



**CITY OF COLEMAN, TEXAS
CITY COUNCIL MEETING
Special Meeting Agenda**

The City Council of the City of Coleman, Texas will meet in special session on Tuesday, September 22, 2020 at 5:15 p.m. in the Council Chambers of City Hall, 200 West Liveoak, Coleman, Texas. All items on the agenda are for possible discussion and action. Council may vote and/or act upon each of the items listed on this Agenda. One agenda item will be discussed at a time, in the order determined by the Mayor, unless logic and practical considerations allow similar topics to be considered together for purposes of convenience and efficiency. Consent items are considered to be non-controversial and will be voted on in one motion unless a council member asks for separate discussion. The City Council of the City of Coleman, Texas, reserves the right to meet in closed, executive session on any of the items listed below should the need arise and if authorized by Title 5, Chapter 551, of the Texas Government Code.

1. Call to Order, Invocation, and Pledge of Allegiance to the Flags of the United States of America and the State of Texas.
2. Introductions, Announcements, and Recognitions
3. Items to be withdrawn
4. Citizen Presentations: Any citizen who desires to address the City Council on a matter not included on the agenda may do so at this time. The City Council may not deliberate on items presented under this agenda item. Presentations are subject to five (5) minutes for items not on the agenda. If you wish to speak to an item on the agenda, you will be allowed to speak when the council addresses the item. There is a (3) minute time limit for items on the agenda. The presiding officer (with the consent of a majority of the City Council) may grant additional time. To comply with the provisions of the Open Meetings Act, the Council respectfully requests that prior to addressing Council, that each person submit a Speaker Request Form stating your name, address, and topic of presentation. The form is located at the entryway to Council Chambers.
5. Hear requests from the City Council for future agenda items.
6. Discuss, consider, and act upon the second reading of an Ordinance of the City of Coleman adopting the Revised FY 2019-2020 City of Coleman Budget.

7. Discuss, consider, and act upon the second reading of an Ordinance of the City of Coleman adopting the FY 2020-2021 City of Coleman Budget.
8. Discuss, consider, and act upon the second reading of an Ordinance of the City of Coleman adopting an increase and establishing rates for water service to become effective October 1, 2020.
9. Discuss, consider, and act upon the second reading of an Ordinance of the City of Coleman adopting the property tax rate of \$0.438623 per \$100 valuation for tax year 2020.
10. Adjournment

Approved as to Form:



Pat Chesser, City Attorney

Certification

I certify that the above notice of meeting was posted at City Hall, 200 W. Liveoak, Coleman Texas, and on the City of Coleman internet website on Friday, September 18, 2020 at 5:00 p.m. and remained so posted continuously for at least seventy-two (72) hours preceding the scheduled time of said meeting. I further certify that the media was properly notified. A list of those notified will be available upon request.



Karen Langley, City Secretary

Special Accommodations

The City of Coleman is committed to compliance with the Americans with Disabilities Act (ADA). Reasonable accommodations and equal access to communications will be provided to those who provide notice to the City Secretary by calling 325-625-4116 or by going by 200 W. Liveoak, Coleman Texas during normal business hours at least (48) forty-eight hours in advance of the scheduled meeting.

City of Coleman
City Council
Agenda Memo



City Council Meeting Date: September 22, 2020
Department: Mayor/Council
Presented by:
Prepared by: Karen Langley, City Secretary

SUBJECT: Agenda Item No. 1

AGENDA ITEM:

Call to Order, Invocation, and Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

The Pledge of Allegiance to the Flag of the United States of America:

"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

should be rendered by standing at attention facing the flag with the right hand over the heart. When not in uniform men should remove any non-religious headdress with their right hand and hold it at the left shoulder, the hand being over the heart.

The Pledge of Allegiance to the Flag of the State of Texas:

"Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible."

The pledge of allegiance to the flag of the United States should be recited before the pledge of allegiance to the state flag if both are recited; should be rendered by standing at attention facing the flag with the right hand over the heart. When not in uniform men should remove any non-religious headdress with their right hand and hold it at the left shoulder, the hand being over the heart.

City of Coleman
City Council
Agenda Memo



City Council Meeting Date: September 22, 2020
Department: Mayor/Council
Presented by: Karen Langley, City Secretary
Prepared by: Karen Langley, City Secretary

SUBJECT: Agenda Item No. 5

AGENDA ITEM:

Hear requests from the City Council for future agenda items.

