

**MINUTES
CITY OF GAINESVILLE
CITY COUNCIL MEETING
200 South Rusk
Gainesville, Texas 76240
October 6, 2020**

The City Council of the City of Gainesville, Texas met in regular session on October 6, 2020 at 6:30 p.m. with the following persons in attendance.

MEMBERS PRESENT: Mayor Jim Goldsworthy, Mayor Pro Tem Tommy Moore, Keith Clegg, Carolyn Hendricks, Ken Keeler, Brandon Eberhart.

MEMBERS ABSENT: Mary Jo Dollar.

STAFF PRESENT: Barry Sullivan, City Manager; Belvin Harris, City Attorney; Diana Alcalá, City Secretary; Kevin Phillips, Police Chief; JI Johnson, Finance Director; Polly Boone, Solid Waste Superintendent.

OTHERS PRESENT: Mike Gordon, Kelly Cain, Mike Hill, Janice Hill, Julian Solis, Aubrey Eberhart, Delania Raney, Megan Gray-Hatfield, Leslie Nichols, Tony Dresser (videographer).

CALL TO ORDER

Mayor Jim Goldsworthy called the meeting to order at 6:30 p.m.

INVOCATION & PLEDGE OF ALLEGIANCE

Julian Solis gave the invocation. Mayor Jim Goldsworthy led the pledge to the flag.

RECOGNITIONS/ PROCLAMATIONS:

Domestic Violence Awareness Month Proclamation

Mayor Goldsworthy read and presented a proclamation naming October 2020 as Domestic Violence Awareness Month and urging local residents to join in activities and programs sponsored by Abigail's Arms Cooke County Family Crisis Center against domestic violence. The proclamation also encourages all citizens to actively work toward eradicating domestic violence and improving victim safety and to help victims rebuild their lives through education and primary prevention programs for families and the community. Leslie Nichols was present to receive the proclamation.

CONSENT AGENDA

Council reviewed the Minutes of the September 15, 2020 Stanford House Board Meeting and approved them as written.

Council reviewed the Minutes of the regularly scheduled City Council Meeting on September 15, 2020 and approved them as written.

Councilmember Moore **moved to approve the Consent Agenda.** The motion was seconded by Councilmember Keeler and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Dollar).

RESOLUTION NO. 10-06-2020 - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, GRANTING PERMISSION TO COOKE COUNTY EMERGENCY SERVICES DISTRICT 1 TO OVERLAP GAINESVILLE'S EXTRA TERRITORIAL JURISDICTION.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, GRANTING PERMISSION TO COOKE COUNTY EMERGENCY SERVICES DISTRICT 1 TO OVERLAP GAINESVILLE'S EXTRA TERRITORIAL JURISDICTION.

At the September 15, 2020 City Council Meeting, Lynn Switzer presented a proposal on including a portion of Gainesville's extraterritorial jurisdiction (ETJ) in their proposed Emergency Services District. This Resolution serves as the written permission they require to include the portion showed in the attachments, 0.954929 sq. miles, in their proposed ESD. The residents of the proposed district will get to vote to determine if they want the district or not, if the Commissioners Court votes to allow the issue to go before the voters. The district will be able to tax up to \$0.10 per \$100 value if the voters approve the emergency district. This would reduce the primary response area for the Gainesville Fire Department. The property owners in this area do not pay property taxes to the City but they get the services of our Fire Department for free.

Councilmember Keeler **moved to approve the Resolution.** The motion was seconded by Councilmember Moore and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Dollar).

RESOLUTION NO. 10-6-2020A - A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2020 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GAINESVILLE, TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE ("ACSC") AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY'S 2020 RATE REVIEW MECHANISM FILING; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC'S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION

WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC'S LEGAL COUNSEL.

