



CITY OF SAN AUGUSTINE

301 SOUTH HARRISON
SAN AUGUSTINE, TX 75972
TEL: (936) 275.2121
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September 15, 2022

The City of San Augustine City Council will meet for a regular meeting on **Tuesday, September 19, 2023 at 5:00 p.m.** The meeting will be held in the Council Chambers located at 301 South Harrison Street, San Augustine, Texas.

Jeremy Lynch – Acting City Secretary

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A G E N D A

1. Call Meeting to Order
2. Prayer
3. Pledge To the Flags
4. Welcome Guests
5. Open Public Hearing on FY 2022-2023 Budget
6. Close Public Hearing on FY 2022-2023 Budget
7. Open Public Hearing on Voter Approved Property Tax Rate for Year 2022 of \$0.447337 per \$100
8. Close Public Hearing on Voter Approved Property Tax Rate for Year 2022 of \$0.447337 per \$100
9. Open Public Hearing on Ordinance Regarding Retirement Eligibility for TMRS altering time requirement to 20 years of credited service
10. Close Public Hearing on Ordinance Regarding Retirement Eligibility for TMRS altering time requirement to 20 years of credited service
11. Adjourn Public Hearings and Convene Open Meeting
12. Citizen Presentations: At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting. Please limit to two minutes each.
13. Approval of Minutes of Previous Meeting
14. Interim Chief Jessee Fountain – Update on Police Department Activity
15. Judge Jeff Cox – Update on Municipal Court Activity
16. Liz Jones – Update on Main Street Program
17. Update from City Manager Jeaneyse Mosby
18. Discussion and Action to Consider Approval of Ordinance Adopting the Budget for The City of San Augustine for Fiscal Year 2023-2024
19. Discussion and Action to Consider Approval of Ordinance Establishing Increased Minimums (Availability Charges) Rates and Charges for Water, Wastewater (Sewer), Security Lights, and Electrical Services.

20. Discussion and Action, if any, to Consider Approval of Ordinance to Adopt the Voter Approved Property Tax Rate for Year 2023 of \$0.447337 per \$100
21. Discussion and Action, if any, to Consider Approval of Ordinance Regarding Retirement Eligibility for TMRS altering time requirement to 20 years of credited service
22. Discussion and Action, if any, to pass a Resolution regarding a contract for the purpose of financing a “Mini Excavator and a Tractor with a Boom Mower”
23. Discussion And Action, if any, to select a Banking Institution from Respondents to RFP which ended on September 5, 2023
24. Patricia Davis – Concerns specifically regarding the power outage that occurred on Friday, August 18, 2023
25. Discussion and Action, if any, to pass a Resolution to authorize the San Augustine County Chamber of Commerce Sassafras Festival
26. Discussion and Action, if any, to pass a Resolution to Nominate a Candidate for the Appraisal District Board of Directors Election 2024-2025
27. Discussion and Action, if any, to approve an Agenda Item Request Form and Agenda Policy for City Council Meeting
28. Executive Session
 - A. Pursuant to Texas Government Code §551.072 Deliberation Regarding Real Property; Discussion of Purchase of Real Property Within City Limits
 - B. Pursuant to Texas Government Code §551.074 Personnel Matters; Discussion of Applicants for City Secretary and Chief of Police Positions
29. Reconvene Open Meeting for Discussion and Action If Any on Executive Session Item #28
30. Adjourn

The City Council reserves the right to adjourn into Executive 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).

I, the undersigned authority does hereby certify that the Notice of Meeting was posted on the front door at City Hall of the City of San Augustine, TX, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time:
September 15, 2023 by 5:00 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Acting City Secretary, City of San Augustine, Texas

August 4, 2023

The City of San Augustine City Council will meet for a called meeting on Wednesday, August 9, 2023 at 1:30 p.m. The meeting will be held in the Council Chambers located at 301 South Harrison Street, San Augustine, Texas.

Jeremy Lynch – Acting City Secretary

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A G E N D A

1. Call Meeting To Order
2. Prayer
3. Pledge To The Flags
4. Welcome Guest
5. Executive Session Pursuant to Government Code §551.074 Personnel Matters
6. Reconvene Open Meeting For Discussion and Possible Action If Any on Executive Session Item #5
7. Adjourn

The City Council reserves the right to adjourn into Executive 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).

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the front door at City Hall of the City of San Augustine, TX, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time:
August 4, 2023 by 8:30 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Acting City Secretary, City of San Augustine, Texas

The City of San Augustine held a called meeting on Wednesday, August 9, 2023 at 1:30 p.m.

Members present were:

Mayor	Leroy Hughes
Alderman	Marcus Hafford
Alderwoman	Pamela Teel
Alderman	Juan Diaz, Jr.
Alderman	Herman Wilson
Alderman	Dan Fussell
Attorney	Wade Flasowski
City Manager	Jeaneyse Mosby
Acting City Secretary	Jeremy Lynch

Mayor Leroy Hughes called the meeting to order at 1:30 p.m.

Mayor Hughes offered prayer.

The pledge to the flags was recited in unison.

Mayor Hughes welcomed guests.

There were several guests in attendance, including:

Josh Ponder	Marshall McMillan
LaTasha Byrd	Barbara & Andy DeSham
Steven Hayes	

5. Executive Session Pursuant to Government Code §551.074 Personnel Matters

Council went into executive session at 1:31 p.m. to discuss personnel matters.

6. Reconvene Open Meeting For Discussion and Possible Action If Any on Executive Session Item #5

Council reconvened from executive session at 2:46 p.m.

