

**SOMERVILLE CITY COUNCIL  
NOTICE OF A REGULAR MEETING  
April 11, 2023 6:15 PM  
SOMERVILLE SENIOR CITIZENS CENTER  
17510 SH 36 SOUTH, SOMERVILLE, TEXAS**

- 1. CALL TO ORDER**
- 2. INVOCATION**
- 3. PLEDGE OF ALLEGIANCE**
- 4. APPROVAL OF (EXCUSED) ABSENCES FOR COUNCIL MEMBERS**
- 5. CITIZEN'S COMMENTS (3 Minutes)**

To comply with Ordinance No. 19-012, Rules of Conduct at Council Meetings, Section 2 and Section 3. Citizens signing up to speak at the beginning of council meetings under the item "Citizens Comments" shall, upon being recognized by the Mayor, have three (3) minutes to address the City Council. No citizen shall have more than three (3) minutes unless approved by majority vote of the Council. Citizens may also provide any additional comments or information in writing to the Council before or during their allotted time to speak.

Once the period of public statements and comments on an agenda item has concluded and council discussion begins, citizens shall not interrupt the discussion and deliberation of business by the Council; and each person who addresses the Council shall do so in an orderly manner and shall not make personal, impertinent, slanderous or profane remarks to any member of the Council, staff or general public such as to disrupt the meeting.

- 6. REPORTS**
  - A. Police Department Activity Report
  - B. Municipal Court Activity Report
  - C. Public Works Activity Report
  - D. Code Enforcement Activity Report
  - E. Senior Center Activity Report

**7. CONSENT AGENDA**

All Items on the Consent Agenda are to be considered self-explanatory in nature and may be enacted with one motion, one second and one vote and without separate discussion of each item. However, Council reserves the right to move any item or all items from the Consent Agenda to New Business for discussion and separate action.

**A. APPROVAL OF MINUTES:**

Approval of the Minutes of the March 14, 2023 Regularly Scheduled City Council Meeting.

**B. FINANCIAL MATTERS:**

Approval of the Statement of Revenues & Expenditures, Sales Tax Report and Cash Requirements Control Report by Department.

**8. PUBLIC HEARING**

**NOTICE OF PUBLIC HEARING**

**The State of Texas  
County of Burleson  
City of Somerville**

NOTICE is hereby given that there will be a public hearing held by the City Council at the Senior Citizens Center, 17510 S.H. 36 S., Somerville, Texas on April 11, 2023, during the regular city council meeting, The purpose of this hearing is to consider evidence to grant or deny the request for a Specific Use Permit for the properties located as follows:

**244 Fleming Street, Somerville, Texas 77879; BCAD R21707, Paul Taylor, Lot Part of 7, 0.1233 Acres, Case No. SUP 579.23**

The Specific Use Permit request is for the installation of a new manufactured home on a vacant lot (located outside the manufactured home zone), for use as an owner-occupied residence. This S.U.P. is not intended to permit use of the Manufactured Home as a residential rental property, now or in the future, per the procedures set forth in the Manufactured Home Ordinance 13-003.

Interested parties may submit a statement to be read during the hearing, or may attend the hearing to make a statement in support of, or in opposition to, the request. Persons wishing to address this issue must sign in prior to the meeting at the Senior Center by 6:05 PM the night of the meeting. Written statements must be submitted to the Code Enforcement Department at City Hall, no later than 4:15 PM April 10, 2023. Contact the Code Enforcement Department at 979-596-1122 for additional information. The council meeting starts at 6:15 PM.



**9. PRESENTATIONS / PROCLAMATIONS**  
**NONE**

**10. UNFINISHED BUSINESS**  
**NONE**

**11. Executive Session (None Scheduled) but;**  
The City Council may announce that it will adjourn the public meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code, to discuss any matter as specifically listed on this agenda and/or as permitted by Chapter 551 of the Texas Government Code.

**12. NEW BUSINESS**

**Action Item(s)**

**Ordinance 23-005 / Specific Use Permit / 244 Fleming Street**

A. Discuss, consider and approve (disapprove) Ordinance 23-005, granting a Specific Use Permit for 244 Fleming Street for the installation of a new manufactured home on this property for residential use as per the Manufactured Housing Ordinance of the City of Somerville.

**B. Planning & Zoning Final Report / Reserve at Lake Somerville**

Discuss, consider and approve (disapprove) the Planning & Zoning final report for the Reserve at Lake Somerville Plat.

**C. Planning & Zoning Report Regarding a Zoning Request**

Discuss, consider and approve (disapprove) the Planning & Zoning Report related to the request change for the Lakeridge Subdivision.

**D. Hotel Motel Tax Ordinance 23-003**

Discuss, consider and approve (disapprove) Ordinance 23-003 adopting new rate for Hotel Motel Occupancy.

**13. Discussion Items:**

**NONE**

**14. Mayor and Council Comments:**

**15. City Administrator Comments:**

**16. Adjourn.**

**Posted: 04-06-23**

**Time: 1:00 PM**

**Certified By: Rose Rosser**

# Call to Order

**Agenda Item 1**

# Invocation

# **Pledge of Allegiance**

# **Approval of Excused Absences**



# Citizens Comments

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# **Reports**

## **Police Department Activity**

**Agenda Item 6-A**

# **Reports**

## **Municipal Court Activity**

**MARCH 2023**

<b>DATE</b>	<b>DEPOSITS</b>	<b>CITATION DAYS</b>	<b>OFFICER</b>	<b>CITAITONS</b>
1	\$3,732.18	2	940	1
2		5	941	
3		5	942	11
4		1	943	28
5			944	
6			945	
7			946	
8	\$4,928.06		947	
9			948	
10		1	CODE	
11		1	TOTAL	40

12		
13		
14		1
15	\$2,593.14	1
16		5
17		1
18		7
19		1
20		
21		
22	\$5,057.39	1
23		1
24		1
25		3
26		
27		
28		2
29	\$2,569.09	
30		1
31		

<b>TOTAL</b>	<b>\$18,879.86</b>	<b>40</b>	<b>CITY</b>	<b>STATE</b>
<b>TOTAL CITATIONS</b>			<b>\$2,829.72</b>	<b>\$902.46</b>
<b>CALL# 940</b>			<b>\$3,818.93</b>	<b>\$1,109.13</b>
<b>940 SULLIVAN</b>			<b>\$2,039.06</b>	<b>\$554.08</b>
<b>941</b>			<b>\$3,690.70</b>	<b>\$1,366.69</b>
<b>942 SPARKS</b>			<b>\$1,731.01</b>	<b>\$838.08</b>
<b>943 DEKNEEF</b>		<b>TOTAL</b>	<b>\$14,109.42</b>	<b>\$4,770.44</b>

944

946

947

# **Reports**

## **Public Works Activity**





## PUBLIC WORKS MONTHLY REPORT TO CITY COUNCIL

**TO:** Honorable Mayor and City Council

**SUBMITTED BY :** Joshua Young, Public Works Supervisor

**MONTH:** March 2023

- |                 |  |
|-----------------|--|
| <b>Water</b>    | <ul style="list-style-type: none"><li>● Worked with Fire Dept and Hydrant Company to test flow a few hydrants around town</li><li>● 781 3<sup>rd</sup> St. – water leak at meter on customer side</li><li>● 190 12<sup>th</sup> Street – water leak at meter on city side</li><li>● Ave. P – water leak on city main</li><li>● Repaired water leak at 651 Ave. A</li><li>● 300 Round House – removed water meter from yard, moved it closer to road so that customer could fence off their yard.</li></ul> |
| <b>Sewer</b>    | <ul style="list-style-type: none"><li>● 502 Ave. E – sewer stop on city side</li><li>● 401 Casa Mia – sewer line collapse</li></ul>  |
| <b>Roads</b>    | <ul style="list-style-type: none"><li>● Patched 3<sup>rd</sup> Street from Hwy. 36 to Ave. P</li><li>● Patched 4<sup>th</sup> Street from Ave. E to Ave. L</li><li>● Patched 6<sup>th</sup> Street from Memory Lane to Ave. E</li></ul>  |
| <b>Misc.</b>    | <ul style="list-style-type: none"><li>● Marked locate for gas company on 3<sup>rd</sup> St. and Ave. M</li></ul>   |
| <b>Grass</b>    | <ul style="list-style-type: none"><li>● Mowed grass at City Shop, Pazdral Park, Water Plant, Wastewater Plant, lot on 9<sup>th</sup> Street, CCF, Lift Stations and started shredding some city roadways</li></ul>   |
| <b>Drainage</b> | <ul style="list-style-type: none"><li>● 506 Ave. G – Installed new driveway culvert</li></ul>  |

# **Reports**

## **Code Enforcement Activity**



**Memo To:** Honorable Mayor and City Council Members

**From:** Kathy Pollock, Code Enforcement Officer/ Assistant to the City Administrator

**Date:** April 3, 2023

**Subject:** Report on Code Activities, Grants, Administrative Activities

**Administrative and Grant/Engineering Coordination Activities:**

- A. Drainage Improvements CDBG-DR Harvey:
- a. As closeout documents were being prepared, we received notice that we would not only be receiving the \$322,000, mentioned in previous meetings, but that we would be able to use that money to complete additional work on the original scope for the drainage project CDBG Harvey DR.
  - b. Further it appears that we will **not** be required to reprocur administrative and engineering services, which would have required unnecessary expenditure and staff time, as well as possible duplication of efforts if a new engineer had been selected by the committee. This means that the completed design only has to be changed enough to indicate what work has been done and how much of the remaining work can be covered by the new funds.
  - c. We will have to rebid the construction of the project.
  - d. We have had several conversations with GLO about start up but have not met with them yet. It appears that we will not have to repeat surveys, but will have to verify the environmental clearance and of course we will have to submit an application even though this not a competitive award. We have been told that the application will be due by mid-June.
- B. MIT - MOD: As noted previously, even though this is an allotment, rather than a competitive grant situation, we still have to "apply" for project approval with GLO timely, or the money goes away. Forever.
- a. The engineer and staff have continued to work on defining a benefit area and scope for the project with the main focus being an old lift station which needs replacement or major rehabilitation along with a number of other aged sewer lines in the area.
  - b. Surveys should be starting very soon and are an important part of the process. We have been reaching out to the public to encourage them to cooperate with the surveyors in the area since without the required information, the money will not be awarded.
  - c. We will be asking for an extension in the next week due to the needs of other communities in and around our area for survey services related to similar award.
  - d. Completed procurement documentation for the grant writers on this project, and are continuing to meet with the team weekly to move forward.

C. Harvey Competitive CDBG-DR Redistribution Funds: we have received notice of this award - see above.

D. 2022 CDBG Grant Funds:

- a. The team is still working on startup documents on this grant. Have not had a kick-off meeting.
- b. *The project is to improve the drainage across the tracks in the Goings and Lyons subdivisions (Steeple, Round House, Spike and Lantern Streets). The budget for the project was put together long enough ago that the amount of work and cost will have to be reevaluated in light of the economy, but we believe we will be able to finish the project without extra's rather than not being able to complete the basic work at all. We will have to deal with some city water lines that cut through private property in the area and need to be relocated and those easements released.*
- c. *This project will help alleviate flooding in this area, and should help promote development and property improvements in the area, adding to the city's tax base.*

**Other Activities:**

A. Permit and Development Issues.

- Between a about half of time this month spent handling permits, and issues related to permits, zoning, codes or development. Completed fees, coordination, data input, etc. for three new homes, a commercial project, coordination on another commercial project and on two major residential projects, along with other smaller projects.
- Added new staff and inspector to IWorq and will start working on training for new staff member and back up staff with IWorq
- Continued to provide information resources and direction to developers, builders, and homeowners as needed for development and permitting issues
- Worked on obtaining deeds and other information related to city property near the city yard and facilitating several surveys for the city.

B. Property values, information and delinquent tax accounts: Continued to coordinate with tax attorneys on cases as they move forward or circumstances change. Working on a case related to property the city has a lien on and a possible donation of tis property to the city.

C. Federal/State Websites: No information on justgrants.com. SAM is finally active after four months of concentrated effort by both Danny and myself. We have informed all of the various parties of interest that our registration is active and up to date. We are also preparing to do the required report for the CRF funds we received last year the guidance has just come out and the report is due by the end of the month.

D. Miscellaneous:

- Provided resources to city residents, potential residents, and county residents where possible.
- Meetings with several engineering firms related to new, ongoing and potential projects and resources.

- Lead judge for GCAA/BTA judging in Austin for this year and virtually for the BTA awards (to be completed by April 14).
- Have had a number of enquiries about the city clean up this year and attended a meeting with the KBCB volunteers – running way behind with this one this year.
- HHW event approval received from TCEQ, and annual HHW report submitted timely.
- Provided information to another code officer who had an issue similar to one of ours.
- Attended a meeting about the Burleson County Community Garden project. This is a worth y project and could be of great help to a lot of members of out community. But if we want to extend the program to our community, someone needs to be willing to step u and head up a committee and coordinate that effort.
- Put together detailed story for the newspaper about the need and requirements for surveys to help all of the county entities out in this process.

#### **Code Activities:**

#### **Dangerous Buildings:**

- A. Need to reappoint several Board members and get training done before new cycle starts. New cycle is anticipated to start some time this summer.
- B. *Please note that only general information about the Dangerous Buildings cycle is provided on this report because the council will review and affirm (or overturn) the Board's findings and make the final decision on whether to condemn and demolish properties that are not in compliance timely. That function is quasi-judicial, and should be based on the evidence and information presented during the council meeting when the action is considered.*

#### **Nuisance/JV Cases:**

Continued to work on nuisance property on S.H. 36, attended one court pretrial hearing related to this issue in regards to one of the junk vehicles. The owner was given thirty additional days by the prosecutor and the vehicle is still in place. The next court date when the remaining citations will be herd and the junk vehicle issue will be revisited is at the end of May.

Send almost forty junk vehicle cards out to all of the non-resident owners of the various vehicles located on the Donnell property. Had a number of calls two from people whose vehicles had gone missing, a couple of rm the bank to clarify some issues with repossessed and resold vehicles. Have noticed that couple of the wrecked vehicles appear to have been removed from the property, but not much ese has improved.

Have several other cases currently under investigation and first notice related mostly to nuisances. Believe the main art of the oil/wastewater issue is resolved but there are other issues related to the case that are ongoing.

**SUP:** worked with Mr. Garcia on an SUP for his property located on Fleming Street see the action items below. And had another citizen come in t discus a potential SUP



# **Reports**

## **Senior Center Activity**

**Consent Agenda  
Approval of Minutes  
March 14, 2023**

**Somerville City Council  
Regular Meeting  
March 14, 2023**

The Somerville City Council met in a regularly scheduled meeting on March 14, 2023, in the Somerville Senior Citizens Center. Present were Mayor Tommy Thompson; Alderwoman Debra Coleman, Alderman Erik Kline and Alderman Jeff Schoppe; City Administrator Danny Segundo; Rose Rosser City Secretary; Visitor's Register - on file in the City Secretary's Office.

**CALL TO ORDER**

**6:18 PM** - The meeting was called to Order at this time by Mayor Thompson.

**INVOCATION**

Invocation was given by Alderwoman Coleman.

**PLEDGE OF ALLEGIANCE**

Pledge of Allegiance followed the Invocation.

**EXCUSED ABSENCES FOR COUNCIL MEMBERS**

Motion made by Alderman Schoppe to **approve** the absence of Alderwoman Moses and Alderwoman Flencher. **Seconded** by Alderman Kline. Motion **carried** by a vote of 3 in favor and 0 opposed.

**CITIZEN'S COMMENTS**

Mary Kitterman is upset that the City is not picking up limbs in her yard but are picking up limbs in other peoples yards. Administrator Segundo said that the City stopped picking up limbs about 3 years ago and that citizens are instructed to take them to the landfill. She said that she is unable to take the limbs to the landfill and wanted to know why the City stopped picking them up. Alderman Schoppe said that people were starting to take advantage of the service. Administrator Segundo said that the City would pick them up at the April City Wide Clean Up.

Ben Flencher thanked the City of Somerville for making 8<sup>th</sup> street happen. He thanked Public works for working on pot holes and he thanked City Council for the support on the sub-division. He said that a number of Ordinances are slipping through the cracks; there are many eye sores on Highway 36; He would be glad to go and talk to the County Commissioner and County Judge about getting on board and helping the City with some road work; People are saying that it takes up to 20 days to get a building permit; and the City needs to find a way to get some tree limbs picked up. Maybe they could hire a sub-contractor to pick up limbs.

**REPORTS**

**Police Department Activity Report**

Chief Sullivan reported on Police Department Activity for the month of February 2023.

### **Municipal Court Activity Report**

Rose Rosser reported on Municipal Court Activity for the month of February 2023.

### **Public Works Activity Report**

Joshua Young reported on Public Works Activity for the month of February 2023.

### **Code Enforcement Activity Report**

Kathy Pollock reported on Code Enforcement Activity for the month of February 2023.

### **Senior Center Activity Report**

Kelsey Bizzell was unable to attend, Senior Center report was presented to Mayor & City Council.

### **CONSENT AGENDA**

#### **APPROVAL OF MINUTES / FINANCIAL MATTERS**

Motion made by Alderman Schoppe to **approve** the Minutes of the February 14, 2023 Regularly scheduled council meeting; and the Statement of Revenues & Expenditures, Sales Tax Report and Accounts Payable Cash Requirement Control Report by Department. **Seconded** by Alderwoman Coleman. Motion **carried** by a vote of 3 in favor and 0 opposed.

### **PROCLAMATIONS**

Mayor Thompson and City Council proclaimed the month of April as Fair Housing Month.

### **UNFINISHED BUSINESS**

**NONE**

### **EXECUTIVE SESSION**

**6:48 PM** – Executive Session was called to order at this time by Mayor Thompson pursuant to Chapter 551.074 (Personnel Matters) of the Texas Government Code to discuss personnel matters and / or any matter as specifically listed on this agenda and / or as permitted by Chapter 551 of the Texas Government Code.

Present in executive session were: Mayor Thompson, Alderman Schoppe, Alderman Kline, Alderwoman Coleman, Administrator Segundo and Chief of Police Sullivan.

**Reconvened to Open Session at 7:02 PM** by Mayor Thompson.

### **NEW BUSINESS**

#### **ACTION ITEMS**

##### **Plat Approval / JK Investments**

Motion made by Alderman Schoppe to **approve** to receive and approve the Planning and Zoning preliminary report for the Reserve at Lake Somerville. **Seconded** by Alderman Kline. Motion **carried** by a vote of 3 in favor and 0 opposed.

#### **Zoning Change Request / Lakeridge Subdivision**

Motion made by Alderman Schoppe to **approve** to receive and approve the Planning and Zoning Report related to the request for a zoning change for the Lakeridge Subdivision. **Seconded** by Alderman Kline. Motion **carried** by a vote of 3 in favor and 0 opposed.

#### **4<sup>th</sup> of July Fireworks Display**

Motion made by Alderman Schoppe to **approve** authorizing the City Administrator to enter into a contract with American Fireworks to provide a 20-minute fireworks display. **Seconded** by Alderman Kline. Motion **carried** by a vote of 3 in favor and 0 opposed.

#### **Order of Cancellation / May 6, 2023 General Election**

(Orden de cancelación / Elecciones generales del 6 de mayo de 2023)

Motion made by Alderman Schoppe to **approve** the Order of Cancellation for the Somerville General Election that was scheduled for May 6, 2023 in accordance with Section 2.053(a) of the Texas Election Code; the authority responsible for preparing the ballot certifies that candidates applying for a place on the ballot are all unopposed. **Seconded** by Alderman Kline. Motion **carried** by a vote of 3 in favor and 0 opposed. (Moción hecha por el Concejal Schoppe para aprobar la Orden de Cancelación para la Elección General de Somerville que estaba programada para el 6 de mayo de 2023 de acuerdo con la Sección 2.053 (a) del Código Electoral de Texas; La autoridad responsable de preparar la papeleta certifica que todos los candidatos que solicitan un lugar en la papeleta no tienen oposición. Secundado por el Concejal Kline. Moción aprobada por 3 votos a favor y 0 en contra.)

#### **Resolution R23-002 / Authorizing Signatories / TXCDBG Grant Agreement # CDV21-004**

Motion made by Alderman Kline to **approve** Resolution R23-002, a resolution designating authorized signatories for contractual documents and documents for requesting funds pertaining to the Texas Community Development Block Grant Program (TXCDBG) Grant Agreement Number CDV21-0044. **Seconded** by Alderman Schoppe. Motion **carried** by a vote of 3 in favor and 0 opposed.

#### **Resolution R23-003 / Regarding Civil Rights**

Motion made by Alderman Schoppe to **approve** Resolution R23-003, regarding Civil Rights, adopting Citizen Participation Plan and Grievance Procedures; Excessive Force Policy; Section 504 Policy and Grievance Procedures; Code of Conduct Policy; and Fair Housing Policy. **Seconded** by Alderwoman Coleman. Motion **carried** by a vote of 3 in favor and 0 opposed.

#### **Ordinance 23-004 / Alarm Systems Regulations**

Motion made by Alderman Schoppe to **table** Ordinance 23-004, regarding the regulation of alarm systems in the City of Somerville. **Seconded** to **table** by Alderwoman Coleman. Motion to **table** **carried** by a vote of 3 in favor and 0 opposed.

Mayor Thompson closed the open meeting to go into a joint Public Hearing at **7:12 PM**



## **PUBLIC HEARING (S)**

The purpose of the joint public hearing is to receive oral comments from any interested person(s) concerning the proposals to:

- (1) 7:12 PM** - Request to re-zone the property at the Lakeridge Subdivision from C-2 General Business to RS-1 Residential. Administrator Segundo offered exhibits for anyone that wanted one. The exhibit was explained by Administrator Segundo. Richard Meyer, Planning & Zoning Chairman said that the Commission discussed this in detail at their February Meeting. They looked at the area and the size of it. As residential, the City will receive more taxes than they would if it stays commercial, and the Planning & Zoning Commission recommends that it's a good move for the City. Administrator Segundo asked if anyone had any comments in favor of or against, there were none and Part 1 of the Public Hearing was closed at **7:16 PM** By Mayor Thompson.
- (2) 7:16 PM** – Preliminary / Final submission by JK Investment Partners, LLC. For the Reserve at Lake Somerville Subdivision. Administrator Segundo offered handouts to anyone that wanted to review them and introduced Kirk Lowe with The Reserve at Lake Somerville. He explained that the subdivision will be 3 phases, a total of 141 lots, there will be a large retention pond. A citizen asked where this is located (she did not state her name for the record and was wearing a mask making it hard to understand what she was saying). The location is right off of Thornberry, over to 8<sup>th</sup> Street which is the back entrance to the neighborhood. The main entrance will be gated. Administrator Segundo asked if anyone had any comments in favor of or against. Mike Rhodes said that he was really happy to see expansion going on in Somerville, but he has a personal concern: Will the retention pond be drained on a regular basis? He has property below that, so if the retention pond gets full with heavy rain, will his property flood? Kirk Lowe said that they are in the process of designing a pump system that will pump it out, but they want to leave it as a wet well with maybe 3 feet of water in it. Another citizen (did not state name for record) wanted to know when they would get started on it. Kirk Lowe said that they want to get it started quickly. Richard Meyer said that Planning & Zoning are excited about this project coming in. Part 2 of the Public Hearing was closed at **7:25 PM** by Mayor Thompson.

