



## **CITY COUNCIL AGENDA**

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**NOTICE IS GIVEN THAT THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS, WILL MEET IN A REGULARLY SCHEDULED MEETING AT 5:30 P.M. ON WEDNESDAY, AUGUST 31, 2022, 601 SOUTH FIRST STREET, FOR THE PURPOSE OF CONSIDERING AND TAKING OFFICIAL ACTION ON THE FOLLOWING ITEMS:**

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**1. CALL TO ORDER:**

**2. INVOCATION:**

**3. FISCAL YEAR OCTOBER 2022-2023 BUDGET - ADOPTION:** Consider passing an ordinance on second reading with record vote in accordance with State Law (Local Government Code, Chapter 102, Section 102.007) providing funds for the Fiscal Year beginning October 1, 2022, and ending September 30, 2023, by approving the budget for said period and appropriating and setting aside the necessary funds out of the General Fund, Water/Wastewater, Solid Waste funds for the maintenance and operation of the various departments and for various activities and improvements to the City. *(City Manager)*

**THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$84,496.00 OR 3.47% AND OF THAT AMOUNT, \$145.00 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR**

**4. RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE FISCAL YEAR 2022-2023 BUDGET:** Consider ratifying the property tax increase reflected in the Fiscal Year 2022-2023 budget that raises more property taxes than the Fiscal Year 2021-2022 budget. *(City Manager)*

**THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$84,496.00 OR 3.47% AND OF THAT AMOUNT, \$145.00 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR**

5. **AD VALOREM TAX RATE – 2022 (DEBT SERVICE TAX RATE):** Consider establishing an ad valorem tax rate for Fiscal Year 2022-2023 by passing on first reading an ordinance establishing the ad valorem tax rate which will raise the amount of revenue required to pay Debt Service at a rate of \$0.0000 per hundred dollar assessed valuation for Fiscal Year beginning October 1, 2022 and ending September 30, 2023. *(City Manager)*
6. **AD VALOREM TAX RATE – 2022 (MAINTENANCE AND OPERATION TAX RATE):** Consider establishing an ad valorem tax rate for Fiscal Year 2022-2023 by passing on first reading an ordinance establishing the ad valorem tax rate which will raise the amount of revenue needed to fund Maintenance and Operation expenditures at a rate of \$0.799070 for Fiscal Year beginning October 1, 2021, and ending September 30, 2022. *(City Manager)*
7. **AD VALOREM TAX RATE – 2022:** Consider establishing an ad valorem tax rate for Fiscal Year 2022-2023 by passing on first reading an ordinance establishing the ad valorem tax rate of \$0.799070 per hundred dollar assessed valuation for the Fiscal Year beginning October 1, 2022 and ending September 30, 2023, and adopting the provisions of Section 31.05 of the State Property Tax Code to provide for discounts under certain conditions. *(City Manager)*

**City of Lamesa ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**

**THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.46 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-54.76. {Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.**

8. **CALL FOR BIDS ON LEASE OF CITY PROPERTY:** Consider approval of a call for bids for a lease of two (2) years beginning May 1, 2022 and ending March 31<sup>st</sup>, 2023 with up to three (3) one-year options, for the following City-owned property:

**Tract "A":** Approximately 168 acres of land surrounding the city's sewer treatment plant, lagoons, and sanitary landfill; and

**Tract "B":** Approximately 34 acres out of the West 120 acres of the South ½ of Section 17, Block 35, T-5-N, off of Radio Road.

- 9. EXECUTIVE SESSION:** Consider convening into closed Executive Session with the City Council of the City of Lamesa, Texas for the following:

**Sec. 551.071, Texas Government Code** Consultation with Attorney regarding contemplated litigation under the provisions of the Texas Open Meetings Act).

- 10. ADJOURNMENT:** *The next regularly scheduled meetings of the City Council of the City of Lamesa will be September 6, 2022 at 5:30 P.M.*






## Open Meetings Information



### CLOSED MEETINGS

The City Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.087 (Economic Development).


### PUBLIC PARTICIPATION


 The meeting will be held pursuant to the provisions of the Texas Open Meetings Act (Govt. Code, Chapter 551). Discussion and actions are limited to the agenda items listed above. Persons desiring to address the City Council or express their opinion about a particular item on this agenda should notify the City Secretary before the meeting. Persons desiring to present other business or discuss matters not on this agenda should submit a request in writing to the City Secretary by the end of business hours on the Wednesday before the next meeting in order to be considered for inclusion on that agenda.


