

REGULAR CITY COUNCIL MEETING

September 1, 2015

7:00 P.M.

A Regular City Council Meeting was held on Tuesday, September 1, 2015, at 7:00 p.m. in the City Council Chambers located at 201 East Nash Street, Terrell, Texas with the following members present:

**COUNCILMEMBER #1 HAL RICHARDS
COUNCILMEMBER #2 TOMMY SPENCER
COUNCILMEMBER #3 SANDRA WILSON
COUNCILMEMBER #4 CHARLES WHITAKER - ABSENT (Excused)
COUNCILMEMBER #5 D.J. ORY**

1. Call to order.

Mayor Hal Richards called the meeting to order.

2. Invocation.

Councilmember D.J. Ory gave the opening prayer.

3. Discuss and Consider Approval of Meeting Minutes of the Special City Council Meeting and Workshop of August 18, 2015 and the Regular City Council Meeting of August 18, 2015.

Councilmember D.J. Ory made a motion to approve Meeting Minutes of Special City Council Meeting and Workshop of August 18, 2015 and Regular City Council Meeting of August 18, 2015. Councilmember Sandra Wilson seconded the motion. Ayes - All. Nays - None. Motion carried.

4. Hear Remarks from Visitors.

This time is set aside on the agenda to invite any person to address the Council on issues not subject to a public hearing. Routine administrative matters are best discussed with the appropriate City Staff before bringing them to the Council. Speakers should limit their comments to 3 minutes and are asked to speak into the microphone provided, identifying themselves for the record. The total amount of time set aside for this place on the agenda is 15 minutes. Comments of a personal nature directed at the Council or Staff are inappropriate.

Nancy Feaster, Representing the Terrell Heritage Society Mural Project discussed the railcar located at the Lions Club Park.

PUBLIC HEARINGS

5. a. Conduct a Public Hearing to Receive Comment Regarding Fiscal Year 2015-2016 Budget.

John Rounsavall, City Secretary gave opening comments regarding Fiscal Year 2015-2016 Budget.

Mayor and Council

Credited for innovative leadership, Terrell enjoys a low, stable taxing structure while creating economic energy and enthusiasm in the Terrell regional market area;

According to the North Texas Real Estate Information System, Terrell experienced a record 69% increase in the median single family home sales value from 2010 to 2015, attributable to new construction and residential remodel/reconstruction/home alterations. Since 2010, the City of Terrell Municipal Development Department has issued building permits totaling \$100.5 million.

Positive Local Economic Indicators

"In the area of strong core city development to preserve quality neighborhoods, development which is the most difficult to spur, Terrell leads the way."

~Torry L. Edwards, City Manager~

The draft budget is presented tonight for your review. The General Fund Budget is based on an estimated taxable value of \$978,134,897 dollars. The proposed tax rate raises the current rate of 0.6793 by .00149 cents to .6942 cents per 100 dollar valuation. This increase will be used to fund the debt service obligation for the new police facility.

The budget book provides the details for the following revenues and expenditures

	REVENUES	EXPENDITURES
General Fund	\$18,919,631	\$19,127,196
Utility Fund	\$13,935,705	\$13,918,010
Equipment Replacement Fund	\$ 1,055,365	\$ 925,369
Airport Fund	\$ 386,035	\$ 866,488
Tourism Fund	\$ 309,170	\$
Capital Improvement Fund	\$ 21,900	\$ 41,500
Utility Capital Reserve Fund	\$ 2,077,360	\$ 2,075,860
Impact Fees Fund	\$ 234,000	\$ 997,665
Storm Water Management Fund	\$ 600,800	\$ 296,750
Interest & Sinking No. 1 Debt Service Fund	\$ 3,255,784	\$ 3,255,784
Tax Increment Finance District No. 1 Fund	\$ 4,250,179	\$ 4,705,000

The proposed budget provides a complete financial plan for the fiscal year beginning October 1, 2015 and ending September 30, 2016.

Putting a new process for asphalt street maintenance into operation that will stretch our funds for more street projects and extend the practical life of those street maintenance projects;

Increasing the asphalt roadway maintenance program from \$300,000 to \$400,000, which includes the purchase of street maintenance equipment;

Continuing the \$150,000 annual concrete roadway repair program;

Continuing the \$20,000 annual roadway striping and marking program;

Continuing the \$50,000 annual roadway pavement management (crack sealing) program;

Funding for entryway signs and way-finding signs;

Combining engineering and matching funds totaling \$590,000, for the Grove/Jack Evans sidewalks, street lights from Rose Street to Airport Road on SH-34, and lighting below SH-34 bridge.

