

**AGENDA
NOTICE OF SPECIAL MEETING
OF THE CITY COUNCIL OF
CUMBY, TEXAS**

This notice is posted pursuant to the Texas Open Meetings Act. Notice hereby given that the City Council of the City of Cumby, Texas will conduct a Special Meeting on July 14, 2022, at 4:00 p.m., at 100 East Main Street, Cumby, Texas, City Council Chambers.

If the public desires to speak during a specific agenda item, they must email secretary@cityofcumby.com by 2:00 pm on the day of the meeting. The email must contain the person's name, address, phone number, and the agenda item(s) for which comments will be made. You may also communicate and send your comments to the City Councilmembers directly by emailing; alderman2@cityofcumby.com or alderman4@cityofcumby.com.

The meeting agenda and agenda packet are posted online at www.cumbytx.com website.

1. CALL MEETING TO ORDER

2. PLEDGE OF ALLEGIANCE AND INVOCATION

3. ROLL CALL & QUORUM REPORT

4. PRESENTATION BY CITIZENS

The City Council welcomes "Presentation by Citizens." If you wish to speak, you must follow these guidelines. As a courtesy to your fellow citizens and out of respect to our fellow citizens, we request that if you wish to speak that you follow guidelines posted at the bottom of this Agenda.

5. CITY COUNCIL COMMENTS

Pursuant to TEX. GOV'T CODE 551.0415, the Mayor, a City Council member and Staff may report on the following items of community interest:(1) expression of thanks, congratulations or condolences (2) information about holiday schedules (3) recognition of individuals (4) reminders about upcoming events organized or sponsored by the City Council (5) Information about community events and (6) announcements involving imminent threat to public health and safety. Additionally, pursuant to TEX. GOV'T CODE 551.042, the Mayor or Council members may request that items be placed on future City Council agendas.

6. NEW BUSINESS:

6.1. DISCUSSION / ACTION: Ordinance O-2022-07-026 – 90-Day Burn Ban City Limits of City of Cumby, Texas, effectively immediately.

Executive Sessions Authorized – The City Council for the City of Cumby reserves right to adjourn into executive session at any time during the course of this meeting to discuss any matter authorized by Texas Government Code Sections 551.071 (Consultation with Attorney); 551.072 (Deliberations related to Real Property); 551.073 (Deliberations related to prospective gifts or donations); Section 551.074 (Personnel Matter); 551.076 (Deliberations regarding the deployment of security devices or the implementation of security policy); and 551.087 (Deliberations regarding Economic Development negotiations).

Attendance by Other Elected or Appointed Officials – NOTICE OF POTENTIAL QUORUM: It is anticipated that members of City Council or other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commission and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also notices as a meeting of the other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed

on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

Presentation by Citizens Guidelines:

- The Mayor will recognize those citizens who have signed up prior to the start of the meeting.
- Pursuant to Resolution No. 2020-12 Citizens are given three minutes (3:00) to speak during “Presentation by Citizens.”
- Members of the public may only speak once and cannot pass the individual’s time allotment to someone else.
- Direct your comments to the entire Council, not to an individual member.
- Show the Council members the same respect and courtesy that you expect to be shown to you.
- The Mayor will rule any disruptive behavior, including shouting or derogatory statements or comments, out of order. Continuation of this type of behavior could result in a request by the Mayor that the individual leave the meeting, and if refused, an order of removal. In compliance with the Texas Open Meetings Act, no member of City Council may deliberate on citizen comments for items not on the agenda. (Attorney General Opinion – JC 0169)

City Council Comment Guidelines:

- Expressions of thanks, congratulations, or condolences.
- Information regarding holiday schedules
- An honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in status of a person’s public office or public employment is not honorary or salutary recognition for purposes of this subdivision.
- A reminder about an upcoming event organized or sponsored by the governing body.
- Information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body or an official or employee of the municipality or county; and
- Announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after posting of the agenda.

CERTIFICATE:

I hereby certify that the above Notice of Meeting was posted on the City Hall bulletin board on the July 11, 2022, at a place convenient and readily accessible to the general public at all times, and to the city’s website, <https://www.cumbytx.com>, in compliance with Chapter 551, Texas Government Code.



Betty Jo Hardman, City Secretary



ORDINANCE O-2022-07-026 - 2

ORDINANCE [PROHIBITING OR RESTRICTING] OUTDOOR BURNING IN THE CITY LIMITS, CITY OF CUMBY TEXAS

WHEREAS, the City Council of the City of Cumby, Texas finds that circumstances present in all or part of the incorporated area of the city create a public safety hazard that would be exacerbated by outdoor burning;

IT IS HEREBY ORDERED by the City Council of the City of Cumby, Texas that all outdoor burning is prohibited in all areas of the City for 90 days from the date of adoption of this Ordinance, unless the restrictions are terminated earlier based on a determination made by: (1) the Texas Forest Service that drought conditions no longer exist; or (2) the Mayor of City of Cumby; that the circumstances that required the Order no longer exist.

This Ordinance is adopted pursuant to Local Government Code §352.081, and other applicable statutes. This Ordinance does not prohibit outdoor burning activities related to public health and safety that are authorized by the Texas Commission on Environmental Quality for: (1) firefighter training; (2) public utility, natural gas pipeline or mining operations; (3) planting or harvesting of agricultural crops; or, (4) burns that are conducted by a prescribed burn manager certified under Natural Resources Code § 153.048 and meet the standards of Natural Resources Code § 153.047; (5) commercial welding projects w/plan of action on file.

In accordance with Local Government Code §352.081(h), a violation of this Ordinance is a Class C misdemeanor, punishable by a fine not to exceed \$500.00.

ADOPTED this _____ day of _____, 22 by a vote of _____ ayes and _____ nays.

Douglas Simmerman, Mayor

Katherine Flinn, Alderman 2

Wayne Mobley, Alderman 3

Aly Crocker, Alderman 4