Concerning the Chief of Police, City Manager Jeaneyse Mosby recommended to the council that the position be offered to former Police Chief Jessee Fountain under an interim basis for no more than 60 days while the City accepts applications for the position, assuming he would be a full-time, working chief. Alderman Juan Diaz, Jr. made a motion to follow this recommendation. Motion was seconded by Alderman Herman Wilson. All voted in favor. Motion carried.

Concerning the City Secretary, Alderman Dan Fussell made a motion that City Secretary Wylma Hewett be terminated and that any legal actions be brought to the District Attorney by Mayor Leroy Hughes. Motion was seconded by Alderman Herman Wilson. All voted in favor. Motion carried.

Citizen Steven Hayes asked if a reason could be given for Ms. Hewett's termination, and Attorney Wade Flasowski replied that none could be given at this time. When Mr. Hayes asked if there was a reason that no reason for termination could be given, Mr. Flasowski replied that none could be given at this time.

7. **Adjourn**

Leroy Hughes, Mayor

Jeremy Lynch, Acting City Secretary

August 11, 2023

The City of San Augustine City Council will meet for a regular meeting on **Tuesday, August 15, 2023 at 5:00 p.m.** The meeting will be held in the Council Chambers located at 301 South Harrison Street, San Augustine, Texas.

Jeremy Lynch – Acting City Secretary

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A G E N D A

1. Call Meeting to Order
2. Prayer
3. Pledge to the Flags
4. Welcome Guest
5. Citizen Presentations: At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting. Please limit to two minutes each.
6. Approval of Minutes of Previous Meeting(s) for Month of July 2023
7. Update on Police Department Activity
8. Judge Jeff Cox – Update on Municipal Court Activity
9. Liz Jones - Update on Main Street Program
10. Update from City Manager Jeaneyse Mosby
11. Discussion And Action If Any to enter into a service agreement with KSA for assistance in acquiring the necessary information for the Required Lead and Copper Water Service Line Inventory required by the EPA and TCEQ – Completion Date is October 16, 2024
12. Discussion And Action If Any to approve the agreement between (owner) the City of San Augustine and (engineer) KSA Engineers, Inc. for professional services for the 2022 CDBG-CDM Downtown Sidewalk Improvements (CDM22-0044)
13. Discussion And Possible Action if proposed Tax Rate exceeds the Voter Approval Rate or the No New Revenue Rate (whichever is lower), take record vote to place proposed tax rate / increase on future agenda and set Public Hearing for September 19, 2023.
14. Discussion and Action If Any to authorize the City Manager on behalf of the City Council to do a Request for Proposal (RFP) to receive bids for depository of the city's funds for the period commencing August 21, 2023 and ending September 5, 2023 at 3pm CST – *(Current Bank Depository Agreement began on October 19, 2020 – and ends on October 19, 2023)*
15. Update - **Docket No. 55221** – report on City of San Augustine; Finding of Violations of PURA § 38.102(e) and 16 Tex. Admin. Code § 25.97 (f) (2), relating to line inspection and safety annual reporting
16. Executive Session Pursuant to Government Code § 551.074 Personnel Matters concerning City Secretary Position
17. Reconvene Open Meeting For Discussion and Possible Action If Any on Executive Session Item #16

18. Adjourn Regular Meeting
19. BUDGET WORKSHOP CALLED TO ORDER
20. Adjourn Budget Workshop

The City Council reserves the right to adjourn into Executive 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).

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the front door at City Hall of the City of San Augustine, TX, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time:

August 11, 2023 by 11:30 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Acting City Secretary, City of San Augustine, Texas

The City of San Augustine held its regular meeting on Tuesday August 15, 2023, at 5:00 p.m.

Members present were:

Mayor	Leroy Hughes
Alderman	Marcus Hafford
Alderwoman	Pamela Teel
Alderman	Juan Diaz, Jr.
Alderman	Herman Wilson
Alderman	Dan Fussell
Attorney	Steve Poston
City Manager	Jeaneyse Mosby
Acting City Secretary	Jeremy Lynch

Mayor Leroy Hughes called the meeting to order at 1:30 p.m.

Mayor Hughes offered prayer.

The pledge to the flags was recited in unison.

Mayor Hughes welcomed guests.

There were numerous guests in attendance.

5. Citizen Presentations: At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action can be taken on these items at this meeting. Please limit to two minutes each.

Lori Harper detailed her experience concerning her attempt to move from City electricity to Co-op electricity and how the City Manager attempted to block the move.

Jackie Bell read a letter he had typed requesting information concerning: the PCA factor's calculation and application; amounts paid for electricity by the City; rumors of a hidden charge on customer bills; and public notification of special called meetings.

Dan Rice expressed his concerns with the PCA Factor's calculation and application.

Tammy Barbee expressed her concerns about high electric bills and their impact on the ability of small businesses in town to remain open.

Tasha Byrd thanked the City Manager for her explanation of the city's electrical calculations and asked that the council consider turning over all city electrical services to the Co-op and instead use taxes to fund the City's other services.

Mila Evans detailed her attempt to move from City electricity to Co-op electricity to retain her renter and how the City Manager attempted to block the move. She also requested an explanation of funds owed to the Public Utilities Commission due to reports not being file in a timely manner.

Other concerns about the City's electric rates compared to the Co-op's, the City's high electric bills, and the City's integrity were voiced.