### MEETING ACCESSIBILITY

Upon request, auxiliary aids and services will be provided to an individual with a disability in order to allow them to effectively participate in the city council meeting. Those requesting auxiliary aids or services should notify the contact person listed below at least twenty-four hours prior to the meeting by mail, telephone or RELAY Texas (1-800-735-2989)

**Contact: Betty Conde at 806-872-4322**

 601 South First Street, Lamesa, Texas 79331

 **Telephone - (806) 872-4322**

 **Fax - (806) 872-4338**

### CERTIFICATION OF NOTICE



I certify this agenda was posted at the City Hall, 601 South First Street, Lamesa, Texas at **4:45 p.m. August 26, 2022**, in accordance with Chapter 551.041 of the Government Code.

Betty Conde, City Secretary

# **City Council Agenda**

## **City of Lamesa, Texas**

**DATE OF MEETING: AUGUST 31, 2022**

**AGENDA ITEMS: 1 & 2**

- 1. CALL TO ORDER:** *Announcement* - "This meeting is being held in accordance with the provisions of the Texas Open Meetings Act (Govt. Code, Chapter 551). Discussion and actions are limited to the agenda items as posted. Persons desiring to address the City Council or express their opinion about a particular item on this agenda should complete a request at this time. Persons desiring to present other business or discuss matters not on this agenda should submit a request in writing to the City Secretary in order to be considered for inclusion on the agenda of the next meeting. A quorum being present as evidenced by the presence of \_\_\_\_\_ members of the City Council, this meeting is hereby called to order."

The following members are present:

JOSH STEVENS	Mayor
MORGAN VERMILLION	Council Member – District 1
FRED VERA	Council Member – District 2
GLORIA V RODRIGUEZ	Council Member – District 3/MAYOR PRO-TEM
DANNY JACOBS	Council Member – District 4
BOBBY G. GONZALES	Council Member – District 5
RUDY SAUSED JR	Council Member – District 6

City Staff members present at the meeting:

JOE HINES	City Manager
BETTY CONDE	City Secretary
RUSSELL CASSELBERRY	Attorney

Members of the press present at the meeting:

Members of the public present at the meeting:

**AND PLEDGE OF ALLEGIANCE.**



# **City Council Agenda**

## **City of Lamesa, Texas**

**DATE OF MEETING: AUGUST 31, 2022**

**AGENDA ITEM: 3**

**SUBJECT: FISCAL YEAR OCTOBER 2022-2023 BUDGET - ADOPTION**  
**PROCEEDING: Ordinance; Second reading**  
**SUBMITTED BY: City Staff**  
**EXHIBITS: Ordinance**  
**AUTHORITY: State Law; Local Government Code, Chapter 102, Section 102.007**

### **SUMMARY STATEMENT**

Consider passing an ordinance on Second reading with record vote in accordance with State Law (Local Government Code, Chapter 102, Section 102.007) providing funds for the Fiscal Year beginning October 1, 2022, and ending September 30, 2023, by approving the budget for said period and appropriating and setting aside the necessary funds out of the General Fund, Water/Wastewater, Solid Waste funds for the maintenance and operation of the various departments and for various activities and improvements to the City.

***THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$84,496.00 OR 3.47% AND OF THAT AMOUNT, \$145.00 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR***

### **COUNCIL ACTION**

**DISCUSSION:** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to adopt on second reading the Proposed 2022-2023 Annual Budget, including the following statement (to be read aloud):



**THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$84,496.00 OR 3.47% AND OF THAT AMOUNT, \$145.00 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR**

Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS**

VOTING	"AYE"	"NAY"	"ABSTAIN"
Josh Stevens	_____	_____	_____
MORGAN VERMILLION	_____	_____	_____
FRED VERA	_____	_____	_____
GLORIA V. RODRIGUEZ	_____	_____	_____
DANNY L JACOBS	_____	_____	_____
BOBBY G. GONZALES	_____	_____	_____
RUDY SAUSED JR	_____	_____	_____

**CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

**ORDINANCE NO: \_\_\_\_\_**

**AN ORDINANCE ADOPTING AND APPROVING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023 AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT, PROJECT, AND ACCOUNT; APPROVING REVISED BUDGET FIGURES FOR THE FISCAL YEAR ENDED SEPTEMBER 30, 2022; PROVIDING FOR NECESSARY TRANSFERS OF FUNDS BETWEEN ACCOUNTS AND DEPARTMENTS, IF REQUIRED; AND PROVIDING A SAVINGS CLAUSE.**

On the this 30<sup>th</sup> day of August, 2022, there came on and was held at the regular called meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act, and there being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

**WHEREAS**, a budget for the Fiscal Year beginning October 1, 2022, and ending September 30, 2023, has been prepared by the City Manager; and

**WHEREAS**, the City Manager, on August 12, 2022, filed a proposed budget with the City Secretary for the Fiscal Year beginning October 1, 2022; and

**WHEREAS**, the City Secretary did post notice that said proposed budget had been filed and was available for public inspection; and

**WHEREAS**, the City Council did hold a public hearing on August 22, 2022, regarding the proposed property ad valorem tax rate of \$ 0.799070; and

**WHEREAS**, on August 30, 2022, the City Council held a public hearing on the proposed 2022-2023 Budget. It is determined that the proposed budget for Fiscal Year 2022-2023 is appropriate and correct in all respects and that all requirements of the law have been satisfied.

