

A G E N D A
CITY COUNCIL MEETING
March 13, 2023 @ 6:00 p.m.
Council Chambers - Government Center
200 North 12th Street - Corsicana, Texas 75110

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **INVOCATION**
4. **MINUTES**
Consider approving the Minutes for the City Council Regular Session of February 27, 2023.
5. **PUBLIC FORUM**
Public comments.
6. **PUBLIC HEARINGS**
7. **ORDINANCES**
8. **RESOLUTIONS**
 - a. Consider approving applications for Historic Downtown District Reinvestment Tax Credits for 2022. **PAGE 14**
 - b. Consider authorizing suspension for 45 days the effective date proposed by Atmos Energy-Mid-Texas Division (Atmos-MidTex) in its application filed on or about February 24, 2023, pursuant to section 104.301 of the Gas Utility Regulatory Act. **PAGE 19**
 - c. Consider approving the appointment of the Election Judges, Alternate Election Judges, Early Voting Clerk, Early Voting Ballot Board, Central Counting Station Judges and personnel for the City's General Election to be held May 6, 2023. **PAGE 25**
9. **APPOINTMENTS**
Confirm the Mayor's appointment to the Zoning Board of Adjustment.
10. **REPORTS and MISCELLANEOUS ANNOUNCEMENTS**
Mayor/Council
11. **EXECUTIVE SESSION:** The Council will recess into closed or executive session to receive attorney's advice on legal matters pursuant to Section 551.071 of the Texas Government Code, to deliberate on certain matters concerning real property pursuant to Section 551.072 of the Texas Government Code, and to discuss economic development negotiations pursuant to Section 551.087 of the Texas Government Code.

12. **RETURN TO OPEN SESSION:** The Council will consider and act upon items discussed under Executive Session, as necessary.

13. **ADJOURN**

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** The complete Agenda packet is located on the City of Corsicana website at:

www.cityofcorsicana.com

Click on "GOVERNMENT"

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Under the "City Council" section, click on the Agenda for the current meeting date.

AGENDA INFORMATION

*** INFORMATION ON THE FOLLOWING
PAGES IS SUBJECT TO CHANGE
PRIOR TO COUNCIL MEETING.**

ITEM NO. 4

Date: March 13, 2023

Subject: Minutes

Comments:

Consider approving the Minutes for the City Council Regular Session of February 27, 2023.

Recommendation: Approve the Minutes as printed.

**CITY OF CORSICANA
COUNTY OF NAVARRO
STATE OF TEXAS**

**CITY COUNCIL REGULAR SESSION MINUTES
MONDAY, FEBRUARY 27, 2023**

The City of Corsicana, Texas City Council met in a Regular Session on Monday, February 27, 2023, in the Corsicana Government Center Council Chambers, 200 N. 12th Street, Corsicana, Texas. The meeting was open to the public. Public participation was available by live broadcast on the City’s website, and by telephone or teleconference.

City Council Members Present:

Don Denbow	Mayor
Susan Hale	Council Member, Precinct One
Ruby Williams	Mayor Pro Tem and Council Member, Precinct Two
Jeff Smith	Council Member, Precinct Four

City Council Members Absent:

Chris Woolsey	Council Member, Precinct Three
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Staff Present:

Connie Standridge	City Manager
Kerri Anderson Donica	City Attorney
Robert Johnson	Police Chief
Ronny McGaha	Assistant Police Chief
Mike Ryan	Fire Chief
John Boswell	Economic Development Director
Justin Goodnight	Information Systems Tech/IT
Jason Beard	Environmental Svcs. Director
Enoch Basnett	Planning and Zoning Manager
Cathy McMullan	Acting Finance Director/City Secretary

Mayor Denbow called the meeting to order at 6:00 p.m.

The Pledge of Allegiance was followed by an invocation given by Mayor Pro Tem and Council Member Williams.

Approval of Minutes

The motion was made by Council Member Williams and seconded by Council Member Hale to approve the minutes for City Council Regular Session of February 13, 2023. The motion passed 4-0.

Public Forum

a. Presentation of the Annual Racial Profile Report for 2022.

Presented by Police Chief Johnson.

- b. Presentation of the Crime Statistics Report for 2022.

Presented by Assistant Police Chief McGaha.

- c. Preview of the Mayoral State of the City address.
- d. Public comments.

No one spoke.

Public Hearings

Hearing: Receive Public input regarding a request for a Zoning Change from Single-Family Residential-4 (R-4) to General Retail (GR) for Block 504, Lots 4 and 5, also known as 1409 Dr. Martin Luther King Jr. Boulevard.

Presented by Planning and Zoning Manager Basnett.

No one spoke regarding this item.

Ordinances:

Ordinance No. 3134 (approved)

Presented by Planning and Zoning Manager Basnett.