6. Approval of Minutes of Previous Meeting(s) for Month of July 2023

It was explained that the minutes from the called meeting on August 9th had not yet been prepared. Alderman Herman Wilson offered a motion to approve the minutes of the previous meeting(s). Alderman Marcus Hafford seconded the motion. All voted in favor of the motion. Motion carried.

7. Update on Police Department Activity

Interim Police Chief Jesse Fountain thanked the council for the opportunity to serve as the interim chief until a new Police Chief was hired. Chief Fountain gave the update on the police department's activity for the month of July.

8. Judge Jeff Cox – Update on Municipal Court Activity

Judge Cox reported the Municipal Court Activity for month of July. There were 14 Citations received; a total of \$435.00 of which \$257.00 went to the State and \$178.00 went to the City.

9. Liz Jones - Update on Main Street Program

Main Street and the City applied for the Texas Community Development Block Grant back in 2022 to help improve sidewalks downtown and was approved. Preparations are underway to bring that project to fruition.

September 1st and 2nd (Friday and Saturday) is the next Pop-Up Shop event. The Pop-Up Shop events have been growing with more and more vendors asking to participate.

Annual American Main Street Patriotic Event led by Glenda Harrison will be at the August Theater on September 11th.

10. Update from City Manager Jeaneyse Mosby

City Manager Jeaneyse Mosby has done an interview addressing questions and concerns about the City electric rates. This interview will be in the San Augustine Tribune printed newspaper and website. If any citizens still have questions after reading this interview, they are invited to call Mrs. Mosby so she can further attempt to explain.

The Audit for Fiscal Year 2022 is in its preliminary stages. Mrs. Mosby is in the process of sending requested documents to the auditor.

The positions of Chief of Police and City Secretary will be posted by Monday, August .

The City is in the process of searching for the missing bank statements from Fiscal Year 2021. The auditor was able to complete the audit using check registers but was unable to check that information against statements.

The City is in the process of doing an electric rate study through Communities Unlimited.

The City is doing a solid waste rate study.

PUC required a map of the City's service area. This map has been completed through an engineering firm, except for any dual areas serviced between the City and the Co-op. The Co-op will be contacted to help verify these areas. This map will be uploaded to PUC.

There was discussion between Mrs. Mosby and the Council about the expected completion of the 2022 audit and the start of the 2023 audit, as well as the cost of the audit.

Mrs. Mosby also mentioned a plan to introduce a program allowing citizens to see more information on the website pertaining to the financial dealings of the City.

11. Discussion And Action If Any to enter into a service agreement with KSA for assistance in acquiring the necessary information for the Required Lead and Copper Water Service Line Inventory required by the EPA and TCEQ – Completion Date is October 16, 2024

KSA Representative Sigi West explained the issue at hand and KSA's proposal. The City is required to attempt to determine if there is any lead or galvanized piping running from the City's meters to structures within town. Once this information is gathered, the City may qualify for a grant that offers a 51% forgiveness loan to replace the lead and galvanized pipes. Owners of each structure would have the option to allow the City to replace their lead and galvanized pipes between their structures and the City's meters at no cost to them. KSA's proposal is to perform the survey to determine the amount of lead and galvanized piping that falls under this issue, rather than the City paying its own workers to determine this information.

After discussion, Alderman Dan Fussell offered a motion to hire KSA to handle the survey and information-gathering for the Required Lead and Copper Water Service Line Inventory. Alderman Juan Diaz seconded the motion. All voted in favor of the motion. Motion carried.

12. Discussion And Action If Any to approve the agreement between (owner) the City of San Augustine and (engineer) KSA Engineers, Inc. for professional services for the 2022 CDBG-CDM Downtown Sidewalk Improvements (CDM22-0044)

This is pertaining to the Texas Community Development Block Grant that Main Street and the City applied for and were approved. The grant is for \$500,000.00 and the City has a match of \$75,000.00. KSA has already made a bid to perform the sidewalk improvements.

After discussion, Alderman Juan Diaz offered a motion to approve the agreement between the City and KSA for the improvements. Alderman Marcus Hafford seconded the motion. All voted in favor of the motion. Motion carried.

13. Discussion And Possible Action if proposed Tax Rate exceeds the Voter Approval Rate or the No New Revenue Rate (whichever is lower), take record vote to place proposed tax rate / increase on future agenda and set Public Hearing for September 19, 2023.

The Voter Approval Rate is 0.447337, calculated by the tax assessor-collector, is under the No New Revenue Rate of 0.482524.

After discussion, Alderman Herman Wilson offered a motion to go with the lower rate. Alderman Juan Diaz seconded the motion. All voted in favor of the motion. Motion carried.

14. **Discussion and Action If Any to authorize the City Manager on behalf of the City Council to do a Request for Proposal (RFP) to receive bids for depository of the city's funds for the period commencing August 21, 2023 and ending September 5, 2023 at 3pm CST – (Current Bank Depository Agreement began on October 19, 2020 – and ends on October 19, 2023)**

Requests for bids will go to all local banks within San Augustine. Banks outside of the City can also submit bids through the City's website.

After discussion, Alderman Juan Diaz offered a motion to go with the lower rate. Alderwoman Pamela Teel seconded the motion. All voted in favor of the motion. Motion carried.

