

On this the 1<sup>st</sup> day of July, 2024 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  
 Clint Savoini, Commissioner Place Three  
 Mark Collier, Commissioner Place Four  
 James Stow, Commissioner Place Five  
 Deven Black, Commissioner Place Six  
 Steve Bartels, City Manager  
 Franchesca Jimenez, City Secretary  
 Audie Sciumbato, City Attorney

Absent: Angie Alonzo, Commissioner Place Two

Also, in attendance were Wade Hawkins, Todd Murray, Abel Sosa, Cindy Madrigal, Ramon Nunez, Carmen Nunez, Dolores Gonzalez, Margarita Del Toro, Grace Gamez, Zach Maldonado, Brent Brethour, Deaf Smith Kids Inc. Softball All-Star team, parents, and coaches.

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

Mayor Bunch voiced the invocation and then called upon Commissioner Savoini 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.

Dolores Gonzalez congratulated Franchesca Jimenez on her appointment as Hereford's first Hispanic city secretary and mentioned it was time. She stated Hereford is nearly 85% Hispanic, and there has never been a Hispanic in a manager position. There are qualified individuals who have been bypassed. She urged the City Commission to do what is best for the city.

Margaret Del Toro stated that in Lubbock, there are several electric companies. She suggested that the city should consider reaching out to other electric companies to provide services for the city. This would introduce competition and potentially lead to lower rates.

Ramon Nunez congratulated the girls softball team and encouraged them to get involved. He also thanked the coaches and parents.

**ITEM 2 – Consider approval of appointment of Franchesca Jimenez as city secretary.**

Commissioner Savoini made the motion to appoint Franchesca Jimenez as city secretary. Commissioner Collier seconded the motion and it passed with the unanimous vote of the Commission.

**ITEM 3 – Swear in newly appointed city secretary.**

Mayor Bunch administered the Oath of Office to Franchesca Jimenez.

**ITEM 4 – Consider approval of minutes for the June 17<sup>th</sup>, 2024 Regular meeting.**

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

**ITEM 5 – Consider approval of the designation of Steve Bartels, Franchesca Jimenez, and Wade Hawkins as signatories for the City of Hereford.**

Commissioner Barrett made the motion to approve the designation of Steve Bartels, Franchesca Jimenez, and Wade Hawkins as signatories for the City of Hereford. Commissioner Stow seconded the motion and it passed with the unanimous vote of the Commission.

**ITEM 6 - Second 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 second 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

**ITEM 7 - Discuss and consider request from Deaf Smith County Kids, Inc.**

Brent Brethour of Deaf Smith County Kids, Inc. stated Hereford sent six teams to Seminole, Texas to compete in the West Texas State and Regional Championship. These girls are defeating the odds in the community and coaches are paving the way. He is requesting sponsorship from the city to help send the three teams to the World Series for a ten-day tournament in Florence, Alabama from July 23<sup>rd</sup> through August 1<sup>st</sup>.

Mayor Bunch inquired about the amount for each team. Brent stated it would be \$13,000 for each team.

Commissioner Stow inquired about whether they have reached out to private businesses in Hereford for sponsorship. Mr. Brethour stated they have done minimal fundraising.

Mayor Bunch stated she would have to get legal counsel for the city to give money; legally it must meet a public purpose.

Commissioner Collier thanked Brent for his passion and thanked Deaf Smith County Kids, Inc. coaches and teams for attending the meeting.

Margaret Del Toro stated that there's nothing better than helping the youth achieve their goals. It would put Hereford on the map. She encouraged the city to look at the law to see what we can do to help them.

Commissioner Savoini recommended reaching out to the Deaf Smith County Chamber and local civic groups.

Mayor Bunch suggested postponing taking any action on this item to allow more research before making a decision.

Commissioner Savoini made the motion to postpone the item. Commissioner Collier seconded the motion and it passed with the unanimous vote of the Commission.

**ITEM 8 - Discuss and consider approval of User Group Operations Agreement City of Hereford Baseball & Softball Complex.**

City Manager Bartels stated mounds of sunflower seeds are a nightmare to clean, especially on artificial turf; changes will be made to the agreement to cover all edible seeds.

Commissioner Stow made the motion to approve the User Group Operations Agreement City of Hereford Baseball & Softball Complex with changes made to prohibit all edible seeds. Commissioner Barrett seconded the motion and it passed with the unanimous vote of the Commission.

**ITEM 9 - Announcements and comments from the mayor and city commissioners.**

Mayor Bunch thanked the coaches, parents, and teams for attending the meeting. She also thanked the public for their comments.

Commissioner Collier thanked the young ladies and coaches for their dedication. He thanked the public for their support. He expressed that he does not discriminate and is not racist. He makes decisions based on integrity and knowledge, not color.

Commissioner Barrett thanked the girls softball teams for attending the meeting and wished them well. She stated she is not racist.

Commissioner Stow stated he is proud of the young ladies. He thanked the coaches for their time and energy invested in volunteering, it does not go unnoticed. He is excited about the facility and will get word out about helping the teams and see what the city can do legally. He congratulated Franchesca Jimenez.

Commissioner Black wished everyone a safe 4<sup>th</sup> of July. He stated he is proud of the girls and coaches.

**ITEM 10 - Announcements and comments from city staff.**

City Manager Bartels introduced Abel Sosa as the new Water Production Supervisor. Abel has one of the most important jobs in ensuring the safety of our city's water supply. Abel has worked for the city for seven years. He worked in the Parks Department and Utility Maintenance Department before transferring to the Water Production Department. Abel has earned his class c groundwater license and is working toward getting his class b groundwater license. City Manager Bartels stated he is confident Abel will do a great job.

City Manager Bartels introduced Franchesca Jimenez and congratulated her. He stated she started the Texas Municipal Certification Program in 2017 and completed her certification in four years.

City Manager Bartels gave a brief update on the Baseball/Softball Complex; Hella's should be completed by July 26<sup>th</sup>, city crews are installing a sprinkler system, the parking lot is underway, and it will be ready for fall ball.

City Manager Bartels put out a public service announcement: fireworks are illegal to shoot or possess within the city limits. He announced there will be a parade, festivities, and a firework show at Dameron Park for the 4<sup>th</sup> of July. He wished everyone a happy 4th of July.

There being no further business before the Commission, the meeting was adjourned at approximately 7:04 p.m.