RECOMMENDED MOTION:

THIS IS A REQUEST ITEM ONLY, AND NOT INTENDED FOR A FORMAL MOTION

NARRATIVE:

Resolution 15-04, A Resolution of the City Council Establishing Rules and Procedures for conduction Council Meetings was adopted by the Council in 2015. Paragraph F reads:

“The agenda shall be prepared by the City Manager who shall generally determine the items to be on the agenda. In addition, any Council Member or the Mayor may request that any appropriate item be placed on the agenda”.

Perhaps one of the most crucial items in providing for orderly meetings is a well-organized, well-prepared agenda. The goal of a Council meeting is to conduct the city’s business in an open meeting. To encourage and ensure that the agenda is prepared to include items that any single Council Member or the Mayor would like to see as an agenda item for Council Consideration, I am placing this standing item on the agenda.

This provides the opportunity for direction to be given to the City Manager regarding topics of discussion for future agendas.

This is a request item only, and is not intended for there to be an open discussion on a future agenda item.

**City of Coleman
City Council
Agenda Memo**



City Council Meeting Date: September 22, 2020
Department: Mayor/Council
Presented by: Diana Lopez, City Manager
Prepared by: Diana Lopez, City Manager

SUBJECT: Agenda Item No. 6

AGENDA ITEM:

Discuss, consider, and act upon the second reading of an Ordinance of the City of Coleman adopting the Revised FY 2019-2020 City of Coleman Budget.

RECOMMENDED MOTION:

Motion to approve the second reading of the Ordinance adopting the budget amendments to the Fiscal Year 2019-2020 Budget for the City of Coleman.

ORDINANCE NO. 1213

AN ORDINANCE OF THE CITY OF COLEMAN, TEXAS, ADOPTING THE BUDGET AMENDMENTS TO THE FISCAL YEAR 2019-2020 BUDGET FOR THE CITY OF COLEMAN, TEXAS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Ordinance No. 1204, an Ordinance of the City of Coleman, Texas, Adopting the Fiscal Year 2019-2020 Budget, was approved by the City Council on September 05, 2019; and

WHEREAS, the City Council of the City now desires to amend the Fiscal Year 2019-2020 Budget and to provide for the filing of the amended Fiscal Year 2019-2020 Budget with the City Secretary;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLEMAN, TEXAS:

SECTION 1: The Fiscal Year 2019-2020 Budget be amended as shown on Exhibit A, attached and fully incorporated into this Ordinance by reference.

SECTION 2: The City Secretary shall and is directed to file this Amendment to the Fiscal Year 2019-2020 Budget in her office.

SECTION 3: This Ordinance is effective upon its adoption and passage by the City Council.

PASSED AND APPROVED on First Reading this _____ day of _____, 2020.

PASSED AND APPROVED on Second Reading this _____ day of _____, 2020.

TOMMY SLOAN, Mayor

APPROVED AS TO FORM:

ATTEST:

PAT CHESSER, City Attorney

KAREN LANGLEY, City Secretary

**City of Coleman
City Council
Agenda Memo**



City Council Meeting Date: September 22, 2020
Department: Mayor/Council
Presented by: Diana Lopez, City Manager
Prepared by: Diana Lopez, City Manager

SUBJECT: Agenda Item No. 7

AGENDA ITEM:

Discuss, consider, and act upon the second reading of an Ordinance of the City of Coleman adopting the FY 2020-2021 City of Coleman Budget.

RECOMMENDED MOTION:

Motion to approve the second reading of the Ordinance approving and adopting a budget for the Fiscal Year beginning on October 1, 2020 through September 30, 2021. (This will need to be a record vote.)

Motion to ratify the budget ordinance adopting the budget for the Fiscal Year 2020-2021. (This will need to be a record vote.)

ORDINANCE NO. 1214

AN ORDINANCE OF THE CITY OF COLEMAN, TEXAS APPROVING AND ADOPTING A BUDGET FOR THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020, THROUGH SEPTEMBER 30, 2021; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Manager for the City of Coleman, Texas has heretofore filed with the City Secretary, a proposed general budget for the City covering the fiscal year 2020-2021; and

WHEREAS, a public hearing was duly held by the City Council and all interested persons were given an opportunity to be heard for or against any item therein in accordance with the Charter and State law; and

WHEREAS, the adoption of the said budget will require raising more revenue from property taxes than in the previous year, and the City Council has ratified (or will ratify), by separate vote, the property tax increase reflected in the said budget.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLEMAN, TEXAS:

SECTION 1: That the attached budget, presented by the City Manager and reviewed during Council meetings and work sessions, and as amended, be approved for the fiscal year 2020-2021.