This Resolution approves a settlement between the Atmos Cities Steering Committee (ACSC) and Atmos Energy Corp, Mid-Tex division regarding the company's 2020 Rate Review Mechanism Filing. Atmos wanted to increase rates by \$98.7 million for ACSC members. ACSC's review of the rate case showed that Atmos should only be allowed an increase of \$80.8 million. Atmos and ACSC negotiated a settlement whereby Atmos would receive an increase of \$90 million from ACSC Cities, but with a two-month delay in effective date until December 1, 2020. The delayed effective date should save ratepayers an additional \$9 million, which is functionally equivalent to ACSC's recommendation of \$80.8 rate increase. The impact of the settlement on average monthly residential rates is an increase of \$5.15 (9.9%). The increase for average monthly commercial usage will be \$15.48 (6.56%). Overall, this negotiated settlement saves rate payers \$17.9 million (22.2%) from Atmos's original request based on the ACSC RRM Tariff.

Councilmember Keeler **moved to approve the Resolution.** The motion was seconded by Councilmember Moore and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Dollar).

RESOLUTION NO. 10-06-2020B - A RESOLUTION AUTHORIZING EXPENDITURES FOR PURCHASE OF ONE (1) 2021 AUTOCAR ACX64 CAB & CHASSIS AND ONE (1) LABRIE AUTOMIZER 31 CUBIC YARD BODY AUTOMATED SIDE LOAD FOR THE SOLID WASTE DIVISION.

A RESOLUTION AUTHORIZING EXPENDITURES FOR PURCHASE OF ONE (1) 2021 AUTOCAR ACX64 CAB & CHASSIS AND ONE (1) LABRIE AUTOMIZER 31 CUBIC YARD BODY AUTOMATED SIDE LOAD FOR THE SOLID WASTE DIVISION.

Approved a Resolution authorizing for the purchase of one (1) 2021 Autocar ACX64 Cab & Chassis and one (1) Labrie Automizer 31 cubic yard body automated side load for the Solid Waste Division. The purchases are from two separate dealers in order to get the equipment needed for the cab and chassis and the Labrie Automizer 31 cubic yard packer body automated side load. The purchase of one (1) Autocar ACX64 cab and chassis from Chastang's Bayou City Autocar is in the amount of one hundred eighty two thousand, eight hundred eighty-two dollars (\$182,882.00) through the Texas Local Government purchasing co-op Buy Board. The Labrie Automizer 31 cubic yard body from Reliance Truck & Equipment will total to the amount of one hundred four-nine thousand, one hundred eight-two dollars (\$149,182.00) through the purchase co-op Buy Board. The combined total purchase amount will be \$332,064.00 and is budgeted in the Solid Waste Division/ Residential Collection budget.

Councilmember Clegg **moved to approve the Resolution.** The motion was seconded by Councilmember Hendricks and carried by vote of 6 Ayes, 0 Nays, 0 Abstentions, 1 Absent (Dollar).

EXECUTIVE SESSION

At 6:43 p.m. Mayor Jim Goldsworthy announced that Council would convene into Executive Session in compliance with Vernon's Texas Codes Annotated, Government Code, Chapter 551 (Open Meetings Act), to discuss the following:

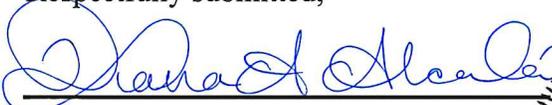
- Under Government Code §551.071 Attorney-Client Matters
- Under Government Code §551.072 Real Property
- Under Government Code §551.087 Economic Development

RECONVENE INTO OPEN SESSION

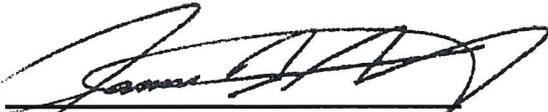
Council reconvened into open session at 7:11 p.m. and Mayor Jim Goldsworthy announced no action was taken during executive session.

ADJOURN

With no further business to come before the City Council, the meeting was adjourned at 7:11 p.m.
Respectfully submitted,



Diana Alcala, City Secretary



Jim Goldsworthy, Mayor