The 2015-2016 fiscal year budget also includes funding for a variety of mowing, landscaping, and entryway maintenance operations in a continued efforts to beautify Terrell's roadway assets. Finally, the budget includes \$50,000 in new funds to add maintenance and renovation work to enhance and restore park restrooms as well as \$18,000 in new funds for additional park restroom janitorial services (seven days/week).

The Equipment Replacement Fund revenues are projected to be \$1,005,365.00 with the majority of these revenues being generated by user fees collected in the General Fund (\$514,045) and in the Utility Fund (\$486,170.00). Capital expenditures will include police vehicles. The ongoing replacement of equipment and vehicles will ensure adequate tools for the maintenance and operation of the city's facilities and services.

Utility fund revenues are projected to be \$13,925,705.00. This represents an anticipated increase in revenue of approximately \$622,862.00 over fiscal year 2014-2015. Revenue projections include an 8.5% rate increase for water and 14% rate increase for wastewater. This budget includes continued funding for pay as you go water and wastewater improvements. The new water and wastewater rates to be implemented in the 2015 – 2016 fiscal year will provide sufficient funds to accommodate debt service and to offset the cost of additional field maintenance staff necessary to improve customer service and increase the efficiency of the city's wastewater system and ongoing maintenance programs.

The Airport fund reflects \$490,000 of local match toward a \$1,100,000 total project cost for a joint project with the FAA for Airport Capital improvements. Initiatives for the new fiscal year include opening new T hangars and constructing the perimeter road, perimeter fence, and drainage project.

The Storm Water Management Fund includes an increase in the base billing rate from \$1.00 per E.R.U to \$3.75 per E.R.U. which follows the recommendations of a City Council authorized study. This increase provides a mechanism for meeting the challenge

posed by storm water during major rain events and the year-round challenge of properly maintaining drainage ways throughout the City. Total revenue will increase from \$160,000 to approximately \$600,000 annually.

Tax Increment Finance District No. 1 reached a major milestone in fiscal year 2014-2015 as the opening of Buc-ee's triggers the fifteen-year lifetime of the Power Center Agreement with Kaufman County. Within the District, the Spur 557 Frontage Road will reach substantial completion during fiscal year 2015-2016, the FM148 North project will advance through the federal environmental requirements, and the Crossroads Parkway extension to the west of FM148 will be constructed. These continuing investments in infrastructure provide an ongoing opportunity for Terrell, literally giving the City "Room to Boom".

Mayor Hal Richards opened the Public Hearing to Receive Comment regarding Fiscal Year 2015-2016 Budget. No one spoke in favor of the Fiscal Year 2015-2016 Budget. No one spoke against the Fiscal Year 2015-2016 Budget. Mayor Hal Richards closed the Public Hearing.

5. b. Discuss and Consider Ordinance No. 2644; An Ordinance Of The City Of Terrell, Texas Approving A Budget For The Fiscal Year Beginning October 1, 2015, And Ending September 30, 2016; Providing That Expenditures For Said Fiscal Year Shall Be Made In Accordance With Said Budget; Appropriating And Setting Aside The Necessary Funds Out Of The General Fund And Other Fund Revenues For Said Fiscal Year For The Maintenance And Operation Of The Various Departments And For Various Activities And Improvements Of The City; Providing A Repealing Clause; Providing A Severability Clause And Providing An Effective Date.

Councilmember Sandra Wilson made a motion to approve on First Reading Ordinance No. 2644; An Ordinance Of The City Of Terrell, Texas Approving A Budget For The Fiscal Year Beginning October 1, 2015, And Ending September 30, 2016; Providing That Expenditures For Said Fiscal Year Shall Be Made In Accordance With Said Budget; Appropriating And Setting Aside The Necessary Funds Out Of The General Fund And Other Fund Revenues For Said Fiscal Year For The Maintenance And Operation Of The Various Departments And For Various Activities And Improvements Of The City; Providing A Repealing Clause; Providing A Severability Clause And Providing An Effective Date. Councilmember D.J. Ory seconded the motion. Ayes - All. Nays - None.