## **DISCUSSION ITEM(S)**

Roeshon Reliford spoke with Mayor & City Council regarding the placement of a manufactured home on possibly two different locations on Fleming Street, the first address is 259 Fleming Street, the second location is 295 Fleming Street.

Roeshon Reliford: Her daughter had a manufactured home placed in 2013, she got an upgrade in 2015 and she stayed there until 2018, selling it and moving to Houston. She came back to Somerville because crime got so bad there. Her daughter purchased a 2022 trailer and wants to put it on the property so that she can pay for something to own.

Mayor Thompson: Doesn't think the City can help her with this because the tax office says that this land is not in her name.

Ms. Reliford: The land is in her name, she has the deeds.

Mayor Thompson: The appraisal district will have to change it because without the appraisal district saying that she owns it, the City can't do anything. They say that Will Coleman and John Reliford own the land.

Administrator Segundo: The issue is that City Ordinance 13-003 prohibits the placement of a manufactured home where an existing residential structure exists. She has a home there and it is one home per lot, so she cannot put a manufactured home on that lot.

Ms. Reliford: The house has always been there.

Administrator Segundo: Once the manufactured home left that property you were no longer grandfathered in.

Ms. Reliford: Administrator Segundo told her to discuss it with Mayor & City Council.

Administrator Segundo: That was so that she could voice her opinion, but the ordinance still prohibits her from putting a manufactured home on that lot.

Alderman Schoppe: Can she sub-divide that lot to her daughter, and then place a manufactured home on it?

Administrator Segundo: She could sub-divide it and leave it in her name as far as that goes but it will cost around \$5,000 in surveying and platting costs. That's an option she has if she wants to sub-divide that property. She would still have to come back to Council to get an SUP because that's not a manufactured home area.

Ms. Reliford: There are manufactured homes all around there.

Administrator Segundo: They are grandfathered in, if they move, they're gone, they can't come back.

Mayor Thompson: If she gets the Will Coleman lot changed to her name could she then put a manufactured home on it?

Administrator Segundo: She could use that lot if she keeps it separate from the rest, if she incorporates it with the rest of the property, then it becomes one piece of property. Even if it's not incorporated it would still have to have a site survey for the SUP, and then come back to Council.

#### **MAYOR AND COUNCIL COMMENTS**

Mayor Thompson said that it was very upsetting when people come to Council with problems that they cannot fix.

**CITY ADMINISTRATOR COMMENTS**

Administrator Segundo explained the building permit time frame is only a couple of hours unless it's new construction, building a new structure.

**ADJOURN**

**7:38 PM** - Motion made by Alderman Schoppe to **approve** adjourning the meeting at this time. **Seconded** by Alderman Kline. Motion **carried** by a vote of 3 in favor and 0 opposed.

Passed: \_\_\_\_\_

\_\_\_\_\_  
Tommy Thompson, Mayor  
Or Debra Coleman, Mayor Pro-tem

I, Rose Rosser, City Secretary for the City of Somerville, Texas, do hereby certify that I am the custodian of the records for the City of Somerville, Texas, and that the above is a true and correct copy of the Minutes of the regularly scheduled meeting held on March 14, 2023.

\_\_\_\_\_  
Rose Rosser, City Secretary

# **Consent Agenda Statement of Revenues & Expenditures**

**City of Somerville**  
**Statement of Revenue and Expenditures**

Revised Budget  
For General Fund (100)  
For the Fiscal Period 2023-6 Ending March 31, 2023

Account Number		Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>						
100-00-4011	Ad Valorem Taxes - Current Year	\$ 61,833.33	\$ 0.00	\$ 742,000.00	\$ 490,445.36	33.90%
100-00-4012	Ad Valorem Taxes - Delinquent Curren	0.00	255,025.67	0.00	256,876.86	0.00%
100-00-4013	Ad Valorem Taxes - Delinquent Prior Y	1,000.00	1,735.90	12,000.00	9,326.71	22.28%
100-00-4014	Ad Valorem Taxes - P&I Current Year	125.00	553.30	1,500.00	802.84	46.48%
100-00-4015	Ad Valorem Taxes - P&I Prior Year	250.00	719.59	3,000.00	3,259.25	(8.64%)
100-00-4021	Sales Taxes	20,000.00	25,106.99	300,000.00	179,268.59	40.24%
100-00-4023	Mixed Beverage Tax	375.00	369.47	4,500.00	2,253.51	49.92%
100-00-4030	Solid Waste Franchise Fees	1,041.67	1,129.95	12,500.00	6,640.26	46.88%
100-00-4031	Franchise Fee - Electric	0.00	0.00	39,000.00	0.00	100.00%
100-00-4032	Franchise Fee - Gas	10,000.00	0.00	10,000.00	0.00	100.00%
100-00-4033	Franchise Fee - Telephone	0.00	0.00	2,000.00	849.26	57.54%
100-00-4034	Franchise Fee - CableTV	100.00	0.00	1,200.00	0.00	100.00%
100-00-4035	Lease Welch Park	0.00	0.00	12,000.00	4,864.57	59.46%
100-00-4041	Building Permits	666.67	4,118.20	8,000.00	24,185.30	(202.32%)
100-00-4042	Electrical Permits	250.00	611.00	3,000.00	1,147.00	61.77%
100-00-4043	Plumbing Permits	66.67	55.00	800.00	830.00	(3.75%)
100-00-4044	Demolition Permits	8.33	45.00	100.00	175.00	(75.00%)
100-00-4045	Other Permits & Licenses	50.00	65.00	600.00	1,552.20	(158.70%)
100-00-4051	Traffic Fines	8,333.33	12,582.16	100,000.00	35,085.92	64.91%
100-00-4054	Warrant Fees	208.33	240.62	2,500.00	1,027.83	58.89%
100-00-4055	Arrest Fees	208.33	257.92	2,500.00	726.91	70.92%
100-00-4056	Court Omni Fees	100.00	137.77	1,200.00	468.54	60.96%
100-00-4057	Driving Safety Fees	83.33	60.00	1,000.00	150.00	85.00%
100-00-4058	Administrative Fees	50.00	80.00	600.00	342.64	42.89%
100-00-4059	Other Court Revenue	41.67	253.95	500.00	617.49	(23.50%)
100-00-4141	Record & Copy Fees	8.33	0.00	100.00	0.45	99.55%
100-00-4142	Police Record Fees	4.17	12.00	50.00	12.00	76.00%
100-00-4143	Check Processing Fees	0.00	0.00	0.00	6.00	0.00%
100-00-4145	Donations - Siren	8.33	0.00	100.00	0.00	100.00%
100-00-4146	Donations - Police	20.83	0.00	250.00	0.00	100.00%
100-00-4148	Parks Donations	8.33	0.00	100.00	0.00	100.00%
100-00-4168	Other Miscellaneous Income	1,250.00	(251.28)	15,000.00	3,681.31	75.46%
100-00-4171	Interest	83.33	0.00	1,000.00	1,050.00	(5.00%)
100-00-4222	Building Rental - Transfer in	350.00	350.00	4,200.00	2,100.00	50.00%
100-00-4509	Opiod Abatement Trust Fund Police D	0.00	1,194.63	0.00	1,194.63	0.00%
<b>Total General Fund Revenues</b>		<b>\$ 106,524.98</b>	<b>\$ 304,452.84</b>	<b>\$ 1,281,300.00</b>	<b>\$ 1,028,940.43</b>	<b>19.70%</b>

**Expenditures**

100-00-5088	Miscellaneous Services	\$ 0.00	\$ 0.00	\$ 0.00	\$ 759.00	0.00%
100-11-5011	Salaries - Regular	13,500.00	12,587.98	162,000.00	82,105.11	49.32%
100-11-5012	Salaries - Overtime	41.67	0.00	500.00	0.00	100.00%
100-11-5013	Social Security	833.33	780.45	10,000.00	5,090.46	49.10%
100-11-5014	Medicare	200.00	182.52	2,400.00	1,190.50	50.40%
100-11-5015	T.M.R.S.	750.00	636.94	9,000.00	4,154.47	53.84%
100-11-5016	Group Medical	2,500.00	1,948.62	30,000.00	12,666.03	57.78%
100-11-5017	State Unemployment	41.67	4.13	500.00	24.95	95.01%

**City of Somerville**  
**Statement of Revenue and Expenditures**

*Revised Budget*  
*For General Fund (100)*  
*For the Fiscal Period 2023-6 Ending March 31, 2023*

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
100-11-5018 Workmen's Compensation	66.67	66.00	800.00	330.00	58.75%
100-11-5032 Salaries - Contract Labor	833.33	0.00	10,000.00	0.00	100.00%
100-11-5041 Tax Collection	0.00	970.42	4,200.00	1,940.84	53.79%
100-11-5042 Advertisements	16.67	0.00	200.00	0.00	100.00%
100-11-5043 Dues & Memberships	83.33	0.00	1,000.00	470.83	52.92%
100-11-5044 Printing	33.33	0.00	400.00	133.71	66.57%
100-11-5054 Janitorial Services	33.33	51.08	400.00	327.55	18.11%
100-11-5055 Communication Services	666.67	632.73	8,000.00	3,051.17	61.86%
100-11-5056 Postage Services	33.33	0.00	400.00	179.22	55.20%
100-11-5057 ADP Services	33.33	0.00	400.00	769.53	(92.38%)
100-11-5088 Miscellaneous Services	416.67	58.00	5,000.00	1,883.51	62.33%
100-11-5091 Legal Services	666.67	0.00	8,000.00	2,088.00	73.90%
100-11-5094 Auditing Services	833.33	0.00	10,000.00	0.00	100.00%
100-11-5096 Consulting Services	416.67	1,600.00	5,000.00	1,600.00	68.00%
100-11-5097 Tax Collection Fee	62.50	0.00	750.00	667.20	11.04%
100-11-5115 Buildings	833.33	458.33	10,000.00	160,369.85	(1503.70%)
100-11-5118 IT Equipment	83.33	0.00	1,000.00	1,984.95	(98.50%)
100-11-5119 IT Software	250.00	0.00	3,000.00	1,500.00	50.00%
100-11-5161 General Supplies/Materials	416.67	1,928.45	5,000.00	2,674.98	46.50%
100-11-5162 Office Supplies	33.33	0.00	400.00	0.00	100.00%
100-11-5164 Publications	250.00	0.00	3,000.00	1,360.69	54.64%
100-11-5198 Miscellaneous Supplies/Materials	208.33	0.00	2,500.00	5.69	99.77%
100-11-5211 Electric Services	416.67	474.31	5,000.00	3,273.56	34.53%
100-11-5212 Gas Services	58.33	99.45	700.00	598.10	14.56%
100-11-5221 Equipment Rental	291.67	310.42	3,500.00	1,907.94	45.49%
100-11-5231 Travel	125.00	500.06	1,500.00	500.06	66.66%
100-11-5232 Training	250.00	50.00	3,000.00	1,340.00	55.33%
100-11-5241 General Liability	416.67	450.00	5,000.00	2,373.37	52.53%
100-11-5379 BC Industrial Foundation	0.00	0.00	0.00	80.00	0.00%
100-11-5380 Pest Control	25.00	35.00	300.00	210.00	30.00%
100-12-5011 Salaries - Regular	83.33	18.46	1,000.00	119.99	88.00%
100-12-5013 Social Security	8.33	1.14	100.00	7.41	92.59%
100-12-5014 Medicare	1.67	0.26	20.00	1.69	91.55%
100-12-5017 State Unemployment	2.50	0.02	30.00	0.13	99.57%
100-12-5043 Dues & Memberships	8.33	0.00	100.00	40.84	59.16%
100-12-5088 Miscellaneous Services	0.00	0.00	100.00	0.00	100.00%
100-12-5162 Office Supplies	0.00	0.00	150.00	0.00	100.00%
100-12-5231 Travel	0.00	0.00	250.00	0.00	100.00%
100-12-5232 Training	0.00	0.00	250.00	0.00	100.00%
100-12-5241 General Liability	0.00	0.00	50.00	0.00	100.00%
100-13-5011 Salaries - Regular	22,258.33	13,319.80	267,100.00	101,875.27	61.86%
100-13-5012 Salaries - Overtime	833.33	2,519.64	10,000.00	22,672.11	(126.72%)
100-13-5013 Social Security	1,341.67	982.05	16,100.00	7,721.99	52.04%
100-13-5014 Medicare	325.00	229.67	3,900.00	1,805.95	53.69%
100-13-5015 T.M.R.S.	1,175.00	752.61	14,100.00	5,908.85	58.09%
100-13-5016 Group Medical	4,125.00	2,345.89	49,500.00	16,071.22	67.53%
100-13-5017 State Unemployment	41.67	0.85	500.00	44.97	91.01%
100-13-5018 Workmen's Compensation	108.33	100.00	1,300.00	500.00	61.54%
100-13-5041 Tax Collection	350.00	970.42	4,200.00	1,940.84	53.79%

**City of Somerville**  
**Statement of Revenue and Expenditures**

*Revised Budget*  
*For General Fund (100)*  
*For the Fiscal Period 2023-6 Ending March 31, 2023*

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
100-13-5043 Dues & Memberships	166.67	0.00	2,000.00	429.00	78.55%
100-13-5044 Printing	0.00	0.00	100.00	0.00	100.00%
100-13-5054 Janitorial Services	0.00	51.06	0.00	327.75	0.00%
100-13-5055 Communication Services	558.33	544.19	6,700.00	4,360.79	34.91%
100-13-5057 ADP Services	41.67	0.00	500.00	769.53	(53.91%)
100-13-5058 Law Enforcement Services	833.33	0.00	10,000.00	4,000.00	60.00%
100-13-5088 Miscellaneous Services	166.67	3.31	2,000.00	1,701.42	14.93%
100-13-5091 Legal Services	41.67	0.00	500.00	0.00	100.00%
100-13-5094 Auditing Services	333.33	0.00	4,000.00	0.00	100.00%
100-13-5096 Consulting Services	83.33	0.00	1,000.00	0.00	100.00%
100-13-5115 Buildings	833.33	1,500.00	10,000.00	5,039.25	49.61%
100-13-5116 Equipment	500.00	0.00	6,000.00	3,343.69	44.27%
100-13-5117 Vehicles	1,333.33	812.85	16,000.00	4,677.39	70.77%
100-13-5118 IT Equipment	291.67	171.00	3,500.00	1,026.00	70.69%
100-13-5120 Communication Equipment	60.42	0.00	725.00	0.00	100.00%
100-13-5158 Miscellaneous Maintenance	166.67	0.00	2,000.00	0.00	100.00%
100-13-5161 General Supplies/Materials	333.33	585.19	4,000.00	5,818.14	(45.45%)
100-13-5162 Office Supplies	41.67	0.00	500.00	0.00	100.00%
100-13-5164 Publications	0.00	0.00	100.00	201.60	(101.60%)
100-13-5165 Uniforms	333.33	177.50	4,000.00	417.88	89.55%
100-13-5198 Miscellaneous Supplies/Materials	0.00	0.00	0.00	40.85	0.00%
100-13-5201 Fuel - Gas	1,250.00	1,822.00	15,000.00	8,763.02	41.58%
100-13-5211 Electric Services	216.67	207.61	2,600.00	716.75	72.43%
100-13-5221 Equipment Rental	83.33	200.37	1,000.00	730.49	26.95%
100-13-5231 Travel	83.33	0.00	1,000.00	0.00	100.00%
100-13-5232 Training	333.33	595.00	4,000.00	2,185.00	45.38%
100-13-5241 General Liability	633.33	539.67	7,600.00	2,821.80	62.87%
100-13-5243 Law Enforcment Liability	200.00	200.00	2,400.00	1,123.34	53.19%
100-13-5380 Pest Control	20.00	40.00	240.00	240.00	0.00%
100-13-5395 Leased Vehicles / Equipment	2,000.00	0.00	24,000.00	36,996.24	(54.15%)
100-13-5396 Leased Vehicles / Equipment Interest	250.00	0.00	3,000.00	4,027.00	(34.23%)
100-15-5011 Salaries - Regular	3,775.00	3,483.21	45,300.00	22,615.21	50.08%
100-15-5013 Social Security	233.33	215.96	2,800.00	1,402.16	49.92%
100-15-5014 Medicare	58.33	50.50	700.00	327.88	53.16%
100-15-5015 T.M.R.S.	158.33	132.20	1,900.00	858.33	54.82%
100-15-5016 Group Medical	822.08	649.54	9,865.00	4,222.01	57.20%
100-15-5017 State Unemployment	0.00	3.50	100.00	11.35	88.65%
100-15-5018 Workmen's Compensation	0.00	18.00	225.00	90.00	60.00%
100-15-5041 Tax Collection	0.00	970.42	3,800.00	1,940.84	48.93%
100-15-5043 Dues & Memberships	166.67	0.00	2,000.00	3,624.37	(81.22%)
100-15-5044 Printing	0.00	0.00	50.00	0.00	100.00%
100-15-5055 Communication Services	33.33	108.98	400.00	292.82	26.80%
100-15-5056 Postage Services	0.00	0.00	200.00	0.00	100.00%
100-15-5088 Miscellaneous Services	0.00	0.00	200.00	0.00	100.00%
100-15-5091 Legal Services	833.33	0.00	10,000.00	6,830.02	31.70%
100-15-5094 Auditing Services	333.33	0.00	4,000.00	0.00	100.00%
100-15-5115 Buildings	130.42	458.33	1,565.00	2,749.98	(75.72%)
100-15-5118 IT Equipment	25.00	0.00	300.00	0.00	100.00%
100-15-5119 IT Software	0.00	145.00	0.00	217.50	0.00%

**City of Somerville**  
**Statement of Revenue and Expenditures**

*Revised Budget*  
*For General Fund (100)*  
*For the Fiscal Period 2023-6 Ending March 31, 2023*

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
100-15-5161 General Supplies/Materials	83.33	26.99	1,000.00	216.88	78.31%
100-15-5221 Equipment Rental	150.00	310.42	1,800.00	1,474.92	18.06%
100-15-5231 Travel	0.00	0.00	300.00	0.00	100.00%
100-15-5232 Training	0.00	0.00	100.00	0.00	100.00%
100-15-5241 General Liability	150.00	100.00	1,800.00	623.37	65.37%
100-16-5011 Salaries - Regular	3,691.67	3,401.61	44,300.00	22,085.63	50.15%
100-16-5012 Salaries - Overtime	0.00	0.00	0.00	653.76	0.00%
100-16-5013 Social Security	229.17	210.90	2,750.00	1,409.84	48.73%
100-16-5014 Medicare	54.17	49.32	650.00	329.70	49.28%
100-16-5015 T.M.R.S.	208.33	172.12	2,500.00	1,150.61	53.98%
100-16-5016 Group Medical	822.08	649.54	9,865.00	4,222.01	57.20%
100-16-5017 State Unemployment	8.33	2.05	100.00	8.99	91.01%
100-16-5018 Workmen's Compensation	18.75	18.00	225.00	90.00	60.00%
100-16-5032 Salaries - Contract Labor	125.00	0.00	1,500.00	0.00	100.00%
100-16-5041 Tax Collection	0.00	970.42	3,800.00	1,940.84	48.93%
100-16-5043 Dues & Memberships	0.00	200.00	450.00	275.00	38.89%
100-16-5044 Printing	0.00	0.00	50.00	0.00	100.00%
100-16-5056 Postage Services	0.00	0.00	100.00	0.00	100.00%
100-16-5057 ADP Services	0.00	0.00	0.00	769.52	0.00%
100-16-5061 Abatement Services	3,333.33	0.00	40,000.00	0.00	100.00%
100-16-5088 Miscellaneous Services	208.33	0.00	2,500.00	141.00	94.36%
100-16-5091 Legal Services	125.00	0.00	1,500.00	1,260.50	15.97%
100-16-5094 Auditing Services	333.33	0.00	4,000.00	0.00	100.00%
100-16-5096 Consulting Services	1,000.00	1,560.00	12,000.00	14,228.00	(18.57%)
100-16-5115 Buildings	130.50	458.33	1,566.00	2,749.98	(75.61%)
100-16-5118 IT Equipment	0.00	0.00	300.00	0.00	100.00%
100-16-5161 General Supplies/Materials	41.67	6.00	500.00	6.00	98.80%
100-16-5163 IT Supplies	0.00	0.00	100.00	0.00	100.00%
100-16-5164 Publications	41.67	0.00	500.00	0.00	100.00%
100-16-5198 Miscellaneous Supplies/Materials	0.00	17.49	200.00	227.00	(13.50%)
100-16-5221 Equipment Rental	166.67	310.42	2,000.00	1,474.91	26.25%
100-16-5231 Travel	83.33	0.00	1,000.00	1,475.10	(47.51%)
100-16-5232 Training	83.33	0.00	1,000.00	450.00	55.00%
100-16-5241 General Liability	458.33	400.00	5,500.00	2,123.37	61.39%
100-17-5011 Salaries - Regular	3,458.33	3,196.32	41,500.00	18,873.49	54.52%
100-17-5012 Salaries - Overtime	250.00	232.01	3,000.00	2,192.56	26.91%
100-17-5013 Social Security	208.33	212.55	2,500.00	1,306.07	47.76%
100-17-5014 Medicare	50.00	49.72	600.00	305.52	49.08%
100-17-5015 T.M.R.S.	187.50	108.07	2,250.00	736.37	67.27%
100-17-5016 Group Medical	908.33	389.74	10,900.00	2,533.31	76.76%
100-17-5017 State Unemployment	8.33	2.19	100.00	11.90	88.10%
100-17-5018 Workmen's Compensation	16.67	16.00	200.00	80.00	60.00%
100-17-5020 Uniform Rental	83.33	12.54	1,000.00	81.51	91.85%
100-17-5041 Tax Collection	0.00	970.45	3,800.00	1,940.89	48.92%
100-17-5043 Dues & Memberships	0.00	0.00	500.00	0.00	100.00%
100-17-5054 Janitorial Services	41.67	51.08	500.00	327.52	34.50%
100-17-5055 Communication Services	83.33	54.49	1,000.00	64.68	93.53%
100-17-5057 ADP Services	58.33	0.00	700.00	769.53	(9.93%)
100-17-5088 Miscellaneous Services	41.67	7.50	500.00	7.50	98.50%