15. **Update - Docket No. 55221 – report on City of San Augustine; Finding of Violations of PURA § 38.102(e) and 16 Tex. Admin. Code § 25.97 (f) (2), relating to line inspection and safety annual reporting**

City Manager Jeaneyse Mosby explained that she received a certified letter on July 21st from the Public Utilities Commission stating that the City had missed two deadlines for filing for line inspections. The previous city manager had performed two filings for 2019 and 2020 shortly before his departure, but his attempts at setting up a reminder for his successor in the City's work order program did not work. Because this is a new requirement for municipalities to report this to the PUC, their email contact information for the City was outdated. Once Mrs. Mosby received the certified letter, she immediately filed the required reports. Once the PUC received the report, the accruing fines halted. The PUC's attorney has filed a joint motion to abate, which pauses the entire process. It is unknown for sure but possible the City will not have to pay the fine. As of now, there is nothing more the City needs to do in regards to this situation.

16. **Executive Session Pursuant to Government Code § 551.074 Personnel Matters concerning City Secretary Position**

Council went into executive session at 6:12 p.m. to discuss personnel matters.

17. **Reconvene Open Meeting For Discussion and Possible Action If Any on Executive Session Item #16**

Council reconvened from executive session at 6:35 p.m.

No action was taken regarding Executive Session Item #16 but applications will be accepted for City Secretary and Chief of Police.

18. **Adjourn Regular Meeting**

Meeting adjourned at 6:36 p.m.

19. **BUDGET WORKSHOP CALLED TO ORDER**

City Manager Jeaneyse Mosby presented a proposed budget for the fiscal year 2023 -2024 to the council for review and discussion. The council discussed the budget and Mrs. Mosby answered questions from the council and citizens that were present.

20. Adjourn Budget Workshop

Budget Workshop adjourned at 7:30 p.m.

Leroy Hughes, Mayor

Jeremy Lynch, Acting City Secretary

September 1, 2023

AMENDED AGENDA

The City of San Augustine City Council will meet for a Budget Workshop on Tuesday, September 5, 2023 at 5:00 p.m. The meeting will be held in the Council Chambers located at 301 South Harrison Street, San Augustine, Texas.

Jeremy Lynch – Acting City Secretary

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A G E N D A

1. Call Meeting to Order
2. Prayer
3. Pledge To the Flags
4. Welcome Guest
5. Review and Discuss FY 2023 - 2024 Budget
6. Adjourn

The City Council reserves the right to adjourn into Executive 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).

I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the front door at City Hall of the City of San Augustine, TX, a place convenient and readily accessible to the general public at all times and said Notice was posted by the following date and time:

September 1, 2023 by 5:00 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Acting City Secretary, City of San Augustine, Texas

The City of San Augustine held a budget workshop on Tuesday August 15, 2023, at 5:00 p.m. Alderman Marcus Hafford was absent.

Members present were:

Mayor	Leroy Hughes
Alderman	Pamela Teel
Alderman	Juan Diaz, Jr.
Alderman	Herman Wilson
Alderman	Dan Fussell
City Manager	Jeaneyse Mosby
Acting City Secretary	Jeremy Lynch

Mayor Leroy Hughes called the meeting to order at 5:00 p.m.

Mayor Hughes offered prayer.

The pledge to the flags was recited in unison.

Mayor Hughes welcomed guests.

Guests in attendance included:

Chris Anding	LaTasha Byrd
Pat Davis	Tara Smith

5. Review and Discuss FY 2023 – 2024 Budget

City Manager Jeaneyse Mosby presented a proposed budget for the fiscal year 2023 -2024 to the council for review and discussion. The council discussed the budget and Mrs. Mosby answered questions from the council and citizens that were present.

20. Adjourn

Budget Workshop adjourned at 7:30 p.m.

Leroy Hughes, Mayor

Jeremy Lynch, Acting City Secretary

Ordinance

AN ORDINANCE OF THE CITY OF SAN AUGUSTINE, TEXAS; APPROVING AND ADOPTING THE BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023, ENDING SEPTEMBER 30, 2024, AND MAKING APPROPRIATIONS FOR EACH DEPARTMENT, PROJECT, AND ACCOUNT; REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of San Augustine, (hereafter referred to as the "City") is a General Law Type A municipality located in San Augustine, County; and

WHEREAS, the City Manager of the City submitted a budget proposal to the City Council prior to the beginning of the fiscal year, and in said budget proposal set forth the estimated revenues and expenditures; and

WHEREAS, the City Manager has filed with the City Secretary's Office a budget outlining all proposed expenditures of the government of the City for the fiscal year beginning October 1, 2023, and ending September 30, 2024, (hereinafter referred as the "Budget"); and

WHEREAS, the Budget Summary is attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, it is estimated that the Proposed FY 2023 – 2024 Budget will be \$42,729 more than the Proposed FY 2022 – 2023 Budget; and

WHEREAS, the Budget was filed with the City Secretary's at least fifteen (15) days before the public hearing was held on the Budget and at least thirty (30) days before the date the City Council makes it tax levy for the fiscal year and such Budget has been available for inspection by any taxpayer; and

WHEREAS, the public notice of a public hearing on the proposed Budget, stating the date, time, place, and subject matter of said public hearing, was given as required by the laws of the State of Texas; and

WHEREAS, such public hearing was held and those wishing to speak on the Budget were heard and were provided an opportunity to present their views on the proposed Budget; and

WHEREAS, the City Council has had the opportunity study the Budget and listen to the comments of the taxpayers at the public hearing held therefore and has determined that the Budget attached hereto is in the best interests of the City and that same should be approved and adopted;

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

The budget for the City of San Augustine, Texas as submitted by the City Manager, as revised by the City Council for the Budget Fiscal Year 2023 - 2024, be and the same is hereby adopted and in accordance with the provisions of said budget the appropriations for the ensuing year beginning October 1, 2023 and ending September 30, 2024 for the different departments and proposed of the City of San Augustine, Texas for fixed and determined as outlined in said budget hereto attached; and

That the distribution and divisions of the said budget appropriations be made with the budget of expenditures submitted by the City Manager and as revised by the

City Council and which is herein adopted; which said budget is made part of this reference of the appropriations as outlined in said budget;

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, or paragraphs 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, or paragraphs 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 or paragraph.