**NOW THEREFORE, BE IT ORDAINED** by the City Council of the City of Lamesa:

**SECTION 1.** Subject to the applicable provisions of State Law and the City Charter, the budget for the City of Lamesa for the Fiscal Year beginning October 1, 2022, and ending September 30, 2023, as filed and submitted by the City Manager, and adjusted by the City Council, containing estimates of resources and revenues for the year from all sources available to the City, and the projects, operations, activities and purchases proposed for the City during the year, together with the estimated costs therefor, and the estimated amounts of all other proposed expenditures, is hereby APPROVED and ADOPTED.

**SECTION 2.** (A) There is hereby appropriated from the funds indicated for such purposes and other expenditures proposed in the budget, not to exceed for all



such purposes for any department, the total amount of the estimated costs of the projects, operations, activities, purchases and other expenditures proposed for such department.

(B) The City Manager is hereby authorized to approve the transfer of allocated amounts between classifications, departments, and unappropriated surpluses if such transfers do not significantly change the work program contemplated in the approved budget.

**SECTION 3. THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$84,496.00 OR 3.47% AND OF THAT AMOUNT, \$145.00 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.**

**SECTION 4.** The amounts set out under the headings "Revised or Estimated 2021-2022" shall be, and are hereby, authorized and approved as revised budget amounts for the Fiscal Year ending on September 30, 2022.

**SECTION 5. (A)** That the rates to be charged by the City for various services provided by the City be as follow:

(1) That the rates and fees to be charged for solid waste services as set out in Section 13.02 of the Code of Ordinances of the City be as follow:

Exhibit #1 Solid Waste fees

Annual commercial hauler's permit	\$500.00	ea.
	\$50 / 1000 lbs. over 5000 lbs.	ea.
One-family residence	\$38.00	ea.
One-family residential OCL <5 (3 Yd Dumpster)	\$63.00	ea.
One-family residence OCL 5 -10 miles	\$63.00	ea.
Commercial OCL 1 tip/ wk	\$59.57	ea.
Commercial OCL 1 tip/ wk	\$85.49	ea.
Private Dumpster	\$84.00	ea.
Vector Control	\$1.00	/ MO
Roll Offs + Mileage (\$2 / mile if OCL))	\$100.00	ea.

Any wastes to be deposited in the type I pit including: Municipal solid waste (MSW)	\$38.00	/ Ton
Type IV: Brush and yard wastes	\$30.00	/ Ton
Type IV: Construction and demolition waste	\$30.00	/ Ton
Materials not deposited in a pit including: Metal and other recyclable material	\$30.00	/ Ton
Contaminated soils	\$24.51	/ Ton

Tires

Automobile tires	\$1.23	ea.
Truck tires (7.5 x 20 to 17.5 x 25)	\$3.68	ea.
Larger truck tires	\$6.13	ea.
Tractor tires	\$6.13	ea.
Heavy equipment tires	\$12.26	ea.

Containers

Minimum charge	\$38.00	ea.	1 container, 3 pickups per week	\$168.90	ea.
1 container, 2 pickups per week	\$115.95	ea.	1 container, 4 pickups per week	\$221.55	ea.

(2) That the rates and fees to be charged for wastewater services as set out in Section 13.03 of the Code of Ordinances of the City be as follow:

(a) Minimum rate. The minimum rate for wastewater service, which shall be charged all customers except as otherwise provided, shall be as set out in the Wastewater Rate Table shown below.

(b) The City, through its water and wastewater department, shall charge and collect, and every customer shall pay, for wastewater service furnished to the customer, whether or not the city meter is the only source of billing of water used by the user, the amount calculated by application of the following rates for all billing cycles on or after October 1, 2022:

Wastewater Rates			
Residential Wastewater	Base Rate		
	First 7,000 gallons (minimum)	\$20.02	/ Mo
Commercial Wastewater Rates	Base Rate		
	First 10,000 gallons (minimum)	\$26.57	/ Mo
	10,001 gallons to 50,000 gallons	\$21.56	
	50,001 gallons to 51,000	\$38.54	
	51,001 gallons to 100,000 gallons	\$54.59	
	100,001 gallons to 101,000	\$71.23	
	101,001 gallons and over	\$94.59	
Outside City Limits	wastewater rates at 173% of the above rates		

(3) That the rates and fees to be charged for the other various services rendered by the City as set out in the Code of Ordinances of the City be as set out on the Fee Table attached to this Budget Ordinance as Exhibit A entitled "Fee Table."

