On this the 15th day of May, 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
Rose Mary Barrett, Commissioner Place One
Angie Alonzo, Commissioner Place Two
Clint Savoini, Commissioner Place Three
Mark Collier, Commissioner Place Four
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

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, HEDC Executive Director Kurt Jones, Public Works Director Johnny Torres, Ramon Nunez, Rebecca Artho, Deana Mendoza, Lucas Mendoza, Landon Swan, and Josh Arguijo.

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.

There were no public comments.

ITEM 2 - Consider approval of minutes for the April 17th, 2023 Regular Meeting, April 24th, 2023 Special Meeting, and May 3rd, 2023 Regular meeting.

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

ITEM 3 - Consider approval of Resolution No. 05.15.23 Canvassing the May 6, 2023 Election Returns.

RESOLUTION NO. 05.15.23

A RESOLUTION AND ORDER CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE CITY OFFICERS' ELECTION HELD ON MAY 6, 2023.

WHEREAS, the City Commission called an Election on January 16th, 2023 to be held May 6th, 2023 for the purpose of electing City Commissioner Place One for the City of Hereford, and

WHEREAS, said election was held and the election returns delivered to the City Commission; and

WHEREAS, it appearing from said returns, duly and legally made, there were $\underline{68}$ valid and legal votes cast in the election by a total of $\underline{70}$ persons voting and that each of the candidates in said election received the following number of votes, towit:

CITY COMMISSIONER, PLACE ONE

Reyna Rita Ruiz

26 votes

Rose Mary Barrett

42 votes

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HEREFORD, TEXAS:

That said election was duly called; notice of said election was given in accordance with law; said election was held in accordance with law; Rose Mary Barrett was duly elected to serve as City Commissioner, Place One of the City of Hereford and said above named party is hereby declared duly elected to said office, subject to the taking of their oath as provided by the laws of the State of Texas.

It is further found and determined in accordance with the order of this governing body, the City Secretary posted written notice of the date, place and subject of this meeting on the bulletin board located in City Hall, a place convenient and readily accessible to the general public, and said notice having been so posted and remaining posted continuously for at least 72 hours preceding the scheduled time of said meeting. A copy of said posting shall be attached to this resolution and order and shall be made a part thereof for all intents and purposes.

PASSED, ADOPTED AND APPROVED this the 15th day of May, 2023.

/s/ Cathy Bunch Cathy Bunch, Mayor

ATTEST:

/s/ Suzanne Finch Suzanne Finch, City Secretary

Commissioner Bhakta made a motion to approve Resolution No. 05.15.23 canvassing the May 6, 2023 Election Returns. Commissioner Savoini seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 4 - Administer Oath of Office to Mayor, City Commissioner Place One, and City Commissioner Place Three.

Mayor Bunch called upon City Secretary Finch to administer the Oath of Office to the Mayor (Cathy Bunch), City Commissioner Place One (Rose Mary Barrett), and City Commissioner Place Three (Clint Savoini).

ITEM 5 - Recognize outgoing city official.

Mayor Bunch read the Certificate of Appreciation for the outgoing City Commissioner Place One and stated we would get it to Reyna Ruiz.

ITEM 6 - Elect Mayor Pro Tem.

Mayor Bunch stated the Mayor Pro Tem serves in the place of the mayor if they are unable to make a meeting. Commissioner Savoini made the motion to elect James Stow to serve as Mayor Pro Tem. Commissioner Alonzo seconded the motion and the motion passed with the unanimous vote of the Commission.

ITEM 7 - Hear report from Hereford Economic Development Corporation.

Hereford Economic Development Corporation Executive Director Kurt Jones reported on the following:

- Heath Reinert Truck Wash
- Andrea Reinert Duplexes
- Lunch & Learn Seminars
- Goals set
- Guidelines adopted for retail/restaurants

ITEM 8 - Consider approval of Resolution No. 05.15.23A supporting the adoption of the Texas Term Sheet and adopting the allocation method for opioid settlement proceeds as set forth in the STATE OF TEXAS AND TEXAS POLITICAL SUBDIVISIONS' OPIOID ABATEMENT FUND COUNCIL AND SETTLEMENT ALLOCATION TERM SHEET.

