

City Council Regular Meeting
January 6, 2025

A City Council regular meeting was held on the above date at Cameron City Hall, McLane Municipal Center, 100 South Houston Avenue, 3rd Floor, Cameron, Texas with all officers and members present.

Mayor Fuchs called the meeting to order at 5:30 p.m.

Council Member Deal offered the invocation.

Council Member Dominguez led the pledge of allegiance.

Mayor Fuchs asked for citizen's comments.

Milam County District Attorney Brian Price spoke to Council in support of Carlton Scott for Cameron Police Chief.

Brad Horner spoke to the Council about loud music problem and incident which occurred at Brookshire Brothers parking lot.

There were no other citizens comments.

Council Member Deal moved to approve the December 2, 2024 regular meeting minutes. Council Member Vaculin seconded the motion, and it carried unanimously.

Mayor Fuchs opened a public hearing at 5:36 p.m. for the purpose of receiving public comments on a special use permit application to place a HUD code manufactured home at 104 Mesquite, Cameron, Texas.

City Manager Ricky Tow reported that the Planning and Zoning Commission recommended approval at the January 3, 2025 meeting.

Mayor Fuchs closed the public hearing at 5:38 p.m.

Council Member Deal moved to approve the special use permit at 104 Mesquite, Cameron, Texas Council Member Pratt seconded the motion and it carried unanimously.

Mayor Fuchs opened a public hearing at 5:38 p.m. for the purpose of receiving public comments special use permit application to place a HUD code manufactured home at 1006 North Polk Avenue, Cameron, Texas.

City Manager Ricky Tow stated that the Planning and Zoning Commission recommended approval of the variance request.

Reverend Larry Mix, Assistant Pastor at Cornerstone Missionary Baptist Church, requested permission to move his current 2021 HUD code manufactured home from Liberty Hill to the property to be closer to the church.

Mayor Fuchs closed the public hearing at 5:40 p.m.

Council Member Pratt moved to approve the special use permit at 1006 North Polk Avenue, Cameron, Texas. Council Member Dominguez seconded the motion and it carried unanimously.

Mayor Fuchs opened a public hearing at 5:41 p.m. for the purpose of receiving public comments special use permit application to place a HUD code manufactured home at 1506 West 9th Street, Cameron, Texas.

City Manager Ricky Tow stated that the Planning and Zoning Commission recommended approval of the variance request. Home is currently on the property; however, it will need to be moved so that the front yard requirements are met.

Virgie Hardeman spoke on behalf of Tihesha Sewell. Property taxes are now paid and up-to-date. According to Ms. Hardeman, Ms. Sewell will be moving into the home.

Mayor Fuchs closed the public hearing at 5:43 p.m.

Council Member Pratt moved to approve the special use permit at 1506 West 9th Street, Cameron, Texas. Council Member Harris seconded the motion and it carried unanimously.

Council Member Deal moved to approve the following resolution. Council Member Cryer seconded the motion and it carried unanimously.

RESOLUTION NO. 2025-01-06-012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CAMERON, TEXAS, SUPPORTING A FEDUCIARY PARTNERSHIP WITH MILAM COUNTY FOR THE PURCHASE OF 800 MHZ RADIOS FOR THE CAMERON POLICE DEPARTMENT

WHEREAS, Milam County through its Commissioner's Court, has found it in the best interest of the citizens of Milam County, that the County enter into an Interlocal Agreement with Motorola Solutions for the purchase of a new 800 MHz communications system; and,

WHEREAS, Milam County has offered to purchase and install all necessary infrastructure and equipment for a county-wide 800 MHz Communications system, to serve the emergency communications needs of the County and cities within the County through a contract negotiated with Motorola Solutions; and,

WHEREAS, Milam County has invited cities within the county to participate by asking the cities to pay for the cost of Handheld and Mobile radios for their individual Police Departments to the extent that they are needed and can be afforded by the individual departments; and,

WHEREAS, the terms of the agreement between Milam County and Motorola Solutions allows for 10 equal payments over a ten-year term, the first payment of which will be due in January, 2026.

