

## Regular Meeting October 15, 2019

Mayor Duty Cornelius called the meeting to order at 7:00 p.m. with the following council members present: Jim Justus, Abel Reyna, Heidi Hays, Doyle Parrish, Alva Rodriguez, and Brad Thornhill. Also present were City Administrator Margot Hardin, City Secretary Amy Wallace, Chief of Police John Wilson, and Public Works Director Chase Longo.

**Approve September 17, 2019 Minutes:** Abel Reyna made a motion to approve the September 17, 2019 minutes. Jim Justus seconded the motion. Motion carried.

**Approve October 1, 2019 Minutes:** Heidi Hays made a motion to approve the October 1, 2019 minutes. Abel Reyna seconded the motion. Motion carried.

**Approve September Accounts Payable:** Brad Thornhill made a motion to approve the September Accounts Payable, excluding D & H Spraying and Landscaping Accounts Payable. Heidi Hays seconded the motion. Motion carried.

**Approve September D & H Spraying and Landscaping Accounts Payable:** Jim Justus made a motion to approve the September D & H Spraying and Landscaping Accounts Payable. Abel Reyna seconded the motion. Motion carried.

**Public Forum:** No one came forward.

**Police Report:** Chief of Police John Wilson presented the monthly Police Report.

**Public Works Report:** Public Works Director Chase Longo presented the monthly Public Works Report.

**Resolution 10 2019- Atmos West Texas Cities To Review Atmos Energy Corp.:** Heidi Hays made a motion to approve Resolution 10 2019 Atmos West Texas Cities to Review Atmos Energy Corp. Doyle Parrish seconded the motion. Motion carried.

**RESOLUTION NO. 10-2019**

**RESOLUTION OF THE CITY OF CROSBYTON APPROVING COOPERATION WITH CITIES SERVED BY ATMOS WEST TEXAS TO REVIEW ATMOS ENERGY CORP., WEST TEXAS DIVISION'S ("ATMOS WEST TEXAS") REQUESTED RATE CHANGE; HIRING LEGAL AND CONSULTING SERVICES TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF CITIES' RATE CASE EXPENSES; AUTHORIZING INTERVENTION IN ANY RATEMAKING PROCEEDING AT THE RAILROAD COMMISSION THAT RELATES TO THE COMPANY'S FILING; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND CITIES' LEGAL COUNSEL**

WHEREAS, on or about September 27, 2019, Atmos Energy Corp. West Texas ("Atmos West Texas" or "Company") filed with the Railroad Commission of Texas ("Commission") a Statement of Intent to Establish Cost-based Rates for the Triangle Distribution System for the West Texas Distribution System effective November 1, 2019 in Gas Utility Docket No. 10900; and

WHEREAS, the Company's filing requests inclusion of assets into its rate base that may adversely affect future rates and the cost of gas delivered to city gates; and

WHEREAS, the Executive Committee of the Cities Served by Atmos West Texas ("Cities") recommends intervention in Gas Utility Docket No. 10900; and

WHEREAS, the City of Crosbyton will cooperate with Cities in conducting a review of the Company's application and to hire and direct legal counsel and consultants, prepare a common response, negotiate with the Company, and direct any necessary litigation; and

WHEREAS, the Gas Utility Regulatory Act § 103.022 provides that costs incurred by Cities in ratemaking activities are to be reimbursed by the regulated utility; and

WHEREAS, the Gas Utility Regulatory Act § 103.23 grants local regulatory authorities the right to intervene in rate proceedings filed at the Railroad Commission.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CROSBYTON, TEXAS:

1. The City is authorized to intervene and participate with Cities in Gas Utilities Docket No. 10900.

2. That subject to the right to terminate employment at any time, the City of Crosbyton hereby authorizes the hiring of the law firm of Lloyd Gosselink and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and direct any necessary administrative proceedings or court litigation associated with an appeal of this application filed with the Commission

3. That the City's reasonable rate case expenses shall be reimbursed by Atmos West Texas.

4. That a copy of this suspension resolution be sent to Atmos West Texas, care of Philip Littlejohn, Vice President of Rates and Regulatory Affairs, West Texas Division, 6606 66th Street, Lubbock, Texas 79424, and Geoffrey Gay, General Counsel to Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

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Dusty Cornelius, Mayor

ATTEST:

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Amy Wallace, City Secretary

APPROVED AS TO FORM:

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Slater Elza, City Attorney

**TX DOT Ramp 2019/20 Grant:** Brad Thornhill made a motion to approve the TX DOT Ramp 2019/20 Grant. Jim Justus seconded the motion. Motion carried.

**Tax Deed-Parcel 10919-N 50' of Lot 20, Blk 121, Revised East Addition:** Doyle Parrish made a motion to deny the \$175.00 bid by Ramiro Palacios. Jim Justus seconded the motion. Motion carried.

**Tax Deed-Parcel 10739- Lot 3, Blk 123, Revised East Addition:** Doyle Parrish made a motion to deny the \$200.00 bid by Gor Loc Investments, LLC. Abel Reyna seconded the motion. Motion carried.

**Administrative Report:** City Administrator Margot Hardin updated the council on the status of City projects.

With no further business before the council, the meeting was adjourned at 7:52 p.m.

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Doyle Parrish, Mayor Pro Tem

ATTEST:

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Amy Wallace, City Secretary