**City of Somerville**  
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*Revised Budget*  
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Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
100-17-5092 Engineering Services	666.67	857.50	8,000.00	26,358.00	(229.48%)
100-17-5094 Auditing Services	333.33	0.00	4,000.00	0.00	100.00%
100-17-5096 Consulting Services	83.33	0.00	1,000.00	1,193.75	(19.38%)
100-17-5114 Streets	5,000.00	3,213.10	60,000.00	16,382.21	72.70%
100-17-5115 Buildings	416.67	958.33	5,000.00	3,959.98	20.80%
100-17-5116 Equipment	208.33	288.40	2,500.00	288.40	88.46%
100-17-5117 Vehicles	416.67	0.00	5,000.00	2,527.37	49.45%
100-17-5118 IT Equipment	0.00	0.00	100.00	0.00	100.00%
100-17-5161 General Supplies/Materials	750.00	375.94	9,000.00	10,558.15	(17.31%)
100-17-5162 Office Supplies	0.00	0.00	100.00	0.00	100.00%
100-17-5198 Miscellaneous Supplies/Materials	41.67	0.00	500.00	0.00	100.00%
100-17-5201 Fuel - Gas	666.67	728.80	8,000.00	3,486.41	56.42%
100-17-5202 Fuel - Diesel	375.00	0.00	4,500.00	808.57	82.03%
100-17-5211 Electric Services	2,333.33	2,250.40	28,000.00	15,737.74	43.79%
100-17-5221 Equipment Rental	66.67	110.05	800.00	744.43	6.95%
100-17-5231 Travel	0.00	0.00	400.00	0.00	100.00%
100-17-5232 Training	0.00	0.00	400.00	0.00	100.00%
100-17-5241 General Liability	500.00	450.00	6,000.00	2,373.37	60.44%
100-17-5380 Pest Control	40.00	55.00	480.00	330.00	31.25%
100-17-5381 Animal Control-Vet Services	0.00	0.00	0.00	160.00	0.00%
100-17-5395 Leased Vehicles / Equipment Principal	606.25	0.00	7,275.00	0.00	100.00%
100-17-5396 Leased Vehicles / Equipment Interest	166.67	0.00	2,000.00	0.00	100.00%
100-18-5088 Miscellaneous Services	0.00	0.00	500.00	137.95	72.41%
100-18-5211 Electric Services	233.33	149.48	2,800.00	1,176.87	57.97%
100-18-5212 Gas Services	125.00	211.34	1,500.00	1,398.70	6.75%
100-18-5241 General Liability	458.33	400.00	5,500.00	2,123.37	61.39%
100-18-5242 Auto Liability	108.33	0.00	1,300.00	0.00	100.00%
100-18-5247 Real & Personal Property	70.83	70.00	850.00	350.00	58.82%
100-18-5380 Pest Control	55.00	55.00	660.00	330.00	50.00%
100-19-5044 Printing	0.00	0.00	50.00	0.00	100.00%
100-19-5116 Equipment	16.67	0.00	200.00	0.00	100.00%
100-19-5161 General Supplies/Materials	41.67	0.00	500.00	224.89	55.02%
<b>Total General Fund Expenditures</b>	<b>\$ 104,863.77</b>	<b>\$ 83,090.70</b>	<b>\$ 1,279,391.00</b>	<b>\$ 770,529.87</b>	<b>39.77%</b>
<b>General Fund Excess of Revenues Over Expenditures</b>	<b>\$ 1,661.21</b>	<b>\$ 221,362.14</b>	<b>\$ 1,909.00</b>	<b>\$ 258,410.56</b>	<b>(13436.44%)</b>

**City of Somerville**  
**Statement of Revenue and Expenditures**

*Revised Budget*  
*For Enterprise (200)*  
*For the Fiscal Period 2023-6 Ending March 31, 2023*

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
200-00-4071 Water Fees - Residential	\$ 25,416.67	\$ 27,562.99	\$ 305,000.00	\$ 158,664.56	47.98%
200-00-4074 Water Fees - Penalties	1,333.33	2,450.37	16,000.00	12,196.63	23.77%
200-00-4075 Water Taps & Fees	166.67	0.00	2,000.00	2,275.00	(13.75%)
200-00-4077 Water Fees - Other Charges	458.33	395.11	5,500.00	2,238.37	59.30%
200-00-4078 NSF Charge Back	0.00	0.00	100.00	0.00	100.00%
200-00-4081 Wastewater Fees - Residential	20,000.00	20,728.59	240,000.00	127,905.65	46.71%
200-00-4083 Wastewater Fees - Industrial	708.33	0.00	8,500.00	3,209.76	62.24%
200-00-4085 Wastewater Taps & Fees	83.33	0.00	1,000.00	0.00	100.00%
200-00-4091 Solid Waste Fees - Residential	21,250.00	22,598.64	255,000.00	132,882.77	47.89%
200-00-4168 Other Miscellaneous Income	50.00	0.00	600.00	5.41	99.10%
200-00-4171 Interest	66.67	0.00	800.00	463.09	42.11%
200-00-4500 Bad Debt	0.00	347.62	100.00	415.91	(315.91%)
<b>Total Enterprise Revenues</b>	<b>\$ 69,533.33</b>	<b>\$ 74,083.32</b>	<b>\$ 834,600.00</b>	<b>\$ 440,257.15</b>	<b>47.25%</b>

**Expenditures**

200-21-5011 Salaries - Regular	\$ 5,583.33	\$ 6,037.11	\$ 67,000.00	\$ 38,516.73	42.51%
200-21-5012 Salaries - Overtime	208.33	529.19	2,500.00	5,291.54	(111.66%)
200-21-5013 Social Security	333.33	407.09	4,000.00	2,716.03	32.10%
200-21-5014 Medicare	83.33	95.21	1,000.00	635.20	36.48%
200-21-5015 T.M.R.S.	350.00	318.20	4,200.00	2,122.76	49.46%
200-21-5016 Group Medical	2,000.00	1,669.26	24,000.00	10,850.19	54.79%
200-21-5017 State Unemployment	33.33	6.16	400.00	25.93	93.52%
200-21-5018 Workmen's Compensation	50.00	50.00	600.00	250.00	58.33%
200-21-5020 Uniform Rental	58.33	45.96	700.00	298.74	57.32%
200-21-5032 Salaries - Contract Labor	0.00	0.00	250.00	0.00	100.00%
200-21-5043 Dues & Memberships	166.67	0.00	2,000.00	1,989.92	0.50%
200-21-5044 Printing	0.00	0.00	0.00	914.54	0.00%
200-21-5048 Water Testing	166.67	40.00	2,000.00	651.84	67.41%
200-21-5050 Inspection Services	41.67	0.00	500.00	0.00	100.00%
200-21-5054 Janitorial Services	83.33	51.08	1,000.00	327.55	67.25%
200-21-5055 Communication Services	1,016.67	637.97	12,200.00	4,533.07	62.84%
200-21-5056 Postage Services	0.00	0.00	100.00	0.00	100.00%
200-21-5057 ADP Services	0.00	0.00	0.00	769.53	0.00%
200-21-5059 Water District Fees	300.00	0.00	3,600.00	2,838.12	21.16%
200-21-5088 Miscellaneous Services	83.33	0.00	1,000.00	16.75	98.33%
200-21-5091 Legal Services	0.00	0.00	250.00	0.00	100.00%
200-21-5092 Engineering Services	166.67	0.00	2,000.00	662.50	66.88%
200-21-5094 Auditing Services	250.00	0.00	3,000.00	0.00	100.00%
200-21-5096 Consulting Services	3,725.00	0.00	44,700.00	18,650.00	58.28%
200-21-5111 Water System	1,666.67	0.00	20,000.00	4,061.40	79.69%
200-21-5115 Buildings	0.00	958.33	500.00	4,374.28	(774.86%)
200-21-5116 Equipment	833.33	0.00	10,000.00	7,439.95	25.60%
200-21-5117 Vehicles	208.33	0.00	2,500.00	2,201.05	11.96%
200-21-5118 IT Equipment	41.67	0.00	500.00	0.00	100.00%
200-21-5119 IT Software	83.33	0.00	1,000.00	0.00	100.00%
200-21-5158 Miscellaneous Maintenance	83.33	0.00	1,000.00	881.50	11.85%

**City of Somerville**  
**Statement of Revenue and Expenditures**

*Revised Budget*  
*For Enterprise (200)*  
*For the Fiscal Period 2023-6 Ending March 31, 2023*

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
200-21-5161 General Supplies/Materials	3,750.00	4,946.24	45,000.00	21,294.52	52.68%
200-21-5162 Office Supplies	33.33	0.00	400.00	163.95	59.01%
200-21-5164 Publications	0.00	0.00	100.00	0.00	100.00%
200-21-5165 Uniforms	0.00	0.00	0.00	370.47	0.00%
200-21-5198 Miscellaneous Supplies/Materials	0.00	0.00	0.00	242.47	0.00%
200-21-5201 Fuel - Gas	208.33	546.61	2,500.00	2,614.81	(4.59%)
200-21-5202 Fuel - Diesel	100.00	0.00	1,200.00	404.28	66.31%
200-21-5211 Electric Services	1,808.33	2,048.90	21,700.00	16,886.06	22.18%
200-21-5221 Equipment Rental	125.00	310.42	1,500.00	1,474.92	1.67%
200-21-5231 Travel	0.00	0.00	500.00	0.00	100.00%
200-21-5232 Training	0.00	0.00	500.00	0.00	100.00%
200-21-5241 General Liability	500.00	500.00	6,000.00	2,623.37	56.28%
200-21-5246 Personal Bonds	0.00	0.00	0.00	71.00	0.00%
200-21-5262 Capital Outlay (>5,000)	0.00	0.00	0.00	14,893.50	0.00%
200-21-5376 Utility Franchise Fee	1,350.00	1,378.16	16,200.00	8,328.95	48.59%
200-21-5380 Pest Control	40.00	35.00	480.00	210.00	56.25%
200-21-5395 Leased Vehicles / Equipment Principal	608.33	0.00	7,300.00	0.00	100.00%
200-21-5396 Leased Vehicles / Equipment Interest	166.67	0.00	2,000.00	0.00	100.00%
200-22-5011 Salaries - Regular	5,583.33	3,805.13	67,000.00	24,534.80	63.38%
200-22-5012 Salaries - Overtime	208.33	319.95	2,500.00	2,762.48	(10.50%)
200-22-5013 Social Security	333.33	255.76	4,000.00	1,692.48	57.69%
200-22-5014 Medicare	83.33	59.82	1,000.00	395.88	60.41%
200-22-5015 T.M.R.S.	350.00	205.45	4,200.00	1,360.09	67.62%
200-22-5016 Group Medical	2,000.00	1,003.38	24,000.00	6,521.97	72.83%
200-22-5017 State Unemployment	33.33	3.74	400.00	12.36	96.91%
200-22-5018 Workmen's Compensation	50.00	50.00	600.00	250.00	58.33%
200-22-5020 Uniform Rental	31.25	25.10	375.00	163.15	56.49%
200-22-5032 Salaries - Contract Labor	0.00	0.00	250.00	0.00	100.00%
200-22-5047 Sludge Hauling	100.00	0.00	1,200.00	500.00	58.33%
200-22-5049 Wastewater Testing	625.00	554.00	7,500.00	3,959.00	47.21%
200-22-5055 Communication Services	300.00	294.95	3,600.00	1,680.10	53.33%
200-22-5057 ADP Services	0.00	0.00	500.00	769.53	(53.91%)
200-22-5088 Miscellaneous Services	833.33	0.00	10,000.00	0.00	100.00%
200-22-5092 Engineering Services	125.00	0.00	1,500.00	0.00	100.00%
200-22-5094 Auditing Services	250.00	0.00	3,000.00	0.00	100.00%
200-22-5096 Consulting Services	3,725.00	0.00	44,700.00	18,650.00	58.28%
200-22-5112 Wastewater System	1,666.67	0.00	20,000.00	9,137.00	54.32%
200-22-5115 Buildings	291.67	958.35	3,500.00	3,960.10	(13.15%)
200-22-5116 Equipment	333.33	0.00	4,000.00	5,532.40	(38.31%)
200-22-5117 Vehicles	250.00	0.00	3,000.00	2,390.25	20.33%
200-22-5118 IT Equipment	0.00	0.00	100.00	0.00	100.00%
200-22-5119 IT Software	0.00	0.00	100.00	0.00	100.00%
200-22-5120 Communication Equipment	0.00	0.00	100.00	0.00	100.00%
200-22-5158 Miscellaneous Maintenance	208.33	0.00	2,500.00	881.50	64.74%
200-22-5161 General Supplies/Materials	1,000.00	2,668.75	12,000.00	21,440.16	(78.67%)
200-22-5162 Office Supplies	0.00	0.00	50.00	0.00	100.00%
200-22-5163 IT Supplies	0.00	0.00	50.00	0.00	100.00%
200-22-5164 Publications	0.00	0.00	150.00	0.00	100.00%
200-22-5165 Uniforms	25.00	0.00	300.00	370.49	(23.50%)

**City of Somerville**  
**Statement of Revenue and Expenditures**

*Revised Budget*  
*For Enterprise (200)*  
*For the Fiscal Period 2023-6 Ending March 31, 2023*

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
200-22-5198 Miscellaneous Supplies/Materials	83.33	0.00	1,000.00	0.00	100.00%
200-22-5201 Fuel - Gas	291.67	546.59	3,500.00	2,614.76	25.29%
200-22-5202 Fuel - Diesel	125.00	0.00	1,500.00	404.28	73.05%
200-22-5211 Electric Services	2,083.33	1,235.13	25,000.00	10,470.03	58.12%
200-22-5221 Equipment Rental	208.33	310.42	2,500.00	1,474.86	41.01%
200-22-5231 Travel	0.00	0.00	450.00	0.00	100.00%
200-22-5232 Training	0.00	0.00	500.00	0.00	100.00%
200-22-5241 General Liability	583.33	500.00	7,000.00	2,623.37	62.52%
200-22-5262 Capital Outlay (>5,000)	0.00	0.00	0.00	14,893.50	0.00%
200-22-5376 Utility Franchise Fee	1,100.00	1,036.45	13,200.00	6,384.79	51.63%
200-22-5395 Leased Vehicles / Equipment Principal	608.33	0.00	7,300.00	0.00	100.00%
200-22-5396 Leased Vehicles / Equipment Interest	166.67	0.00	2,000.00	0.00	100.00%
200-23-5011 Salaries - Regular	1,833.33	1,323.52	22,000.00	8,356.30	62.02%
200-23-5012 Salaries - Overtime	25.00	0.00	300.00	7.24	97.59%
200-23-5013 Social Security	116.67	82.06	1,400.00	518.55	62.96%
200-23-5014 Medicare	29.17	19.18	350.00	121.22	65.37%
200-23-5015 T.M.R.S.	50.00	35.68	600.00	229.54	61.74%
200-23-5016 Group Medical	279.50	230.70	3,354.00	1,499.55	55.29%
200-23-5017 State Unemployment	25.00	1.32	300.00	5.71	98.10%
200-23-5018 Workmen's Compensation	12.50	12.00	150.00	60.00	60.00%
200-23-5046 Solid Waste Disposal	14,166.67	175.80	170,000.00	74,218.66	56.34%
200-23-5056 Postage Services	83.33	0.00	1,000.00	0.00	100.00%
200-23-5057 ADP Services	83.33	0.00	1,000.00	769.53	23.05%
200-23-5088 Miscellaneous Services / Expense	25.00	0.00	300.00	0.00	100.00%
200-23-5094 Auditing Services	250.00	0.00	3,000.00	0.00	100.00%
200-23-5113 Collection Station	0.00	0.00	100.00	0.00	100.00%
200-23-5115 Buildings	291.67	0.00	3,500.00	0.00	100.00%
200-23-5116 Equipment	0.00	0.00	100.00	0.00	100.00%
200-23-5161 General Supplies/Materials	0.00	11.01	100.00	107.23	(7.23%)
200-23-5211 Electric Services	25.00	19.32	300.00	179.29	40.24%
200-23-5241 General Liability	416.67	400.00	5,000.00	2,123.37	57.53%
200-23-5376 Utility Franchise Fee	1,100.00	1,129.95	13,200.00	6,640.26	49.70%
<b>Total Enterprise Expenditures</b>	<b>\$ 68,775.70</b>	<b>\$ 37,884.40</b>	<b>\$ 830,059.00</b>	<b>\$ 421,263.20</b>	<b>49.25%</b>
<b>Enterprise Excess of Revenues Over Expenditures</b>	<b>\$ 757.63</b>	<b>\$ 36,198.92</b>	<b>\$ 4,541.00</b>	<b>\$ 18,993.95</b>	<b>(318.28%)</b>

**City of Somerville**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
*For Senior Citizen's Fund (300)*  
*For the Fiscal Period 2023-6 Ending March 31, 2023*

Account Number		Current Budget		Current Actual		Annual Budget		YTD Actual		Remaining Budget %
<b>Revenues</b>										
300-00-4102	SSCC Title III Funds	\$	583.33	\$	583.33	\$	7,000.00	\$	3,499.98	50.00%
300-00-4103	SSCC Meal Donations		291.67		160.00		3,500.00		1,608.50	54.04%
300-00-4145	Donations - General		0.00		0.00		100.00		1,241.50	(1141.50%)
<b>Total Senior Citizen's Fund Revenues</b>		\$	<b>875.00</b>	\$	<b>743.33</b>	\$	<b>10,600.00</b>	\$	<b>6,349.98</b>	<b>40.09%</b>
<b>Expenditures</b>										
300-00-5055	Communication Services	\$	41.67	\$	134.49	\$	500.00	\$	626.27	(25.25%)
300-00-5088	Miscellaneous Services		83.33		0.00		1,000.00		992.94	0.71%
300-00-5115	Buildings		41.67		0.00		500.00		0.00	100.00%
300-00-5161	General Supplies/Materials		35.00		70.98		420.00		958.26	(128.16%)
300-00-5162	Office Supplies		0.00		0.00		0.00		136.69	0.00%
300-00-5211	Electric Services		125.00		78.86		1,500.00		823.02	45.13%
300-00-5212	Gas Services		75.00		117.27		900.00		813.49	9.61%
300-00-5213	Water Services		16.67		0.00		200.00		112.10	43.95%
300-00-5222	Building Rental		350.00		350.00		4,200.00		2,100.00	50.00%
300-00-5241	General Liability		14.58		14.00		175.00		70.00	60.00%
300-00-5378	Miscellaneous Expenses		0.00		0.00		100.00		0.00	100.00%
300-00-5380	Pest Control		45.00		45.00		540.00		270.00	50.00%
<b>Total Senior Citizen's Fund Expenditures</b>		\$	<b>827.92</b>	\$	<b>810.60</b>	\$	<b>10,035.00</b>	\$	<b>6,902.77</b>	<b>31.21%</b>
<b>Senior Citizen's Fund Excess of Revenues Over Expend \$</b>										
			<b>47.08</b>	\$	<b>(67.27)</b>	\$	<b>565.00</b>	\$	<b>(552.79)</b>	<b>197.84%</b>

**City of Somerville**  
**Statement of Revenue and Expenditures**

*Revised Budget*  
*For Hotel/Motel Tax (301)*  
*For the Fiscal Period 2023-6 Ending March 31, 2023*

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
301-00-4105 Hotel/Motel Taxes	\$ 0.00	\$ 0.00	\$ 18,000.00	\$ 12,122.49	32.65%
301-00-4171 Interest	0.00	0.00	0.00	1.11	0.00%
<b>Total Hotel/Motel Tax Revenues</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 18,000.00</b>	<b>\$ 12,123.60</b>	<b>32.65%</b>
<b>Expenditures</b>					
301-00-5042 Advertisements	\$ 250.00	\$ 0.00	\$ 3,000.00	\$ 365.00	87.83%
301-00-5088 Miscellaneous Services	1,666.67	0.00	20,000.00	4,635.00	76.83%
<b>Total Hotel/Motel Tax Expenditures</b>	<b>\$ 1,916.67</b>	<b>\$ 0.00</b>	<b>\$ 23,000.00</b>	<b>\$ 5,000.00</b>	<b>78.26%</b>
<b>Hotel/Motel Tax Excess of Revenues Over Expenditures</b>	<b>\$ (1,916.67)</b>	<b>\$ 0.00</b>	<b>\$ (5,000.00)</b>	<b>\$ 7,123.60</b>	<b>242.47%</b>

**City of Somerville**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
*For Police Training (302)*  
*For the Fiscal Period 2023-6 Ending March 31, 2023*

Account Number		Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>						
302-00-4106 Police Training Funds	\$	0.00	\$ 732.31	\$ 0.00	\$ 732.31	0.00%
302-00-4168 Other Miscellaneous Income		0.00	0.00	0.00	1,875.00	0.00%
302-00-4171 Interest		0.00	0.00	0.00	1.33	0.00%
<b>Total Police Training Revenues</b>	<b>\$</b>	<b>0.00</b>	<b>\$ 732.31</b>	<b>\$ 0.00</b>	<b>\$ 2,608.64</b>	<b>0.00%</b>
<b>Expenditures</b>						
302-00-5232 Training	\$	0.00	\$ 1,977.00	\$ 0.00	\$ 5,276.00	0.00%
<b>Total Police Training Expenditures</b>	<b>\$</b>	<b>0.00</b>	<b>\$ 1,977.00</b>	<b>\$ 0.00</b>	<b>\$ 5,276.00</b>	<b>0.00%</b>
<b>Police Training Excess of Revenues Over Expenditures</b>	<b>\$</b>	<b>0.00</b>	<b>\$ (1,244.69)</b>	<b>\$ 0.00</b>	<b>\$ (2,667.36)</b>	<b>0.00%</b>

**City of Somerville**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
*For Court Technology (303)*  
*For the Fiscal Period 2023-6 Ending March 31, 2023*