6. a. Conduct a Public Hearing to receive comments regarding 2015 Tax Rate Increase for Fiscal Year 2015-2016.

John Rounsavall, City Secretary gave opening comments regarding 2015 Tax Rate Increase for Fiscal Year 2015-2016.

Mayor and Council,

When the tax rate proposed by a governing body exceeds the effective rate or the rollback rate, whichever is lower, they must publish a public hearing notice.

This is the second of two public hearing on the proposed tax rate

For our current fiscal year 2014 - 2015, the tax rate is 0.679300 cents per \$100.00 one hundred dollar valuation. For fiscal year 2015-2016, based on the proposed budget for the General Fund staff is proposing a rate of 0.694200 cents . This amount is 0.014900 cents higher than the current fiscal year. The 0.014900 cents will be used to pay debt service for the Certificate of Obligation Series 2014 for the new Police Facility. This amount is greater than the 2015 effective rate of 0.672043, by 0.022157 cents, and less than the adjusted roll back rate of 0.731867 by 0.037667 cents

In the current fiscal year, the average taxable value of a homestead residence in Terrell is \$78,075.00, that amount in fiscal year 2016 is \$78,715.00 this is an increase of \$640.00 or less than 1 percent (0.82%) increase in average taxable value of a homestead residence.

Based on the current tax rate 0.679300 the average amount generated per average taxable value of a homestead residence is \$530.36. (78075×0.6793)

Next year based on the proposed tax rate of 0.6942, the average amount generated per home will be \$546.44. (78715×0.6942)

This is an increase of \$16.08 or an increase of 3 percent (3.03%) This increase represents 1.34 a month over a 12 month period for the average taxable value of a homestead. .

Staff recommends council support that the tax rate for fiscal year 2016.

Mayor Hal Richards opened the Public Hearing to receive comments regarding 2015-Tax Rate Increase for Fiscal Year 2015-2016. No one spoke in favor of the 2015 Tax Rate Increase for Fiscal Year 2015-2016. No one spoke against the 2015 Tax Rate Increase for Fiscal Year 2015-2016. Mayor Hal Richards closed the Public Hearing.

6. b. Discuss and Consider Ordinance No. 2645 An Ordinance Of The City Of Terrell, Texas, Fixing The Tax Rate Of All Taxable Property Within The City Of Terrell, Texas, For Fiscal Year 2015-2016 And Levying And Ordering Collection For The Year 2015 And Providing A Lien On All Real And Personal Property To Secure The Payment Of Taxes Assessed; Containing A Severability Clause; Repealing All Ordinances And Parts Thereof In Conflict Herewith And Providing An Effective Date.

Councilmember D.J. Ory made a motion to adopt on Second Reading Ordinance No. 2645; An Ordinance Of The City Of Terrell, Texas, Fixing The Tax Rate Of All Taxable Property Within The City Of Terrell, Texas, For Fiscal Year 2015-2016 And Levying And Ordering Collection For The Year 2015 And Providing A Lien On All Real And Personal Property To Secure The Payment Of Taxes Assessed; Containing A Severability Clause; Repealing All Ordinances And Parts Thereof In Conflict Herewith And Providing An Effective Date. Councilmember Sandra Wilson seconded the motion. Ayes - All. Nays - None.

NEW BUSINESS

Mayor Hal Richards recognized Don Smith, Former Mayor of Farmersville, now CFO of Lake Regional MHMR, and Richard Wilson, Facility Manager, also representing Lake Regional MHMR, who presented MHMR's Plan to expand their parking lot in a partnership with Terrell Economic Development Corporation and the City of Terrell.

7. Discuss and Consider Resolution No. 800; A Resolution Of The City Council Of The City Of Terrell, Texas, Approving The Acceptance Of An Award From The Federal Emergency Management Agency Assistance To Firefighters Grant Program.

Jim Harper, Fire Chief, presented to Council for discussion and consideration Resolution No. 800; A Resolution Of The City Council Of The City Of Terrell, Texas, Approving The Acceptance Of An Award From The Federal Emergency Management Agency Assistance To Firefighters Grant Program. Councilmember D.J. Ory made a motion to approve Resolution No. 800: A Resolution Of The City Council Of The City Of Terrell, Texas, Approving The Acceptance Of An Award From The Federal Emergency Management Agency Assistance To Firefighters Grant Program. Councilmember Sandra Wilson seconded the motion. Ayes - All. Nays - None.