**SECTION 6.** All rates and fees set out in the various sections of the Code of Ordinances of the City in conflict with the rates and fees set out on the Fee Table attached hereto as Exhibit A are hereby repealed.

**SECTION 7.** The Investment Plan for the City has been reviewed and is hereby approved for the Fiscal Year beginning October 1, 2022, and ending September 30, 2023.

**SECTION 8.** That should any section, paragraph, sentence, clause, phrase or word of this Ordinance be declared unconstitutional or invalid for any reason, the remainder of this ordinance shall not be affected thereby.

**SECTION 9.** All ordinances and resolutions, or parts of ordinances and resolutions, in conflict with this Ordinance are hereby repealed, and are no longer in force or effect.

**SECTION 10.** This ordinance shall become effective upon adoption of its second and final reading by the City Council of the City of Lamesa, Texas, and the effective date of the this ordinance and all rates and appropriations contained herein shall be October 1, 2022.

Upon being put to a vote, the foregoing Ordinance was Passed, on First Reading on the 30th day of August, 2022, by a majority vote; and then on the 31st day of August, 2022, there came on an was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas, held pursuant to the provisions of the Texas Open Meetings Act. There being a quorum present and acting throughout the meeting, the foregoing ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, and upon being put to a vote, the foregoing ordinance was Passed on Second and Final Reading and Adopted this 31st day of August, 2022, by a majority vote and ordered to be spread upon the minutes of the City Council of the City of Lamesa, Texas and recorded in the ordinance book thereafter.

ATTEST:

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Betty Conde  
City Secretary

APPROVED:

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Josh Stevens  
Mayor

# City of Lamesa

## Exhibit A Fee Table

Appendix 1: Park Fees

Pioneer Park Building		
Building	Fee	Deposit
All Day	100	50
Nonprofit	Fee	Deposit
Building	25	25
City Court Yard		
Rental	Fee	Deposit
Private Wedding	\$150.00	\$50.00
Dance	\$300.00	\$100.00
Nonprofit	\$25.00	\$25.00
City Plaza		
Rental	Fee	Deposit
Private Wedding	\$125.00	\$75.00
Dance	\$300.00	\$75.00
Nonprofit	\$25.00	\$25.00
Boys and Girls Club pavilion		
Rental	Fee	Deposit
Private Wedding	\$125.00	\$75.00
Dance	\$300.00	\$75.00
Nonprofit	\$25.00	\$25.00
Forest Park RV Parking	1st (4) nights	5 - 10 per night
Nightly	free	20
Porta-toilets.	Fee	Deposit
(1) unit	50	50
Nonprofit	25	25
Dumpsters	Fee	Deposit
(1) unit	\$50.00	\$50.00
Nonprofit	\$25.00	\$25.00

Forrest Park Community Center.		
Small Room	Fee	Deposit
4 hours	\$150.00	\$150.00
All Day	\$300.00	\$500.00
Large Room	Fee	Deposit
4 hours	\$200.00	\$200.00
All Day	\$400.00	\$200.00
Entire Bldg	Fee	Deposit
4 hours	\$350.00	\$350.00
All Day	\$700.00	\$350.00
Kitchen	Fee	Deposit
4 hours	\$100.00	\$100.00
All Day	\$200.00	\$100.00
Set up	hourly	Deposit
Building	\$50.00	\$100.00
Kitchen	\$25.00	\$0.00
Add Employee	\$10.00	\$0.00
Non Profit	Fee	Deposit
Building	\$100.00	\$100.00

Appendix 2: Animal Fees

Application fee	\$0.00
Duplicate certificate	\$8.00
Daily Fee	\$20.00
Additional fees	
Dogs and Cats	\$35.00
Small Livestock	\$40.00
Large livestock	\$50.00
Adoption fee	\$35.00
Surrender fee	\$150.00
Business Permit	
Grooming	\$10.00
Show or exhibition	\$10.00
Dealer	\$25.00
Commercial Stable	\$25.00