The motion was made by Council Member Smith and seconded by Council Member Williams that **Ordinance No. 3134**, to consider a request for a Zoning Change from Single-Family Residential-4 (R-4) to General Retail (GR) for Block 504, Lots 4 and 5, also known as 1409 Dr. Martin Luther King Jr. Boulevard, be passed and adopted. The motion passed 4-0 with a roll call vote: Council Member Hale-aye; Mayor Pro Tem/Council Member Williams-aye; Council Member Woolsey-absent; Council Member Smith-aye; Mayor Denbow-aye.

<p>ORDINANCE NO. <u>3134</u></p> <p>AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, AMENDING AND CHANGING THE OFFICIAL MAP OF THE CITY OF CORSICANA, TEXAS AS DESCRIBED IN CHAPTER 12, PLANNING AND ZONING, ARTICLE 12.100, SECTION 3-100 OF THE ZONING ORDINANCE OF THE CITY OF CORSICANA TO CHANGE THE ZONING CLASSIFICATION OF CERTAIN PROPERTY FROM SINGLE-FAMILY RESIDENTIAL-4 (R-4) TO GENERAL RETAIL (GR).</p> <p>WHEREAS, the Planning and Zoning Commission recommends that the hereinafter property shall be granted a zoning change from Single-Family Residential-4 (R-4) to General Retail (GR).</p> <p>NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS:</p> <p>That the Zoning Map of the City of Corsicana shall be amended and changed to include the below described property within the limits of the General Retail (GR) Zoning District.</p>

Block 504, Lots 4 & 5 Also known and described as 1409 Dr Martin Luther King Jr Blvd according to the official map of the City of Corsicana, Texas;

and the above-described property shall hereinafter be subject to the regulations as provided for said District in the City Zoning Ordinance.

PASSED, APPROVED AND ADOPTED this 27th day of February, 2023.

Resolutions:

Resolution No. 4438 (approved)

Presented by Economic Development Director Boswell.

The motion was made by Council Member Hale and seconded by Council Member Williams that **Resolution No. 4438**, *to consider approving agreement between the City of Corsicana and Sara Beth Symank/SYFH Inc. for a Property Tax Abatement in the Corsicana Downtown Revitalization District for 112 West Collin Street*, be passed and approved. The motion passed 4-0.

RESOLUTION NO. 4438

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, APPROVING THE TERMS AND CONDITIONS OF AN AGREEMENT BY AND BETWEEN THE CITY OF CORSICANA, TEXAS AND SARA BETH SYMANK/SYFH INC. FOR A PROPERTY TAX ABATEMENT IN THE CORSICANA DOWNTOWN REVITALIZATION DISTRICT, AND AUTHORIZING ITS EXECUTION BY THE MAYOR; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has been presented a proposed tax abatement agreement between the City of Corsicana, Texas and Sara Beth Symank/SYFH Inc. providing for a property tax abatement for certain improvements, a copy of which is attached hereto and incorporated herein by reference (hereinafter called "AGREEMENT"); and

WHEREAS, upon full review and consideration of the AGREEMENT, and all matters attendant and related thereto, the City Council is of the opinion that the terms and conditions thereof should be approved, and that the Mayor shall be authorized to execute it on behalf of the City of Corsicana.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS:

Section 1. The terms and conditions of the proposed AGREEMENT, having been reviewed by the City Council of the City of Corsicana and found to be acceptable and in the best interests of the City of Corsicana and its citizens, are hereby in all things approved.

Section 2. The Mayor is hereby authorized to execute the AGREEMENT and all other documents in connection therewith on behalf of the City of Corsicana, substantially according to the terms and conditions set forth in the AGREEMENT.

Section 3. That this approval and execution of the AGREEMENT on behalf of the City is not conditional upon approval and execution of any other tax abatement agreement by any other taxing entity.

Section 4. This Resolution shall become effective from and after its passage.

Section 5. This Resolution shall become effective for the property at 112 W. Collin Street.

PASSED and APPROVED by majority vote of the City Council of the City of Corsicana, Texas, on the 27th day of February, 2023.

Resolution No. 4439 (approved)

Presented by Environmental Director Beard.

The motion was made by Council Member Williams and seconded by Council Member Hale that **Resolution No. 4439**, to consider authorizing award of bid for Hay Harvesting Services to include cutting, baling, and removal of hay from the City of Corsicana's 50-acre Landfill Facility property, be passed and approved. The motion passed 4-0.

RESOLUTION NO. 4439

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, AUTHORIZING AWARD FOR HAY HARVESTING SERVICES TO INCLUDE CUTTING, BALING, AND REMOVAL OF HAY FROM THE CITY'S 50-ACRE LANDFILL FACILITY PROPERTY.