SECTION 2: That said Budget as attached hereto as Exhibit "A" of this Ordinance, and made a part hereof for all purposes, is hereby approved in all respects and is adopted as the City's budget for the fiscal year beginning October 1, 2020, and ending September 30, 2021.

SECTION 3: A true and correct copy of the approved budget shall be filed in the office of the City Secretary.

SECTION 4: This Ordinance is effective upon its adoption and passage by the City Council.

PASSED AND APPROVED on First Reading this _____ day of _____, 2020.

PASSED AND APPROVED on Second Reading this _____ day of _____, 2020.

TOMMY SLOAN, Mayor

APPROVED AS TO FORM:

ATTEST:

PAT CHESSER, City Attorney

KAREN LANGLEY, City Secretary

**City of Coleman
City Council
Agenda Memo**



City Council Meeting Date: September 22, 2020
Department: Mayor/Council
Presented by: Diana Lopez, City Manager
Prepared by: Diana Lopez, City Manager

SUBJECT: Agenda Item No. 8

AGENDA ITEM:

Discuss, consider, and act upon the second reading of an Ordinance of the City of Coleman adopting an increase and establishing rates for water service to become effective October 1, 2020.

RECOMMENDED MOTION:

Motion to approve the second reading of the Ordinance adopting an increase and establishing rate for water service to become effective October 1, 2020.

ORDINANCE NO. 1215

AN ORDINANCE OF THE CITY OF COLEMAN, TEXAS ESTABLISHING RATES FOR WATER SERVICE; PROVIDING AN EFFECTIVE DATE FOR THE RATES; PROVIDING A CUMULATIVE REPEALER AND SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR COMPLIANCE WITH THE OPEN MEETINGS ACT

WHEREAS, the periodic evaluation and revision of City water rates and charges is necessary to provide sufficient revenue to the City of Coleman ("City") to operate and maintain a water system; and

WHEREAS, the City Council of the City of Coleman ("City Council") finds that the existing water rates and charges pertaining to water service are presently insufficient to provide for such; and

WHEREAS, the City Council desires to increase the base water rate for inside and outside the City limits customers;

WHEREAS, the City Council finds that the increased base water rate for customers enacted by this ordinance is in the public interest and that it is necessary, reasonable, and expedient under the circumstances; and

WHEREAS, all previous regulations, rules and policies which are in conflict with this ordinance are hereby repealed, amended, and superseded.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF COLEMAN, TEXAS, THAT:

Section 1. Findings.

The recitals set forth above are hereby found by the City Council to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

Section 2. Monthly Rates for Water Services.

The monthly rates for water service shall be as follows:

WATER SERVICE RATES

Residential and Commercial Water Service:
(Customer Base Charge does not include consumption)
(Volumetric Charges: per 1,000 gallons)

	<u>Inside City</u>	<u>Outside City</u>
Rates 2020-2021		
Base Customer Charge:	\$43.00	\$66.16
0 – 3,000	5.19	5.19
3,001 – 10,000	6.54	6.54
10,001 & up	7.54	7.54
Irrigation Customer Charge:	\$19.65	\$31.23
0 – 3,000	5.19	5.19
3,001 – 10,000	6.54	6.54
10,001 & up	7.54	7.54
Bulk Sales: (per 1,000 gallons)	\$51.47	
Standpipe Rate (any meter or Fire Hydrant)		
***suspended in drought		
Raw Water (per 1,000 gallons)	\$ 0.65	
Large Wholesale Customers (per 1,000 gallons)	\$2.10	
Wastewater Reuse (per 1,000 gallons)	\$ 0.25	

The City of Coleman has adopted a Drought Contingency Plan and Ordinance with additional fines and penalties which may apply in times of drought.

Section 3. Effective Date of Rates.

The rates and charges set forth herein shall become effective on October 1, 2020.

Section 4. Cumulative Repealer and Savings Clause.

All provisions of the ordinances of the City in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and all other provisions of the ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect. This ordinance specifically repeals and supersedes the provisions of Ordinance No. 1193.