Appendix 4

(1) Towing	Fee
(A) Collision haul - anytime day or night:	\$100.00
(B) Clean up and labor, per hour minimum:	\$80.00
(C) Recovery charge - winching for vehicle/per	\$150.00
(D) Storage of towed vehicles, per day:	\$20.00
(E) Storage of towed tractor/trailer rig, per	\$35.00
(F) Fuel surcharge:	\$10.00
(Ordinance O-01-11 adopted 1/18/11)	
Interstate Commerce Registration fee	\$10.00
solicitor or peddle Fee	\$150.00
solicitor's license Fee	\$1,000.00
Game Room	
License	\$7,500.00
Background Fee	\$300.00
Violation Class C	Minimum \$250 - \$500
Annual Occupation Tax per Machine	250
Late renewal fee	50% of original license

(Ordinance O-3-21 adopted 1/19/21)

Appendix 6: Food Vendors

The fee for a food establishment		The fee for a mobile food establishment	\$25.00
# of employees			
1 - 10	\$35.00		
11 - 35	\$75.00		
36+	\$150.00		
Temporary food establishment		\$25.00	



# **City Council Agenda**

## **City of Lamesa, Texas**

**DATE OF MEETING: AUGUST 31, 2022**

**AGENDA ITEM:4**

**SUBJECT:** RATIFY THE PROPERTY TAX INCREASE REFLECTED IN THE FISCAL YEAR 2022-2023 BUDGET  
**PROCEEDING:** Action  
**SUBMITTED BY:** City Staff  
**AUTHORITY:** State Law; Local Government Code Section 102.007 (c)

### **SUMMARY STATEMENT**

Consider ratifying the property tax increase reflected in the Fiscal Year 2022-2023 budget that raises more property taxes than the Fiscal Year 2021-2022 budget. (*City Manager*)

### **COUNCIL ACTION**

***THIS BUDGET WILL RAISE MORE REVENUE FROM PROPERTY TAXES THAN LAST YEAR'S BUDGET BY AN AMOUNT OF \$84,496.00, WHICH IS A 3.47% INCREASE FROM LAST YEAR'S BUDGET. THE PROPERTY TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR IS \$145.00.***

**DISCUSSION** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ to ratify the property tax increase reflected in the Fiscal Year 2022-2023 budget that raises more property tax rate than the Fiscal Year 2021-2022 budget. This year's proposed tax rate of \$0.799070 exceeds the no-new-revenue tax rate. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS**

VOTING	"AYE"	"NAY"	"ABSTAIN"
JOSH STEVENS	_____	_____	_____
MORGAN VERMILLION	_____	_____	_____
FRED VERA	_____	_____	_____
GLORIA V RODRIGUEZ	_____	_____	_____
DANNY JACOBS	_____	_____	_____
BOBBY GONZALES	_____	_____	_____
RUDY SAUEDA	_____	_____	_____

**CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

# City Council Agenda

## City of Lamesa, Texas

DATE OF MEETING: AUGUST 31, 2021

AGENDA ITEM: 5

SUBJECT: **AD VALOREM TAX RATE – 2022 (DEBT SERVICE TAX RATE)**  
PROCEEDING: Ordinance, First Reading  
SUBMITTED BY: City Staff  
EXHIBITS: Ordinance  
AUTHORITY: *City Charter – Article V, Taxes and Taxation*  
*State Law; Property Tax Code, Sec.26.05*

### SUMMARY STATEMENT

Consider establishing an ad valorem tax rate for Fiscal Year 2022-2023 by passing on first reading an ordinance establishing the ad valorem tax rate which will raise the amount of revenue required to pay Debt Service at a rate of **\$0.0000** per hundred dollar assessed valuation for Fiscal Year beginning October 1, 2022 and ending September 30, 2023. (City Manager)

### COUNCIL ACTION

DISCUSSION \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ must be stated as;

**I MOVE THAT THE CITY ESTABLISH THE AD VALOREM TAX RATE WHICH WILL RAISE THE AMOUNT OF REVENUE REQUIRED TO PAY DEBT SERVICE AT A RATE OF \$0.0000 PER HUNDRED DOLLARS ASSESSED VALUATION FOR FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023."**

Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

### RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS

VOTING	"AYE"	"NAY"	"ABSTAIN"
JOSH STEVENS	_____	_____	_____
Morgan VERMILLION	_____	_____	_____
FRED VERA	_____	_____	_____
GLORIA V RODRIGUEZ	_____	_____	_____
DANNY JACOBS	_____	_____	_____
BOBBY GONZALEZ	_____	_____	_____
RUDY SAUSEDA	_____	_____	_____

**CITY MANAGER'S MEMORANDUM**

Recommend approval on 1<sup>st</sup> reading to set the Debt Service tax rate at \$0.0000 on the hundred dollars cash value.