WHEREAS, the City of Corsicana advertised for proposals for Hay Harvesting Services; and

WHEREAS, three (3) proposals were received and evaluated; and

WHEREAS, David Jock, Rafter J Cattle and Hay, submitted the proposal for \$15.00 per round bale with an approximate bale weight of 900+ pounds and meeting all specifications and requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, that the bid for Landfill Hay Harvesting Services be awarded to David Jock, Rafter J Cattle and Hay.

PASSED and APPROVED by majority vote of the City Council of the City of Corsicana, Texas, on this 27th day of February, 2023.

Resolution No. 4440 (approved)

Presented by Environmental Director Beard.

The motion was made by Council Member Hale and seconded by Council Member Williams that **Resolution No. 4440**, to consider authorizing award of bid for Hay Harvesting Services to include cutting, baling, and removal of hay from the City's 75-acre Overland Flow Wastewater Treatment Facility property, be passed and approved. The motion passed 4-0.

RESOLUTION NO. 4440

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, AUTHORIZING AWARD FOR HAY HARVESTING SERVICES TO INCLUDE CUTTING, BALING, AND REMOVAL OF HAY FROM THE CITY'S 75-ACRE OVERLAND FLOW WASTEWATER TREATMENT FACILITY PROPERTY.

WHEREAS, the City of Corsicana advertised for proposals for Hay Harvesting Services; and

WHEREAS, three (3) proposals were received and evaluated; and

WHEREAS, David Jock, Rafter J Cattle and Hay, submitted the proposal for \$15.00 per round bale with an approximate bale weight of 900+ pounds and meeting all specifications and requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, that the bid for Overland Flow Wastewater Treatment Facility Hay Harvesting Services be awarded to David Jock, Rafter J Cattle and Hay.

PASSED and APPROVED by majority vote of the City Council of the City of Corsicana, Texas, on this 27th day of February, 2023.

Appointments:

Confirm the Mayor’s appointment to the Corsicana Art Committee.

The motion was made by Council Member Williams and seconded by Council Member Hale to approve Mayor Denbow’s appointment to the Corsicana Art Committee. The motion passed 4-0.

CITY OF CORSICANA ADVISORY BOARDS AND COMMISSIONS			
Corsicana Art Committee – This committee will serve as an advisory committee to the City on public art. The Committee shall be composed of nine (9) members, plus ex-officio non-voting members. The terms of committee service shall be for three (3) years and shall run from May 1 to April 30. Members may serve a total of no more than six (6) consecutive years (i.e., 2 consecutive 3 year terms), except when serving an unexpired term.			
Joe Brooks (Chairman)	2024	Shellie O’Neal	2023
Diane Frost	2024	Aracili Huerta	2023
Kyle Hobratschk	2024	Ann Maret	2025
Nancy Rebal	2025	Elmiree Burrell	2023
Frank Hull	2025		
Alternate:			
Helen Albritton	2025		
Ex officio Members:			
	Mayor		
	City Manager		
	City Staff Member		
* Shellie O’Neal will be completing the unexpired term of Christina Lucas.			

Executive Session:

City Council did not meet in closed session.

Adjourn:

There being no further business, Mayor Denbow declared the meeting adjourned at 6:38 p.m.

**Attested This, the 13th day
of March 2023**

**Attested This, the 13th day
of March 2023**

Acting Director of Finance/City Secretary

Mayor

***** ***** ***** *****

***** ***** ***** *****

ITEM NO. 5

Date: March 13, 2023

Subject: **Public Forum**

Comments:

Receive comments from public, if any.

Recommendation: No action required.

ITEM NO. 6

Date: March 13, 2023

Subject: **Public Hearings**

Comments: N/A

Recommendation: N/A

ITEM NO. 7

Date: March 13, 2023

Subject: **Ordinances**

Comments: N/A

Recommendation: N/A

ITEM NO. 8A

Date: March 13, 2023

Subject: **Historic Downtown District Reinvestment Tax Credit**

Comments: Attached is a listing of property owners requesting tax rebate of property taxes paid in 2022. Based on 2022 expenditures to maintain and improve downtown buildings, property owners may be reimbursed taxes paid the City of Corsicana and Navarro County based on investments on approved maintenance projects of a property up to the maximum taxation by each entity. Historic Downtown property owners are eligible to apply for this credit incentive each year.

Below is the 2022 Summary of the Downtown Corsicana Reinvestment Tax Credits.

TOTALS FOR THIS RESOLUTION:

TOTAL CITY TAX CREDIT FOR CDRD FOR 2022:

Total City Tax Credit	\$ 15,016.25
Total Reinvestment Reported	\$147,626.13
Total Downtown Property Tax Credit Applications	23
Total City of Corsicana Tax Credits	\$ 15,016.25
Total Navarro County Tax Credits	\$ 12,081.02

Recommendation: Approve the applications for Historic Downtown District Reinvestment Tax Credits.