Account Number		Current Budget		Current Actual		Annual Budget		YTD Actual		Remaining Budget %
<b>Revenues</b>										
303-00-4107 Court Technology Funds	\$	191.67	\$	206.33	\$	2,300.00	\$	581.52		74.72%
303-00-4171 Interest		1.67		0.00		20.00		0.37		98.15%
<b>Total Court Technology Revenues</b>		<b>193.34</b>		<b>206.33</b>		<b>2,320.00</b>		<b>581.89</b>		<b>74.92%</b>
<b>Expenditures</b>										
303-00-5118 IT Equipment	\$	0.00	\$	0.00	\$	250.00	\$	0.00		100.00%
303-00-5119 IT Software		41.67		2,010.00		500.00		2,010.00		(302.00%)
303-00-5231 Travel		0.00		0.00		300.00		0.00		100.00%
303-00-5232 Training		0.00		0.00		300.00		0.00		100.00%
<b>Total Court Technology Expenditures</b>		<b>41.67</b>		<b>2,010.00</b>		<b>1,350.00</b>		<b>2,010.00</b>		<b>(48.89%)</b>
<b>Court Technology Excess of Revenues Over Expenditur</b>	<b>\$</b>	<b>151.67</b>	<b>\$</b>	<b>(1,803.67)</b>	<b>\$</b>	<b>970.00</b>	<b>\$</b>	<b>(1,428.11)</b>		<b>247.23%</b>



**City of Somerville**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
*For Court Security (304)*  
*For the Fiscal Period 2023-6 Ending March 31, 2023*

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
304-00-4108 Court Security Funds	\$ 175.00	\$ 234.95	\$ 2,100.00	\$ 675.46	67.84%
304-00-4171 Interest	4.17	0.00	50.00	39.97	20.06%
<b>Total Court Security Revenues</b>	<b>\$ 179.17</b>	<b>\$ 234.95</b>	<b>\$ 2,150.00</b>	<b>\$ 715.43</b>	<b>66.72%</b>
<b>Expenditures</b>					
304-00-5115 Buildings	\$ 100.00	\$ 0.00	\$ 1,200.00	\$ 0.00	100.00%
304-00-5231 Travel	0.00	0.00	200.00	0.00	100.00%
304-00-5232 Training	0.00	0.00	200.00	0.00	100.00%
<b>Total Court Security Expenditures</b>	<b>\$ 100.00</b>	<b>\$ 0.00</b>	<b>\$ 1,600.00</b>	<b>\$ 0.00</b>	<b>100.00%</b>
<b>Court Security Excess of Revenues Over Expenditures</b>	<b>\$ 79.17</b>	<b>\$ 234.95</b>	<b>\$ 550.00</b>	<b>\$ 715.43</b>	<b>(30.08%)</b>

**City of Somerville**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
*For Keep Somerville Beautiful (305)*  
*For the Fiscal Period 2023-6 Ending March 31, 2023*

Account Number		Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>						
305-00-4109 Keep Somerville Beautiful Funds	\$	0.00	\$ 430.00	\$ 0.00	\$ 820.00	0.00%
305-00-4171 Interest		0.00	0.00	0.00	0.14	0.00%
<b>Total Keep Somerville Beautiful Revenues</b>	<b>\$</b>	<b>0.00</b>	<b>\$ 430.00</b>	<b>\$ 0.00</b>	<b>\$ 820.14</b>	<b>0.00%</b>
<b>Expenditures</b>						
305-00-5088 Miscellaneous Services	\$	0.00	\$ 200.00	\$ 0.00	\$ 540.00	0.00%
<b>Total Keep Somerville Beautiful Expenditures</b>	<b>\$</b>	<b>0.00</b>	<b>\$ 200.00</b>	<b>\$ 0.00</b>	<b>\$ 540.00</b>	<b>0.00%</b>
<b>Keep Somerville Beautiful Excess of Revenues Over Ex</b>	<b>\$</b>	<b>0.00</b>	<b>\$ 230.00</b>	<b>\$ 0.00</b>	<b>\$ 280.14</b>	<b>0.00%</b>

**City of Somerville**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
*For Fireman's Fund (309)*  
*For the Fiscal Period 2023-6 Ending March 31, 2023*

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Revenues</b>					
309-00-4101 Fireman's Funds	\$ 1,441.67	\$ 1,457.06	\$ 17,300.00	\$ 8,855.54	48.81%
309-00-4171 Interest	0.00	0.00	0.00	53.58	0.00%
<b>Total Fireman's Fund Revenues</b>	<b>\$ 1,441.67</b>	<b>\$ 1,457.06</b>	<b>\$ 17,300.00</b>	<b>\$ 8,909.12</b>	<b>48.50%</b>
<b>Expenditures</b>					
309-00-5311 Short-Term Loan-Principal	\$ 1,000.00	\$ 0.00	\$ 12,000.00	\$ 0.00	100.00%
309-00-5312 Short Term Loan-Interest	283.33	0.00	3,400.00	0.00	100.00%
<b>Total Fireman's Fund Expenditures</b>	<b>\$ 1,283.33</b>	<b>\$ 0.00</b>	<b>\$ 15,400.00</b>	<b>\$ 0.00</b>	<b>100.00%</b>
<b>Fireman's Fund Excess of Revenues Over Expenditures \$</b>	<b>158.34</b>	<b>\$ 1,457.06</b>	<b>\$ 1,900.00</b>	<b>\$ 8,909.12</b>	<b>(368.90%)</b>

**City of Somerville**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
*For Capital Project Fund (400)*  
*For the Fiscal Period 2023-6 Ending March 31, 2023*

Account Number	Current Budget	Current Actual	Annual Budget	YTD Actual	Remaining Budget %
<b>Expenditures</b>					
400-00-5092 Engineering Services	\$ 0.00	\$ 0.00	\$ 0.00	\$ 927.50	0.00%
400-00-5400 2020 Street Bond	0.00	0.00	0.00	227,707.14	0.00%
400-00-5405 2020 Culvert & Ditch Improvements	0.00	0.00	0.00	306,140.00	0.00%
<b>Total Capital Project Fund Expenditures</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 534,774.64</b>	<b>0.00%</b>
<b>Capital Project Fund Excess of Revenues Over Expendi</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ 0.00</b>	<b>\$ (534,774.64)</b>	<b>0.00%</b>

**City of Somerville**  
**Statement of Revenue and Expenditures**  
*Revised Budget*  
*For Debt Service Fund (600)*  
*For the Fiscal Period 2023-6 Ending March 31, 2023*

Account Number		Current Budget		Current Actual		Annual Budget		YTD Actual		Remaining Budget %
<b>Revenues</b>										
600-00-4011	Ad Valorem Taxes - Current Year	\$	12,862.83	\$	0.00	\$	154,354.00	\$	96,284.95	37.62%
600-00-4012	Ad Valorem Taxes - Delinquent Curren		666.67		50,058.64		8,000.00		50,515.00	(531.44%)
600-00-4013	Ad Valorem Taxes - Delinquent Prior Y		208.33		419.43		2,500.00		2,207.99	11.68%
600-00-4014	Ad Valorem Taxes - P&I Current Year		16.67		106.95		200.00		170.71	14.65%
600-00-4015	Ad Valorem Taxes - P&I Prior Year		16.67		181.59		200.00		850.56	(325.28%)
600-00-4171	Interest		8.33		0.00		100.00		135.85	(35.85%)
<b>Total Debt Service Fund Revenues</b>			<b>\$ 13,779.50</b>		<b>\$ 50,766.61</b>		<b>\$ 165,354.00</b>		<b>\$ 150,165.06</b>	<b>9.19%</b>
<b>Expenditures</b>										
600-00-5321	Debt Service-Principal	\$	9,500.00	\$	0.00	\$	114,000.00	\$	119,000.00	(4.39%)
600-00-5322	Debt Service-Interest Short Term		4,279.50		0.00		51,354.00		20,376.00	60.32%
<b>Total Debt Service Fund Expenditures</b>			<b>\$ 13,779.50</b>		<b>\$ 0.00</b>		<b>\$ 165,354.00</b>		<b>\$ 139,376.00</b>	<b>15.71%</b>
<b>Debt Service Fund Excess of Revenues Over Expenditu</b>										
		\$	0.00	\$	50,766.61	\$	0.00	\$	10,789.06	0.00%

# **Consent Agenda Sales Tax Report**

**Agenda Item 7-B**

**SALES TAX INFORMATION**  
**FY 2020 FY 2021 FY 2022 FY 2023**

Date:

3/7/2023

Month	FY 2020-A	FY 2021-A	FY 2022-A	FY 2023-P	FY 2023-A	Difference YTD
OCT	\$ 21,946.30	\$ 18,836.07	\$ 21,964.55	\$ 20,000.00	\$ 19,348.51	\$ (651.49)
NOV	\$ 28,115.79	\$ 32,215.56	\$ 37,608.25	\$ 35,000.00	\$ 42,287.94	\$ 7,287.94
DEC	\$ 20,897.92	\$ 19,783.66	\$ 28,740.53	\$ 22,000.00	\$ 29,856.00	\$ 7,856.00
JAN	\$ 17,391.25	\$ 20,333.83	\$ 27,848.48	\$ 25,000.00	\$ 25,688.48	\$ 688.48
FEB	\$ 29,473.62	\$ 30,139.63	\$ 42,689.02	\$ 37,000.00	\$ 36,980.67	\$ (19.33)
MAR	\$ 18,436.02	\$ 20,424.26	\$ 22,594.52	\$ 20,000.00	\$ 25,106.99	\$ 5,106.99
APR	\$ 17,143.32	\$ 20,566.41	\$ 27,728.26	\$ 22,000.00		
MAY	\$ 30,600.87	\$ 38,230.15	\$ 40,502.31	\$ 32,000.00		
JUN	\$ 26,831.27	\$ 24,683.12	\$ 22,722.00	\$ 20,000.00		
JUL	\$ 26,750.16	\$ 23,477.65	\$ 24,580.09	\$ 20,000.00		
AUG	\$ 34,963.25	\$ 35,791.14	\$ 41,172.77	\$ 27,000.00		
SEP	\$ 24,484.99	\$ 20,502.51	\$ 23,367.67	\$ 20,000.00		
TOTALS	\$ 297,034.76	\$ 304,983.99	\$ 361,518.45	\$ 300,000.00	\$ 179,268.59	\$ 20,268.59
				Projected Figures for FY 2023 Budget		



## TEXAS COMPTROLLER OF PUBLIC ACCOUNTS

P.O.Box 13528 • Austin, TX 78711-3528

March 10, 2023

TREASURER  
CITY OF SOMERVILLE  
PO BOX 159  
SOMERVILLE, TX 77879-0159

Authority code is 2026028

City Sales and Use Tax Allocation Summary ending 03/07/2023

(1) GROSS COLLECTIONS -----	\$	25,367.28
(2) STATE 2% SERVICE FEE -----	\$	507.35
(3) AMOUNT RETAINED -----	\$	497.20
(4) PRIOR PERIOD -----	\$	744.26
(5) PAYMENT (1-2-3+4=5) -----	\$	25,106.99
Gross collections derived from audit payments	\$	25.65
Gross collections derived from Single Local Use Tax	\$	298.38

The above allocation payment has been deposited in your account. If for some reason your payment could not be direct deposited, a warrant is enclosed.

Allocation payment information is also available online through the Comptroller's website at <https://mycpa.cpa.state.tx.us/allocation/AllocDetail>.

If you have any questions about your local sales tax allocation payment, please contact us by email at [Taxalloc.RevAcct@cpa.texas.gov](mailto:Taxalloc.RevAcct@cpa.texas.gov), or call us at 800-531-5441, ext. 3-4530, or 512-463-4530.



# **Consent Agenda Cash Requirements Control Report By Department**

## Cash Requirements / Control Report by Dept. March 2023

Vendor	Due Date	Pmt Total	Fund/Dept	Acct Payable Amount
Quill	3/3/2023	\$ 329.90	100-13	\$ 5.81
			100-11	\$ 194.35
			200-21	\$ 17.70
			100-15	\$ 17.70
			300-00	\$ 5.81
			100-16	\$ 88.53
Strand Associates	3/3/2023	\$ 7,268.75	100-17	\$ 7,268.75
Entergy	3/3/2023	\$ 1,590.60	100-11	\$ 161.82
			100-13	\$ 116.88
			200-21	\$ 929.89
			200-22	\$ 214.18
			100-18	\$ 167.83
Guy Hargrove Trucking	3/3/2023	\$ 6,538.36	100-17	\$ 6,538.36
Perdue Brandon Fielder Collins & Mott LLP	3/3/2023	\$ 650.72	100-15	\$ 650.72
Citizens 1st Bank	3/3/2023	\$14,418.87	100-13	\$ 14,418.87
Computer Helpers	3/3/2023	\$ 1,424.97	100-11	\$ 1,424.97
ZochNet	3/3/2023	\$ 239.85	200-22	\$ 79.95
			100-13	\$ 79.95
			300-00	\$ 79.95
Citizens State Bank	3/3/2023	\$ 3,500.00	100-11	\$ 458.33
			100-15	\$ 458.33
			100-16	\$ 458.33
			100-17	\$ 458.33
			200-21	\$ 458.33
			200-22	\$ 458.35
			100-13	\$ 750.00
3/3/2023			\$ 35,962.02	

Vendor	Due Date	Pmt Total	Fund/Dept	Acct Payable Amount
DXI Industries	3/10/2023	\$ 2,430.09	200-22	\$ 1,417.55
			200-21	\$ 1,012.54
RVS Software	3/10/2023	\$ 1,710.56	200-21	\$ 1,085.56
			200-22	\$ 625.00
Alford Oil Co.	3/10/2023	\$ 2,194.50	100-13	\$ 1,097.25
			100-17	\$ 438.90
			200-21	\$ 329.18
			200-22	\$ 329.17
HDU Services	3/10/2023	\$ 9,271.40	200-21	\$ 5,421.40
			200-22	\$ 3,850.00
Airplexus, Inc.	3/10/2023	\$ 171.00	100-13	\$ 171.00
TxTag	3/10/2023	\$ 3.31	100-13	\$ 3.31
Burleson Cnty Publishing	3/10/2023	\$ 181.69	100-11	\$ 181.69
Unifirst Holdings	3/10/2023	\$ 171.21	100-00	\$ 16.96
			200-00	\$ 52.54
			100-17	\$ 25.43
			200-21	\$ 25.43
			100-11	\$ 25.43
			100-13	\$ 25.42
US Postmaster	3/10/2023	\$ 179.22	100-11	\$ 179.22
Frontier Communications	3/10/2023	\$ 675.89	200-21	\$ 539.48
			200-22	\$ 136.41

Solid Bridge Construction	3/10/2023	\$30,614.00	400-00	\$	30,614.00
CTWP	3/10/2023	\$ 630.82	100-11	\$	105.14
			100-15	\$	105.14
			200-21	\$	105.14
			100-16	\$	105.14
			100-17	\$	105.14
			200-22	\$	105.12
Laser Answering Service	3/10/2023	\$ 123.44	100-11	\$	123.44
Petty Cash	3/10/2023	\$ 99.51	100-11	\$	17.78
			100-13	\$	42.33
			100-17	\$	33.40
			100-16	\$	6.00
TML-IRP	3/10/2023	\$ 4,353.67	100-11	\$	516.00
			100-13	\$	839.67
			100-15	\$	118.00
			100-16	\$	418.00
			100-17	\$	466.00
			100-18	\$	470.00
			200-21	\$	550.00
			200-22	\$	550.00
			200-23	\$	412.00
			300-00	\$	14.00
Schoppe Auto Supply	3/10/2023	\$ 406.12	100-17	\$	23.38
			100-13	\$	382.74
AT&T	3/10/2023	\$ 40.39	100-11	\$	40.39
Verizon Wireless	3/10/2023	\$ 305.76	100-11	\$	75.98
			100-13	\$	191.79
			200-21	\$	37.99
3/10/2023				\$	53,562.58

Vendor	Due Date	Pmt Total	Fund/Dept	Acct Payable Amount
Core & Main	3/17/2023	\$ 2,469.14	200-21	\$ 1,706.09
			200-22	\$ 763.05
Water Deposit Refunds	3/17/2023	\$ 100.00	200-21	\$ 100.00
Linde Gas & Equipment	3/17/2023	\$ 163.42	100-17	\$ 163.42
Accuprint Graphics & Printing	3/17/2023	\$ 362.85	200-21	\$ 187.10
			100-11	\$ 175.75
Somerville Farm & Ranch	3/17/2023	\$ 94.67	100-17	\$ 94.67
Cintas	3/17/2023	\$ 76.17	100-17	\$ 19.04
			200-21	\$ 19.04
			200-22	\$ 19.04
			200-23	\$ 19.05
Waller County Asphalt	3/17/2023	\$ 3,143.70	100-17	\$ 3,143.70
BVCOG	3/17/2023	\$ 175.00	100-11	\$ 175.00
SAFEbuilt LLC	3/17/2023	\$ 3,413.00	100-16	\$ 3,413.00
Burleson County Appraisal District	3/17/2023	\$ 4,852.13	100-11	\$ 970.42
			100-13	\$ 970.42
			100-15	\$ 970.43
			100-16	\$ 970.43
			100-17	\$ 970.43
Bovey & Cochran PLLC	3/17/2023	\$ 1,564.00	100-16	\$ 684.50
			100-15	\$ 879.50
ATMOS Energy	3/17/2023	\$ 328.61	100-18	\$ 211.34
			300-00	\$ 117.27

Bud Cross Ford	3/17/2023	\$ 81.90	100-13	\$	81.90
Pitney Bowes	3/17/2023	\$ 216.51	100-11	\$	216.51
Galls LLC	3/17/2023	\$ 215.00	100-13	\$	215.00
TransUnion Risk & Alternative Data Solutions, Inc	3/17/2023	\$ 75.00	100-13	\$	75.00
DXI Industries	3/17/2023	\$ 150.00	200-21	\$	150.00
Dearborn National Insurance	3/17/2023	\$ 178.32	100-00	\$	123.96
			200-00	\$	54.36
Texas Commercial Waste	3/17/2023	\$14,545.65	200-23	\$	14,445.65
			200-22	\$	100.00
Overall Lumber	3/17/2023	\$ 820.47	100-17	\$	251.13
			200-22	\$	254.30
			200-21	\$	315.04
Frontier Communications	3/17/2023	\$ 69.08	200-22	\$	69.08
Entergy	3/17/2023	\$ 1,213.34	200-21	\$	1,213.34
Alpha Omega Glass	3/17/2023	\$ 1,500.00	200-21	\$	500.00
			200-22	\$	500.00
			100-17	\$	500.00
3/17/2023				\$	35,807.96

Vendor	Due Date	Pmt Total	Fund/Dept	Acct Payable Amount
Brazos Valley Solid Waste Mgmt Agency	3/24/2023	\$ 175.80	200-23	\$ 175.80
Chaparral Laboratories Inc	3/24/2023	\$ 594.00	200-22	\$ 554.00
			200-21	\$ 40.00
The Bug Stoppers	3/24/2023	\$ 265.00	100-11	\$ 35.00
			300-00	\$ 45.00
			100-13	\$ 40.00
			100-17	\$ 55.00
			200-21	\$ 35.00
			100-18	\$ 55.00
Badge & Wallet	3/24/2023	\$ 177.50	100-13	\$ 177.50
Bayer Construction Electrical	3/24/2023	\$ 1,175.00	100-11	\$ 1,175.00
AFLAC	3/24/2023	\$ 341.64	100-00	\$ 284.58
			200-00	\$ 57.06
Brenham Dodge	3/24/2023	\$ 413.85	100-13	\$ 413.85
Mid-American Research Chemical	3/24/2023	\$ 507.17	200-22	\$ 507.17
Unifirst Corporation	3/24/2023	\$ 86.70	100-00	\$ 8.48
			200-00	\$ 26.27
			100-17	\$ 12.99
			200-21	\$ 12.99
			100-11	\$ 12.99
			100-13	\$ 12.98
SpectrumVoIP	3/24/2023	\$ 34.09	100-11	\$ 10.48
			100-15	\$ 5.24
			100-17	\$ 2.62
			100-13	\$ 13.10
			300-00	\$ 2.65
ATMOS Energy	3/24/2023	\$ 99.45	100-11	\$ 99.45
Entergy	3/24/2023	\$ 3,692.55	100-11	\$ 317.45
			100-13	\$ 168.12
			100-17	\$ 2,250.40
			200-22	\$ 937.26
			200-23	\$ 19.32
Landrum Consulting	3/24/2023	\$ 690.00	100-16	\$ 690.00



Kathy Pollock	3/24/2023	\$ 58.00	100-11	\$ 58.00
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3/24/2023				\$ 8,310.75
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Vendor	Due Date	Pmt Total	Fund/Dept	Acct Payable Amount
Tx Police Chiefs Assoc. Foundation	3/31/2023	\$ 420.00	100-13	\$ 420.00
Core & Main	3/31/2023	\$ 376.78	200-21	\$ 376.78
Pitney Bowes / Purchase Power	3/31/2023	\$ 1,202.22	100-11	\$ 200.37
			200-21	\$ 200.37
			200-22	\$ 200.37
			100-15	\$ 200.37
			100-16	\$ 200.37
			100-13	\$ 200.37
Frontier	3/31/2023	\$ 60.50	200-21	\$ 60.50

Alpha Omega Glass	3/31/2023	\$ 125.00	307-00	\$ 125.00
Lowes Business Acct.	3/31/2023	\$ 530.53	200-22	\$ 530.53
Entergy	3/31/2023	\$ 1,558.12	100-11	\$ 156.86
			100-13	\$ 39.49
			100-17	
			200-21	\$ 835.56
			200-22	\$ 297.87
			200-23	
			300-00	\$ 78.86
			100-18	\$ 149.48
Zochnet	3/31/2023	\$ 239.85	100-13	\$ 79.95
			200-22	\$ 79.95
			300-00	\$ 79.95
Blue Cross Blue Shield	3/31/2023	\$ 9,892.22	100-00	\$ 6,358.24
			200-00	\$ 3,533.98
Galls LLC	3/31/2023	\$ 450.37	100-13	\$ 450.37

3/31/2023				\$ 14,855.59
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TOTAL (Month)				\$ 148,498.90
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Mar-23	
Departmental Breakdown	Amount
100-11 (Adimnistration)	\$ 7,107.82
100-13 (Police)	\$ 21,483.07
100-15 (Municipal Court)	\$ 3,405.43
100-16 (Code Enforcement)	\$ 7,034.30
100-17 (Public Works)	\$ 22,821.09
100-18 (Fire Dept)	\$ 1,053.65
100-00 (Payroll Withhold)	\$ 6,792.22
200-21 (Water)	\$ 16,264.45
200-22 (Waste Water)	\$ 12,578.35

200-23 (Solid Waste)	\$ 15,071.82
200-00 (Payroll Withhold)	\$ 3,724.21
300-00 (Senior Center)	\$ 423.49
307-00 (Park Development)	\$ 125.00
400-00 (Capital Projects)	\$ 30,614.00
TOTAL By Department for month	\$ 148,498.90

# Public Hearing

NOTICE is hereby given that there will be a public hearing held by the City Council at the Senior Citizens Center, 17510 S.H. 36 S., Somerville, Texas on April 11, 2023, during the regular city council meeting, The purpose of this hearing is to consider evidence to grant or deny the request for a Specific Use Permit for the properties located as follows:

**244 Fleming Street, Somerville, Texas 77879; BCAD R21707, Paul Taylor, Lot Part of 7, 0.1233 Acres, Case No. SUP 579.23**

The Specific Use Permit request is for the installation of a new manufactured home on a vacant lot (located outside the manufactured home zone), for use as an owner-occupied residence. This S.U.P. is not intended to permit use of the Manufactured Home as a residential rental property, now or in the future, per the procedures set forth in the Manufactured Home Ordinance 13-003.