That this ordinance shall be in full force and effective on October 1, 2023.

Passed, Approved and Adopted this 19th day of September, 2023 by the City of San Augustine, San Augustine County, Texas.

Council Member, City of San Augustine

Council Member, City of San Augustine

Council Member, City of San Augustine

Council Member, City of San Augustine

Council Member, City of San Augustine

Leroy Hughes, Mayor

ATTEST:

Jeremy Lynch, Acting City Secretary/Director of Finance

Ordinance # _____

AN ORDINANCE OF THE CITY OF SAN AUGUSTINE, TEXAS; ESTABLISHING INCREASED MINIMUMS (AVAILABILITY CHARGES) RATES AND CHARGES FOR WATER, WASTEWATER (SEWER), AND ELECTRICAL SERVICES; REPEALING CONFLICTING ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City of San Augustine, (hereafter referred to as the "City") is a General Law Type A municipality located in San Augustine, County; and

WHEREAS, the City Council of the City of San Augustine, Texas (hereafter referred to as "City Council") has determined the need to update the minimums (availability charge); rates, and charges for water, wastewater (sewer) and electrical services; and

WHEREAS, a copy of the minimums (availability charges), rates and charges for water, wastewater (sewer), Security Lights and electrical services is attached as Exhibit A; and

WHEREAS, any rate or charge for any service, installation, or tapping fee not shown on Exhibit A or mentioned in this ordinance will remain as already set forth;

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

It is hereby declared to be the intention of the City Council that the paragraphs, sentences, phrases, clauses, and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word or provision in this Ordinance or the application thereof to any person, firm, corporation, situation or circumstance is for any reason judged invalid, the adjudication shall not affect any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, situation or circumstance, and the City Council declares that it would have adopted the valid portions and applications of the Ordinance without the invalid parts and to this end the provisions of this Ordinance shall remain in full force.

This Ordinance is cumulative of all other Ordinances of the City affecting the fees, rates, minimums, and charges and does not repeal any of the provisions of other Ordinances except in those instances where the provisions of those Ordinances are in direct conflict with the provisions of this Ordinance.

That this ordinance shall be in full force and effective on September 30, 2023

Passed, Approved and Adopted this 19th day of September, 2023 by the City of San Augustine, San Augustine, County, Texas.

Leroy Hughes, Mayor

ATTEST:

Jeremy Lynch, Acting City Secretary

**Exhibit A of Ordinance # _____ for City of San Augustine,
San Augustine County, Texas**

FY 2024

COUNCIL APPROVED

CITY OF SAN AUGUSTINE
WATER, SEWER, GARGAGE & ELECTRIC RATES & CHARGES
EFFECTIVE SEPTEMBER 30, 2023 WITH THE OCTOBER 1 2023 BILL

WATER RATES

RESIDENTIAL WATER RATES:

\$54.21 includes 0 to 5,000 gallons of water

\$2.50 per 1,000 gallons up to the next 11,000 gallons (this is up to 15,000 gallons)

\$2.50 per 1,000 gallons up to the next 5,000 (this is up to 20,000 gallons)

\$2.50 per 1,000 gallons up to the next 5,000 (this is up to 25,000 gallons)

\$2.50 per 1,000 gallons for 1,000 gallons over 25,000 gallons

COMMERCIAL WATER RATES:

\$60.00 includes 0 to 5,000 gallons of water

\$2.50 per 1,000 gallons up to the next 11,000 gallons (this is up to 15,000 gallons)

\$2.50 per 1,000 gallons up to the next 5,000 (this is up to 20,000 gallons)

\$2.50 per 1,000 gallons up to the next 5,000 (this is up to 25,000 gallons)

\$2.50 per 1,000 gallons for 1,000 gallons over 25,000 gallons

WHOLESALE RURAL WATER RATES:

\$11.50 per 1,000 gallons

BULK WATER SALES:

\$15.00 per 1,000 gallons

**Exhibit A of Ordinance # _____ for City of San Augustine,
San Augustine County, Texas
SEWER RATES**

Sewer Rates are based on Water Usage

RESIDENTIAL SEWER RATES:

\$44.00 includes 3,000 gallons of water usage average.

\$3.00 per 1,000 gallons after the first 1,000 gallons of water usage average

COMMERCIAL SEWER RATES:

\$59.00 includes no water average usage average

\$3.00 per 1,000 gallons of water usage average

Sewer Charges are based on a three-month average once each year.

*The three months are: **January, February, and March** of the same year that the charges are adjusted on the September billing for the October 1 bill.*

Should a customer have an elevated water usage during the mentioned months consideration is given to adjust the yearly Sewer charge.

GARBAGE RATES

RESIDENTIAL GARGAGE RATES:

\$22.19 a month (plus tax) *Adopted July 1, 2017*

Pineywoods Sanitation Service has a Franchise Agreement with the City of San Augustine to provide exclusive sanitation service.

All active utility accounts are required to have sanitation services. Residential customers are billed by the City of San Augustine and Pineywoods will do the Commercial customers billing.