MOTION:

I MOVE TO (APPROVE/DENY) THE APPLICATIONS FOR REINVESTMENT TAX CREDITS.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
CORNICANA, TEXAS, APPROVING THE APPLICATIONS
SUBMITTED FOR DOWNTOWN REINVESTMENT TAX CREDITS.**

WHEREAS, the City Council has adopted an ordinance creating the Downtown Revitalization District as a designated reinvestment zone providing for reinvestment tax credits to downtown property owners in an effort to encourage the maintenance and revitalization of the historic downtown area; and

WHEREAS, the ordinance allows for a tax credit on improvements made to downtown buildings and provides for a dollar for dollar tax credit to downtown property owners on approved expenditures; and

WHEREAS, the attached “Exhibit A” identifies the applicant, the location, the improvements to the property and the amount of the tax credit; and

WHEREAS, each eligible property owner is current with all ad valorem property taxes and has met all criteria as required.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORNICANA, TEXAS, that the applications for downtown reinvestment tax credits, identified on the attached Exhibit A, are hereby approved.

PASSED and **APPROVED** by majority vote of the City Council of the City of Corsicana, Texas, this **13th** day of **March, 2023**.

Don Denbow, Mayor

ATTEST:

Cathy McMullan, Acting City Secretary

APPROVED AS TO FORM:

Kerri Anderson Donica, City Attorney

Property Address	Owner Info	Verified County Credit	Verified City Credit
100 W. 3rd Ave. <i>Mailing Address</i> 411 N. Beaton St. Corsicana, TX 75110	Kyle Hobratschk Properties LLC Window repair, Paint Total reported: \$ 1,119.21 NCAD ID: 35052	\$ 497.16	\$ 622.05
203 N. Commerce <i>Mailing Address</i> 411 N. Beaton St. Corsicana, TX 75110	Kyle Hobratschk Properties LLC Replaced awning Total reported: \$ 2,500.00 NCAD ID: 113586	\$ 83.59	\$ 104.60
423 N. Main Street <i>Mailing Address</i> 423 N. Main Street Corsicana, TX 75110	Denjon Investments LLC Front awning, front door, new window Total reported: \$ 6,800.00 NCAD ID: 52859	\$ 492.84	\$ 616.69
105 W. 7th Street <i>Mailing Address</i> P.O. Box 700115 Dallas, TX 75370	CNB Real Estate Roof repairs Total reported: \$ 325.00 NCAD ID: 40598	\$ 144.36	\$ 180.64
111 E. Collin <i>Mailing Address</i> 1304 Dogwood Trail Corsicana, TX 75110	Shala Driton Replaced HVAC Total reported: \$ 4,209.38 NCAD ID: 40145	\$ 645.61	\$ 807.85
116 W. Collin <i>Mailing Address</i> 1108 Sycamore Ave Corsicana, TX 75110	Larry & Mary Musick Roof repair Total reported: \$ 3,500.00 NCAD ID: 40172	\$ 304.59	\$ 243.42
119 N. Beaton Street <i>Mailing Address</i> 119 N. Beaton Street Corsicana, TX 75110	A Bonner Enterprises LLC Repair walls, hvac, plumbing Total reported: \$ 10,950.00	\$ 361.91	\$ 452.86
202 N. Beaton Street <i>Mailing Address</i> P.O. Box 311 Corsicana, TX 75151	John & Carolyn Yates Repair exit door, new AC, paint and repairs Total reported: \$ 1,643.34 NCAD ID: 40096	\$ 729.95	\$ 913.39
308. N. Beaton Street <i>Mailing Address</i> 3504 Cragmont Ave. Dallas, TX 75205	OP Assets LLC HVAC Total reported: \$ 10,624.00 NCAD ID: 35065	\$ 379.24	\$ 474.55
301 N. Beaton Street <i>Mailing Address</i> P.O. Box 507 Corsicana, TX 75151	Down on the Corner LLC Total rehab Total reported: \$ 10,662.63 NCAD ID: 35018	\$ 765.29	\$ 957.60
309 N. Beaton Street <i>Mailing Address</i> P.O. Box 507 Corsicana, TX 75151	Down on the Corner LLC Repair rental spaces Total reported: \$ 29,077.72 NCAD ID: 35017	\$ 978.36	\$ 1,224.22