Interested parties may submit a statement to be read during the hearing, or may attend the hearing to make a statement in support of, or in opposition to, the request. Persons wishing to address this issue must sign in prior to the meeting at the Senior Center by 6:05 PM the night of the meeting. Written statements must be submitted to the Code Enforcement Department at City Hall, no later than 4:15 PM April 10, 2023. Contact the Code Enforcement Department at 979-596-1122 for additional information. The council meeting starts at 6:15 PM.

## NOTICE OF PUBLIC HEARING

The State of Texas  
County of Burleson  
City of Somerville

NOTICE is hereby given that there will be a public hearing held by the City Council at the Senior Citizens Center, at 17510 S.H. 36 S., Somerville, TX on April 11, 2023, during the regular city council meeting. The purpose of this hearing is to consider evidence to grant or deny the request for a Specific Use Permit for the properties located as follows:

**244 Fleming Street, Somerville, TX 77879; BCAD R21707, Paul Taylor, Lot Part of 7, 0.1233 Acres, Case No. SUP 579.23**

The Specific Use Permit request is for the installation of a new manufactured home on a vacant lot (located outside the manufactured home zone), for use as an owner-occupied residence. This S.U.P. is not intended to permit use of the Manufactured Home as a residential rental property, now or in the future, per the procedures set forth in the Manufactured Home Ordinance, 13-003.

Interested parties may submit a statement to be read during the hearing, or may attend the hearing to make a statement in support of, or in opposition to, the request. Persons wishing to address this issue must sign in prior to the meeting at the Senior Center by 6:05 the night of the meeting. Written statements must be submitted to the Code Enforcement Department at City Hall, no later than 4:15 P.M. April 10, 2023. Contact the Code Enforcement Department at 979-596-1122 for additional information. The council meeting starts at 6:15 P.M.





**Memo To:** Honorable Mayor and City Council Members  
**From:** Kathy Pollock, Code Enforcement Officer/ Assistant CA  
**Date:** March 23, 2023  
**Subject:** Public Hearing, City Council on April 11, 2023

The Owner of the property requests to install a new HUD Code Home (Manufactured home) on a lot located on Fleming Street. The address per BCAD and as assigned by 911, is 244 Fleming Street.

Please review the documents attached to the agenda item/memo under Action Items.

This lot has been vacant, overgrown, and occasionally used as a dump for many years. It was a tax sale trust property for some time and has been through several owners since then, but the unusual shape of the lot, shallow depth, location outside the MH Zone, have prevented development of this site. The applicant has purchased cleaned, cleared and fenced the lot to prepare for the installation of the home. The owner intends to occupy the manufactured home as his residence.

**Procedure:**

1. Open public hearing, staff will provide a brief intro.
2. Any citizens wishing to comment should be allowed three minutes, and any written comments submitted to the Code Department will be read (3 minutes each)
3. Close public hearing.

The criteria to be considered in evaluating the request are as follows:

- The use should be compatible with, and not injurious to the use and enjoyment of this or neighboring properties, nor materially diminish or impair property values within the immediate vicinity of the use.
- The establishment of this specific use should not impede normal and orderly development of surrounding vacant properties.
- There must be adequate access roads, drainage, parking and driveways (existing or included in the proposal), utility capacity and access, etc. to support the intended use.
- The installation must meet all other code requirements including the age of the proposed home (v), setbacks (v), skirting to be provided (v), completed application (v).

**Attachments: NONE**

# **Presentations / Proclamations**

## **NONE**

**Unfinished Business**  
**NONE**

# **Executive Session**

The City Council may announce that it will adjourn the public meeting and convene in Executive Session pursuant to Chapter 551 of the Texas Government Code, to discuss any matter as specifically listed on this agenda and/or as permitted by Chapter 551 of the Texas Government Code.

# **New Business**

**Ordinance 23-005 / Specific Use Permit / 244 Fleming Street**



**Memo To:** Honorable Mayor and City council

**From:** Kathy Pollock, Code Enforcement Officer/ Assistant to the City Administrator

**Date:** March 23, 2023

**Subject:** Request for Specific Use permit at 244 Fleming Street

### **Background:**

The information attached to this sheet is in regards to a request for a Specific Use Permit, in keeping with the requirements of The Manufactured Home Ordinance of the City of Somerville.

The request is to install a new HUD Code Home (Manufactured home) on a lot located on Fleming Street. The address per BCAD and as assigned by 911, is 244 Fleming Street. There is no State Highway frontage on this lot.

The attached documents include the application, a site plan, a photo of the proposed home style and a tear sheet from the manufacturer, applications for utilities, a building permit application, appraisal district property information sheet, a list of notified property owners, etc.

This lot has been vacant, overgrown, and occasionally used as a dump for many years. It has been through several property owners since it was auctioned off at tax sale many years ago, but the overall size of the lot, the unusually shallow depth, and location outside the MH Zone, have prevented development of this site. The applicant has purchased the lot, has cleaned and cleared the lot and constructed a privacy fence at the back of the lot. His original intent was to build a home on the property, and to that end applied for and was given a variance from the setback at the front of the property. However, ongoing issues with the house plans and the site conditions have led him the request the SUP for a manufactured home which is better suited to the size and shape of the lot.

To the best of my knowledge the applicant has met all of the legal requirements for the application, and there are no violations of the manufactured home age requirement, the minimum lot size necessary to provide the appropriate setbacks, no limitations on utilities, etc.

### **Procedure:**

1. Open the agenda item; staff will report and make a recommendation.
2. Recognize the applicant for a short presentation on their request (10 minutes max).
3. Questions for applicant or Code Officer, if applicable
4. Discuss, approve, (disapprove) Ordinance 23-005, granting a Specific Use Permit for 244 Fleming Street for the installation of a new manufactured home on this property for residential use as per the Manufactured Housing Ordinance of the City of Somerville.

The criteria to be used in evaluating the request is as follows:

- The use should be compatible with and not injurious to the use and enjoyment of this or neighboring properties, nor materially diminish or impair property values within the immediate vicinity of the use.

- The establishment of this specific use should not impede normal and orderly development of the surrounding vacant properties.
- There must be adequate access roads, drainage, parking and driveways (existing or included in the proposal), utility capacity and access, etc. to support the intended use.
- The installation must meet all other code requirements including: (v) the age of the proposed home, (v) setbacks, (v) skirting to be provided, (v) completed application, (v) survey.

Please review the last page of the application Attachment #3 for the applicant's response to these concerns.

Attachments:

1. Ordinance 23-005
2. General Installation, Occupancy, and Maintenance standards from M.H. Ordinance referenced in Ordinance 23-005.
3. Application
4. Manufactured Home Zone Map with subject property marked.
5. Area Map showing subject and adjacent property
6. Site Plan
7. Manufactured Home information/photos
8. Property photos
9. BCAD property sheet, address confirmation, and deed
10. National Flood Hazard Layer FIRMette
11. List of Property Owners Notified of SUP Request & Sample letter
12. Utility and permit applications (not submitted)

## ORDINANCE NO. 23-005

### AN ORDINANCE OF THE CITY OF SOMERVILLE, TEXAS, AMENDING THE LAND USE PROVISIONS RELATED TO THE PLACEMENT AND INSTALLATION OF RESIDENTIAL HUD-CODE MANUFACTURED HOMES IN THE CITY; ADDING A SPECIFIC USE PERMIT TO THE CURRENT USE OF THE PARCEL OF LAND; MAKING FINDINGS OF FACT; AND PROVIDING FOR RELATED MATTERS.

**Whereas**, the Landowner of the property described hereinafter (the "Property") has requested that the Property use be modified by adding a Specific Use Permit to the current use of the Property;

**Whereas**, the Property is not located in the areas identified in the Manufactured Home Ordinance for the placement of HUD-Code Manufactured Homes, but does allow for a Specific Use Permit (the "Permit") as requested;

**Whereas**, after giving fifteen days written notice to the owners of land within two hundred feet of the Property, a public hearing on the proposed Permit was held by City Council; and

**Whereas**, after publishing notice of the public at least ten days prior to the date of such hearing, the City Council at a public hearing has reviewed the request and the circumstances of the Property and finds that a Specific Use Permit with the conditions provided concerning the placement of a HUD-Code Manufactured Home is not adverse to the neighboring properties and comports with the regulations set forth in the Ordinance relating thereto.

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

**Section 1. Findings.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes as findings of fact.

**Section 2. Land Use Modification.** Ordinance No. 23-005, hereby modifies the City of Somerville Manufactured Home Ordinance (the "Manufactured Home Ordinance"), by modifying the land use on the Property as set forth in Section 3.

**Section 3. Rezoned Property Providing for a Special Use Permit.** The Property located at 244 Fleming Street, BCAD 21707, Paul Taylor, Lot Part of 7, Somerville, Burleson County, Texas, (the "Property") as more particularly described in Exhibit "A", (Application Packet), is currently located outside the areas identified for placement of HUD-Code Manufactured Homes. This Ordinance allows for additional or different requirements to be added to the current zoning through a Specific Use Permit. The Property is accordingly hereby granted a Specific Use Permit to provide additional uses together with regulations all as set out in the Manufactured Home Ordinance.

**Section 4. Specific Use Permit Findings and Conditions.** The Specific Use Permit authorized herein shall be effective upon passage and continue until the Permitted HUD-Code Manufactured Home is removed, changes ownership, or the Real Property is conveyed to another owner, or the



property owner fails to comply with the specific terms and conditions herein. The findings and terms and conditions for the Specific Use Permit are:

**Findings:**

1. The specific use requested will be compatible with, and not injurious to, the use and enjoyment of the Property, or neighboring properties, nor materially diminish or impair property values within the immediate vicinity;
2. The establishment of the specific use will not impede the normal and orderly development and improvement of surrounding vacant property;
3. Adequate separate utilities, access roads, drainage, parking and driveways, addressing and other necessary support facilities have been or will be provided;
4. The applicant shall establish that the use and occupancy will comply with all applicable terms of the Manufactured Home Ordinance including, but not limited to, area regulations, setbacks (subject to approved variance) and distance to/between adjacent buildings, age regulations, and anchorage; and
5. The City Council finds that it is not in conflict with the public interest to grant such Permit.

**Terms and Conditions:**

1. Property is currently vacant, and is an unusually shallow lot in the Paul Taylor Subdivision;
2. The HUD-Code Manufactured Home which is intended to be placed on the Property shall be owner occupied as a residence on a full-time basis for the duration of this SUP;
3. All Area Regulations are or will be met and maintained, and a survey of the property, has been submitted to the City as part of the application packet for the SUP to show ownership of the property. This survey will be added to the building permit application. A site plan showing the proposed improvements with all dimensions for setbacks and clearances between existing buildings shall be submitted with the building permit and the model and serial number of the HUD-Code Manufactured Home to be installed shall be part of the site plan;
4. The HUD-Code Manufactured Home to be placed on the Property shall be a new Manufactured Home specifically a 2022 or 2023 model as per the owner's application.;
5. The HUD-Code Manufactured Home shall be installed in compliance with all requirements of the Somerville Manufactured Home Ordinance, Section I (2), (a)-(d);
6. Utilities to the HUD-Code Manufactured Home are or will be established for the duration of this SUP and shall be maintained in the name of the resident(s) that owns and occupies such HUD-Code Manufactured Home;
7. Driveways, on-site parking and addressing are or will be established for the duration of this SUP;

8. All building permits shall be applied for by the owner of the HUD-Code Manufactured Home and proper fees shall be paid prior to the installation of the HUD-Code Manufactured Home and inspections shall be called for and passed once the home is installed.
9. If the HUD-Code Manufactured Home is no longer used as a full-time owner occupied residential unit, the SUP shall be permitted to continue for not more than six (6) months before the City has the option to declare such use "Nonconforming" and require the removal thereof.

**Section 4. Open Meetings.** That it is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapt. 551, Loc. Gov't. Code.

**PASSED AND APPROVED AND ADOPTED BY THE CITY COUNCIL OF SOMERVILLE ON THIS 11th DAY OF APRIL, 2023.**

**AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSTENTIONS \_\_\_\_\_**

Attest:

**THE CITY OF SOMERVILLE**

\_\_\_\_\_  
Tommy Thompson, Mayor  
Debra Coleman, Mayor Pro-Tem

\_\_\_\_\_  
Rose Rosser, City Secretary

Installation requirements referenced in the S.U.P. Granting Ordinance.

I. GENERAL INSTALLATION, OCCUPANCY, AND MAINTENANCE STANDARDS

- (1) Standards. The installation, occupancy, and maintenance of manufactured homes and modular components ("Manufactured Home") for any purpose within the city limits shall be subject to the following provisions:
- (2) Installation. Manufactured Homes shall be installed in accordance with the following criteria:
  - (a) The structure shall be supported and anchored in accordance with state and federal regulations for the wind zone in which the structure is located.
  - (b) Axle and hitch assemblies shall be removed at the time of placement on the foundation.
  - (c) Each manufactured home shall be totally skirted in accordance with the provisions of this ordinance and the building codes adopted by the city of Somerville. No storage is permitted beneath manufactured homes, porches, steps or decks.
  - (d) Electrical power supply shall be made from a meter installation on the manufactured home, or from a permanent meter pedestal.
- (3) Water & Sewer Lines. All water and sewer lines are required to be buried at least 12" deep. No sewer or water lines shall run across the surface of the property.

- Images of the home  
- Images of property  
- brochure

# City of Somerville

## Application for Specific Use Permit

### Minimum Submittal requirements:

- ☐ \$200.00 application fee
- ☒ Completed and signed application form
- ☒ Site Plan (~~10 copies~~)
- ☐ Notification List of property owners/tenants within 200 feet of property line of affected property (Burleson County Appraisal District, 111 East Fawn Street, Caldwell, 979-567-2318)
- ☒ Inspection report (highly recommended, but not required) *(if not NEW)*
- ☒ Survey of property, preferably prior to submittal. No permits will be issued without a survey.
- ☐ Completed building permit application and utility application, if applicable

### Property Owner Information:

Name Alan Garcia  
Mailing Address 501 W. Blue Bell Rd. #15  
City Brenham State TX Zip Code 77833  
Phone Number 979-451-4539 Fax Number \_\_\_\_\_  
E-Mail Address 20alengarcia@gmail.com

### Applicant Information:

Same as above ☒

Name \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_  
E-Mail Address \_\_\_\_\_  
If not the same as above, please explain: \_\_\_\_\_

### Agent or engineer Information:

Name/Title \_\_\_\_\_  
Mailing Address \_\_\_\_\_  
City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_  
Phone Number \_\_\_\_\_ Fax Number \_\_\_\_\_  
E-Mail Address \_\_\_\_\_

### Property Information:

Address: 244 Fleming St. Somerville, TX 77879  
R - Number: 21207 Legal description: Paul Taylor Pt of 7  
(attach page if necessary)  
Lot size or acreage: .12 acres  
Current use: Vacant lot Proposed use: Residential  
In Manufactured home Zones 1-4: \_\_\_\_\_ Outside Zone: X  
Is any of the property located in the floodplain? YES \_\_\_\_\_ NO X WP 3/23/23  
Is this property under a Specific Use Permit? no  
Legal Non-Conforming Use? no Age of HUD Code home: 2023  
Record Owner(s) Alan Garcia

NOTE: If the record owner(s) are not the applicant(s), a notarized affidavit from the record owner(s) authorizing the applicant to request a Conditional use Permit and/or represent the record owner(s) must accompany this application.

City Council, City administrator and/or staff reserve the right to require the submittal of additional information it deems appropriate and necessary for the effective review of this application.

## CERTIFICATIONS & SIGNATURES:

**Please Note:** the signature of the Owner authorizes the City of Somerville, its contractors, agents or staff to visit and inspect the property for which this application is being submitted. The signature of the owner, applicant and/or agent also signifies that all parties have reviewed the requirements of this procedure and that all items on the checklist have been complied with. **All correspondence and communication will be conducted through a single point of contact, which may be the owner, the applicant or an agent designated by the owner.**

Contact for this project: Alon Garcia

At a minimum the designated contact person for this project MUST be present at all public hearings/meetings concerning this application, for it to be considered. Absence from such hearings may result in denial of this application.

The Undersigned hereby certify that this application contains no willful falsification or misrepresentation, and that the information contained herein is complete, correct and true to the best of my knowledge and belief. Furthermore, we understand that should investigation at any time disclose such misrepresentation or falsification, all changes and/or amendments granted by consideration of this application may be forfeited.

Owner: Alon Garcia Alon Garcia  
I.D. 75920869 TX Drivers License KP

Applicant (if different): \_\_\_\_\_  
I.D. \_\_\_\_\_

Agent: \_\_\_\_\_  
I.D. \_\_\_\_\_

## STAFF USE ONLY!

All required items filed, submitted or paid: yes KP

Zoning Review: R1 Flood Plain Review: 3/23/23 No

Mailing Date for notifications: 3/24/23 Actual Date: 3/23/23

Publication date: 4/1/23 Actual Date 3/29/23

Date of City council Meeting/Public Hearing 4/11/23



# City of Somerville

## SPECIFIC USE PERMIT HEARING RESULTS

CASE NUMBER: 579.23

HEARING DATE: 4/11/23

APPLICANT: OWNER ☒ OTHER ☐ NAME: Alon Garcia

ADDRESS: 244 Fleming St

IDENTIFICATION OF HUD CODE HOME:

### RESOLUTION

APPROVED ☐

DENIED ☐

CONDITIONALLY APPROVED ☐

CONDITIONS OF APPROVAL:

Ordinance No.: \_\_\_\_\_

WITNESSED BY \_\_\_\_\_

THIS DOCUMENT SHALL BE KEPT ON FILE IN THE CODE ENFORCEMENT DEPARTMENT OFFICE AND NOTED ON THE RECORD MAP OF THE MANUFACTURED HOME ORDINANCE. THE APPLICANT MAY FILE A COPY OF THIS DOCUMENT WITH THE COUNTY CLERK AT HIS OPTION AND EXPENSE.

The following page should be completed for all specific use permit requests by the owner or the applicant, and will be considered during the review process. If you have questions regarding the completion of this page, please contact the code enforcement staff for assistance.

Please describe the reason for requesting a specific use permit for this property:

The reason for a request for a permit is because we tried to build a house and the lot was too small. It was hard to build with the setbacks that were required. Therefore, in order to put the lot to use we are requesting to install a mobile home.

Describe how the approval of this SUP will be compatible with and not injurious to the use and enjoyment of this or neighboring properties, not impair property values in the vicinity:

The installment of the MFG. home will be nice for the environment, we will keep it clean and would respect everyone and would stay within our property.

Provide evidence that the establishment of this use will not impede normal development of adjacent properties:

The installment of the manufactured home will not impede normal development of any adjacent property.

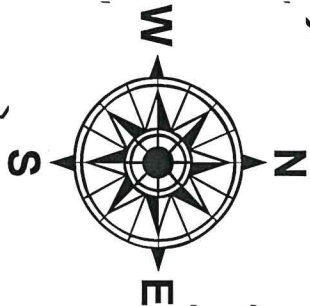
Provide evidence that adequate utilities, drainage, road, or other necessary support facilities have been or will be provided:

The required utilities and access for the property already exist. We are aware and willing to pay for top and meter and every expense that is necessary. Everything will be installed.

Provide evidence that all other code or regulatory requirements for the specific use have been or will be met (driveways, parking, age of HUD home, setbacks, etc.)

The installment of the manufactured home will meet the setbacks we already had got approved with, we will have a gravel driveway and a spot for our vehicle vehicles. It will be a 2023 manufactured home. The home will be skirted.