SECURITY LIGHTS

RATES:

\$10.25 a month (plus tax)

Exhibit A of Ordinance # _____ for City of San Augustine, San Augustine County, Texas

ELECTRICAL CHARGES & RATES Minimums (Availability Charge)

Residential Electrical Minimum (Availability Charge)	\$23.50 (includes 0 kwh)
Commercial Small Minimum (Availability Charge).....	\$75.50 (includes 0 kwh)
Commercial Large Minimum (Availability Charge)	\$87.50 (includes 0 kwh)
Commercial Super Minimum (Availability Charge).....	\$175.00 (includes 0 kwh)

These Charges & Rates below begin after the first kwh

Fixed City Customer Charge015 per kwh
Residential Rate.....	.03612 per kwh
Commercial Small Rate (usage 5,000 kWh or less).....	.04452 per kwh
Commercial Large Rate (usage more than 5,000 kWh less than 100,000 kWh) kwh	.03507 per
Commercial Super Rate (usage more than 100,000 kWh).....	.0.02783 per kwh
Power Cost Residential and Commercial.....	.0525 per kwh

PCA Pass Through from DETEC and ETEC Billings base is .04 (ESTIMATED NO less than .0300 per kwh or the PCA on bill if higher less the Standard Power Cost included with rates)
..... (This is based on an estimated average of the PCA factors for the previous FY)
..... (This can be lowered, if determined it has been over estimated; overage deposited in a RESTRICTED Checking Account to offset any increase on cost of producing energy.)

Example:

Residential Electrical = consumption usage x .10362 (.015 + .03612 + .0525)

PCA = consumption usage x .04

Commercial Small Electrical = consumption usage x .11202 (.015 + .04452 + .0525)

PCA = consumption usage x .04

Commercial Large = consumption usage x .10257 (.015 + .03507 + .0525)

PCA = consumption usage x .04

Commercial Super = consumption usage x .095325 (.015 + .027825 + .0525)

PCA = consumption usage x .04

CITY OF SAN AUGUSTINE

ORDINANCE # _____

**AN ORDINANCE FOR THE LEVY OF PROPERTY TAXES IN THE CITY OF
SAN AUGUSTINE, FOR THE YEAR OF 2023,
PURSUANT TO THE ARTICLE 1026 OF THE REVISED CIVIL STATUTES OF
THE STATE OF TEXAS.**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN AUGUSTINE, TEXAS;

WE THE CITY COUNCIL OF THE CITY OF SAN AUGUSTINE, DO HEREBY LEVY OR ADOPT
THE RATE OF \$100 VALUATION FOR THIS CITY FOR THE TAX YEAR 2023 AS FOLLOWS:

THERE IS HEREBY LEVIED AND ASSESSED AS CITY TAX FOR THE CITY OF SAN
AUGUSTINE, TEXAS, FOR THE YEAR OF 2023, THE SUM OF **0.447337** CENTS ON EACH
ONE HUNDREDS DOLLAR VALUATION: **M&O RATE 0.447337 & I&S RATE 0.0000** ON ALL
TAXABLE PROPERTY IN SAID CITY DURING SAID YEAR. COLLECTING WILL BE MADE
PER AGREEMENT WITH THE SAN AUGUSTINE COUNTY TAX OFFICE.

PASSED AND APPROVED THIS 19th DAY OF September, 2023.

ADOPTED BY THE CITY COUNCIL ON:

DATE: September 19, 2023

LEROY HUGHES
Mayor

ATTEST:

JEREMY LYNCH
Acting City Secretary

ORDINANCE # _____

**AN ORDINANCE REGARDING RETIREMENT ELIGIBILITY FOR THE TEXAS
MUNICIPAL RETIREMENT SYSTEM**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN AUGUSTINE, TEXAS:

Section 1. The City of San Augustine, Texas ("City") authorizes the following:

(a) any member of the Texas Municipal Retirement System ("System") who is or was an employee of the City is eligible to retire and receive a service retirement benefit if the member has at least twenty (20) years of credited service in the System performed for one or more municipalities that have adopted a like provision under §854.202(g) of Subtitle G, Title 8, Texas Government Code, as amended (which subtitle is referred to as the "TMRS Act").

(b) Prior to adopting this ordinance, the City has: (1) prepared an actuarial analysis of member retirement annuities at 20 years of service; and (2) held a public hearing pursuant to the notice provisions of the Texas Open Meetings Act (Chapter 551, Texas Government Code).

(c) The retirement eligibility authorized in this ordinance shall be in addition to the plan provisions previously adopted by the City and in force at the effective date of this ordinance pursuant to the TMRS Act.

Section 2. This ordinance shall be effective on the first day of October, 2023.

Passed and approved September 19, 2023.

ATTEST:

APPROVED:

Jeremy Lynch
Acting City Secretary / City Secretary

Leroy Hughes
Mayor

RESOLUTION

A RESOLUTION REGARDING A CONTRACT FOR THE PURPOSE OF FINANCING A "MINI EXCAVATOR AND A TRACTOR WITH A BOOM MOWER".

WHEREAS, City of San Augustine (the "Issuer") desires to enter into that certain Public Property Finance Act Contract No.10436, by and between the Issuer and Government Capital Corporation ("GCC") for the purpose of financing a "Mini Excavator and a Tractor with a Boom Mower". The Issuer desires to designate this Finance Contract as a "qualified tax-exempt obligation" of the Issuer for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

NOW THEREFORE, BE IT RESOLVED BY CITY OF SAN AUGUSTINE:

Section 1. That the Issuer will enter into a Finance Contract with Government Capital Corporation for the purpose of financing "Mini Excavator and a Tractor with a Boom Mower".