8. Discuss and Consider Resolution No. 801; A Resolution Of The City Council Of The City Of Terrell, Texas, Setting A Date And Time And Location For Two Public Hearings On The Proposed Annexation Of Certain Property By The City Of Terrell, Texas; Authorizing And Directing The City Secretary To Publish Notice Of Such Public Hearings; Authorizing A Survey Of The Property To Be Annexed; And Directing Notice Of Proposed Annexation To The Affected Property Owners.

Greg Shumpert, Assistant City Attorney, presented to Council for discussion and consideration Resolution No. 801; A Resolution Of The City Council Of The City Of Terrell, Texas, Setting A Date And Time And Location For Two Public Hearings On The Proposed Annexation Of Certain Property By The City Of Terrell, Texas; Authorizing And Directing The City Secretary To Publish Notice Of Such Public Hearings; Authorizing A Survey Of The Property To Be Annexed; And Directing Notice Of Proposed Annexation To The Affected Property Owners. Councilmember Sandra Wilson made a motion to approve Resolution No. 801; A Resolution Of The City Council Of The City Of Terrell, Texas, Setting A Date And Time And Location For Two Public Hearings On The Proposed Annexation Of Certain Property By The City Of Terrell, Texas; Authorizing And Directing The City Secretary To Publish Notice Of Such Public Hearings; Authorizing A Survey Of The Property To Be Annexed; And Directing Notice Of Proposed Annexation To The Affected Property Owners and to include adding property all the way to FM 2578 as shown in Exhibit A. Deputy Mayor Pro Tem Tommy Spencer seconded the motion. Ayes - All. Nays - None.

CONSENT AGENDA

Councilmember Sandra Wilson made a motion on consent agenda to adopt on Second Reading Ordinance No. 2642. Councilmember D.J. Ory seconded the motion. Ayes - All. Nays - None.

9. Discuss and Consider on Second Reading Adoption of Ordinance No. 2642; An Ordinance Of The City Of Terrell, Texas, Amending Chapter 12 Utilities, Section 17 Municipal Storm Water Utility System Of The City Of Terrell Code Of Ordinances, Amending Section 17-9 Municipal Storm Water Utility System Fee Schedule; Establishing A Municipal Storm Water Utility System Fee, Exemptions And Credits; Providing For Repealing, Savings And Severability Clauses; Providing For An Effective Date Of This Ordinance; And Providing For The Publication Of The Caption Hereof.

ORDINANCE NO. 2642

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING CHAPTER 12 UTILITIES, SECTION 17 MUNICIPAL STORM WATER UTILITY SYSTEM OF THE CITY OF TERRELL CODE OF ORDINANCES, AMENDING SECTION 17-9 MUNICIPAL STORM WATER UTILITY SYSTEM FEE SCHEDULE; ESTABLISHING A MUNICIPAL STORM WATER UTILITY SYSTEM FEE, EXEMPTIONS AND CREDITS; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF.

WHEREAS, the City Council of the City of Terrell, Texas ("City Council") has previously investigated and determined that it would be advantageous and beneficial to the citizens of the City of Terrell, Texas ("City") to promote the public health, safety and welfare of the citizens to adopt a Municipal Storm Water Utility System; and

WHEREAS, the City Council has adopted a Municipal Storm Water Utility System under Ordinance No. 2641, as amended; and

WHEREAS, pursuant to 552.041, Subsection C, Municipal Drainage Utility Systems, Texas Local Government Code; the City Council has investigated and determined that a schedule of drainage fees shall be applied against all real property in the proposed service area(s); and

WHEREAS, the City Council further finds that it would be in the best interest of its citizens to amend Chapter 12 (Utilities), Section 17 (Municipal Storm Water Utility System) of the City of Terrell Code of Ordinances, adding Section 17-9 (Municipal Storm Water Utility System Fee Schedule) as set forth below.

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

SECTION 1.

Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2.

Amending Chapter 12 Utilities, Adding Section 17-9 Municipal Storm Water Utility System Fee Schedule.

(a) The following fees are hereby established and shall be collected through the City's bill for public utilities pursuant to the Act and other applicable law.