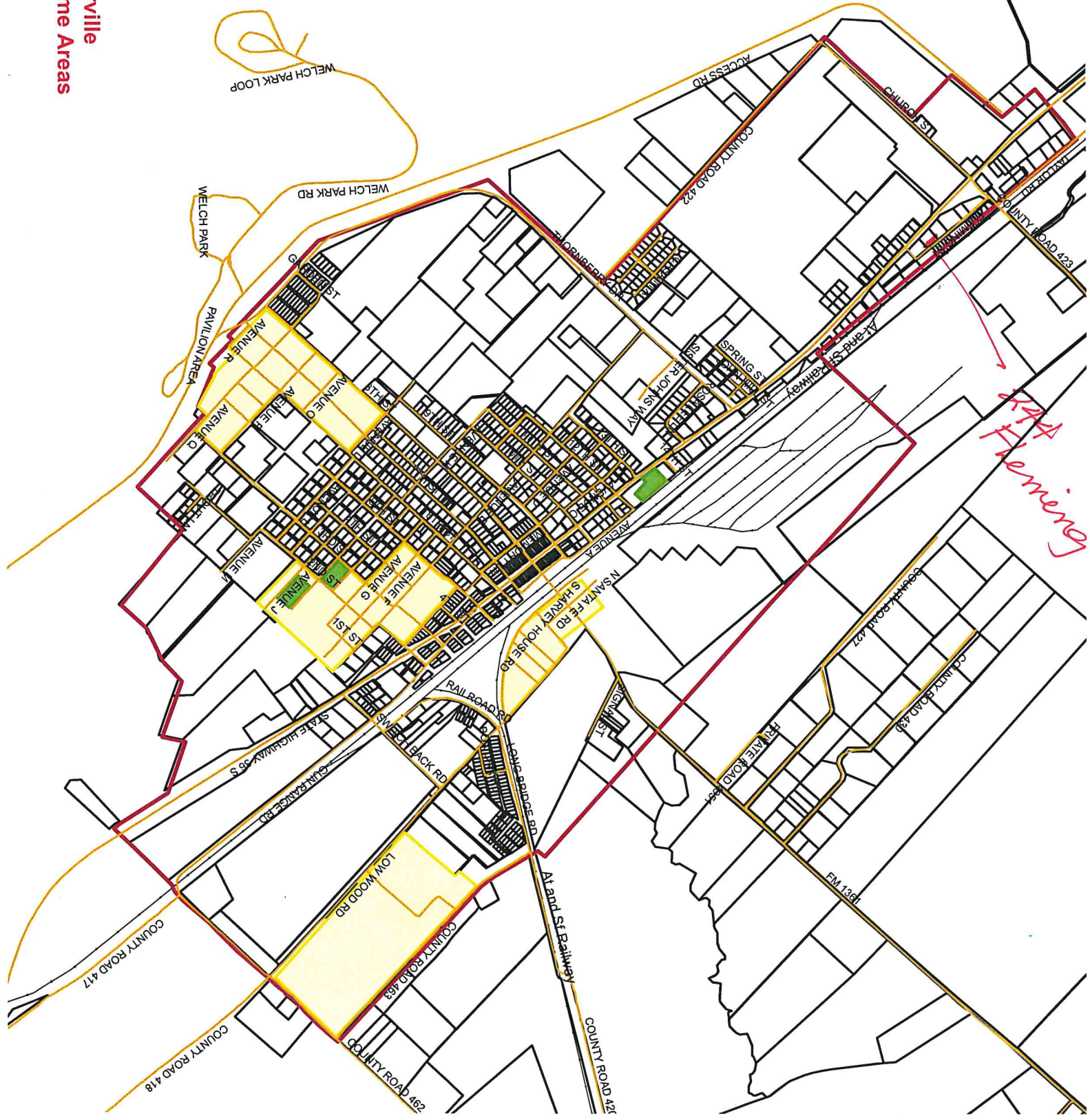




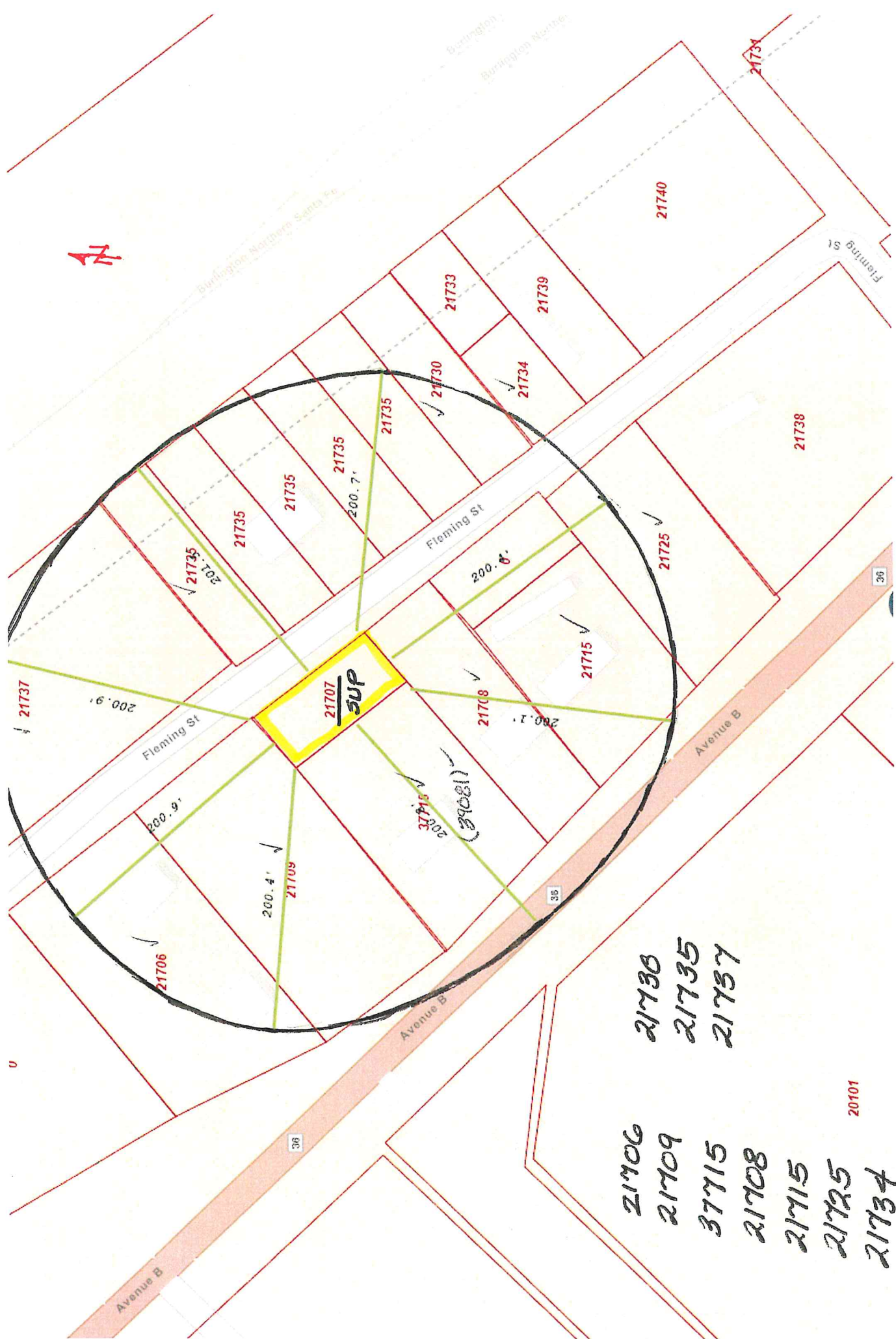
**Legend**

- Road\_Name
- E. M. H. Parks
- M. H. Areas
- City\_Boundary
- Railroad

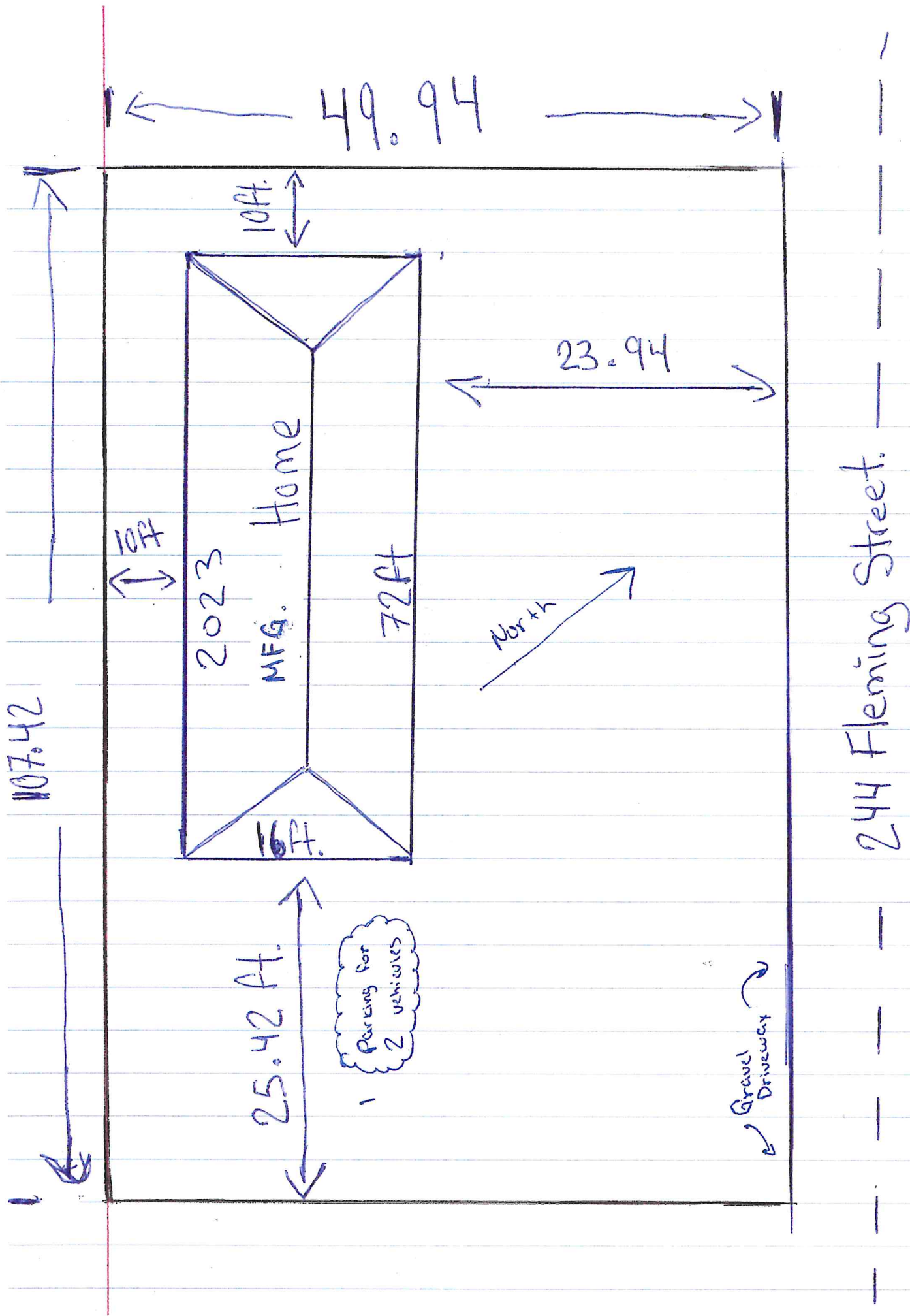
City of Somerville  
Manufactured Home Areas



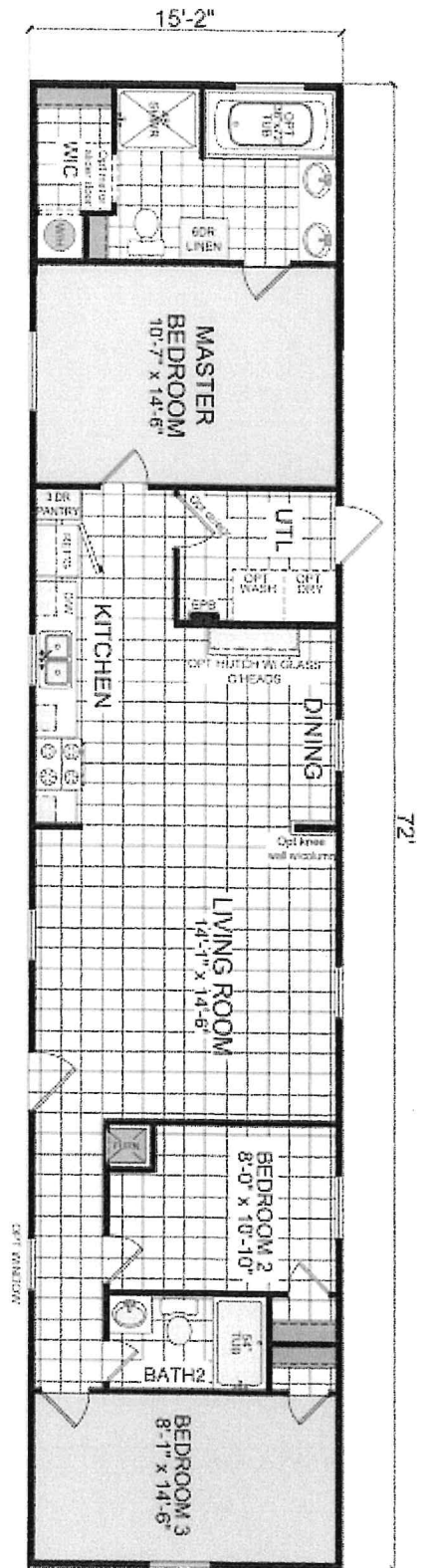




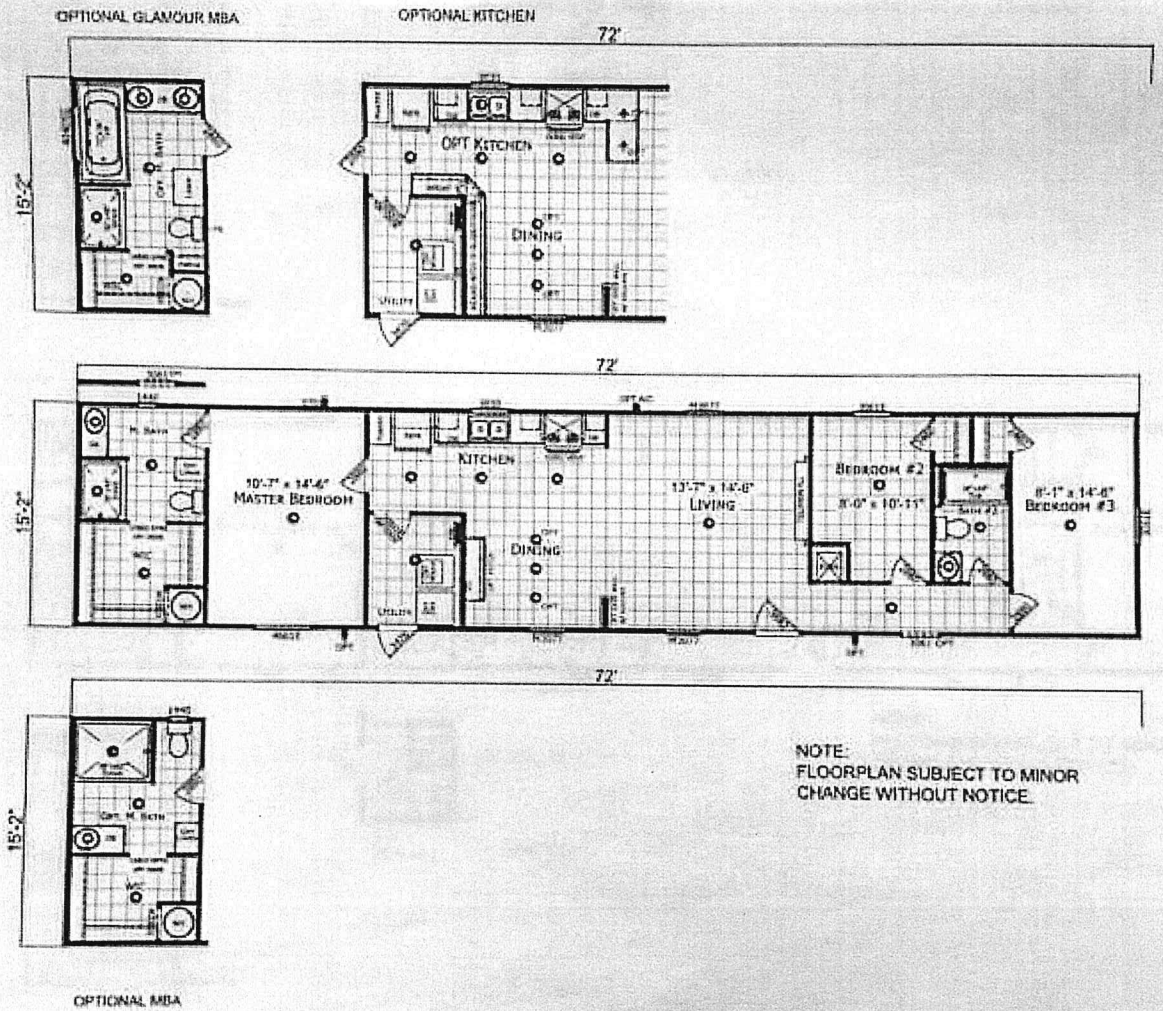




# Floor Plan







<div>CHAMPION</div> <div>501 S. BURLESON BLVD. BURLESON, TX 76028</div>	DAPIA SEAL	MODIFICATIONS				MODEL: 125-CS1672A-OPT 15'-2" x 72'-0" 3 BEDROOM / 2 BATH	
						TITLE: LITERATURE PLAN	
						DRAWN BY: ABEL	
						DATE: 06-18-21	
						SCALE: NOT TO SCALE	
		PROPRIETARY AND CONFIDENTIAL THESE DRAWINGS AND SPECIFICATIONS ARE ORIGINAL PROPRIETARY AND CONFIDENTIAL MATERIALS OF CHAMPION COPYRIGHT © 1976-2008 BY CHAMPION				AREA: 1,092	

## Kathy Pollock

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**From:** Alan Garcia <20alanguarciaa@gmail.com>  
**Sent:** Friday, March 3, 2023 1:38 PM  
**To:** Kathy Pollock  
**Subject:** PICTURES OF MFG HOME





















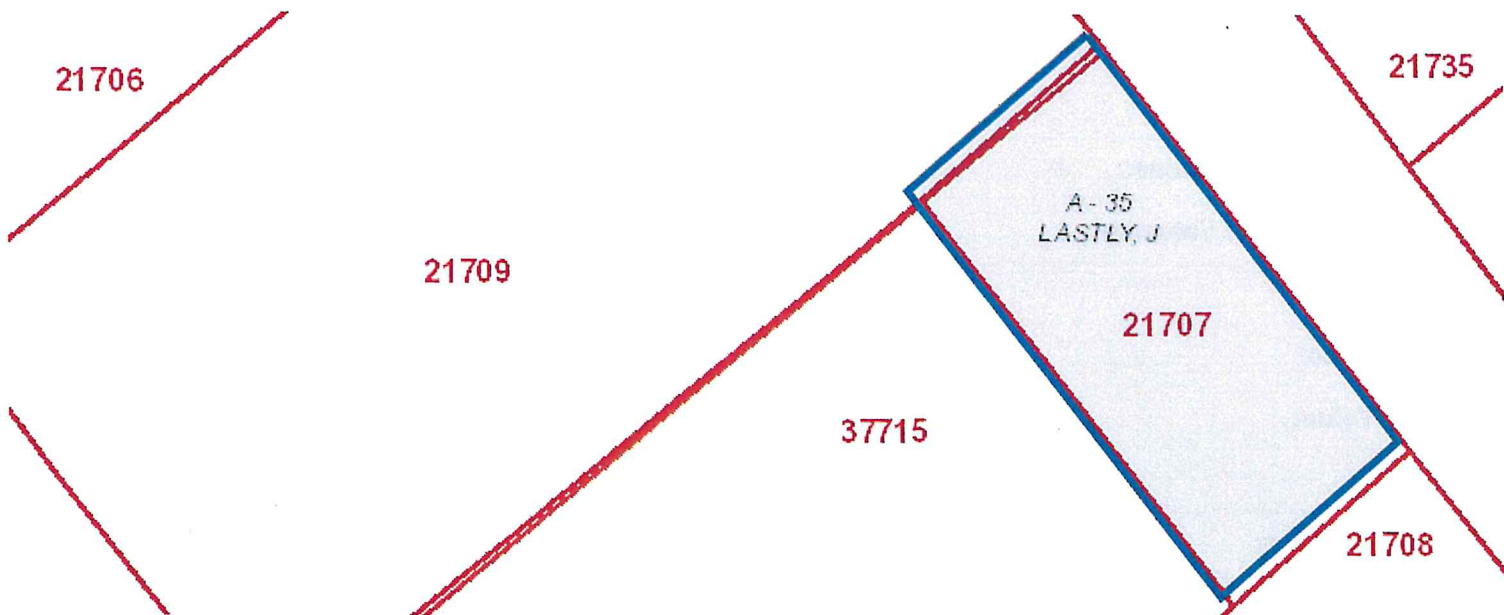








📍 Map



### 📄 Property Details

#### Account

**Property ID:** 21707  
**Legal Description:** S2417 PAUL TAYLOR LOT PT OF 7 0.1233 ACRES  
**Geographic ID:** 2417-000-014-00300

#### Agent:

**Type:** Real

#### Location

**Address:** 244 FLEMING ST SOMERVILLE, TX 77879

#### Map ID:

**Neighborhood CD:** CSMR102

#### Owner

**Owner ID:** 103471  
**Name:** ANDES BUYERS LLC  
**Mailing Address:** 16963 NICHOLE LN  
HOUSTON, TX 77084

**% Ownership:** 100.0%

**Exemptions:** For privacy reasons not all exemptions are shown online.

## Property Values

Improvement Homesite Value:	N/A
Improvement Non-Homesite Value:	N/A
Land Homesite Value:	N/A
Land Non-Homesite Value:	N/A
Agricultural Market Valuation:	N/A
Market Value:	N/A
Ag Use Value:	N/A
Appraised Value:	N/A
Homestead Cap Loss: ⓘ	N/A
Assessed Value:	N/A

**VALUES DISPLAYED ARE 2022 CERTIFIED VALUES.**

Information provided for research purposes only. Legal descriptions and acreage amounts are for appraisal district use only and should be verified prior to using for legal purpose and or documents. Please contact the Appraisal District to verify all information for accuracy.

## Property Taxing Jurisdiction

Entity	Description	Tax Rate	Market Value	Taxable Value
CAD	Burleson CAD	N/A	N/A	N/A
CSM	Somerville City	N/A	N/A	N/A
GBU	Burleson County	N/A	N/A	N/A
HOS	Memorial Hosp	N/A	N/A	N/A
RDD	County Road	N/A	N/A	N/A
SSM	Somerville ISD	N/A	N/A	N/A
Total Tax Rate: N/A				

## Property Improvement - Building

## Property Land

Type	Description	Acreage	Sqft	Eff Front	Eff Depth	Market Value	Prod. Value
CSM	CITY OF SOMERVILLE	0.1233	5,370.00	50.00	107.40	\$2,417	\$0

## Property Roll Value History

Year	Improvements	Land Market	Ag Valuation	Appraised	HS Cap Loss	Assessed
2023	N/A	N/A	N/A	N/A	N/A	N/A
2022	\$0	\$2,417	\$0	\$2,417	\$0	\$2,417
2021	\$0	\$2,417	\$0	\$2,417	\$0	\$2,417
2020	\$0	\$2,041	\$0	\$2,041	\$0	\$2,041
2019	\$0	\$1,772	\$0	\$1,772	\$0	\$1,772
2018	\$0	\$1,772	\$0	\$1,772	\$0	\$1,772
2017	\$0	\$1,772	\$0	\$1,772	\$0	\$1,772
2016	\$0	\$1,611	\$0	\$1,611	\$0	\$1,611
2015	\$0	\$1,611	\$0	\$1,611	\$0	\$1,611
2014	\$0	\$1,611	\$0	\$1,611	\$0	\$1,611
2013	\$0	\$1,611	\$0	\$1,611	\$0	\$1,611
2012	\$0	\$1,611	\$0	\$1,611	\$0	\$1,611

## Property Deed History

Deed Date	Type	Description	Grantor	Grantee	Volume	Page Number
1/6/2023	GD	GIFT DEED	LIRA MARLENE GARCIA	GARCIA ALAN H	2023	72
8/25/2022	WD	WARRANTY DEED	ANDES BUYERS LLC	LIRA MARLENE GARCIA	2022	5235
4/18/2022	WD	WARRANTY DEED	MCNEIL GREGORY	ANDES BUYERS LLC	2022	2422
1/23/2007	SWD	SPEC WARRANTY DEED	MCNEIL GREGORY	MC NEIL GREGORY W	707	289

A.

