



The City Council for the City of Abernathy met in regular session on Monday, March 9th, 2026, at 6:30 P.M. in the City Hall building at 811 Ave D. Members present were Mayor Harold Bufe, Eva Cortez, Gary Stephenson, Matt Speer, Tammy Mahan, and Bilinda Prater. Also present were City Staff including Julie Arrington, Krista Adames, Cindy Tapia, Ricky Patterson, and Dwain Read. Members of the public are on the attached sign in sheet.

MINUTES

1. Call to Order
Mayor Bufe called the meeting to order at 6:31 P.M.
2. Establishing Quorum
A quorum was established.
3. Welcome Guests
Mayor Bufe welcomed the guest.
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.”
Mayor Bufe led the Texas Pledge.
7. Public Comment (non-action)
The Council received public comment from concerned citizens regarding tax abatements, water usage for the data center and future development.
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.
Mayor Bufe opened the Public Hearing at 6:41 P.M. There being no comments from the public, the hearing was closed at 6:41 P.M.
 - 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.
Mayor Bufe opened the Public Hearing at 6:41 P.M. There being no comments from the public, the hearing was closed at 6:41 P.M.
 - c. Public Hearing to consider the adoption of the Tax Abatement Guidelines and Criteria



Mayor Bufe opened the Public Hearing at 6:41 P.M. There being no comments from the public, and the hearing was closed at 6:42 P.M.

9. Consent Agenda

Councilwoman Prater made a motion to approve the consent agenda items a. and b. Councilwoman Cortez seconded the motion. The motion passed with a vote of 5/0.

- 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. Council entered into executive session at 6:47 P.M.

11. Reconvene Open Session - in accordance with Texas Government Code, consider any action necessary regarding matters discussed in Executive Session. Council reconvened open session at 7:40P.M. No action was taken.

12. Discussion/Action Items

- a. Auditor's Presentation of Financial Statement – For FY2024-2025
Ryan King with Terry & King, CPAs, presented the City FY2024-2025 Financial Statement.
- 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.
Councilwoman Prater made a motion to approve the variance request at 1201 Ave D. Councilman Speer seconded the request. The motion passed with a vote of 5/0.
- 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.
Councilwoman Prater made a motion to approve an inhouse demolition of the property at 1401 East Street, finding the property to be unsafe and uninhabitable. Councilman Stephenson seconded the motion. The motion passed with a vote of 5/0.
- 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.



Code Enforcement Officer Cindy Tapia presented the property at 1304 Ave G and asked council for permission to demolish. Councilwoman Prater made a motion to approve the demolition at 1304 Ave G. Councilman Stephenson seconded the motion. The motion passed with a vote of 5/0.

- e. Discuss, consider, and possible action on the adoption of the Tax Abatement Guidelines and Criteria

Councilman Stephenson made a motion to adopt the tax abatement Guidelines and Criteria. Councilman Speer seconded the motion. The motion passed with a vote of 5/0.

- 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.

Councilwoman Prater made a motion to approve the SPS rate case application. Councilwoman Cortez seconded the motion. The motion passed with a vote of 5/0.

- g. Discuss, consider, and possible action on the adoption of Ordinance 656, approving a Tarrieff 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 Claise; 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.

Councilwoman Mahan made a motion to approve Ordinance 656. Councilwoman Cortez seconded the motion. The motion passed with a vote of 5/0.

- h. Discuss, consider, and possible action on the cost sharing of a water line extension on FM 597 to annex property.

Councilman Gary Stephenson made a motion to deny sharing the cost of a water line extension on FM 597 to annex property. Councilwoman Mahan seconded the motion. The motion passed with a vote of 5/0.

- i. Discuss, consider, and possible action on the sale of bulk water to construction companies for the purpose of constructing new development. Council discussed the sale of bulk water and no action was taken.

- 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. Council instructed City Administrator Julie Arrington to get sealed bids.



- k. Discuss, consider, and possible action on the creation of a part-time janitorial/custodian position.
Councilwoman Mahan made a motion to approve the creation of a part-time janitorial/custodian position. Councilman Speer seconded the motion. The motion passed with a vote of 5/0.
- l. Discussion and direction on an ordinance adopting and levying the Hotel Occupancy Tax.
After discussion, Council directed City Administrator Julie Arrington to move forward with creating an ordinance with up to 6% Hotel Occupancy Tax opposed and the inclusion of the ETJ.
- 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.
Councilwoman Mahan made a motion to rescind awarded bids of the Farmland RFP and reject all bids and reopen the bidding. Councilman Speer seconded the motion. The motion passed with a vote of 5/0.

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

Mayor Harold Bufe

ATTEST

Krista Adames, City Secretary