308 S. Beaton Street <i>Mailing Address</i> 308 S. Beaton Street Corsicana, TX 75110	Wallens Auto Replaced roof Total reported: \$ 29,444.00 NCAD ID: 40596	\$ 1,002.32	\$ 1,254.21
411 N. Beaton <i>Mailing Address</i> 411 N. Beaton Corsicana Texas 75110	Kyle Hobratschk Properties LLC Plumbing repair Total reported: \$ 848.00 NCAD ID: 40129	\$ 228.20	\$ 285.55
207 W. 5th Ave. <i>Mailing Address</i> 2600 W. 7th Street Unit 1729 Ft. Worth, TX 76107	Ann Maret New deck on top of garage Total reported: \$ 14,000.00 NCAD ID: 56399	\$ 776.06	\$ 971.09
325 N. Beaton Street <i>Mailing Address</i> 325 N. Beaton Street Corsicana, TX 75110	Tom Adams Handrail and door repair Total Reported \$ 2,307.65 NCAD ID: 35012	\$ 526.60	\$ 658.94
325 N. Beaton Street <i>Mailing Address</i> 325 N. Beaton Street Corsicana, TX 75110	Tom Adams Paint and plumbing repair Total Reported \$ 800.00 NCAD ID: 111352	\$ 260.20	\$ 362.60
206 N. Beaton Street <i>Mailing Address</i> 1600 Crestmont Ave Corsicana, TX 75110	Angela Moore & Jason Gould Electrical work Total reported: \$ 708.00 NCAD ID: 40094	\$ 314.49	\$ 393.51
101/103 S. Beaton Street <i>Mailing Address</i> 1600 Crestmont Ave Corsicana, TX 75110	Angela Moore & Jason Gould Install new water line Total reported: \$ 2,200.00	\$ 501.46	\$ 627.47
223 N. Commerce <i>Mailing Address</i> 223 N. Commerce Corsicana, TX 75110	Johnston Jones Plumbing and Electrical Total reported: \$ 5,253.20 NCAD ID: 35040	\$ 153.78	\$ 192.43
106 S. Beaton <i>Mailing Address</i> 2651 McAlpin Midlothian, TX 76065	Jamie Wyatt Front facade HVAC Electrical Total reported: \$ 1,625.00 NCAD ID: 40113	\$ 437.64	\$ 547.63
104 W 3rd <i>Mailing Address</i> 624 Mockingbird PL Corsicana, TX 75110	Darrell Raines & Kevin Thedford Repainted front of building Total reported: \$ 2,600.00 NCAD ID: 35053	\$ 882.81	\$ 1,104.66
114 N. Beaton <i>Mailing Address</i> 624 Mockingbird PL Corsicana, TX 75110	Darrell Raies/Kevin Thedford Repaint Awning Total reported: \$ 300.00 NCAD ID: 40161	\$ 133.26	\$ 166.74

215 E. 5th
Mailing Address
215 E. 5th Ave
Corsicana, TX 75110

Carolyn McComl
Plumbing repairs
Total reported: \$ 6,129.00
NCAD ID: 35034

\$ 1,481.30 \$ 1,853.55

TOTALS:

\$ 12,081.02 \$ 15,016.25

ITEM NO. 8B

Date: March 13, 2023

ACTION TO SUSPEND THE EFFECTIVE DATE PROPOSED BY ATMOS – MID-TEX DIVISION (ATMOS-MIDTEX) TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM FOR 45 DAYS, AND AUTHORIZE THE CITY’S CONTINUED PARTICIPATION IN A COALITION OF CITIES KNOWN AS THE ATMOS TEXAS MUNICIPALITIES

ATMOS TEXAS MUNICIPALITIES (ATM)

The City is a member of the coalition of cities known as the Atmos Texas Municipalities (ATM). ATM was organized by a number of municipalities served by Atmos Energy Corporation’s Mid-Tex Division (Atmos Energy-MidTex) and has been represented by the law firm of Herrera Law & Associates, PLLC (through Mr. Alfred R. Herrera) to assist in reviewing applications to change rates submitted by Atmos Energy-MidTex.

“GRIP” RATE APPLICATIONS

Under section 104.301 of the Gas Utility Regulatory Act (GURA), a gas utility is allowed to request increases in its rates to recover a return on investments it makes between rate cases. This section of GURA is commonly referred to as the “GRIP” statute (the “Gas Reliability Infrastructure Program”).

Under a decision by the Supreme Court of Texas, the Court concluded that a filing made under the GRIP statute permitted gas utilities the opportunity to recover a return on capital expenditures made during the interim period between rate cases by applying for interim rate adjustment and that proceedings under the GRIP statute did not contemplate either adjudicative hearings or substantive review of utilities’ filings for interim rate adjustments. Instead, the Court concluded, the GRIP statute provides for a *ministerial* review of the utility’s filings to ensure compliance with the GRIP statute and the Railroad Commission’s rules, and that it is within the Railroad Commission’s authority to preclude cities from intervening and obtaining a hearing before the Railroad Commission.