# U.S. DEPARTMENT OF HOUSING & URBAN DEVELOPMENT SETTLEMENT STATEMENT

## B. TYPE OF LOAN

 1. ☐ FHA 2. ☐ FmHA 3. ☒ Conv. Unins. 4. ☐ VA 5. ☐ Conv. Ins.
6. FILE NUMBER:  
220299

7. LOAN NUMBER:

8. MORTGAGE INS CASE NUMBER:

C. NOTE: This form is furnished to give you a statement of actual settlement costs. Amounts paid to and by the settlement agent are shown. Items marked "[POC]" were paid outside the closing; they are shown here for informational purposes and are not included in the totals. 1.0 3/98 (220299 / 57)

D. NAME AND ADDRESS OF BUYER:

 Marlene Garcia Lira  
501 W Bluebell Rd #8  
Brenham, TX 77833

E. NAME AND ADDRESS OF SELLER:

 Andes Buyers, LLC, a Texas limited liability  
company  
16963 Nichole Ln  
Houston 77084

F. NAME AND ADDRESS OF LENDER:

G. PROPERTY LOCATION:

 244 Fleming St.  
Somerville, TX 77879  
Burleson County, Texas  
0.12 acre, Paul Taylor Addition (unrecorded) to  
the Town of Somerville, James Lastley Survey,  
A-35, Burleson County, Texas

H. SETTLEMENT AGENT:

Burleson County Title Company

 PLACE OF SETTLEMENT:  
110 S Echols St.  
Caldwell, TX 77836-1726

I. SETTLEMENT DATE:

August 25, 2022

DISBURSEMENT DATE:

August 25, 2022

## J. SUMMARY OF BUYER'S TRANSACTION

100. GROSS AMOUNT DUE FROM BUYER:

13,000.00

101. Contract sales price

102. Personal property

715.00

103. Settlement charges to buyer (line 1400)

104.

105. Adjustments for items paid by seller in advance

106. City/Town taxes

107. County taxes

108. Assessments

109.

110.

111.

112. GROSS AMOUNT DUE FROM BUYER

13,715.00

200. AMOUNTS PAID BY OR IN BEHALF OF BUYER:

201. Deposit or earnest money

202. Principal amount of new loan(s)

203. Existing loan(s) taken subject to

204.

205. Option Fee

206.

207.

208.

209. Adjustments for items unpaid by seller

210. City/Town taxes

211. County taxes 01/01/22 to 08/26/22

212. Assessments

213.

214.

215.

216.

217.

218.

219.

220. TOTAL PAID BY/FOR BUYER

300. CASH AT SETTLEMENT FROM/TO BUYER:

301. Gross amount due from Buyer (Line 120)

302. Less amount paid by/for Buyer (Line 220)

303. CASH FROM BUYER

## K. SUMMARY OF SELLER'S TRANSACTION

400. GROSS AMOUNT DUE TO SELLER:

13,000

401. Contract sales price

402. Personal property

403.

404.

405.

Adjustments for items paid by seller in advance

406. City/Town taxes

407. County taxes

408. Assessments

409.

410.

411.

412.

420. GROSS AMOUNT DUE TO SELLER

13,000

500. REDUCTIONS IN AMOUNT DUE TO SELLER:

501. Excess deposit (see Instructions)

502. Settlement charges to seller (line 1400)

503. Existing loan(s) taken subject to

504. Payoff of first mortgage loan

505. Payoff of second mortgage loan

506.

507. Dep. disbursed as proceeds

508.

509.

Adjustments for items unpaid by seller

510. City/Town taxes

511. County taxes 01/01/22 to 08/26/22

512. Assessments

513.

514.

515.

516.

517.

518.

519.

520. TOTAL REDUCTION AMOUNT DUE SELLER

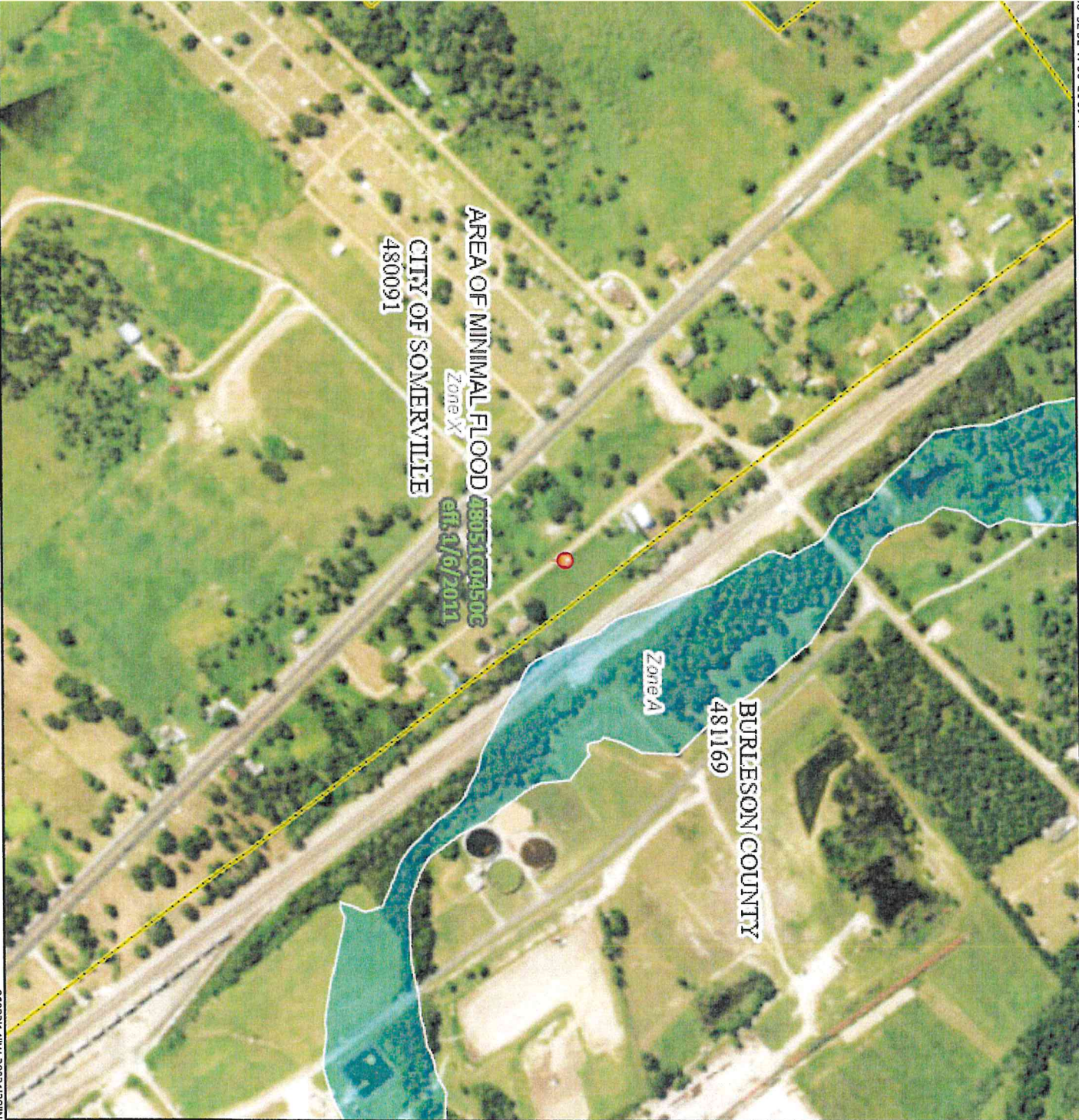
600. CASH AT SETTLEMENT TO/FROM SELLER:

601. Gross amount due to Seller (Line 420)

602. Less reductions due Seller (Line 520)

603. CASH TO SELLER





Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

**SPECIAL FLOOD HAZARD AREAS**

- Without Base Flood Elevation (BFE)  
Zone A, V, AE9
- With BFE or Depth Zone AE, AO, AH, VE, AR
- Regulatory Floodway

**OTHER AREAS OF FLOOD HAZARD**

- 0.2% Annual Chance Flood Hazard, Area of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile (Zone J)
- Future Conditions 1% Annual Chance Flood Hazard (Zone X)
- Area with Reduced Flood Risk due to Levee. See Notes. (Zone X)
- Area with Flood Risk due to Levee (Zone D)

**OTHER AREAS**

- NO SCREEN Area of Minimal Flood Hazard (Zone X)
- Effective LOMRs
- Area of Undetermined Flood Hazard (Zone X)
- GENERAL STRUCTURES**
- Channel, Culvert, or Storm Sewer
- Levee, Dike, or Floodwall

**OTHER FEATURES**

- 202 Cross Sections with 1% Annual Chance Water Surface Elevation
- 17.5 Coastal Transect
- Base Flood Elevation Line (BFE)
- Limit of Study
- Jurisdiction Boundary
- Coastal Transect Baseline
- Profile Baseline
- Hydrographic Feature

**MAP PANELS**

- Digital Data Available
- No Digital Data Available
- Unmapped

The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/23/2023 at 1:01 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

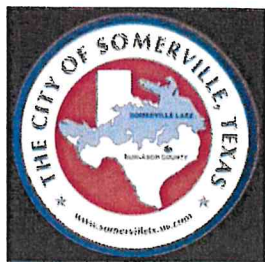
This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmapped areas cannot be used for regulatory purposes.



SUP - Garcia									
Property Owners within 200 feet of property lines									
	BCAD								
#	No.	Street	Owner, Last	First	Owner Address	Tenant, Last	First	Tenant Address	Notes
1706	16023	S.H. 36 S.	Ford	Kevin & Lee	P.O. Box 568 Bryan , Tx 77806-0568	NA	NA	NA	this is an invalid address, Owner has not been in contact since 2015. Vacant Lot
1709	NA	S.H. 36 S.	Ford	Clyde, Estate	165 Fleming Street, Somerville, 77879-4793	NA	NA	NA	This is an invalid address and has been reported to appraisal. Owner is deceased, son has moved away left no address. Vacant Lot
7715	16057	S.H. 36 S.	Lockett	Mary Lee	16057 S.H. 36 S. Somerville	Burns	Robert	house address	Owner no longer lives in house. Daughter in Bryan
9081	16057	S.H. 36 S.	Lockett	Mary Lee	16057 S.H. 36 S. Somerville <i>(canceled daughter)</i>	Burns	Robert	house address	Owner no longer lives in house. Daughter in Bryan
1708	16077	S.H. 36 S.		JAC Brazos Holdings LLC	19341 Highway 6 S. College Station TX 77845	Daniels	Shana R	house address	Rental Property
1715	16091	S.H. 36 S.	Burns	Eddie	16091 S.H. 36 S. Somerville				owner occupied
1725	NA	Fleming Street	Smith	Jessie	19707 Fairway Island Drive, Humble, TX 77346				Vacant Lot
1734	NA	Fleming Street	Jones	Rhonda	227 7th Street, Somerville				Vacant Lot
1730	295		Coleman	Will, c/o Roeshon Reliford	P.O. Box 844 Somerville				Vacant Lot, property owner is deceased
1735	259	Fleming Street	Reliford	Roeshon	P.O. Box 844 Somerville				Owner occupied
1737	219	Fleming Street	Vega	Rafael and Ashtin	P.O. Box 1333, Somerville rafavega621@gmail.com				Bad address, owner local but no good address. Vacant lot.
1707	244	Fleming Street	Garcia	Alan H.	501 Bluebell Road #8, Brenham TX 77833				Applicant for Specific Use Permit

Mailed USPS 3/23/23  
E-mailed 3/22/23

dfp



# City of Somerville

## CODE ENFORCEMENT DEPARTMENT

600 Memory Lane, Somerville, Texas 77879

979-596-1122

March 21, 2023

Case Number: SUP.579.23

**This notice relates to the proposed use of a property located within 200 feet of your property. It does not affect your property use. You may, but are not required to, take any action. See details below.**

SUBJECT: Notice of Public Hearing Request for Specific Use Permit (S.U.P.)  
RE: Property: 244 Fleming Street  
Somerville, TX 77879  
BCAD R21707,  
Paul Taylor, Lot Part of 7, 0.1233 Acres

Reason for S.U.P. Request:

244 Fleming Street is a vacant lot located outside of the yellow zone. The new owner has fenced and cleaned the property with the intent of constructing and occupying a home at the site. Due to the shape and size of the lot, the owner requested and obtained a variance from the typical setback requirements. The site limitations and ongoing issues with purchased house plans have stalled the property owner's efforts to obtain building permits, leading to this request for an S.U.P. for the placement of a 2023 manufactured home on the lot. The owner has stated that this is intended to be an owner-occupied residential property.

To Whom It May Concern:

This letter is to notify you, as required by law, of a public hearing to be held on April 11, 2023, during the regularly scheduled City Council meeting to determine whether the above referenced property should be granted a Specific Use Permit as described herein

All property owners and residents within 200 feet of the location of this property have the opportunity to express concerns about, or support for this request at the public hearing. The hearing will be held at the Senior Citizens Center at 17510 S.H. 36 S, Somerville, Texas 77879. The meeting starts at 6:15. You may attend the meeting to make comments (sign in at the meeting by 6:05 to speak during the public hearing – 3 minutes max. per speaker). Written comments submitted to City Hall prior to April 10, 2023, by 4:15 p.m., will be read during the public hearing.

**You are not required to attend this hearing.**

The decision of the Council to approve or deny this request will be made during the scheduled city council meeting, following the public hearing. If you have any questions about this proceeding, please contact the Code Enforcement Department at 979-596-1122.

Sincerely,

Kathy Pollock,  
Code Enforcement Officer  
Cc: file, city secretary

Sample letter



## Building Permit Application

Plan submittal shall include:

1. A dimensional site plan in accordance with the checklist showing:
  - a. All property lines
  - b. All easements and setbacks located on the lot
2. All existing and proposed structures including paving
3. Existing and proposed floor plan if altering
4. Scope of work/plan notes
5. Attached are Inspector Requirements

**PROJECT ADDRESS:** \_\_\_\_\_

**Legal Description-**

Lot 0.12 Block \_\_\_\_\_ Subdivision \_\_\_\_\_ Section/Phase \_\_\_\_\_  
acres

**APPLICANT** (property owner or authorized agent) This will be the City's official contact.)

Business Name \_\_\_\_\_ Name Alan Garcia

Address 501 W. Blue Bell rd. H8 City, State, Zip Brenham, Tx 77833

Email 20alengarcia@gmail.com Phone 979-451-4537

**PROPERTY OWNER INFORMATION**

Name Alan Garcia Phone 979-451-4537

Address 244 Fleming St.

City, State, Zip Somerville, Tx 77879 Email 20alengarcia@gmail.com

**GENERAL CONTRACTOR**

Business Name Triple C homes Name Oscar Ramirez

Address 116824 Tx-105 City, State, Zip Conroe, Tx 77306

Email \_\_\_\_\_ Phone 979-820-1642

**Class of Work -**

New ☒ Addition \_\_\_\_\_ Repair \_\_\_\_\_ Remodel \_\_\_\_\_ Move \_\_\_\_\_ Demo \_\_\_\_\_ Driveway \_\_\_\_\_

Swimming Pool \_\_\_\_\_ Foundation Repair \_\_\_\_\_ Other \_\_\_\_\_

P.O. BOX 159 ★ 150 8<sup>TH</sup> STREET ★ SOMERVILLE, TX 77879 ★ PHONE 979-596-1122 ★ FAX 979-596-1931  
www.somervilletx.gov



Use of Building to live there

Residential ☒ Commercial \_\_\_\_\_ Multi-Family \_\_\_\_\_ Other \_\_\_\_\_

Description of Work

install the MFG. home and live there its a .12 acre land  
72 ft by 16 ft MFG home - will respect the setbacks

Existing Square Feet \_\_\_\_\_ Additional Square Feet \_\_\_\_\_ (for additions & accessory buildings)

Construction Type \_\_\_\_\_ Occupancy Group \_\_\_\_\_ Occupancy Load \_\_\_\_\_

- Please allow a minimum of ten (10) business days for all plan review. Resubmittals are subject to the same timeframe.
- Permit must be posted in view at the jobsite at all times.
- Under no circumstances will paid fees be refunded or transferred.
- Any work or construction done prior to acquiring a permit may be charged double the total permitting fee.
- \$50 Re-inspection fee for all failed inspections.

SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL, PLUMBING, HEATING, VENTILATING, OR AIR CONDITIONING.

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION AUTHORIZED IS NOT COMMENCED WITHIN 180 DAYS, OR IF CONSTRUCTION OR WORK IS SUSPENDED OR ABANDONED FOR A PERIOD OF 180 DAYS AT ANY TIME AFTER WORK IS COMMENCED.

I HEREBY CERTIFY THAT I HAVE READ AND EXAMINED THIS APPLICATION AND KNOW THE SAME TO BE TRUE AND CORRECT. ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OR CONSTRUCTION.

<u>Alan Garcia</u>	<u>Alan Garcia</u>	<u>03/05/2023</u>
Property Owner/Authorized Agent Signature	Property Owner/Agent Printed Name	Date

FOR OFFICE USE ONLY

RECEIVED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

REVIEWED BY: \_\_\_\_\_ DATE: \_\_\_\_\_

APPROVED: \_\_\_\_\_

DENIED: \_\_\_\_\_

REVISIONS REQUESTED: \_\_\_\_\_

NOTES:

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BASE PERMIT FEE: \$25.00 +

PLAN REVIEW FEE: \_\_\_\_\_ +

PERMIT FEE: \_\_\_\_\_ +

TOTAL FEE: \_\_\_\_\_

150 8<sup>th</sup> Street ~ P.O. Box 159  
Somerville Texas 77879

Please fill the application out completely. You will need to provide a photo I.D. and copies of a lease, tax statement, deed or other proof of authority to occupy when you submit the application. Utility service will not be started until all fees and deposits are paid. Your signature on the application indicates that you have provided accurate information and that you understand that falsification of any information may result in denial of service and is a violation of City Ordinance 14-001.

Applicant's Nearest Relative (not residing with you) Humberto Garcia Relationship dad  
Address 303 2nd St Somerville TX 77879 Phone 979 203 8529  
Street City State Zip

Name: \_\_\_\_\_ Address: \_\_\_\_\_ No. of Tenants: \_\_\_\_\_  
Phone numbers: Contact/Emergency: \_\_\_\_\_ Other: \_\_\_\_\_ Term of Lease: \_\_\_\_\_

Applicant's Signature: Madelene Garcia Co-Applicant's Signature: Adam Garcia

I am requesting that my address and telephone number be kept confidential by the City of Somerville Utility, as provided for by state law. I have received a notice explaining the exceptions to confidentiality. I understand that there is a one-time charge of \$5.00 for this service.

<b>Payment History</b> <input checked="" type="checkbox"/> Good Standing <input type="checkbox"/> No History <input type="checkbox"/> Poor History <input type="checkbox"/> Bad Debt Amount \$ _____ Receipt No. _____	<b>Deposit Required?</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Amount \$ _____ Rect. No. _____ Route No. _____ Seq. No. _____	<b>Authority to Request Service</b> Property Owner <input checked="" type="checkbox"/> Document: _____ Tenant: <input type="checkbox"/> Document _____ List of Tenants Attached <input type="checkbox"/>	<b>Account #</b> _____ <b># of Carts</b> _____ <b>Notes:</b>    
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## NOTICE OF PUBLIC HEARING

The State of Texas  
County of Burleson  
City of Somerville

NOTICE is hereby given that there will be a public hearing held by the City Council at the Senior Citizens Center, at 17510 S.H. 36 S., Somerville, TX on April 11, 2023, during the regular city council meeting. The purpose of this hearing is to consider evidence to grant or deny the request for a Specific Use Permit for the properties located as follows:

**244 Fleming Street, Somerville, TX 77879; BCAD R21707, Paul Taylor, Lot Part of 7, 0.1233 Acres, Case No. SUP 579.23**

The Specific Use Permit request is for the installation of a new manufactured home on a vacant lot (located outside the manufactured home zone), for use as an owner-occupied residence. This S.U.P. is not intended to permit use of the Manufactured Home as a residential rental property, now or in the future, per the procedures set forth in the Manufactured Home Ordinance, 13-003.

Interested parties may submit a statement to be read during the hearing, or may attend the hearing to make a statement in support of or in opposition to the request. Persons wishing to address this issue must sign in prior to the meeting at the Senior Center by 6:05 the night of the meeting. Written statements must be submitted to the Code Enforcement Department at City Hall, no later than 4:15 P.M. April 10, 2023. Contact the Code Enforcement Department at 979-596-1122 for additional information. The council meeting starts at 6:15 P.M.

*Sent to Sub for publication next week  
on March 22, 2023 via email*



# **New Business**

**Planning & Zoning Final Report / Reserve at Lake Somerville**

# AGENDA MEMORANDUM

**MEMO TO:**

Honorable Mayor and City Council Members

**FROM:**

Danny Segundo, City Administrator

**DATE:**

April 4, 2023

**SUBJECT:**

Plat Approval

**BACKGROUND/INFORMATION:**

The Reserve at Lake Somerville Subdivision has submitted its preliminary plat for section 1 of the development. The subdivision development will be done in stages so this is the first step in the process. JK Investments have already submitted the utility design (water distribution & sewer collection system) to City Engineers for review and approval.

At the March City Council meeting a public hearing was held to hear comments from residents who lived nearby, and to address any concerns by the public. The Planning & Zoning Commission has held two meetings regarding the Reserve Plat.

The purpose of the Plat is to provide detailed graphic information and associated text indicating property boundaries, easements, land use, street, utilities, drainage, and other information required to evaluate the proposed development.

The Preliminary Plat has been reviewed by the Planning and Zoning Commission, and a final report has been submitted by the Commission. The plat meets all the requirements of the subdivision ordinance and a final report will be submitted after a public hearing on the matter has occurred.

**RECOMMENDED COUNCIL ACTION:** Discuss, Consider, approve or (disapprove) the Planning and Zoning final report for the Reserve at Lake Somerville plat.

**ATTACHEMENTS:**

- 1) Exhibit A – P & Z Preliminary Report

## EXHIBIT A



# City of Somerville

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## CITY OF SOMERVILLE – PLANNING AND ZONING COMMISSION

### **Report to City Council regarding the Preliminary Plat Submittal for The Reserve.**

The Planning & Zoning Commission has met in order to review the preliminary plat submission by FSC Inc., Surveyors, for The Reserve at Lake Somerville Subdivision.

The preliminary plat has been reviewed and as submitted, meets all the requirements by the city. The plat requires variances related to Section 8.3 Single Family (d) Site Development Regulations of the City's zoning ordinance;

- Lot Width – Maximum lot width of 160 feet
- Lot Depth – Minimum lot depth of 150 feet
- Lot Depth – Maximum lot depth of 300 feet

A public hearing was held on March 14, to hear any comments from the public regarding the proposed subdivision plat.

After review and discussion, the Commissioners recommend the approval of the preliminary plat as it meets all the requirements as stated in the City's Subdivision Ordinance.

Respectfully submitted, this 23rd day of March, 2023.

Dick Meyer, Chairman  
Planning and Zoning Commission  
City of Somerville

# **New Business**

**Planning & Zoning Regarding a Zoning Request**



# AGENDA MEMORANDUM

**MEMO TO:**

Honorable Mayor and City Council Members

**FROM:**

Danny Segundo, City Administrator

**DATE:**

April 4, 2023

**SUBJECT:**

Receive Planning and Zoning Report regarding a Zoning Request

**BACKGROUND/INFORMATION:**

The Planning and Zoning Commission held a meeting on February 16, 2023, to discuss a request for a zoning change that was submitted by Burt Wellman, P.E., on behalf of the property owner.

While in the process of redeveloping the Lakeridge Subdivision it was determined that a portion of the subdivision was zoned as (C-2) General Business. To have the proper zoning designation the zoning correction will need to be made. The area in Exhibit A, will need to be re-zoned to RS-1 Residential, to allow for the progression and development of the subdivision.

At the March City Council meeting a public hearing was held to hear comments from residents who lived nearby, and to address any concerns by the public regarding the proposed zoning change.

After discussion and consideration, the Planning and Zoning Commission submits its final report to City Council. The item is for City Council to receive and approve the Planning and Zoning Report.

**RECOMMENDED COUNCIL ACTION:** Discuss, consider, approve or (disapprove) the Planning and Zoning Report related to the request for a Zoning Change for the Lakeridge Subdivision.

**ATTACHEMENTS:**

- 1) Exhibit A – Area to be rezoned
- 2) Exhibit B – Planning & Zoning Report

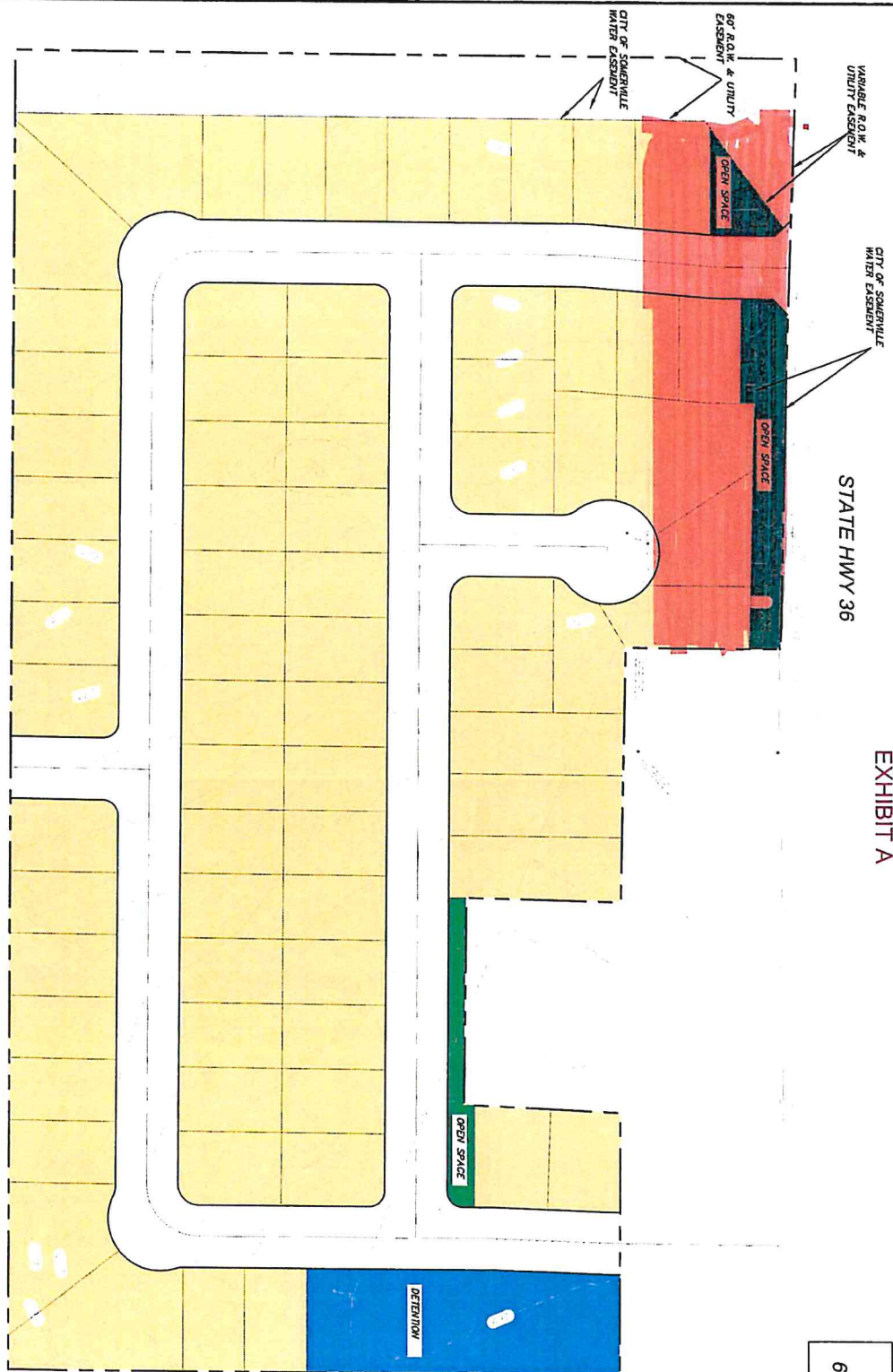


EXHIBIT A

73 LOTS  
60'X100' TYP.

**LAKERIDGE  
SOMERVILLE, TX  
LAND PLAN**

SCALE : 1"=100'



0' 100' 200'

DATE WORKING	
DATE	1992
NAME OF OFFICE	
SHEET NUMBER	
EX. 1	

**KFW**  
ENGINEERS • SURVEYING  
3401 West 12th Street, Suite 200, Salt Lake City, UT 84119  
Phone: (801) 576-0655 • Fax: (801) 576-0611

## EXHIBIT A



# City of Somerville

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## **CITY OF SOMERVILLE – PLANNING AND ZONING COMMISSION FINAL REPORT**

### **Report to City Council regarding a Re-Zoning Request for Lakeridge Subdivision**

The Planning and Zoning Commission met on February 16, 2023, to discuss the zoning change request that was submitted by Burt Wellman, P. E., on behalf of the property owner. The zoning request would change the property located along State Highway 36. The proposed zoning change would be from General Business (C-2) to RS-1 (Residential).

A joint public hearing (with City Council) was held on March 14<sup>th</sup> to allow for the public to comment on the proposed rezoning request. The Planning and Zoning Commission met on March 23, 2023 to consider and discuss comments from the hearing, and to prepare a final report to city council for consideration.

At this time the Planning and Zoning submits its preliminary report to City Council with the following recommendation.

1. To allow for the zoning change from General Business (C-2) to Residential (RS-1).

Respectfully submitted, this 23rd day of March 2023.

Dick Meyer, Chairman  
Planning and Zoning Commission  
City of Somerville

# **New Business**

**Hotel Motel Tax / Ordinance 23-003**



# AGENDA MEMORANDUM

**MEMO TO:**

Honorable Mayor and City Council Members

**FROM:**

Danny Segundo, City Administrator

**DATE:**

April 4, 2023

**SUBJECT:**

Hotel Motel Tax

**BACKGROUND/INFORMATION:**

During last year's budget process, a discussion ensued regarding the amount of Hotel Motel Tax that was being collected, and what was the percentage allowed by our Hotel Occupancy Tax Ordinance. A review of Ordinance 89-03 determined that a rate of four percent was being charged for room occupancy within Somerville city limits.

A review of nearby cities by city staff determined that we may need to look at adjusting the rate being charged for room occupancy. We have asked City Attorney David Olson to review our current Ordinance and determine a fair rate of charge.

Ordinance 23-003 provides for a replacement ordinance that implements the following. A person who owns, operates, manages, or controls a hotel and/or short-term rental (STR) or collects payment for the use or possession or for the right to the use or possession of a hotel room and/or STR shall collect the tax levied by this article for the City. The City's tax is in addition to the 6 percent rate imposed by the State of Texas, which must be remitted separately to the State.

**RECOMMENDED COUNCIL ACTION:** Discuss, consider, approve or (disapprove) Ordinance 23-003 adopting a new rate for Hotel Motel Occupancy.

**ATTACHEMENTS:** Exhibit A – Ordinance 23-003

**Section 2. Definitions.** The following words, terms, and phrases are, for the purpose of, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning defined as follows:

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(A) "~~Consideration~~" shall mean the cost of the room, sleeping space, bed, dormitory space, or other facility in such a hotel and, but shall not include the cost of any food served or personal services rendered to the occupant of such room not related to the cleaning and readying of such room, sleeping space, bed, dormitory space, or other facility in a hotel for occupancy any purpose, and shall not include any tax assessed for occupancy thereof by any other governmental agency.

(B) "Hotel" shall mean any building or buildings, trailer, or other facility, in which the public may obtain sleeping accommodations for a consideration, ~~obtain sleeping accommodations~~. The term shall include hotels, motels, tourist homes, ~~tourist houses, or tourist courts~~, lodging houses, inns, rooming houses, ~~bed and breakfasts~~, or other buildings where rooms are furnished for a consideration, but "hotel" shall not be defined so as to include hospitals, sanitariums or nursing homes. The term does not include: a hospital, sanitarium, or nursing home; a dormitory or other housing facility owned or leased and operated by an institution of higher education or a private or independent institution of higher education, as those terms are defined by Section 61.003 of the Texas Education Code, used by the institution for the purpose of providing sleeping accommodations for persons engaged in an educational program or activity at the institution; or, an oilfield portable unit, as defined by Section 152.001 of the Texas Tax Code.

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(C) "Occupancy" shall mean the use, possession, ~~or the right to the use,~~ or right of possession of any room or rooms, sleeping space, bed, or other facility in a hotel for any purpose.

(D) "Occupant" shall mean anyone who, for consideration uses, possesses, or has a right to use or possess any room or rooms, sleeping space, bed, or other facility in a hotel under any lease, concession, permit, right of access, license, contract, or agreement.

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(E) "Permanent resident" means any occupant who has or shall have the right to occupancy of any room, sleeping space, or facility in a hotel for at least thirty (30) consecutive days during the current calendar year or preceding year.

(F) "Person" shall mean any individual, company, corporation, or association owning, operating, managing, or controlling any hotel in the City or in the City's extraterritorial jurisdiction.

(G) "Financial officer" shall mean the Treasurer of the City of Somerville or his ~~their~~ designated agent(s) or agencies.

(H) "Quarterly period" shall mean the regular calendar quarters of the year. The first quarter being composed of the months of January, February, and March; the second quarter being the months of April, May, and June; the third quarter being the months of July, August, and September; and the fourth quarter being the months of October, November, and December.

### Section 3. Levy of Tax, Rate, Exceptions.

(A) There is hereby levied a tax upon the cost of occupancy of any room ~~or~~ space, or facility furnished by any hotel in the city or the city's extraterritorial jurisdiction where ~~such the~~ cost of occupancy is at the rate of two dollars (\$2.00) or more per day, such tax to be equal to

~~4%~~seven percent (7%) of the consideration paid by the occupant of such room, space, or facility to such hotel.

- (B) No tax shall be imposed hereunder upon a permanent resident.
- (C) No tax shall be imposed hereunder upon an occupant of any room or space rented from a corporation or association organized and operated exclusively for religious, charitable, or education purposes, no part of the net earnings of which inures to the benefit of any private shareholder or individual.

**Section 4. Collection.** Every person owning, operating, managing, or controlling any hotel in the city and the extraterritorial jurisdiction of the city, shall collect the tax imposed in section 3 hereof for the City of Somerville.

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**Section 5. Reports.** On the last day of the month following each quarterly period, every person required hereby ~~section 3~~ to collect the tax imposed by this ordinance shall file a report with the treasurer showing the consideration paid for all room occupancies in the preceding quarter, the amount of tax collected on the city's behalf on such occupancies, and any other information as the treasurer may reasonably require. Such person shall pay over the tax due on such occupancies at the time of filing such report. There shall also be furnished to the Treasurer of the City of Somerville at the time of payment of such tax, a copy of the ~~quarterly-periodic~~ tax report(s) filed with the State Comptroller in connection with the State of Texas Hotel Occupancy Tax ~~for the preceding quarter~~.

**Section 6. Rules and Regulations.** The Treasurer shall have the power to make such rules and regulations as are necessary to effectively collect the tax levied herein and shall upon reasonable notice have access to books and records necessary to enable ~~him to determine~~the determination of the correctness of any report filed as required by this ordinance and the amount of taxes due under the provisions of this ordinance.

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**Section 7. Violations.** If any person required by the provisions of this ordinance to collect the tax imposed herein, make reports as required herein, and pay to the Treasurer the tax imposed herein, shall fail to collect such tax, shall fail to file such report, or shall fail to pay such tax, or if such person shall file a false report. Such person shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed \$200.

**Section 8. Penalties.** Any person ~~shall who fails to file a report as required herein or shall fails to pay to the Treasurer the tax as imposed herein when said report or payment is due, he shall pay a fee of forfeit five percent (5%) of the amount due as a penalty, and after the first thirty (30) days shall pay forfeit an additional five (5%) of the total amount of the tax owed of such tax.~~ Provided, however, that the penalty shall never be less than one dollar (\$1). Delinquent taxes shall draw interest at the rate of ~~six percent (6%)~~ per annum beginning ~~sixty (60) days~~ from the date due.

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## ORDINANCE NO. 23-003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOMERVILLE, TEXAS, AMENDING ORDINANCE NO. 89-03 HOTEL OCCUPANCY OF THE CITY OF SOMERVILLE, TEXAS, TO UPDATE ITS PROVISIONS AND INCREASE THE HOTEL OCCUPANCY TAX TO SEVEN PERCENT (7%) OF THE CONSIDERATION PAID FOR THE USE OR OCCUPANCY OF A HOTEL ROOM WITHIN THE CITY LIMITS, OR WITHIN THE CITY'S EXTRATERRITORIAL JURISDICTION; DEFINING TERMS RELATED TO SAID TAX; PROVIDING CERTAIN REGULATIONS RELATING TO THE IMPOSITION AND COLLECTION OF SAID TAX; PROVIDING PENALTIES AND REMEDIES AS SPECIFIED HEREIN; PROVIDING FOR NOTICE, PROVIDING FOR AN EFFECTIVE DATE, REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.

**Whereas**, the City Council (the "Council") of the City of Somerville, Texas (the "City") finds and determines that it is in the best interest of the residents, citizens, and inhabitants of the City for there to be levied a tax on the use and occupancy of hotel rooms in the City and the City's extraterritorial jurisdiction; and

**Whereas**, the Council finds and determines that the laws of the State of Texas allow the City to levy a hotel occupancy tax in the amount of seven percent (7%) of the consideration paid for the use or occupancy of a hotel room within the City and also in the City's extraterritorial jurisdiction; and

**Whereas**, the Council finds it appropriate to amend various definitions regarding the Hotel Occupancy Tax and update provisions related thereto in accordance with Texas Tax Code § 351.001, *et. seq.* and law;

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

**Section 1. Findings of Fact.** The above and foregoing recitals are hereby found to be true and correct and are incorporated herein as findings of fact. The City Council hereby further finds and determines that the rules, regulations, terms, conditions, provisions and requirements of this ordinance are reasonable and necessary to protect the public health, safety and quality of life.

**Section 2. Definitions.** The following words, terms, and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (A) "Consideration" means the cost of the room, sleeping space, bed, dormitory space, or other facility in a hotel, but shall not include the cost of any food served or personal services rendered to the occupant of such room not related to cleaning and readying such room, sleeping space, bed, dormitory space, or other facility in a hotel for occupancy, and shall not include any tax assessed for occupancy thereof by any other governmental agency.



- (B) “Hotel” means any building or buildings, trailer, or other facility, in which the public may obtain sleeping accommodations for consideration. The term includes hotels, motels, tourist homes, tourist houses, tourist courts, lodging houses, inns, rooming houses, bed and breakfasts, or other buildings where rooms are furnished for a consideration. The term does not include: a hospital, sanitarium, or nursing home; a dormitory or other housing facility owned or leased and operated by an institution of higher education or a private or independent institution of higher education, as those terms are defined by Section 61.003 of the Texas Education Code, used by the institution for the purpose of providing sleeping accommodations for persons engaged in an educational program or activity at the institution; or, an oilfield portable unit, as defined by Section 152.001 of the Texas Tax Code.
- (C) “Occupancy” means the use, possession, right to use, or right of possession of any room or rooms, sleeping space, bed, or other facility in a hotel for any purpose.
- (D) “Occupant” means anyone who, for consideration uses, possesses, or has a right to use or possess any room or rooms, sleeping space, bed, or other facility in a hotel under any lease, concession, permit, right of access, license, contract, or agreement.
- (E) “Permanent resident” means any occupant who has or shall have the right to occupancy of any room, sleeping space, or facility in a hotel for at least thirty (30) consecutive days during the current calendar year or preceding year.
- (F) “Person” means any individual, company, corporation, or association owning, operating, managing, or controlling any hotel in the City or in the City’s extraterritorial jurisdiction.
- (G) “Financial officer” means the Treasurer of the City of Somerville or their designated agent(s) or agencies.
- (H) “Quarterly period” means the regular calendar quarters of the year. The first quarter being composed of the months of January, February, and March; the second quarter being the months of April, May, and June; the third quarter being the months of July, August, and September; and the fourth quarter being the months of October, November, and December.

**Section 3. Levy of Tax, Rate, Exceptions.**

- (A) There is hereby levied a tax upon the cost of occupancy of any room, space, or facility furnished by any hotel in the City or the City’s extraterritorial jurisdiction where the cost of occupancy is at the rate of two dollars (\$2.00) or more per day, such tax to be equal to seven percent (7%) of the consideration paid by the occupant of such room, space, or facility to such hotel.
- (B) No tax shall be imposed hereunder upon a permanent resident.
- (C) No tax shall be imposed hereunder upon an occupant of any room or space rented from a corporation or association organized and operated exclusively for religious, charitable, or education purposes, no part of the net earnings of which insures to the benefit of any private shareholder or individual.

**Section 4. Collection.** Every person owning, operating, managing, or controlling any hotel in the City and the extraterritorial jurisdiction of the City, shall collect the tax imposed in section 3 hereof for the City of Somerville.

**Section 5. Reports.** On the last day of the month following each quarterly period, every person required by section 3 to collect the tax imposed by this Ordinance shall file a report with the Treasurer showing the consideration paid for all room occupancies in the preceding quarter, the amount of tax collected on the City's behalf on such occupancies, and any other information as the Treasurer may reasonably require. Such person shall pay over the tax due on such occupancies at the time of filing such report. There shall also be furnished to the Treasurer of the City of Somerville at the time of payment of such tax, a copy of the periodic tax report(s) filed with the State Comptroller in connection with the State of Texas Hotel Occupancy Tax for the preceding quarter.

**Section 6. Rules and Regulations.** The Treasurer shall have the power to make such rules and regulations as are necessary to effectively collect the tax levied herein and shall upon reasonable notice have access to books and records necessary to enable the determination of the correctness of any report filed as required by this Ordinance and the amount of taxes due under the provisions of this Ordinance.

**Section 7. Violations.** If any person required by the provisions of this ordinance to collect the tax imposed herein, make reports as required herein, and pay to the Treasurer the tax imposed herein, shall fail to collect such tax, shall fail to file such report, or shall fail to pay such tax, or if such person shall file a false report. Such person shall be deemed guilty of a misdemeanor and upon conviction shall be punished by a fine not to exceed \$200.

**Section 8. Penalties.** Any person who fails to file a report as required herein or fails to pay to the Treasurer the tax imposed herein when said report or payment is due, shall pay a fee of five percent (5%) of the amount due as a penalty, and after the first thirty (30) days shall pay an additional five (5%) of the total amount of the tax owed. Provided, however, that the penalty shall never be less than one dollar (\$1.00). Delinquent taxes shall draw interest at the rate of six percent (6%) per annum beginning sixty (60) days from the date due.

**Section 9. Amendment of Ordinances.** Ordinance No. 89-03 is hereby amended in its entirety so that this ordinance is substituted for it and takes its place. All ordinances or parts thereof conflicting or inconsistent with the provisions of this Ordinance as adopted and amended herein, are hereby amended to the extent of such conflict. In the event of a conflict or inconsistency between this ordinance and any other code or ordinance of the City, the terms and provisions of this ordinance shall govern.

**Section 10. Savings Clause.** All rights and remedies of the City of Somerville are expressly saved as to any and all violations of the provisions of any ordinances affecting animals, licensing and registration within the City which have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance but may be prosecuted until final disposition by the courts.

**Section 11. Effective Date.** This Ordinance shall be in full force and effect upon its passage and publication as provided by the laws of the State of Texas.

**Section 12. Severability.** It is hereby declared to be the intention of the City Council that the

sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity 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 of this Ordinance of any such invalid phrase, clause, sentence, paragraph or section. If any provision of this Ordinance shall be adjudged by a court of competent jurisdiction to be invalid, the invalidity shall not affect other provisions or applications of this Ordinance which can be given effect without the invalid provision, and to this end the provisions of this Ordinance are declared to be severable.

**Section 13. Open Meetings.** It is hereby officially found and determined that the meeting at which this ordinance is passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act.

**PASSED AND APPROVED** on this 11<sup>th</sup> day of April, 2023.

\_\_\_\_\_Ayes                  \_\_\_\_\_Noes                  \_\_\_\_\_Abstentions

ATTEST:

**THE CITY OF SOMERVILLE, TEXAS**

\_\_\_\_\_  
Rose Rosser, City Secretary

\_\_\_\_\_  
Tommy Thompson, Mayor

# **Discussion Items**

**NONE**



# **Mayor & Council Comments**

# **City Administrator Comments**

# Adjourn