Section 5. Severability Clause.

Should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional.

Section 6. Effective Date of Ordinance.

This ordinance shall take effect and be in full force and effect from and after the date of its passage on the second and final reading and publication of the caption of the ordinance in a newspaper of general circulation within the City, if required by law.

Section 7. Open Meetings and Notice.

It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that the public notice of the time, place, and purpose of said meeting was provided as required by the Open Meeting Act, Ch. 551, TEXAS LOCAL GOVT. CODE.

PASSED AND APPROVED on first reading on this 17th day of September, 2020.

PASSED, APPROVED AND ADOPTED on second/final reading on this 22nd day of September, 2020.

Tommy Sloan, Mayor

ATTEST:

Karen Langley, City Secretary

APPROVED AS TO FORM:

William P. Chesser, City Attorney

City of Coleman
City Council
Agenda Memo



City Council Meeting Date: September 22, 2020
Department: Mayor/Council
Presented by: Diana Lopez, City Manager
Prepared by: Diana Lopez, City Manager

SUBJECT: Agenda Item No. 9

AGENDA ITEM:

Discuss, consider, and act upon the second reading of an Ordinance of the City of Coleman adopting the property tax rate of \$0.438623 per \$100 valuation for tax year 2020.

RECOMMENDED MOTION:

Motion to approve the second reading of the Ordinance –that the property tax rate be increased for the 2020 Ad Valorem Tax Rate with the adoption of a tax rate of \$0.438623 on each \$100 assessed value of all taxable property, which is effectively a 3.49 percent increase in the tax rate.

The total tax of \$0.283330 on each \$100 assessed value shall be distributed to the General Fund for Maintenance and Operations and

the total tax of \$0.155293 on each \$100 assessed value be distributed to pay the City's debt service.

This is a record vote

ORDINANCE NO. 1216

AN ORDINANCE OF THE CITY OF COLEMAN APPROVING THE 2020 AD VALOREM TAX RATE AND LEVY ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY, NOT EXEMPT BY LAW; PROVIDING REVENUES FOR PAYMENT OF CURRENT MUNICIPAL EXPENSES; AUTHORIZING TAX ASSESSOR-COLLECTOR TO ASSESS TAXES USING THE TAX RATE; PROVIDING FOR ENFORCEMENT OF COLLECTION; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLEMAN, TEXAS:

Section 1: That under the authority of the laws of the State of Texas and the City Charter, there is hereby levied for the 2020 tax year, on all taxable property situated within the corporate limits of the City of Coleman, and not exempt by the Constitution and Laws of the State of Texas, a total tax of \$0.438623 on each \$100 assessed value of all taxable property.

Section 2: (a) That of the total tax, \$0.283330 on each \$100 assessed value, shall be distributed to the General Fund of the City to fund maintenance and operation expenditures of the City.

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.4999 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000.00 HOME BY APPROXIMATELY \$6.65.

(b) That of the total tax, \$0.155293 on each \$100 assessed value, shall be distributed to pay the City's debt service as provided by Section 26.05 of the Texas Tax Code.

(c) The City Secretary shall cause the following notice to be posted on the homepage of the City's internet website:

THE CITY OF COLEMAN ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE; and

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.4999 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$6.65.

Section 3: The tax assessor-collector is hereby authorized to assess and collect the taxes of the City of Coleman employing the above tax rate.

Section 4: That for enforcement of the collection of taxes hereby levied, the City of Coleman shall have available all rights and remedies provided by law.

Section 5: It is hereby declared to be the intention of the City Council of the City of Coleman that if any phrase, sentence, section, or paragraph of this Ordinance shall be declared unconstitutional or otherwise invalid by final judgment of a court of competent jurisdiction such unconstitutionality or invalidity shall not affect any of the remainder of this Ordinance since the same would have been enacted by the City Council without the incorporation of the unconstitutional or invalid phrase, sentence, section or paragraph.

Section 6: This Ordinance shall become effective immediately from and after its passage as set forth below.

PASSED, APPROVED AND ADOPTED on first reading this the ____ day of September, 2020.

PASSED, APPROVED AND ADOPTED on second reading this the ____ day of September, 2020.

Tommy Sloan, Mayor

Attest:

Karen Langley, City Secretary

Approved as to form:

William P. Chesser, City Attorney