**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LAMESA, TEXAS LEVYING AD VALOREM TAXES FOR FISCAL YEAR 2022-2023 AT \$0.0000 PER ONE HUNDRED DOLLARS ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS TO PROVIDE REVENUES FOR INTEREST AND SINKING FUND REQUIREMENTS FOR DEBT SERVICE.**

On this the 31<sup>st</sup> day of August, 2022, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Govt. Code, Chapter 551); there being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

**WHEREAS** the City Council hereby finds that this ordinance implements the ad valorem tax revenue provisions of the Operating Budget of the City of Lamesa effective for the Fiscal Year 2022-2023 required to raise the amount of revenue to pay debt service.

**WHEREAS**, the City Council of the City of Lamesa, Texas finds that passing said ordinance setting said tax rate for debt service is in the public interest of all of the residents of the City of Lamesa, Texas.

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

**SECTION 1.** There is hereby levied for the Fiscal Year 2022-2023 on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Lamesa, Texas, and not exempt by the Constitution of the State and valid State laws, for interest and sinking fund requirements for debt service a tax of \$0.0000 on each one hundred dollars (\$100.00) of assessed value of taxable property

**SECTION 2** The effective date of this ordinance shall be October 1, 2022.

Upon being put to a vote, the foregoing ordinance was Passed, on Second Reading on the 6<sup>th</sup> day of September, 2022 by a super majority vote.

**ATTEST:**

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Betty Conde  
City Secretary

**APPROVED:**

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Josh Stevens  
Mayor

# **City Council Agenda**

## **City of Lamesa, Texas**

**DATE OF MEETING: AUGUST 31, 2022**

**AGENDA ITEM: 6**

**SUBJECT: AD VALOREM TAX RATE – 2022 (MAINTENANCE AND OPERATION TAX RATE)**  
**PROCEEDING: Ordinance; First Reading**  
**SUBMITTED BY: City Staff**  
**EXHIBITS: Ordinance**  
**AUTHORITY: City Charter – Article V, Taxes and Taxation**  
**State Law; Property Tax Code, Sec.26.05**

### **SUMMARY STATEMENT**

Consider establishing an ad valorem tax rate for Fiscal Year 2022-2023 by passing on first reading an ordinance establishing the ad valorem tax rate which will raise the amount of revenue needed to fund Maintenance and Operation expenditures at a rate of **\$0.799070** for Fiscal Year beginning October 1, 2022, and ending September 30, 2023.  
(City Manager)

**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 3.46 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-54.76. {Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.**

### **COUNCIL ACTION**

**Discussion** \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ must be stated as; **"I MOVE THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE \$0.799070 WHICH IS EFFECTIVELY A 3.57 PERCENT INCREASE IN THE TAX RATE.**

Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS**

JOSH STEVENS  
MORGAN VERMILLION  
FRED VERA  
GLORIA V RODRIGUEZ  
DAANNY JACOBS  
BOBBY GONZALES  
RUDY SAUSEDA

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**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LAMESA, TEXAS LEVYING AD VALOREM TAXES FOR FISCAL YEAR 202-2023 AT \$0.799070 PER ONE HUNDRED DOLLARS ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS TO PROVIDE THE REVENUE REQUIRED FOR MAINTENANCE AND OPERATION EXPENDITURES.**

On this the 31<sup>st</sup> day of August, 2022, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Govt. Code, Chapter 551); there being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

**WHEREAS** the City Council hereby finds that this ordinance implements the ad valorem tax revenue provisions of the Operating Budget of the City of Lamesa effective for the Fiscal Year 2022-2023 required to raise the amount of revenue required for maintenance and operation expenditures.

**WHEREAS**, the City Council of the City of Lamesa, Texas finds that passing said ordinance setting said tax rate for maintenance and operation expenditures is in the public interest of all of the residents of the City of Lamesa, Texas.

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

**SECTION 1.** There is hereby levied for the Fiscal Year 2022-2023 on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Lamesa, Texas, and not exempt by the Constitution of the State and valid State laws, for maintenance and operations expenditures a tax of \$0.799070 on each one hundred dollars (\$100.00) of assessed value of taxable property.

**SECTION 2. "THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE."**

**SECTION 3. "THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.46 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-54.76."**

**SECTION 4** The effective date of this ordinance shall be October 1, 2022.



Upon being put to a vote, the foregoing ordinance was Passed, on Second Reading on the 6<sup>th</sup> day of September, 2022 by a super majority vote.

