

On this the 17th day of June, 2024 at 6:34 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
 Mark Collier, Commissioner Place Four
 James Stow, Commissioner Place Five
 Deven Black, Commissioner Place Six
 Steve Bartels, City Manager
 Suzanne Finch, City Secretary
 Audie Sciumbato, City Attorney

Absent: Clint Savoini, Commissioner Place Three

Also, in attendance were Wade Hawkins, Todd Murray, Franchesca Jimenez, Matthew Pederson, and Scott Ward (present only for the work session).

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

Mayor Bunch voiced the invocation and then called upon Commissioner Collier to lead the Pledge of Allegiance to the United States flag. She called the meeting to order and welcomed those in attendance.

REGULAR HEARINGS:

ITEM 1 - Public Comments.

Mayor Bunch reminded the audience of the 3-minute limit and also the rule that the public is not allowed to approach the dais and will be escorted out of the chamber after the meeting adjourns.

There were no public comments.

ITEM 2 – Consider approval of minutes for the June 3rd, 2024 Regular meeting.

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

ITEM 3 – Consider first reading of the franchise agreement with Xcel Ordinance No. 06.17.24 an ordinance of the City Commission of the City of Hereford, Texas granting to Southwestern Public Service Company (“SPS”) d/b/a Xcel Energy the right, privilege and franchise to conduct within the City of Hereford, Texas (“City”), an electrical lighting and power business and to enter upon, erect, construct, maintain, extend, repair, replace and remove in, under upon, within, over, above, across and along any and all of

the present and future public roads, highways, streets, lanes, bridges and alleys of the city, a system of poles, pole lines, towers, distribution lines, transmission lines, wires, guys, cables, conduits, transformers, and other distribution and transmission equipment, facilities and appurtenances necessary or proper for the transmission and distribution of electricity into, in, within, from, across, and through the city as now existing, or as said city limits may hereafter be extended; providing that this franchise shall be effective for a period of ten (10) years; making miscellaneous provisions relative to this grant of franchise; repealing all previous electrical lighting and power franchise ordinances; providing for the acceptance of this franchise ordinance by SPS.

Mayor Bunch read the pertinent portions of Ordinance No. 06.17.24 for the first reading of the franchise agreement.

ORDINANCE NO. 06.17.24

FRANCHISE AGREEMENT

AN ORDINANCE GRANTING TO SOUTHWESTERN PUBLIC SERVICE COMPANY (“SPS”) D/B/A XCEL ENERGY THE RIGHT, PRIVILEGE AND FRANCHISE TO CONDUCT WITHIN THE CITY OF HEREFORD, TEXAS (“CITY”), AN ELECTRICAL LIGHTING AND POWER BUSINESS AND TO ENTER UPON, ERECT, CONSTRUCT, MAINTAIN, EXTEND, REPAIR, REPLACE AND REMOVE IN, UNDER UPON, WITHIN, OVER, ABOVE, ACROSS AND ALONG ANY AND ALL OF THE PRESENT AND FUTURE PUBLIC ROADS, HIGHWAYS, STREETS, LANES, BRIDGES AND ALLEYS OF THE CITY, A SYSTEM OF POLES, POLE LINES, TOWERS, DISTRIBUTION LINES, TRANSMISSION LINES, WIRES, GUYS, CABLES, CONDUITS, TRANSFORMERS, AND OTHER DISTRIBUTION AND TRANSMISSION EQUIPMENT, FACILITIES AND APPURTENANCES NECESSARY OR PROPER FOR THE TRANSMISSION AND DISTRIBUTION OF ELECTRICITY INTO, IN, WITHIN, FROM, ACROSS, AND THROUGH THE CITY AS NOW EXISTING, OR AS SAID CITY LIMITS MAY HEREAFTER BE EXTENDED; AND GRANTING SPS, ITS SUCCESSORS AND ASSIGNS, THE AUTHORITY TO USE SUCH FOR THE PURPOSE OF TRANSMISSION, DISTRIBUTION, DELIVERY AND SALE OF ELECTRICITY TO THE CITY, AND TO THE INHABITANTS OF THE CITY, OR ANY OTHER PERSON OR PERSONS, FIRMS OR CORPORATIONS, WHEREVER LOCATED WITHIN OR WITHOUT THE BOUNDARIES OF THE CITY, FOR USE BY SUCH PURCHASER OR PURCHASERS FOR ANY PURPOSE AUTHORIZED BY LAW FOR WHICH ELECTRICITY MAY BE USED OR FOR ANY OTHER PURPOSE OR USE WHICH IS OR MAY BECOME NORMAL OR CUSTOMARY IN THE RETAIL ELECTRIC INDUSTRY IN TEXAS; PROVIDING THAT THIS FRANCHISE SHALL BE EFFECTIVE FOR A PERIOD OF TEN (10) YEARS COMMENCING AUGUST 1, 2024; PROVIDING FOR THE TEMPORARY REMOVAL, RAISING OR