(b) Impervious Area.

(1) Rates shall be charged based on a property's contribution to the public storm water utility system. The contribution shall be based on the impervious area for the property.

(2) The storm water utility fee shall be established according to the following schedule on a monthly basis. The number of equivalent residential units on a non-single-family, non-exempt property shall be determined by the City Engineer:

Property Type	Rate
Single-Family Residential	\$3.75
All Other Non-Exempt Property	\$3.75 per equivalent residential unit

(3) A minimum charge equivalent to \$3.75 shall be applied to each non-exempt developed property, regardless of classification.

(4) A property shall be charged a storm water utility fee on a maximum of one (1) utility account, regardless of the number of utility accounts established for the property.

(c) Exemptions. The following shall not be assessed a Municipal Storm Water Utility System Fee:

(1) Property held and maintained in its natural state, until such time that the property is developed and all of the public infrastructure constructed has been accepted by the City in which the property is located for maintenance.

(2) A subdivided lot, until a structure has been built on the lot and a Certificate of Occupancy has been issued by the City.

(3) Property with proper construction and maintenance of a wholly sufficient and privately owned drainage system.

- (4) State property.
 - (5) Public or private institutions of higher education property.
 - (6) Property owned by a religious organization that is exempt from taxation pursuant to Section 11.20, Texas Tax Code, as amended.
- (e) The rates established above apply to the accounts maintained by the City for public utility services.
- (f) All billings, credits, exemptions and other procedures relating to this fee shall be subject to the provisions of the Act.

SECTION 3.

Savings/Repealing Clause. All provisions of any Ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of said Ordinances shall remain in full force and effect.

SECTION 4.

Severability. Should any section, subsection, sentence, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, paragraph, clause or phrase thereof irrespective of the fact that any one or more sections, paragraphs, sentences, clauses and phrases be declared unconstitutional or invalid.

SECTION 5.

Effective Date. This Ordinance shall become effective from and after its adoption and publication as required by law, the fee schedule shall become effective on October 1, 2015.

PASSED AND APPROVED this the 18th of August, 2015.

PASSED AND ADOPTED this the 1st day of September, 2015.

Councilmember Sandra Wilson made a motion on consent agenda to adopt on Second Reading Ordinance No. 2643. Councilmember D.J. Ory seconded the motion. Ayes - All. Nays - None.

10. Discuss and Consider on Second Reading Adoption of Ordinance No. 2643; An Ordinance Of The City Of Terrell, Texas, Amending Appendix 1, Fee Schedule, Section 27: Water Service Rates And Charges, Paragraphs (1) Through (4) And Section 28: Sewer Service Rates And Charges, Paragraph (1) Of The Revised Code Of Ordinances Of The City Of Terrell, Texas; Providing For Repeal Of Conflicting Ordinances; Providing For Severability And Providing An Effective Date.

ORDINANCE NO. 2643

AN ORDINANCE OF THE CITY OF TERRELL, TEXAS, AMENDING APPENDIX 1, FEE SCHEDULE, SECTION 27: WATER SERVICE RATES AND CHARGES, PARAGRAPHS (1) THROUGH (4) AND SECTION 28: SEWER SERVICE RATES AND CHARGES, PARAGRAPH (1) OF THE REVISED CODE OF ORDINANCES OF THE CITY OF TERRELL, TEXAS; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TERRELL, TEXAS:

THAT Appendix I, Fee Schedule, Section 27, WATER SERVICE RATES AND CHARGES, Paragraphs (1) through (4) and Section 28, SEWER SERVICE RATES AND CHARGES, Paragraph (1) of the Revised Code of Ordinances of the City of Terrell, Texas, shall hereby be amended to read as follows:

SECTION I.