NOW, THEREFORE, BE IT REOLVED BY THE CITY COUNCIL OF THE CITY OF CAMERON, TEXAS THAT:

Section 1. The City of Cameron will participate in this effort and request the County to purchase 14 Handheld Radios, and 13 Mobile Radios, configured to communicate on the 800 MHz system, and

Section 2. The City of Cameron will budget for the expense beginning in January 2026, necessary to cover the City of Cameron's share of this purchase by participating in the annual payment or lumpsum payment.

Council Member Harris moved to approve the following resolution. Council member Deal seconded the motion and it carried unanimously.

RESOLUTION NO. 2025-01-06-013 _____

RESOLUTION BY THE CITY OF CAMERON, TEXAS (“CITY”) DENYING THE INCREASE IN RATES PROPOSED BY ATMOS ENERGY CORPORATION IN ITS MID-TEX DIVISION FILED ON ABOUT DECEMBER 16, 2024; AUTHORIZING INTERVENTION IN PROCEEDINGS RELATED TO ATMOS ENERGY’S APPLICATION TO INCREASE RATES; AUTHORIZING SPECIAL COUNSEL TO REPRESENT THE CITY IN MATTERS RELATED TO ATMOS ENERGY’S PROPOSED INCREASE IN RATES; DIRECTING ATMOS TO REIMBURSE RATE CASE EXPENSES; FINDING THAT THE MEETING COMPLIES WITH THE OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE

WHEREAS, Atmos Energy Corporation (“Atmos” or “Company”) filed a Statement of Intent with the City on about December 16, 2024, to change its rate schedules within the corporate limits of this municipality, specifically to increase its annual revenue requirement by approximately \$16.73 million, which represents an increase in base rates of about 11.51%, excluding the cost of gas, and about 7.08% including the cost of gas; and

WHEREAS, the City is a regulatory authority under the Gas Utility Regulatory Act (“GURA”) and under Chapter 103, §103.001 et seq. of GURA has exclusive original jurisdiction over Atmos’s rates, operations, and services within the municipality; and

WHEREAS, to maximize the efficient use of resources and expertise in reviewing, analyzing and investigating Atmos’s rate request and its changes in tariffs, the City joins with other local regulatory authorities to form an alliance of cities known as the Atmos Texas Municipalities (“ATM”); and

WHEREAS, Atmos’s rate request consists of a voluminous amount of information including Atmos’s rate-filing package, exhibits, schedules, and workpapers; and

WHEREAS, Atmos’s rate application is the Company’s first general rate case since about 2018, and follows six consecutive annual increases in rates pursuant to the Interim Rate Adjustment (“IRA”) mechanism, also known as “GRIP” filings; and

WHEREAS, Atmos proposed January 20, 2024, as the effective date for its requested increase in rates; and

WHEREAS, the City will require the assistance of specialized legal counsel and rate experts to review the merits of Atmos’s application to increase rates; and

WHEREAS, Atmos’s application fails to establish that its overall revenue request resulted in no more than an amount that will permit Atmos a reasonable opportunity to earn a reasonable return on the utility’s invested capital used and useful in providing service to the public in excess of its reasonable and necessary operating expenses; and

WHEREAS, Atmos’s application fails to establish that its proposed rates are just and reasonable; and

WHEREAS, Atmos may exercise its statutory right to appeal a City decision regarding Atmos’s request to increase rates to the Railroad Commission of Texas; and

WHEREAS, Atmos filed its Statement of Intent to increase its revenue and change its rate with the City after it filed a substantially similar application with the Railroad Commission of Texas, and the decision of the Railroad Commission of Texas will have a direct impact on the City and its citizens who are customers of Atmos, and in order for the City’s participation to be meaningful, it is important that the City intervene in any such proceedings at the Railroad Commission of Texas related to Atmos’s application to increase rates.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CAMERON, TEXAS THAT:

Section 1. The findings set out in the preamble are in all things approved and incorporated herein as if fully set forth.