LOWERING BY SPS OF ITS WIRES AND OTHER APPURTENANCES; PROVIDING FOR THE RIGHT TO, AND CONDITION OF, THE OPENING OF PAVEMENTS AND SIDEWALKS BY SPS; RETAINING ALL RIGHTS OF CITY TO REGULATE THE LOCATION OF SPS'S FACILITIES IN, UPON, ALONG, UNDER AND OVER THE STREETS, ALLEYS AND OTHER PUBLIC PLACES OF CITY, AS WELL AS TO REQUIRE THE RELOCATION OF SAME; PROVIDING FOR EFFICIENT ELECTRICAL SERVICE AND THE MAINTAINING OF SPS'S FACILITIES; PROVIDING COMPENSATION, AND METHOD OF PAYMENT OF SUCH, TO THE CITY FOR THE USE BY SPS OF THE STREETS, ALLEYS AND PUBLIC WAYS OF THE CITY; PROVIDING FOR THE MAINTAINING OF RECORDS BY SPS WITH RIGHT OF INSPECTION BY CITY RESERVING TO CITY ALL POWERS OF REGULATION; PROHIBITING ASSIGNMENT EXCEPT BY CONSENT BY CITY EXCEPT IN CERTAIN CASES; GIVING CITY'S CONSENT TO THE CUTTING AND TRIMMING BY SPS OF CONFLICTING TREES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING THAT THIS FRANCHISE SHALL NOT BE EXCLUSIVE; MAKING MISCELLANEOUS PROVISIONS RELATIVE TO THIS GRANT OF FRANCHISE; REPEALING ALL PREVIOUS ELECTRICAL LIGHTING AND POWER FRANCHISE ORDINANCES; PROVIDING FOR THE ACCEPTANCE OF THIS FRANCHISE ORDINANCE BY SPS

ITEM 4 – Consider approval of façade improvement grant application approved by the Hereford Beautification Advisory Board at a regular meeting held June 4th, 2024. (Requested by Eli Cabrera of Hereford Furniture Exchange.)

Commissioner Collier made the motion to approve the façade improvement grant for Eli Cabrera of the Hereford Furniture Exchange in the amount of \$2,000.00. Commissioner Barrett seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 5 – Consider request to provide City water for the VFW Post 4818 circle (located at approximately 130 Veterans Park Road.)

Mayor Bunch summarized the request stating the VFW would like the City of Hereford to provide free water for the grass that encompasses the memorial.

Commissioner Collier stated the memorial honors the ones that did not make it home; it is very visible (near the entrance to the VFW and Spicer Gripp); and, as ex-military it means something to the service men and women and their families.

Commissioner Alonzo agreed.

Commissioner Barrett agreed but expressed some concerns that just providing water might not fix the problem; there needs to be a plan. She inquired if it could be considered a park.

Mayor Bunch asked the same question – what would it take to make it a park?

City Manager Bartels stated the property has a road around it and he had concerns over the city inheriting a street that is not public but rather a private drive.

Mayor Bunch stated she would like to see some conditions put on it. She will set up a meeting with City Manager Bartels, Mr. Ward, and Stacie Lloyd of Lone Star Home & Garden to see what she suggests regarding some possible xeriscaping and also to consider the possibility of the VFW deeding the area where the memorial is to the City of Hereford so the city could maintain it.