**ATTEST:**

**APPROVED:**

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Betty Conde  
City Secretary

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Josh Stevens  
Mayor

# ***Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: AUGUST 31, 2021**

**AGENDA ITEM: 7**

SUBJECT: **AD VALOREM TAX RATE – 2022**  
PROCEEDING: Ordinance; First Reading  
SUBMITTED BY: City Staff  
EXHIBITS: Ordinance  
AUTHORITY: City Charter – Article V, Taxes and Taxation  
State Law; Property Tax Code, Sec.26.05 and 31.05

### **SUMMARY STATEMENT**

Consider establishing an ad valorem tax rate for Fiscal Year 2022-2023 by passing on first reading an ordinance establishing the ad valorem tax rate of **\$0.799070** per hundred dollar assessed valuation for the Fiscal Year beginning October 1, 2022 and ending September 30, 2023, and adopting the provisions of Section 31.05 of the State Property Tax Code to provide for discounts under certain conditions. *(City Manager)*

***City of Lamesa ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.***

***THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.46 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-54.76. {Section 26.05(b)1(A&B) OF THE PROPERTY TAX CODE}.***

### **COUNCIL ACTION**

DISCUSSION \_\_\_\_\_

Motion by Council Member \_\_\_\_\_ must be stated as; ***"I MOVE THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE OF \$0.799070, WHICH IS EFFECTIVELY A 3.57 PERCENT INCREASE IN THE TAX RATE.***

***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 3.4 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-54.76.**

**City of Lamesa ADOPTED A TAX RATE THAT WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE."**

Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**RECORD VOTE REQUIRED: VOTE BY SHOW OF HANDS**

VOTING	"AYE"	"NAY"	"ABSTAIN"
JOSH STEVENS	_____	_____	_____
MORGAN VERMILLION	_____	_____	_____
FRED VERA	_____	_____	_____
GLORIA V RODRIGUEZ	_____	_____	_____
DANNY JACOBS	_____	_____	_____
BOBBY GONZALES	_____	_____	_____
RUDY SAUSEDA	_____	_____	_____

**CITY MANAGER'S MEMORANDUM**

Recommend approval on 1st reading to set the tax rate at \$0.799070 on the hundred dollars cash value.

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LAMESA, TEXAS LEVYING AD VALOREM TAXES FOR FISCAL YEAR 2022-2023 AT \$0.799070 PER ONE HUNDRED DOLLARS OF ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS TO PROVIDE REVENUES FOR INTEREST AND SINKING FUND REQUIREMENTS FOR DEBT SERVICE AND MAINTENANCE AND OPERATIONS EXPENDITURES; REPEALING ALL ORDINANCES OF THE CITY IN CONFLICT; AND PROVIDING AN EFFECTIVE DATE.**

On this the 31<sup>st</sup> day of August, 2022, there came on and was held at the regular meeting place, the City Hall, an open meeting of the City Council of the City of Lamesa, Texas held pursuant to the provisions of the Texas Open Meetings Act (Govt. Code, Chapter 551); there being a quorum present and acting throughout the meeting, the following ordinance was formally submitted by motion and duly seconded for the consideration and action of the meeting, to wit:

**WHEREAS**, the City Council of the City of Lamesa, Texas finds that the taxes to be levied will exceed last year's property tax revenue and will require a public hearing and the publishing of public notice for a tax increase; and

**WHEREAS**, the City Council of the City of Lamesa, Texas finds that all prerequisites to the levying of a tax rate for the City of Lamesa for the Fiscal Year 2022-2023 as required by law have been complied with; and

**WHEREAS**, the City Council hereby finds that this ordinance implements the ad valorem tax revenue provisions of the Operating Budget of the City of Lamesa effective for the Fiscal Year 2022-2023 and further finds that this ordinance is not inconsistent or in conflict with said Operating Budget; and

**WHEREAS**, the City Council of the City of Lamesa, Texas finds that passing said ordinance setting the tax rate and providing for certain discounts would be in the public interest of the residents of the City of Lamesa, Texas.

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

**SECTION 1.** There is hereby levied for the Fiscal Year 2022-2023 on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Lamesa, Texas, and not exempt by the Constitution of the State and valid State laws, a tax of \$0.799070 on each one hundred dollars (\$100.00) of assessed value of taxable property, and shall be apportioned and distributed as follows \$2,522,088.00 for the purpose of defraying the current expenses for maintenance and operations and debt service of the City.



**SECTION 2. "THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE."**

**SECTION 3. "THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.46 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-54.76."**

**SECTION 4.** The provisions of Section 31.05 of the State Property Tax Code are hereby adopted and all taxpayers shall be allowed discounts on the following conditions:

- (a)** Three (3) percent discount on ad valorem taxes due the City of Lamesa if the taxes are paid in October of 2022.
- (b)** Two (2) percent discount on ad valorem taxes due the City of Lamesa if the taxes are paid in November of 2022.
- (c)** One (1) percent discount on ad valorem taxes due the City of Lamesa if the taxes are paid in December of 2022.