Section 2. Atmos's application fails to show that its proposed rates are just and reasonable.

Section 3. The City hereby **DENIES** Atmos's request to increase its revenue and change its rates and in support of **DENIAL** finds that:

- A.** Atmos failed in its burden of proof to establish that its requested increase in revenue or the changes set forth in its tariffs attached to Atmos's Statement of Intent to change rates, results in just and reasonable rates;
- B.** Atmos failed in its burden of proof to establish that adoption of its proposed rate base, expenses, investment, return on equity, and other rate issues as presented in Atmos's Statement of Intent to increase rates, result in just and reasonable rates.

Section 4. The City shall participate in a coalition of cities known as the Atmos Texas Municipalities ("ATM"), and authorizes intervention in proceedings related to Atmos's Statement of Intent before the Railroad Commission of Texas and related proceedings in courts of law; and

Section 5. The City hereby orders Atmos to reimburse the City's rate case expenses consistent with the Gas Utility Regulatory Act and that Atmos shall do so on a monthly basis and within 30 days after submission of the City's invoices for the City's reasonable costs associated with the City's activities related to this rate review or related to proceedings involving Atmos before the City, the Railroad Commission of Texas, or any court of law.

Section 6. Subject to the right to terminate employment at any time, the City retains and authorizes the law firm of Herrera Law & Associates, PLLC to act as Special Counsel with regard to rate proceedings involving Atmos before the City, the Railroad Commission of Texas, or any court of law, and to retain such experts as may be reasonably necessary for review of Atmos's rate application subject to approval by the steering committee of the ATM.

Section 7. The City, in coordination with the Atmos Steering Committee, shall review the invoices of the lawyers and rate experts for reasonableness before submitting the invoices to Atmos for reimbursement.

Section 8. A copy of this resolution shall be sent to Mr. Alfred R. Herrera, Herrera Law & Associates, PLLC, P.O. Box 302799, Austin, Texas 78703, and a courtesy copy to Atmos's local representative.

Section 9. The meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 10. This resolution shall become effective from and after its passage.

The 12th Street Riderz will be completing the Special Event permit application. Item will be placed on a future agenda if needed.

The City Council entered into executive session at 5:48 p.m. for the following reasons:

- Pursuant to §551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee –
 1. Discussion on Police Chief position

- Pursuant to §551.072 to deliberate about real property
 1. Discussion on negotiations of property R11713, R68114 and R14544

The City Council reconvened into Open Session at 6:13 p.m.

Council Member Harris moved to approve the City Manager to hire Carlton Scott as Cameron Police Chief. Council Member Deal seconded the motion and it carried unanimously.

Council Member Deal moved approval of the resolution and that the City of Cameron authorize the use of the power of eminent domain to acquire property GENERALLY DESCRIBED AS: (1) IN THE MILAM COUNTY REAL PROPERTY RECORDS AT VOLUME NO. 826, PAGE NOS. 225-226 AND VOLUME NO. 826, PAGE NOS. 230-231 AND MILAM COUNTY APPRAISAL DISTRICT PROPERTY IDENTIFICATION NOS. 11713 AND 68114, SAID PROPERTIES OWNED WHOLLY OR PARTIALLY BY ROBERT L. MATYASTIK AND FRANCES E. MATYASTIK REVOCABLE LIVING TRUST, (2) IN THE MILAM COUNTY REAL PROPERTY RECORDS AT VOLUME 337, PAGES 330-334, MILAM COUNTY APPRAISAL DISTRICT PROPERTY IDENTIFICATION NO. 14544, SAID PROPERTIES OWNED WHOLLY OR PARTIALLY BY CAROL MONROE, DANA MONROE, AND DAVID MONROE for necessary fee simple acquisition for the purpose of, among other municipal purposes, including but not limited to a water treatment plant, facility, water lines, and other public uses. Council Member Cryer seconded the motion and the vote was as follows:

Council Member Vaculin, Ward 1	Aye
Council Member Harris, Ward 2	Aye
Council Member Deal, Ward 3	Aye
Council Member Pratt, Ward 4	Aye
Council Member Dominguez, Ward 5	Aye
Council Member Cryer, At-Large	Aye

Council Member Harris moved to appoint Lindsey Culpepper and Lekethia Sims to another 2-year term for the Planning and Zoning Commission. Council Member Deal seconded the motion and it carried unanimously.

Council Member Deal moved to approve the expenditures for November 27, 2024 through January 3, 2025. Council Member Pratt seconded the motion, and it carried unanimously.

There following expenditures exceeded \$25,000.00:

- CEDC \$36,211.47
- Classic Bank \$30,634.44
- Waste Connections \$40,808.13
- Scott & White Health Plan \$25,571.40
- Waste Connections \$40,808.13
- TMRS \$29,722.42

Council Member Deal moved to approve the November 2024 Financial Report. Council Member Cryer seconded the motion and it carried unanimously.

NOVEMBER 2024

16.60%

General Revenues	\$575,613.64	11.13
EXPENSES		
Street Dept	\$200,020.21	18.21
Code Enf	\$10,379.42	7.43
Fire Dept	\$72,401.78	25.14
Police Dept.	\$274,288.34	18.86
Court	\$9,236.08	11.37
Library	\$29,021.40	20.98
Other Operating Exp	\$100,359.41	14.02
Cemetery & Parks	\$15,548.75	11.19
Administration	\$69,384.41	15
Swimming Pool	\$2,961.55	7.23
Debt Service	\$184,919.50	35.89
Animal Control	\$15,738.04	20.34
Total Expenses	\$984,258.89	19.11

GF Fund Profit/Loss -\$408,645.25

Water & Sewer Revenues	\$333,610.50	9.57
EXPENSES		
Water Maintenance	\$169,094.57	20.62
Water Treatment	\$77,370.54	18.03
Sewer Treatment	\$61,130.74	17.78
W & S Administration	\$155,248.99	12.84
Bond Retirement	\$230,467.24	33.77
Total Expenses	\$693,312.08	19.9

Water & Sewer Profit/Loss -\$359,701.58

Airport Revenues	\$65,778.90	32.89
Airport Expenses	\$31,425.17	24.09
Airport Profit/Loss	\$34,353.73	

PD - Special Account		
PD Revenues	\$19,977.16	
PD Expenses	\$73.22	
PD Profit	\$19,903.94	

HOT Revenues	\$222,542.34
HOT Expenses	\$15,750.00
HOT Profit	\$206,792.34

LIB Revenues	\$1,545.04
LIB Expenses	\$615.95
LIB Profit	\$929.09

Fire Revenues	\$70,092.71
Fire Expenses	\$12,348.64
Fire Profit	\$57,744.07

TWDB-DWSRF-LF1000534	
DWSRF Rev	\$30,504.42
DWSRF Exp	\$0.00
Project Balance	\$30,504.42

TWDB-DWSRF-L1000517	
DWSRF Rev	\$2,326.20
DWSRF Exp	\$2,326.20
Project Balance	\$0.00

TWDB-CWSRF-L1000516	
CWSRF Rev	\$2,160.51
CWSRF Exp	
Project Balance	\$2,160.51

TWDB-CWSRF-LF1000523	
CWSRF Rev	\$0.00
CWSRF Exp	\$0.00
Project Balance	\$0.00

CDBG #7219061	
CDBG Revenues	\$11,873.53
CDBG Expenses	\$0.00
Project Balance	\$11,873.53

There being no other business to consider, Council Member Deal moved to adjourn the meeting at 6:20 p.m. Council Member Harris seconded the motion and it carried unanimously.