysis and take all appropriate action necessary to comply with program requirements for the following:
 - f. Section 3 economic opportunity;
 - g. Limited English Proficiency; and
 - h. Activity to affirmatively Further Fair Housing choice.

Passed and approved this 3rd day of April, 2023.

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

Attest:
/s/ Suzanne Finch
Suzanne Finch, City Secretary
City of Hereford, Texas

City Manager Bartels noted at this phase of the process there are no City expenditures; everything Panhandle Regional Planning Commission (PRPC) is doing now is at no cost to the City.

Mayor Bunch stated at this point, we are not obligating any funds – just authorizing PRPC to apply for the grant on our behalf.

Commissioner Stow made a motion to approve Resolution No. 04.03.23B. Commissioner Collier seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 9 - Announcements and comments from Mayor and City Commissioners.

Commissioner Collier, Commissioner Ruiz, and Mayor Bunch thanked the audience for their interest, participation, and comments and then thanked the Panhandle Regional Planning Commission staff for coming and for their explanations regarding the TxCDBG Program, and thanked Jim Steiert of the Hereford Brand.

ITEM 10 – Announcements and comments from City Staff.

City Manager Bartels stated the contractors have been good to work with and a necessary evil for some much-needed improvements. He also thanked members of the audience for coming and for taking the time to meet with city officials. He wished everyone a Happy Easter and noted the search for the police chief is still progressing.

There being no further business before the Commission, the meeting was adjourned at approximately 6:49 p.m.