



Notice is hereby given that a Regular Meeting of the Abernathy City Council will be held in the Council Chambers of the City Hall Building, 811 Ave. D, Abernathy, Texas on **March 9th, 2026, at 6:30 P.M.** This meeting will be recorded, and the recording will be available to the public in accordance with the Open Meetings Act upon written request.

Public Comment: Individual citizens desiring to address the Council during the public comment session may do so about any item on the agenda. All citizens desiring to speak during this time must fill out a comment form and comments will be limited to three (3) minutes per person and not more than five (5) people on the same subject matter.

AGENDA

1. Call to Order
2. Establishing Quorum
3. Welcome Guests
4. Invocation
5. Pledge of Allegiance to the American Flag
6. Texas Pledge – “Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.”
7. Public Comment (non-action)
This is the opportunity for visitors and guests to address the City Council on any issue at this time. (Attorney General Opinion-JC-0169)
8. Public Hearing
 - a. Public Hearing on a variance request for 1201 Ave D for a fence to be built that will violate Section 1635 of the Abernathy Code of Ordinance Chapter 310 Zoning allowing the owner to build a fence that is 5 feet from the property line instead of the required 20 foot setback from the back side of the property from a commercial property facing a residentially zoned property.
 - b. Public Hearing to determine the unsafe and uninhabitable condition of a structure located at OT ABY Blk 15 S/2-A, all 9 Abernathy, Texas; a.k.a. 1401 East Street, Abernathy, Texas 79311, with owner of record being Juan Dominguez.
 - c. Public Hearing to consider the adoption of the Tax Abatement Guidelines and Criteria
9. Consent Agenda

- a. Review/Approval Minutes of the Previous City Council Meeting
- b. Approval of Monthly Financial Reports
- 10.** Executive Session In accordance with Texas Government Code, Section 551.071, Consultations with Attorney; authorizing a governmental body to consult with its attorney in an executive session to seek his or her advice on legal matters.
- 11.** Reconvene Open Session - in accordance with Texas Government Code, consider any action necessary regarding matters discussed in Executive Session.
- 12.** Discussion/Action Items
 - a. Auditor's Presentation of Financial Statement – For FY2024-2025
 - b. Discuss, consider, and possible action on a variance request for 1201 Avenue D for a fence to be built that will violate Section 1635 of the Abernathy Code of Ordinance Chapter 310 Zoning allowing the owner to build a fence that is 5 feet from the property line instead of the required 20 foot setback from the back side of the property from a commercial property facing a residentially zoned property.
 - c. Discuss, consider, and possible action on the determination of the unsafe and uninhabitable condition of a structure located at OT ABY Blk 15 S/2-A, all 9 Abernathy, Texas; a.k.a. 1401 East Street, Abernathy, Texas 79311, with owner of record being Juan Dominguez.
 - d. Discuss, consider, and possible action on property located at 1304 Avenue G, Abernathy, Texas 79311 deeded to the City of Abernathy, the Abernathy Independent School District and Hale County.
 - e. Discuss, consider, and possible action on the adoption of the Tax Abatement Guidelines and Criteria
 - f. Discuss, consider, and possible action on the approval of the application related to the settlement of the rate case Southwestern Public Service Company (SPS) filed on February 8, 2023.
 - g. Discuss, consider, and possible action on the adoption of Ordinance 656, approving a Tariff authorizing an annual Rate Review Mechanism (RRM) as substitution for the annual Interim Rate Adjustment process denied by Section 104.301 of the Texas Utilities Code, and as negotiated between Atmos Energy Corp., West Texas Division ("Atmos West Texas" or "Company") and the Steering Committee of Cities served by Atmos West Texas; requiring the company to reimburse cities' reasonable ratemaking expenses; and adopting a saving Clause; determining that this ordinance was passed in accordance with the requirements of the open meetings act; declaring an effective date; and requiring delivery of this ordinance to the company and legal counsel for the steering committee.
 - h. Discuss, consider, and possible action on the cost sharing of a water line extension on FM 597 to annex property.
 - i. Discuss, consider, and possible action on the sale of bulk water to construction companies for the purpose of constructing new development.
 - j. Discuss, consider, and possible action on the sale of a city owned building located at 322 Main Street: a.k.a. the American Legion Building

- k. Discuss, consider, and possible action on the creation of a part-time janitorial/custodian position.
- l. Discussion and direction on an ordinance adopting and levying the Hotel Occupancy Tax.
- m. Discuss, consider, and possible action on the repeal of the farm lease bid awarded in February 2026 and the re-consideration and award of the farm lease bids.

13. Administrative reports:

- a. Staff Updates and Training
- b. Holiday
- c. Data Centers
- d. Chamber of Commerce
- e. Airport

14. Mayor and Council remarks

15. Adjournment

POSTED: _____

TIME: _____

ATTEST: _____

The Council may enter closed session at any time during the meeting in accordance with the Open Meetings Act, Gov. Code 551. This meeting is also being conducted in accordance with the Disabilities Act (42 U.S.C. of 1991). The facility where the meeting is held is wheelchair accessible and handicapped parking is available. Other handicapped services are available upon request if received at least 48 hours prior to the meeting.