ATMOS-MIDTEX’ “GRIP” APPLICATION

On or about February 24, 2023, Atmos-MidTex filed for an increase in gas utility rates under the Gas Reliability Infrastructure Program (“GRIP”). Atmos-MidTex’ application when approved by the Railroad Commission will result in an increase in the monthly customer charges as shown below:

Rate Schedule	Current Customer Charge	Proposed 2022 Interim Rate Adjustment	Adjusted Charge	Increase Per Bill
Rate R – Residential Sales	\$34.29 per customer per month	\$5.09 per customer per month	\$39.38 per customer per month	\$5.09
Rate C – Commercial Sales	\$94.22 per customer per month	\$16.63 per customer per month	\$110.85 per customer per month	\$16.63
Rate I – Industrial Sales	\$1,772.54 per meter per month	\$306.86 per meter per month	\$2,079.40 per meter per month	\$306.86
Rate T – Transportation	\$1,772.54 per meter per month	\$306.86 per meter per month	\$2,079.40 per meter per month	\$306.86

Note that Atmos-MidTex refers to its application as its “2022” interim adjustment because the increase in rates Atmos-MidTex presents in its application is based on capital expenditures it made from January 1, 2022 through December 31, 2022.

REVIEW AND ACTION RECOMMENDED

Although the City’s ability to review and effectuate a change in Atmos-MidTex requested increase is limited, the City should exercise due diligence with regard to rate increases by monopoly utilities who operate within its boundaries, including increases requested under the GRIP statute to ensure compliance with the requirements of that law.

To exercise its due diligence, it is necessary to suspend Atmos-MidTex proposed effective date of April 25, 2023, for forty-five days, so that the City can evaluate whether the data and calculations in Atmos-MidTex’ rate application are correctly done, and whether Atmos-MidTex’ application otherwise conforms to the requirements of the GRIP statute.

Therefore, the City’s Special Counsel, the law firm of Herrera Law & Associates, PLLC (through Alfred R. Herrera) recommends that the City adopt a resolution suspending Atmos-MidTex’ proposed effective date for 45 days. Assuming a proposed effective date of April 25, 2023, Atmos-MidTex’ proposed effective date is suspended until June 9, 2023.

Recommendation: The City must take action to suspend Atmos-MidTex’ proposed effective date by no later than April 25, 2023.

MOTION:

I MOVE TO (APPROVE/DENY) SUSPENDING THE EFFECTIVE DATE OF THE RATE APPLICATION PROPOSED BY ATMOS ENERGY-MID-TEXAS DIVISION.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF CORSICANA, TEXAS, ("CITY") RESPONDING TO THE APPLICATION OF ATMOS ENERGY – MID-TEX DIVISION, TO INCREASE RATES UNDER THE GAS RELIABILITY INFRASTRUCTURE PROGRAM; SUSPENDING THE EFFECTIVE DATE OF THIS RATE APPLICATION FOR FORTY-FIVE DAYS; AUTHORIZING THE CITY’S PARTICIPATION IN COORDINATION WITH OTHER CITIES IN A COALITION OF CITIES KNOWN AS THE ATMOS TEXAS MUNICIPALITIES; REQUIRING THE REIMBURSEMENT OF COSTS; DETERMINING THAT THE MEETING AT WHICH THE RESOLUTION WAS ADOPTED COMPLIED WITH THE TEXAS OPEN MEETINGS ACT; MAKING SUCH OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; AND DECLARING AN EFFECTIVE DATE.

WHEREAS: on or about February 24, 2023, Atmos Energy – Mid-Tex Division (Atmos-MidTex) filed for an increase in gas utility rates under the Gas Reliability Infrastructure Program (“GRIP”), resulting in a requested increase in the monthly customer charge as shown in the table below:

Rate Schedule	Current Customer Charge	Proposed 2022 Interim Rate Adjustment	Adjusted Charge	Increase Per Bill
Rate R – Residential Sales	\$34.29 per customer per month	\$5.09 per customer per month	\$39.38 per customer per month	\$5.09
Rate C – Commercial Sales	\$94.22 per customer per month	\$16.63 per customer per month	\$110.85 per customer per month	\$16.63
Rate I – Industrial Sales	\$1,772.54 per meter per month	\$306.86 per meter per month	\$2,079.40 per meter per month	\$306.86
Rate T – Transportation	\$1,772.54 per meter per month	\$306.86 per meter per month	\$2,079.40 per meter per month	\$306.86

and

WHEREAS: the City has a special responsibility to exercise due diligence with regard to rate increases of monopoly utilities who operate within its boundaries; and

WHEREAS: the application to increase rates by Atmos-MidTex is complex; and

WHEREAS: it is necessary to suspend the effective date for the increase in rates for forty-five days, so that the City can assure itself that the data and calculations in Atmos-MidTex' rate application are correctly done, and whether Atmos-MidTex' application otherwise conforms to the requirements of Texas Utilities Code § 104.301, commonly referred to as the GRIP statute; and

WHEREAS: the effective date proposed by Atmos-MidTex is April 25, 2023, but a suspension by the City will mean that the rate increase cannot go into effect prior to June 9, 2023.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS THAT:

Section 1. That the statements and findings set out in the preamble to this resolution are hereby in all things approved and adopted.

