

CITY COMMISSION MINUTES

May 17, 2011

9:00 A.M.

The City Commission of the City of Sweetwater, Texas met in regular session on May 17, 2011 at 9:00 a.m. in the City Commission Room at City Hall, 200 E. Fourth Street with the following members present:

GREG WORTHAM, Mayor
JIM MCKENZIE, Commissioner
JEROD PEEK, Commissioner
RICKY CASTRO, Mayor Pro-Tem

LARRY MAY, Commissioner
EDWARD BROWN, City Manager
PETE SHERIDAN, City Attorney
CAROLYN LAWRENCE, City Secretary

Staff members present: Chief of Police Jim Kelley, Utilities Director Eddy Campbell, and City Services Director Kirk Harris.

1. Mayor Wortham called the meeting to order.
2. Ward Hayes, Minister of Trinity Baptist Church gave the invocation.
3. Mayor Wortham led the pledge of allegiance.
4. Motion was made by Commissioner May, seconded by Mayor Pro-Tem Castro to approve minutes for the meeting held on April 12, 2011. The motion carried unanimously.
5. Action Items:
 - A. The oath of office was administered by Pete Sheridan, City Attorney, to Gregory L. Wortham, Mayor, Larry May, Commissioner Precinct 1 and Ricky Castro, Commissioner Precinct 3.

COPY OF OATH OF OFFICES IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XI PAGES 762-764.

- B. Motion was made by Commissioner McKenzie, seconded by Mayor Pro-Tem Castro to adopt a Resolution appointing Mayors Pro-Tem for the City of Sweetwater and prescribing the terms thereof. The motion carried unanimously.

COPY OF RESOLUTION IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XI PAGE 765.

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- C. Motion was made by Commissioner Peek, seconded by Commissioner McKenzie to amend the City of Sweetwater Drought Contingency Plan to include total daily pumpage in Stage I triggering criteria. Scott Hibbs with Enprotec/Hibbs & Todd (eHT) explained the proposed minor revisions to the plan. The motion carried unanimously.

COPY OF PLAN IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XI PAGE 766.

- D. Motion was made by Commissioner May, seconded by Commissioner Peek to accept the proposal from Knight & Partners, Attorneys at Law to assess the City's need for redistricting and to conduct the redistricting process if necessary. The 2010 census figures for the City of Sweetwater are 10,906 as compared to 11,415 for 2000. The motion carried unanimously.

COPY OF PROPOSAL IN FULL IS LOCATED IN THE ORDINANCE AND CONTRACT BOOK XI PAGES 767-770.

- E. Motion was made by Commissioner Peek, seconded by Mayor Pro - Tem Castro to enter into Executive Session pursuant to the provisions of 551.071 of the Texas Government Code to consult with the City Attorney regarding pending or threatened litigation and 551.072 to deliberate regarding purchase and/or lease of real property. The motion carried unanimously.
- F. Motion was made by Commissioner May, seconded by Commissioner McKenzie to enter into Regular session. The motion carried unanimously.
- G. No action was necessary from the Executive Session.
- H. Motion was made by Commissioner McKenzie, seconded by Commissioner May to consider first reading of AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF SWEETWATER, TEXAS, ("CITY") APPROVING A NEGOTIATED RESOLUTION BETWEEN THE STEERING COMMITTEE OF CITIES SERVED BY ONCOR ("STEERING COMMITTEE") AND ONCOR ELECTRIC DELIVERY COMPANY LLC ("ONCOR" OR "COMPANY") THE COMPANY'S APPLICATION TO INCREASE ELECTRIC RATES IN ALL CITIES EXERCISING ORIGINAL JURISDICTION; DECLARING EXISTING RATES TO

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BE UNREASONABLE; REQUIRING THE COMPANY TO REIMBURSE CITIES' REASONABLE RATEMAKING EXPENSES; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT AND FINDING THE RATES TO BE SET BY THE ATTACHED TARIFFS TO BE JUST AND REASONABLE; APPROVING ONCOR'S PROOF OF REVENUES; ADOPTING A SAVINGS CLAUSE; DETERMINING THAT THIS ORDINANCE WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS ORDINANCE TO THE COMPANY AND THE STEERING COMMITTEE'S LEGAL COUNSEL. The motion carried unanimously.

6. City Manager's Report.

- A. Report on Commission Budget Workshop held on May 12, 2011.
- B. Discuss Conflict of Disclosure Statements of Local Government Officers, review and file with City Secretary, if necessary.
- C. The City of Sweetwater received the GFOA Distinguished Budget Presentation Award for the 2011 Budget. The City's finance staff received a Certificate of Recognition from GFOA as well. The City of Sweetwater has received this award for 26 consecutive years. This award was received by 120 cities in Texas and is a very prestigious honor.
- D. City staff met with Atmos gas officials April 21, 2011 to discuss projects, maintenance agreements and other issues.

7. Public Input.

Lita McEachern and Marjorie Wilks of the Women's Forum addressed the Commission on behalf of the Pioneer museum. The museum building is in need of insurance and repairs. According to Mrs. McEachern, the court records show the building is owned jointly by the County and the City via a gift from the Ragland Family in 1976. Kent Boatright, City appointee on the museum board addressed the Commission as well and stated that he would work with the City and the County to resolve this issue.

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8. Commissioner McKenzie made a motion, seconded by Mayor Pro-Tem Castro to adjourn. There being no further business the meeting adjourned at 9:55 a.m. The motion carried unanimously.

Gregory Wortham, Mayor

ATTEST:

Carolyn Lawrence, City Secretary

Persons signing register: Scott Hibbs, Jim Clements, Ward Hayes, and Kerry McDonald.