Commissioner Stow made the motion to postpone this item. Commissioner Barrett seconded the motion and it passed with the unanimous vote of the Commission.

ITEM 6 - Consider approval of appointment of member to the Baseball/Softball Complex Advisory Board.

Mayor Bunch stated Claudia Garcia has been contacted and has agreed to serve.

Commissioner Alonzo made the motion to appoint Claudia Garcia to serve on the Baseball/Softball Complex Advisory Board. Commissioner Collier seconded the motion and it passed with the following vote of the Commission: Mayor Bunch – aye; Commissioner Barrett – nay; Commissioner Alonzo – aye; Commissioner Collier – aye; Commissioner Stow – aye; and Commissioner Black - aye.

ITEM 7 - Announcements and comments from mayor and city commissioners.

Commissioner Collier asked for an update on the TxDot bridge project expressing frustration on how long it is taking and the impact on the businesses in that area.

Commissioner Alonzo stated she would get with City Manager Bartels later about some potholes.

Commissioner Barrett brought up three topics - mosquito spraying, cars parking in the yards again, and the gas line as a possible delay to one of the new restaurants being built (Golden Chick.)

Mayor Bunch stated if they see someone parking in the yard to call and report it.

Commissioner Stow asked for an update on the pickleball courts on Avenue H.

Commissioner Black expressed his appreciation for repairs done south of the cemetery.

Commissioner Collier inquired what is being done about fireworks in the city limits.

Mayor Bunch encouraged anyone that was wanting to place a brick order to get their forms in to either City Manager Bartels or City Secretary Finch as the mayor would be placing an order soon.

ITEM 8 - Announcements and comments from city staff.

Fire Marshal Murray offered to check on the Golden Chick gas line to see if it was the cause of the delay. He offered to check with Wal-Mart to see if they are selling any fireworks bigger than sparklers or snaps.

City Manager Bartels stated it is illegal to possess or shoot off fireworks within the city limits.

City Manager Bartels stated the county maintains the road south of the cemetery and also, they are doing some work on South Kingwood.

City Manager Bartels stated the ninety-day work day deadline on the bridge translates into roughly six months and they will get a significant bonus if the project is completed by the deadline. He noted he will call TxDot to see if he can get an update.

City Manager Bartels stated the Highway 60 plan is moving forward with a revised bidding process and they will do a mill & fill on portions of Highway 60 from Highway 385 to almost Main Street in the meantime.

City Manager Bartels stated the base is down for the ballpark parking lot and Hellas should be done with their part by mid-July. He noted once Hellas is done, the City of Hereford can begin on the projects to be done using the money raised.

City Manager Bartels stated Advantage will be doing the pickleball courts and we are on their schedule (approximately one month to six weeks out.) He noted we also got a quote from Hellas but they do a turnkey job and the price was \$375,000.00 so we opted to let Advantage do the project.

City Manager Bartels stated Kent (the current chief water production operator) is leaving at the end of this month and Abel Sosa will be taking his place. He stated Abel has worked for the City of Hereford since 2017 – beginning in the Park Department, transferring to Utility Maintenance Department, and then the last four years in Water Production. City Manager Bartels stated Abel would start as chief water production operator July 1st noting he currently has a “C” license and is working on his “B” license and he will do a great job.

City Manager Bartels stated he wanted to publicly thank City Secretary Finch, as she is retiring at the end of this month and this is her last commission meeting, for everything she has done the whole twenty-one years and for training her replacement. He noted it will be on the next agenda to appoint Franchesca Jimenez as city secretary.

The mayor and commissioners also thanked City Secretary Finch. City Attorney Sciumbato praised the Texas Municipal Clerks Association for how well they train and the amount of training provided noting City Secretary Finch and Assistant City Secretary Jimenez are both a part of that organization. City Manager Bartels stated obtaining a certification is much like getting a college degree and the training never ends; it is on-going.

There being no further business before the Commission, the meeting was adjourned at approximately 7:05 p.m.