**SECTION 5.** The effective date of this ordinance shall be October 1, 2022.

**SECTION 6.** If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Lamesa, Texas hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

Upon being put to a vote, the foregoing ordinance was Passed, on Second Reading on the 6<sup>th</sup> day of September, 2022 by a majority vote.

**ATTEST:**

**APPROVED:**

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Betty Conde  
City Secretary

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Josh Stevens  
Mayor

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: AUGUST 31, 2022**

**AGENDA ITEM:8**

**SUBJECT: CALL FOR BIDS ON LEASE OF CITY PROPERTY**  
**PROCEEDING: Approval**  
**SUBMITTED BY: City Staff**  
**EXHIBITS: Call for Bid Notice**

### **SUMMARY STATEMENT**

Consider approval of a call for bids for a lease of two (2) years beginning May 1, 2022 and ending March 31, 2023 with up to three (3) one-year options, for the following City-owned property:

**Tract "A":** Approximately 168 acres of land surrounding the city's sewer treatment plant, lagoons, and sanitary landfill; and

**Tract "B":** Approximately 34 acres out of the West 120 acres of the South ½ of Section 17, Block 35, T-5-N, off of Radio Road.

### **COUNCIL ACTION**

#### **DISCUSSION**

Motion by Council Member \_\_\_\_\_ to consider approval of a call for bids for a lease of two (2) years beginning May 1, 2022 and ending March 31, 2023 with up to three (3) one-year options, for the following City-owned property:

**Tract "A":** Approximately 168 acres of land surrounding the city's sewer treatment plant, lagoons, and sanitary landfill; and

**Tract "B":** Approximately 34 acres out of the West 120 acres of the South ½ of Section 17, Block 35, T-5-N, off of Radio Road.

Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion \_\_\_\_\_.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

### **CITY MANAGER'S MEMORANDUM**

**Recommend approval.**

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: AUGUST 31, 2022**

**AGENDA ITEM 9**

SUBJECT: **EXECUTIVE SESSION**  
PROCEEDING: Closed Session  
SUBMITTED BY  
AUTHORITY: Texas Open Meetings Act (Section 551.087)

### **SUMMARY STATEMENT**

Council to consider convening into closed executive session regarding:

**Sec. 551.071, Texas Government Code** Consultation with Attorney regarding contemplated litigation under the provisions of the Texas Open Meetings Act).  
No action will be taken in closed session

Motion by Council Member \_\_\_\_\_ to enter into executive session. Motion seconded by Council Member \_\_\_\_\_ and upon being put to a vote the motion passed.

**VOTING:** "AYE" \_\_\_\_\_ "NAY" \_\_\_\_\_ "ABSTAIN" \_\_\_\_\_

**CERTIFIED AGENDA: EXECUTIVE SESSION OF  
THE CITY COUNCIL OF THE CITY OF LAMESA, TEXAS**

On this day, August 31, 2022, at a regular meeting of the City Council of the City of Lamesa, Texas the Council adjourned into a closed executive session; notice of said session having been given by a notice posted at the City Hall, 601 South First Street at least seventy-two hours in advance.

**A. ANNOUNCEMENT BY PRESIDING OFFICER:**

"The City Council will begin its executive session on August 31, 2022, at \_\_\_\_\_ P.M."

The subject matter of each executive session deliberation is as follows:

**Sec. 551.071, Texas Government Code** Consultation with Attorney regarding contemplated litigation under the provisions of the Texas Open Meetings Act).

RECORD OF ACTION TAKEN: \_\_\_\_\_.

**B. ANNOUNCEMENT BY PRESIDING OFFICER:**

"The City Council has completed its executive session on August 31, 2022 at \_\_\_\_\_ P.M."

**C. CERTIFICATION:**

I hereby certify that this agenda of an executive session of the City Council of the City of Lamesa, Texas is a true and correct record of the proceedings pursuant Texas Open Meetings Act (Chapter 551, Government Code).

WITNESS my hand this \_\_\_\_\_, 2022.

\_\_\_\_\_  
Josh Stevens, Mayor

# ***City Council Agenda***

## ***City of Lamesa, Texas***

**DATE OF MEETING: AUGUST 31, 2022**

**AGENDA ITEM:10**

**ADJOURNMENT:** Announcement by the Mayo - "The next regularly scheduled meetings of the City Council of the City of Lamesa will be **September 6, 2022** at 5:30 P.M."