

AGENDA
HALTOM CITY COUNCIL MEETING
August 24, 2015
CITY HALL - 5024 BROADWAY AVENUE
Council Chambers – Work Session/ Regular Session
Work Session 6:00 p.m. - Regular Session 7:00 p.m.

WORK SESSION 6:00 P.M.

CALL TO ORDER (General Comments)

- Discuss possible name for new street addition between Belknap and Highland Avenue.
- Review and discuss items on the regular agenda of August 24, 2015.

EXECUTIVE SESSION

Section 551.071

As authorized by Chapter 551 of the Texas Government Code, the City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to seek legal advice from the City Attorney about any matters listed on the agenda, in addition to the following matters:

Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct which may conflict with the Open Meetings Act; including discussion of any item posted on the Agenda; to seek legal advice on: open meetings, open records, contracts, expenditures and oversight of the Haltom City Economic Development Corporation, enforcement action for zoning violation, litigation, and settlement offers and/or claims for the following cases:

- Donald Anthony Hains v. City of Haltom City
- Burkett v. City of Haltom City, et al.
- Flynn v. Haltom City EDC
- Progressive County Mutual Ins. Co. v. City of Haltom City
- James H. Watson v. City of Haltom City
- Louis Engler v. City of Haltom City, et al.
- EEOC Charge No. 450-2015-01583.

Section 551.072 – Deliberations about Real Property

Deliberation regarding the purchase, exchange, lease or value of real property owned or leased by the City and the Economic Development Corporation.

REGULAR SESSION 7:00 P.M.

CALL TO ORDER

INVOCATION/PLEDGE OF ALLEGIANCE – Council Member Jeannine Nunn

ANNOUNCEMENTS/EVENTS

REPORTS

1. **Monthly Financial Report for July 2015** – Consideration and/or action regarding approval of the preliminary monthly Financial Report for the month ending July 31, 2015.

CONSENT AGENDA

2. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meetings of August 5, 2015, August 8, 2015, August 10, 2015, August 12, 2015, and August 15, 2015.
3. **Budget Amendment** – Consideration and/or action regarding approval of Ordinance No. O-2015-016-03 – 2015 Budget Amendment. **2nd Reading**
4. **Charter Election** – Consideration and/or action regarding approval of Ordinance No. O-2015-017-01 calling a special election to be held on November 3, 2015 for the purpose of submitting charter amendments to the voters. **2nd Reading**

REGULAR AGENDA

5. **Property Sale** – Consideration and/or action regarding approval of Resolution R-2015-016-01 for the sale of Lot 30B, Block 1, Jonesfield Addition, locally known as 5736 Bertha Lane, to Mr. Anthony Titcomb.
6. **Property Sale** – Consideration and/or action regarding approval of Resolution R-2015-017-01 for the sale of Lot 29G, Block 29, GW Burkett's Subdivision, locally known as 1405 Joplin Avenue to Troy and Karen Willis.
7. **Property Sale** – Consideration and/or action regarding approval of Resolution R-2015-018-01 for the sale of Lot 2, Block 22, West Browning Addition, locally known as 4620 Nadine Drive to Mr. Larry Young.
8. **Community Powered Revitalization (CPR) Program** – Consideration and/or action regarding approval of Resolution No. R-2015-019-01 authorizing the City Manager to execute an agreement with 6 Stones Mission Network for the City's participation in their CPR Program.
9. **FY2016 Tax Rate** – Conduct a public hearing regarding the FY2016 proposed tax rate.
10. **Audit Committee Appointments** – Consideration and/or action regarding nominating and appointing members to the Audit Committee.

VISITORS/CITIZENS FORUM

*This time is set-aside for any person having business before the Council that is not scheduled on the agenda to speak to the Council. Please submit a completed Speaker's Request Form to the City Secretary. All comments must be directed toward the presiding Officer rather than an individual council member or staff. Each speaker must limit his/her comments to the **subject matter** listed on the Speaker's Request Form and must refrain from personal attacks toward any individual. A three to six minute time limit will be granted. **(Six minutes with prior notification and three without prior notification)**. If a group is present and interested in the same issue, please choose a spokesperson. Council cannot discuss or debate any issue brought forth at this time, nor can any formal action be taken, as it is not a posted agenda item in accordance with the open meetings law.*

BOARDS/COMMISSIONS

11. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members.
12. **Appointment/Reappointment to Boards and Commissions** – Consider approval regarding appointments to Boards/Commissions.

EXECUTIVE SESSION

See Posting on Page One (1) of Agenda.

RECONVENE TO REGULAR SESSION

13. Take any action deemed necessary as a result of the Executive Session.

ADJOURNMENT

CERTIFICATION

I, ART CAMACHO, CITY SECRETARY OF THE CITY OF HALTOM CITY, TEXAS, DO HEREBY CERTIFY THAT THE ABOVE AGENDA WAS POSTED ON THE OFFICIAL BULLETIN BOARDS IN CITY HALL ON THIS THE 21st DAY OF AUGUST, 2015 AT 5:00 P.M., WHICH IS A PLACE READILY ACCESSIBLE TO THE PUBLIC AT ALL TIMES AND THAT SAID NOTICE WAS POSTED IN ACCORDANCE WITH CHAPTER 551, TEXAS GOVERNMENT CODE.