Section 2. The City suspends the requested effective date by Atmos-MidTex for forty-five days pursuant to the authority granted the City under Section 104.301 of the Texas Utilities Code. The City finds that additional time is needed in order to review the data and calculations that provide the basis for the rate increase application, and to determine whether Atmos-MidTex' application otherwise conforms to the requirements of the GRIP statute.

Section 3. The City continues to act in coordination with a group of cities known as the Atmos Texas Municipalities in its review of Atmos-MidTex' rates.

Section 4. The City authorizes the law firm of Herrera Law & Associates, PLLC, to represent the City in connection with Atmos-MidTex' application to increase rates.

Section 5. Atmos-MidTex is ordered to reimburse the City's reasonable rate case expenses incurred in response to Atmos-MidTex' rate increase application within 30 days of receipt of invoices for such expenses to the extent allowed by law.

Section 6. The meeting at which this resolution was approved was in all things conducted in compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

Section 7. This resolution shall be effective immediately upon passage.

PASSED and **APPROVED** by majority vote of the City Council of the City of Corsicana, Texas, this **13th** day of **March, 2023**.

Don Denbow, Mayor

ATTEST:

Cathy McMullan, Acting City Secretary

APPROVED AS TO FORM:

Kerri Anderson Donica, City Attorney

ITEM NO. 8C

Date: March 13, 2023

Subject: **Approve the Early Voting Clerk's appointment of the Election Judges, Alternate Election Judges, Early Voting Clerk, Early Voting Ballot Board and Central Counting Station Judges for the May 6, 2023 election.**

Comments: The Election Judges, Alternate Election Judges, Early Voting Judges, and the Early Voting Ballot Board for the City's Joint Election with Navarro County and all cities and school districts in Navarro County must be appointed, so that judges may attend the required training prior to the election.

The lists of appointed Signature Verification Committee members and proposed judges and alternates are included in the resolution.

Recommendation: Approve the recommended election judges and alternate election judges noted in the resolution.

MOTION:

I MOVE TO (APPROVE/DENY) THE RECOMMENDED APPOINTMENTS.

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, APPOINTING ELECTION JUDGES, ALTERNATE ELECTION JUDGES, EARLY VOTING CLERK, THE EARLY VOTING BALLOT BOARD, AND CENTRAL COUNTING STATION JUDGES AND PERSONNEL FOR THE CITY’S GENERAL ELECTION TO BE HELD MAY 6, 2023.

WHEREAS, heretofore, on **January 23, 2023**, the City Council of the City of Corsicana ordered a General Election for the City to be held on **May 6, 2023**, to elect five (5) City officers: Mayor; Council Member Precinct 3; and Council Member Precinct 4; City Attorney; and Municipal Court Judge; and

WHEREAS, there is a need to appoint officials to conduct the election for Mayor; Council Member Precinct 3; and Council Member Precinct 4; City Attorney; and Municipal Court Judge, and

WHEREAS, the City has contracted with Navarro County to use their judges and poll workers for the election of May 6, 2023 which are approved by Commissioner’s Court; and

WHEREAS, there is no need to appoint a Signature Verification Committee. The Ballot Board will be performing this action.

THEREFORE, BE IT RESOLVED that said election shall be held at the hereinafter named places in said City of Corsicana, and in other locations throughout the cities and school districts holding elections in Navarro County, and the hereinafter named persons are hereby appointed Election Judges, Alternate Election Judges, Early Voting Clerk, Early Voting Ballot Board, and Central Counting Station Judges and Personnel with full power and authority to appoint the necessary clerks, to-wit:

<u>Vote Center</u>	<u>Presiding Judge</u>	<u>Alternate Judge</u>
Navarro County Courthouse Annex 601 N. 13 th St., Corsicana	Michael Ray	Danny Cyrus
Bears Den 802 S. 2 nd St., Corsicana	Penny Liggins	
Blooming Grove Lions Den 121 S. Fordyce, Blooming Grove	Susie Winters	Loyce Wilburn
Chatfield Community Center 4808 FM 1603, Chatfield	Rhonda Praytor	Thresa Womack
Church of Jesus Christ of Latter Day Saints 3800 Emhouse Rd., Corsicana	Deborah Wright	
Navarro College Cook Center 3200 W. 7 th Ave., Corsicana	Tommy Pryor	Merolyn Sanders
Dawson Volunteer Fire Department 97 N. Main St., Dawson	Roy Hignight	George Rooks