SECTION 27: WATER SERVICE RATES AND CHARGES

The following schedule of monthly rates or charges for water services furnished by the City of Terrell shall be and such is hereby adopted and established as follows:

- (1) There is hereby established a minimum monthly water use charge based upon the water meter installed as follows:

MINIMUM MONTHLY RATES	
Meter Size (in.)	Minimum Charge
5/8	\$ 16.37
1	40.03
1 1/2	79.47
2	126.77
3	252.92
4	434.29
6	888.47
8	1,341.13
10	2,050.79
12	3,391.71

- (2) Subject to the minimum monthly charges as provided in subsection (1) above, the following rates per month shall be charged for water furnished:

CHARGE (per 1,000 gallons) for Residential Customers:

VOLUMETRIC RATES					
Rate Blocks (gal.)	0 - 2,000	2,001 - 10,000	10,001 - 25,000	25,001 - 50,000	> 50,000
Volume Charge (per 1,000 gal.)	\$ 3.97	\$ 5.44	\$ 5.90	\$ 6.47	\$ 6.78

CHARGE (per 1,000 gallons) for All Other Customers:

VOLUMETRIC RATES				
Rate Blocks (gal.)	0 - 2,000	2,001 - 10,000	10,001 - 25,000	> 25,000
Volume Charge (per 1,000 gal.)	\$ 3.97	\$ 5.44	\$ 5.90	\$ 6.47

- (3) The monthly charge for private fire protection service shall be as follows:

FIRE LINE CHARGE	
Line Size (in.)	Monthly Charge
4	\$ 20.00
6	20.00
8	20.00
10	20.00
12	20.00

Water used through fire protection service for purposes other than testing of system shall be at a rate equal to the largest volumetric rate applicable in subsection (2).

The following schedule of rates or charges for water services furnished by the City of Terrell shall be and such is hereby adopted and established as follows:

- (4) Wholesale Water Customer Rates. Rates shall be determined by the methodology as stated in the wholesale water customer's contract. Wholesale water customers without a methodology in the wholesale water customer's contract will be charged \$4.84 per 1,000 gallons of water.

SECTION 28: SEWER SERVICE RATES AND CHARGES

The following schedule of monthly rates or charges for sewer services furnished by the City of Terrell shall be and such is hereby adopted and established as follows:

- (1) Residential Rates. All residential units shall be charged on the following basis:

Minimum bill \$27.13 per month

Volume Charge for all
 Consumption per month* \$4.28 per 1,000 gallons

*Volume charges are based on winter-average (Dec., Jan., Feb.) water consumption.

- (2) Light Commercial Rates. All light commercial customers shall be charged on the following basis:

Minimum bill \$58.32 per month

Volume charge \$4.28 per 1,000 gallons

Those businesses not being metered on an individual unit basis shall be charged a minimum monthly bill per business.

- (3) Heavy Commercial/Industrial. All heavy commercial and industrial customers shall be charged on the following basis:

Minimum bill \$196.86 per month

Volume charge \$4.28 per 1,000 gallons

- (4) Terrell State Hospital shall be charged on the following basis:

Minimum bill \$2,166.99 per month

Volume charge \$4.28 per 1,000 gallons

- (5) Pretreatment. All customers that require pretreatment of wastewater shall be charged on the following basis:

Minimum bill \$776.75 per month

Volume charge \$4.28 per 1,000 gallons

- (6) Customer Review. Where the City Manager determines that wastewater charges should be based directly on the customer's contribution to the wastewater system, volume charges for the discharge shall be made as follows:

Volume charge for normal domestic wastewater per month \$4.28 per 1,000 gallons of wastewater

The customer shall pay for any required sampling in advance. The charge for sampling shall be as estimated by the pretreatment coordinator based upon the City's actual cost for similar services.

SECTION II

All rates charged pursuant to this Ordinance shall be subject to an additional four (4%) percent Municipal Assessment.

SECTION III.

All Ordinances or parts of Ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

SECTION IV.

It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of the Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION V.

This Ordinance will take effect immediately from and after its passage and the publication of the caption as the law in such cases provides.

PASSED AND APPROVED THIS THE 18th day of AUGUST, 2015.
PASSED AND ADOPTED THIS THE 1st day of SEPTEMBER, 2015.

END OF CONSENT AGENDA

11. Adjourn into Executive Session in Accordance with Section 551 of the Texas Government Code to discuss the following:
 - a. Section 571.071 - Consultation with Attorney - Pending or Contemplated Litigation.
 - b. Section 551.072 - Deliberations About Real Property.

Item passed by Council.

12. Reconvene into Regular Session and Consider Action, if any, on Items Discussed in Executive Session.

Item passed by Council.

13. Adjourn.

There were no other matters discussed or acted on at this meeting. There being no further business the meeting was adjourned.

Hal Richards, Mayor

Attest:

John Rounsavall, City Secretary