Section 2. That the Finance Contract dated as of September 19, 2023, by and between the City of San Augustine and Government Capital Corporation is designated by the Issuer as a "qualified tax-exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Issuer appoints the City Manager or the City Manager’s designee, as the authorized signer of the Finance Contract No. 10436 dated as of September 19, 2023, by and between the City of San Augustine and Government Capital Corporation as well as any other ancillary exhibit, certificate, or documentation needed for the Contract.

Section 4. The Issuer will use loan proceeds for reimbursement of expenditures related to the Property, within the meaning of Treasury Regulation § 1.150-2, as promulgated under the Internal Revenue Code of 1986, as amended.

This Resolution has been PASSED upon Motion made by Board Member _____, seconded by Board Member _____ by a vote of _____ Ayes to _____ Nays and is effective this _____, 2023.

Issuer: City of San Augustine

Witness Signature

Leroy Hughes
Mayor

Jeremy Lynch
Acting City Secretary

EXHIBIT A

Public Property Finance Act Contract **No.10436** (THE "FINANCE CONTRACT")
By and Between
Government Capital Corporation and **the Issuer**, City of San Augustine
Dated as of September 19, 2023

QTY DESCRIPTION

Personal Property Property Cost: \$267,421.07 Payback Period: Seven (7) Annual Payments

Mini Excavator and Tractor with Boom Mower

- One (1) John Deere 60P-Tier Compact Excavator
Package #8-Cab A/C & Heat, 16" Rubber Tracks, Long Arm, Extra Counter weight, Radio, Cloth Seat, Angle Blade
13" Heavy Duty Bucket
42" Ditch Cleaning Bucket
Hydraulic Thumb

- One (1) Diamond 22" Boom Mower on a John Deere 6105E
Enclosed Cab, 4WD, 24F/12R Power Reverser Transmission
22 Foot Rear Cradle
50" Rotary Head
Five Function Joystick
Hydraulic Trap Door
IBC Smart Screen
Factory Authorized Mount
Radio

PROPERTY LOCATION:
301 South Harrison Street
San Augustine, TX 75972

EXHIBIT B

>> SCHEDULE OF PAYMENTS & EARLY REDEMPTION VALUE <<

PUBLIC PROPERTY FINANCE ACT CONTRACT **No.10436** (THE "FINANCE CONTRACT")

BY AND BETWEEN

Government Capital Corporation and the **Issuer**, City of San Augustine

Schedule Dated as of September 25, 2023

PMT NO.	PMT DATE MO. DAY YR	TOTAL PAYMENT	INTEREST PAID	PRINCIPAL PAID	EARLY REDEMPTION VALUE after pmt on this line
1	9/25/2024	\$47,820.50	\$15,747.01	\$32,073.49	N/A
2	9/25/2025	\$47,820.50	\$13,863.65	\$33,956.85	N/A
3	9/25/2026	\$47,820.50	\$11,869.70	\$35,950.80	N/A
4	9/25/2027	\$47,820.50	\$9,758.67	\$38,061.83	\$129,861.92
5	9/25/2028	\$47,820.50	\$7,523.68	\$40,296.82	\$88,729.31
6	9/25/2029	\$47,820.50	\$5,157.45	\$42,663.05	\$45,478.37
7	9/25/2030	\$47,820.50	\$2,652.27	\$45,168.23	\$0.00
Grand Totals		\$334,743.50	\$66,572.43	\$268,171.07	

Interest Rate: 5.872%

******This Schedule is subject to current Market Indexing if closing occurs after the above Date******

Accepted by Issuer: _____
Jeaneyse Mosby, City Manager

**CITY OF SAN AUGUSTINE
RESOLUTION NO. 2023-0009**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SAN AUGUSTINE, TEXAS, authorizing the City to enter into agreement with the State for temporary closure of State Highways for the Annual Sassafras Festival in San Augustine.

WHEREAS, the State owns and operates a system of highways for public use and benefit, including San Augustine, Texas, San Augustine County; and

WHEREAS, the City has requested the temporary closure for the purposes of the Sassafras Festival in San Augustine; and

Whereas, the event will be located within the City's incorporated area; and

WHEREAS, the City hereby assures the State that there will be appropriate passage allowance for emergency traffic; now, therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN AUGUSTINE, TEXAS that the Mayor of the City of San Augustine be, and is hereby authorized to execute an agreement with the State for temporary closure of State Highways for the Sassafras Festival in San Augustine.

PASSED AND APPROVED, this 19th day of September 2022.

Leroy Hughes, Mayor

ATTEST:

Jeremy Lynch, Acting City Secretary

RESOLUTION NO. 2023 - 0010

**A RESOLUTION NOMINATING A CANDIDATE TO THE
SAN AUGUSTINE COUNTY APPRAISAL DISTRICT**

Whereas, the City of San Augustine (hereafter "City") is a municipality duly organized and existing under the laws of the State of Texas;

Whereas, the City Council is the legislative body of the City;

Whereas, the City has received enough votes from the San Augustine Independent School District in addition to their own votes to nominate a candidate as a member of the San Augustine County Appraisal District Board of Directors;

Whereas, _____ was nominated by the City Council at a regular Council Meeting on September 19, 2023;

Whereas a motion and a second was received on this nomination; with the motion carrying;

Now Therefore, Be It Resolved by the City Council of San Augustine, Texas that:

1. Mayor Leroy Hughes has authorization to present this resolution to the Chief Appraisal of the San Augustine County Appraisal District.
2. The Nominee's contact information will be attached.
3. This resolution shall take effect immediately upon its passage.