City Manager Bartels went over this item briefly noting this is part of a class action lawsuit and any monies allocated to the City of Hereford for this program would be used to partner with Hereford Independent School District for drug education.

RESOLUTION 05.15.23A

STATE OF TEXAS CITY OF HEREFORD

BE IT REMEMBERED, at a regular meeting of the City Commission of the City of Hereford, Texas, held on the 15th day of May, 2023, on motion made by <u>Commissioner Mark Collier</u> and seconded by <u>Commissioner Clint Savoini</u>, the following Resolution was adopted:

WHEREAS, the City of Hereford obtained information indicating that certain drug companies and their corporate affiliates, parents, subsidiaries, and such other defendants as may be added to the litigation (collectively, "Defendants") have engaged in fraudulent and/or reckless marketing and/or distribution of opioids that have resulted in addictions and overdoses; and

WHEREAS, these actions, conduct and misconduct have resulted in significant financial costs to the City; and

WHEREAS, on May 13, 2020, the State of Texas, through the Office of the Attorney General, and a negotiation group for Texas political subdivisions entered into an Agreement entitled Texas Opioid Abatement Fund Council and Settlement Allocation Term Sheet (hereafter, the Texas Term Sheet) approving the allocation of any and all opioid settlement funds within the State of Texas. The Texas Term Sheet is attached hereto as Exhibit "A"; and

WHEREAS, Special Counsel and the State of Texas have recommended that the City of Hereford City Commission support the adoption and approval of the Texas Term Sheet in its entirety.

 ${\bf NOW}, \ {\bf THEREFORE}, \ {\bf BE} \ {\bf IT} \ {\bf RESOLVED}$ that we, the City Commission of the City of Hereford, Texas:

- Support the adoption and approval of the Texas Term Sheet in its entirety; and
- 2. Finds as follows:
 - a. There is a substantial need for repayment of opioid-related expenditures and payment to abate opioid-related harms in and about the City of Hereford; and
 - b. The City Commission supports in its entirety and hereby adopts the allocation method for opioid settlement proceeds as set forth in the STATE OF TEXAS AND TEXAS POLITICAL SUBDIVISIONS' OPIOID ABATEMENT FUND COUNCIL AND SETTLEMENT ALLOCATION TERM SHEET, attached hereto as Exhibit A. The City Commission understands that the purpose of this Texas Term Sheet is to permit collaboration between the State of Texas and Political Subdivisions to explore and potentially effectuate resolution of the Opioid Litigation against Pharmaceutical Supply Chain Participants as defined therein. We also understand that an additional purpose is to create an effective means of distributing any potential settlement funds obtained under this Texas Term Sheet between the State of Texas and Political Subdivisions in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic in this City and throughout Texas.

DONE IN OPEN SESSION on this the 15th day of May, 2023.

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

Attest:
/s/ Suzanne Finch
Suzanne Finch, City Secretary

Commissioner Collier made the motion to approve Resolution No. 05.15.23A, Commissioner Savoini seconded the motion and it passed with the unanimous vote of the Commission.

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

Commissioner Savoini suggested the Hereford Municipal Airport Advisory Board could do a fundraiser – possibly a fly-in trap shoot– to help with some renovations to the FBO.

Commissioner Collier thanked those in attendance and welcomed Commissioner Barrett.

Commissioner Barrett thanked those that voted for her.

Mayor Bunch stated she is implementing a new rule: as soon as the meeting adjourns, everyone will be escorted out; the public will not be allowed to approach the dais.

ITEM 10 – Announcements and comments from City Staff.

Jim Steiert explained he missed the public comments section at the beginning of the meeting and asked that he be allowed to speak regarding water concerns. He stated the City of Hereford may be eligible for grant money and urged city officials to submit the required paperwork by the July deadline.

City Manager Bartels stated the next Texas Junior Anglers Community Fishing Day is set for this Saturday at the pond from 9:00 a.m. until noon and invited everyone to come noting it is a fun event. He congratulated Commissioner Barrett and wished everyone Happy Memorial day and encouraged everyone to remember the meaning of this holiday.

There being no further business before the Commission, the meeting was adjourned at approximately 7:03 p.m.