Eureka United Methodist Church
8644 Hwy. 287, Corsicana

Teri Bates

Scott Haynie

Fannie Mae Vernon Room
4021 E. Hwy. 22, Corsicana

Thomas Miles

Jo Singletary

Frost I.S.D.
208 N. Wyrick, Frost

Debbie Feurerherdt

David Taylor

Kerens I.S.D. Administration Building
200 Bobcat Ln., Kerens

Rita West

Annette Carter

Mildred Baptist Church Gym
5502 S. Hwy. 287, Corsicana

Tammy Baker

Betty Carpenter

Martin Luther King Center
1114 E. 4th Ave., Corsicana

Vivian Jackson

Patricia Jones

Pursley Volunteer Fire Department
9772 FM 709 S., Pursley

Ashleigh Streit

John Blewitt

Rice City Hall
305 N. Dallas, Rice

Gale Greeson

N/A

Richland City Hall
103 W. Main St., Richland

Kathy Satsky

Rosemary Parmley

Silver City Volunteer Fire Department
555 FM 55, Corsicana

Mary Wade

Kara Thomas

Westside Baptist Church
1522 N. 24th St., Corsicana

Robert Bennett

Ruthie Washington

Winkler Masonic Lodge
9986 FM 416, Winkler

Pat Metcalf

Mary Thomas

YMCA, Rhoades Optimist Room
400 Oaklawn, Corsicana

Sharon Bland

Diana Robinson

Early Voting Clerk:

Allie Thomas

Early Voting Ballot Board

Bill Carson
Linda Mertz
Terry Garner
Carol Doucet

Central Counting Station:

Allie Thomas
Karen Galicia

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CORSICANA, TEXAS, that the individuals listed above be approved, and the remaining individuals named above, be appointed as Election Judges, and Alternate Election Judges, for the City of Corsicana’s General Election to be held on May 6, 2023.

PASSED and **APPROVED** by majority vote of the City Council of the City of Corsicana, Texas this 13th day of **March, 2023**.

Don Denbow, Mayor

ATTEST:

Cathy McMullan, Acting Finance Dir/City Secretary

APPROVED AS TO FORM:

Kerri Anderson Donica, City Attorney

ITEM NO. 9

Date: March 13, 2023

Subject: **Appointments/Miscellaneous Business**

Comments: Attached is a list identifying the Mayor's appointment to the Zoning Board of Adjustment. Ed Monk is being appointed to fill a vacant position on the board.

Recommendation: Confirm the Mayor's appointment to the Zoning Board of Adjustment.

MOTION:

I MOVE TO (APPROVE/DENY) THE MAYOR'S APPOINTMENT AS STATED.

**CITY OF CORSICANA
ADVISORY BOARDS AND COMMISSIONS**

Zoning Board of Adjustment - Two (2) Year Term - Consists of five (5) members and two (2) alternate members. Functions as an appeal board. Responsible for holding public hearings and making determinations where it is alleged there is error on any order, requirement, decision or determination made by the Building Official in the enforcement of the Zoning Ordinance.

Wendy Huffman	2024	Brad Cook	2023
Dairy Johnson	2024	Charles Williams	2023
		Lowell Dunn	2023
Alternates:	Ed Monk	2023	
	VACANT	2023	

* Ed Monk is filling a vacant position as Alternate.

ITEM NO. 10

Date: March 13, 2023

Subject: **Reports and Miscellaneous Announcements**

Comments:

Mayor/Council

Items to Mention:

March 28	GW Jackson Legacy Park Dedication and Statue Unveiling Ceremony 11:00 a.m., (Corner of 5 th and MLK Boulevard)
April 6	Easter Hop, 3:30 -5:30 p.m., Downtown
April 14	Food Truck Friday (Then every first Friday of the month through the summer, 224 E. 5 th Avenue 6:00 – 10:00 p.m.
April 15	E-Waste Day, 9:00 a.m. – 1:00 p.m., Youth Expo parking Lot
April 18	Navarro County Day in Austin
April 22	Veterans Parade
April 29	Derrick Days

ITEM NO. 11 & 12

Date: March 13, 2023

Subject: **Executive Session**

- 11. EXECUTIVE SESSION:** The Council will recess into closed or executive session to receive attorney's advice on legal matters pursuant to Section 551.071 of the Texas Government Code, to deliberate on certain matters concerning real property pursuant to Section 551.072 of the Texas Government Code, and to discuss economic development negotiations pursuant to Section 551.087 of the Texas Government Code.
- 12. RETURN TO OPEN SESSION:** The Council will consider and act upon items discussed under Executive Session, as necessary.

Comments: N/A

Recommendation: N/A