Passed and Adopted by the Council on the 19th day of September, 2023.

CITY OF SAN AUGUSTINE

Leroy Hughes

Mayor

ATTEST:

Jeremy Lynch

Acting City Secretary



City of San Augustine, Texas
Municipal Owned Utility
Agenda Item Request Form and
Agenda Policy
for City Council Meeting

In order to provide more accurate information regarding decisions presented to our city council prior to all city council meetings and when sending out city council packets for all city council meetings, this Agenda Item Form and Agenda Policy is being formulated and will supersede any policy in place.

The policy to enable an individual or an entity/organization and an entity's/organization's representative(s) to be placed on an agenda for a City of San Augustine City Council Meeting, for both regular and special meetings is as follows:

- 1) **Agenda Item Request Form must be completed and returned to the City of San Augustine City Manager by at least ten business days prior to the scheduled post date of the city council meeting agenda.** The only exception to the ten business days will be in the event that an emergency meeting or special meeting that includes a time-sensitive matter has been called. The Agenda Item Request Form deadline for those type meetings will be determined by the City Manager, depending on the type of request/item/matter.
- 2) Some items may require further research, advice, or consultation with the City Attorney, Texas Municipal League Legal Department, Engineers, City Utility Supervisors or other experts; hence, if further research is required that cannot be done and reported back to the City Manager by the 72-hour deadline or deadline for an emergency meeting for agenda posting and sending out packets, then the City Manager can postpone the Agenda Request until a future meeting in which adequate information can be received. In this case, the City Manager and/or City Secretary will notify the requestor by phone, e-mail, or by letter that the request is being postponed and the reasons for the postponement.
- 3) The Agenda Request Form must be completed in full by the requestor and any supporting documentation such as cost estimates, bids, legal documents or other pertinent documents that will adequately present needed information for consideration must be attached to the form. Do not include your originals, include copies, that we can keep for our files, since this information will most likely be subject to open records and open meeting requests.
- 4) Please note that this policy does not apply to city staff, city grant consultants, engineers, architects, auditing firms or other state or federal agencies as they normally present their information for council consideration by other formal means.
- 5) The City of San Augustine may be required or need to obtain additional information or documentation before a request to be placed on the agenda can be granted. Please include the names and phone numbers of the requestor(s) or any other person's that the city may need to consult with questions or to obtain additional information.

- 6) If the Agenda Item Request Form with all supporting documentation is not received by the deadline, the item will not be placed on agenda until all needed, requested, or required information or documentation is requested.
- 7) In some cases, after consultation or legal/other research, if the subject matter of the request does not pertain to a service, jurisdiction, or matter that they city has the legal right to provide or regulate or is not in the city's jurisdiction or is a matter that can be handled by the City Manager, then the item will not be placed on the agenda; as a result, the City Manager will contact the requestor by phone, e-mail, or letter to explain the reason(s) that the request cannot be granted.
- 8) Any discrepancy in this policy or factor not mentioned in this policy that may determine whether the request can be granted will be at the discretion of the City Manager, after consultation with the City's attorney or other professional consultant, such as engineers, architects, accountants, or city supervisors.
- 9) Please print legibly or type your form. If the form cannot be read or understood, we will have to contact you to complete another form.

PLEASE COMPLETE THE AGENDA ITEM REQUEST FORM THAT STARTS ON THE NEXT PAGE AND RETURN THAT TO THE CITY MANAGER BY THE APPROPRIATE DEADLINE.



CITY OF SAN AUGUSTINE, TEXAS
MUNICIPAL OWNED UTILITY
AGENDA ITEM REQUEST FORM

(Please type or print legibly)

- 1) Name, Address(es), Phone Number(s), and e-mail address(es) of Individual Requestor, Organization/Entity, or Organization's/Entity's Representative(s):

<u>Name</u>	<u>Address (mailing and physical)</u>	<u>Phone Number</u>	<u>e-mail address</u>

- 2) Date of your request: _____

- 3) Which city council meeting agenda would you like to be added to (Note our regular meetings are the 3rd Tuesday of each month at 5:00 pm in the City Council Chambers, include the date):

4) Summary Statement/Reason for your Request (if additional room is needed, include an additional sheet or page):

5) Who will be present at the city council meeting to present your requested item(s)?...This helps us with preparing the agenda. If this person or persons are different than any of the people listed it ITEM#1, then list their name, address, phone number, and e-mail address.

6) To your knowledge, has the City of San Augustine City Council heard/considered this item in a prior meeting (YES OR NO?) If YES, state the date if you know it.

7) Please provide any other helpful information about this item/request which the City Council and/or City Staff may find useful/helpful in preparing this item or researching information about it:

8) Please make a list below of the documents that you are attaching, if any:



FOR CITY STAFF ONCE THIS FORM IS COMPLETED AND TURNED IN:

Note the Date and Time Received at City Hall on the line below and Signature of person receiving the form:

Note the Date and Time received by City Manager:

Signature of City Manager

Agenda Preparation Action

Is Research Needed on this request? If so to whom, does this need to be referred to?

Date Referred to above person/department:

Slated for Council's agenda on:

If this is referred to City Attorney or City Auditor or any other department, please note below.

CITY STAFF SHOULD ATTACH ANY DOCUMENTS ACQUIRED IN THEIR RESEARCH OR REFERRAL TO OTHER CONSULTANTS SUCH AS CITY ATTORNEY, SUPERVISOR, ENGINEERS, AUDITORS, ETC.

Make other notes below if necessary:
