AGENDA
CITY COUNCIL - SPECIAL MEETING
TUESDAY, NOVEMBER 30, 2021
1371 WEST FM 550 - MCLENDON-CHISHOLM, TEXAS 75032
6:30 PM

Page

1. CALL TO ORDER

2. INVOCATION AND PLEDGE OF ALLEGIANCE TO U.S. AND TEXAS FLAGS

3. RULES OF DECORUM

4. CITIZEN COMMENTS

5. ITEMS FOR CONSIDERATION

3 - 5 5.1. Action regarding approval of a Resolution concerning the validity of a property tax rate rollback petition to call an election to repeal the increase pursuant to Texas Tax Code Section 26.075. (Requested by Green)
Staff Report
Res 2021-15 Verifying Rollback Petition

6. EXECUTIVE SESSION

6.1. Adjourn into Executive Session (Closed Meeting) in accordance with Texas Government Code: Section 551.071(2) Consultation with City Attorney on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter regarding: Petition for the Rollback Election

6.2. Reconvene Regular Meeting

6.3. Executive Session Action

7. ADJOURN

As authorized by Section 551.071 of the Texas Government Code, this meeting may be convened into closed Executive Session in order to seek confidential legal advice from the City Attorney on any agenda item herein.

I, Rochelle Green, do hereby certify that the above Notice of Meeting of the City Council of McLendon-Chisholm, Texas was posted or before 5:00 p.m., November 24, 2021 on the outside bulletin board at City Hall, a place convenient and readily accessible to the public at all times.

City of McLendon-Chisholm

Discussion and action regarding approval of a Resolution concerning the validity of a property tax rate rollback petition to call an election to repeal the increase pursuant to Texas Tax Code Section 26.075. (Requested by Green)

DATE:

November 30, 2021

BACKGROUND OF ISSUE:

A petition calling for a rollback election was delivered to the City Secretary on November 12, 2021. Steps followed to validate the petition are as follows:

1. A current Voter Registration List was requested which showed 2,906 active and suspended voters on the McLendon-Chisholm voter registration list. Forty-nine suspended voters were listed on the most current voter list. This number is subtracted from the total to result in 2,857 active voters.

2. Signatures of 3% of the registered voters were required for a valid petition. Eighty-six signatures were required to meet the 3% rule.

3. The petition included 169 signatures with 24 being rejected for the following reasons:

    a. No Birthday – 10 signatures
    b. Name/Signature not legible – two signatures
    c. Signers not registered – 12

4. 145 signatures were verified.

This petition is verified as being complete and valid.

RECOMMENDATION:

Approval recommended.

Shelly Green
City Secretary

RESOLUTION NO. 2021-15

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS CONCERNING THE VALIDITY OF A PROPERTY TAX RATE ROLLBACK PETITION TO CALL AN ELECTION TO REPEAL INCREASE PURSUANT TO TEXAS TAX CODE SECTION 26.075.

WHEREAS, on November 12, 2021 a property tax rate rollback petition to call an election to repeal increase was filed with the City Secretary pursuant to the Texas Tax Code Section 26.075 (the "**Petition**");

WHEREAS, Texas Tax Code Section 26.075 prescribed requirements for the validity of the Petition, including the language of the Petition, number of required signatures by registered voters and time for submission of the Petition; and

WHEREAS, the number of required signatures by registered voters is dependent on whether the tax rate adopted by the City of McLendon-Chisholm (the "**City**") for the current tax year would impose taxes for maintenance and operations in an amount of less than or at least $5 million; and

WHEREAS, the tax rate adopted by the City would impose taxes for maintenance and operations in an amount of less than $5 million; and

WHEREAS, Texas Tax Code Section 26.075 charges the City Council with the duty of determining whether or not the petition is valid and passing a resolution stating its findings no later than the twentieth (20th) day after the day the Petition is submitted; and

WHEREAS, the City Council has determined the Petition satisfied all requirements of Texas Tax Code 26.075 and that this Resolution is approved within the time required therein.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCLENDON-CHISHOLM, TEXAS:

SECTION 1: The recitals set forth in the WHEREAS clauses of this Resolution are true and correct, constitute findings and determinations by the City Council acting in its legislative capacity and are incorporated here.

SECTION 2: That the City Council has determined the property tax rollback petition received on November 12, 2021 calling for an election to repeal increase in accordance with Texas Tax Code Section 26.075 is in all things valid.

SECTION 3: That this Resolution shall become effective immediately upon its passage.

DULY PASSED AND APPROVED THIS THE 30TH DAY OF NOVEMBER 2021.

_____
Keith Short, Mayor

ATTEST:

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Rochelle Green
City Secretary