ART CAMACHO, CITY SECRETARY

I CERTIFY THAT THE ATTACHED NOTICE AND AGENDA OF ITEMS TO BE CONSIDERED BY THE CITY COUNCIL WAS REMOVED BY ME FROM THE CITY HALL BULLETIN BOARD ON _____ DAY OF _____, 2015.
Name: _____ Title: _____



This facility is wheelchair accessible. Handicapped parking spaces are available. Request for sign interpretative services must be made 48 hours ahead of meeting. To make arrangements call 817-222-7754.

CITY COUNCIL MEMORANDUM

City Council Meeting: August 24, 2015

Department: Finance

Subject: Monthly Financial Report for July 2015

BACKGROUND

Attached is the Monthly Financial Report for the month ending July 31, 2015. This report is submitted to the City Council for their review and comment. It provides a top-level analysis of the City's financial condition and results of operations for the fiscal year to date.

FISCAL IMPACT

This is a management tool that can be used by Council in evaluating future spending decisions.

RECOMMENDATION

Staff recommends acceptance of the attached report.

ATTACHMENTS

Monthly Financial Report for July 31, 2015.

2015 July Monthly Financial Report

August 14, 2015

We are pleased to provide the July 2015 monthly financial report. Most of the funds are performing as budgeted. Variances related to timing of revenues and expenditures have been "leveled-out" as the year progresses. Exceptions that warrant explanations are listed in the financial report.

Fund Balances

At the end of July, total fund balance for all funds amounted to over \$37 million.

Three of the operating funds namely Parks Performance Fund, Debt Service Fund, and Grant Fund showed negative balances of \$65,908, \$145,950 and \$58,616 respectively. Both Parks Performance Fund and Grant Fund were budgeted with negative fund balance for FY2015. For the Debt Service Fund, the City paid \$763,306 in interest on debt in July 2015. The fund balance will be positive when more property tax revenues are collected.

Revenues

At the end of July, the City realized about 91% of the total budgeted revenues for the year. The City collected more than \$11 million in Property Tax. Out of this amount, \$7.9 million is recorded in General Fund and \$3.6 million is recorded in Debt Service Fund. This represents over 97% of the Property Tax for the year. Sales Tax collection is slightly lower than expected and is about 72% of the total budget. Interest income has suffered for the current year due to amortization of premiums on some investments purchased in 2013. There are no other major deviations from the budget. Minor favorable revenue collections are recorded in some minor funds and are noted in the financial report.

Expenditures

Expenditures for most funds are proportional to the budget. Debt Service Fund has spent more than 103% of the annual budget due to principal and interest debt service payments in February and July. Budget adjustment is required for Debt Service Fund. Street Reconstruction Fund has spent 95% of its budget due to street and drainage improvements. Water and Sewer expenses is only about 69% of the budget. There are no other significant expenditures or cost savings realized so far.

Staff is available to answer any additional questions you may have.

Sincerely,



Thomas J. Muir
City Manager

2015 July Monthly Financial Report - Fund Balances

Fund No.	Fund Title	Actual Fund Balance 10/1/2014	YTD Revenues	YTD Expenditures	Ending Fund Balance 7/31/2015
1	General Fund	\$7,300,573	\$21,317,908	\$19,273,704	\$9,344,776
2	Park Performance Fund	(35,456)	115,867	146,320	(\$65,908)
5	Debt Service Fund	222,030	4,693,704	5,061,685	(\$145,950)
11	Economic Development Fund	2,891,162	10,993,401	10,696,671	\$3,187,892
12	Crime Control Fund	673,909	1,165,875	1,399,577	\$440,207
13	Oil and Gas Fund	4,170,241	160,328	791,833	\$3,538,735
14	Hotel Motel Tax Fund	116,447	38,299	46,332	\$108,414
15	Court Security Fund	132,649	28,093	39,338	\$121,404
16	Court Technology Fund	116,535	37,339	32,122	\$121,752
17	Juvenile Case Manager Fund	147,852	46,527	39,626	\$154,753
18	Red Light Camera Fund	229,380	83,501	132,952	\$179,928
19	Grant Fund	(79,746)	101,199	80,069	(\$58,616)
20	PEG Fund	94,454	51,305	0	\$145,759
21	Fire Donation Fund	4,673	2,089	2,450	\$4,312
22	Library Donation Fund	111,073	37,880	15,785	\$133,167
23	Police Forfeiture Fund	48,927	21,067	24,313	\$45,681
24	Park Donation Fund	23,069	59,238	62,817	\$19,490
25	Park Dedication Fund	101,745	196	14,583	\$87,357
26	Safe Pathways Fund	46,816	2,176	0	\$48,992
27	Animal Shelter Fund	38,569	4,064	0	\$42,633
28	Police Donation Fund	68,106	50,603	52,208	\$66,501
29	Police CART Fund	11,150	0	0	\$11,150
31	Street Reconstruction Fund	6,863,423	1,527,929	3,140,136	\$5,251,217
32	Capital Projects Fund	4,024,711	370,478	357,474	\$4,037,715
39	Street Assessment Fund	1,312	7,728	1,000	\$8,040
41	Water and Sewer Fund	5,458,288	14,054,769	13,658,585	\$5,854,472
42	Water Capital Projects	2,439,368	919,226	1,046,097	\$2,312,498
44	W&S Impact Fees	754,669	100,695	2,285	\$853,079
45	Drainage Fund	578,258	1,365,897	1,163,889	\$780,266
46	Drainage Capital Projects	486,689	180,461	7,997	\$659,153
Total		\$37,040,876	\$57,537,841	\$57,289,848	\$37,288,869

2015 July Monthly Financial Report - Revenue Summary

Fund No.	Fund Title	Adopted Budget	Revised Budget	YTD Budget	July Actual	YTD Actual	Percent of Revenue Earned	Notes
1	General Fund	\$23,547,785	\$23,547,785	\$20,981,187	\$1,129,437	\$21,317,908	90.5%	1
2	Parks Performance Fund	192,000	192,000	160,000	16,764	115,867	60.3%	
5	Debt Service Fund	4,811,555	4,811,555	4,009,629	271,457	4,693,704	97.6%	2
11	Economic Development Fund	9,154,686	9,154,686	7,628,905	916,550	10,993,401	120.1%	3
12	Crime Control & Prevention District Fund	1,449,280	1,449,280	1,207,733	112,219	1,165,875	80.4%	
13	Oil and Gas Fund	319,648	319,648	266,373	5,053	160,328	50.2%	
14	Hotel/Motel Tax Fund	44,400	44,400	37,000	4,366	38,299	86.3%	
15	Court Security Fund	34,100	34,100	28,417	2,643	28,093	82.4%	
16	Court Technology Fund	44,700	44,700	37,250	3,510	37,339	83.5%	
17	Juvenile Case Manager Fund	52,400	52,400	43,667	4,370	46,527	88.8%	
18	Red Light Camera Fund	166,200	166,200	138,500	12,420	83,501	50.2%	4
19	Grant Fund	77,687	77,687	64,739	13,032	101,199	130.3%	5
20	PEG Fund	63,000	63,000	52,500	(16,626)	51,305	81.4%	
21	Fire Donation Fund	2,850	2,850	2,375	200	2,089	73.3%	
22	Library Donation Fund	38,700	38,700	32,250	5,844	37,880	97.9%	6
23	Police Forfeiture Fund	25,500	25,500	21,250	2,083	21,067	82.6%	
24	Park Donation Fund	51,750	51,750	43,125	4,839	59,238	114.5%	7
25	Park Dedication Fund	400	400	333	26	196	48.9%	8
26	Safe Pathways Fund	5,150	5,150	4,292	14	2,176	42.3%	8
27	Animal Shelter Fund	7,650	7,650	6,375	468	4,064	53.1%	8
28	Police Donation Fund	73,500	73,500	61,250	7,341	50,603	68.8%	8
29	Police CART Fund	1,000	1,000	833	(1,000)	0	0.0%	
31	Street Reconstruction Fund	1,495,500	1,495,500	1,246,250	114,538	1,527,929	102.2%	9
32	Capital Projects Fund	372,000	372,000	310,000	451	370,478	99.6%	10
39	Street Assessments Fund	1,200	1,200	1,000	2	7,728	644.0%	11
41	Water & Sewer Fund	18,008,982	18,008,982	15,007,485	1,620,603	14,054,769	78.0%	
42	Water & Sewer Utility Projects Fund	1,113,310	1,113,310	927,758	91,930	919,226	82.6%	
44	Water and Sewer Impact Fees Fund	17,000	17,000	14,167	14,251	100,695	592.3%	12
45	Drainage Utility Fund	1,718,007	1,718,007	1,431,673	136,843	1,365,897	79.5%	
46	Drainage Capital Projects Fund	215,000	215,000	179,167	18,082	180,461	83.9%	
Total Revenues		\$63,104,940	\$63,104,940	\$53,945,483	\$4,491,712	\$57,537,841	91.2%	

Notes:

- 1 The General Fund received \$7.9 million from property tax which was over 97% of the property tax revenues.
- 2 The Debt Service Fund received \$3.6 million from property tax which was over 97% of the property tax revenues.
- 3 The Economic Development Fund realized about \$8.5 million in grant revenues for the year. Together with the Sales Tax revenues, the total revenues exceeded the budgeted amount.
- 4 The Red Light Camera Fund total revenues were below the proportionate budgeted amount due to decline in red light fees.
- 5 The Grant Fund received about \$101,199 grant revenues for various police and fire related grants and were at 130% of the budgeted amount.
- 6 The Library Donation Fund has collected \$12,161 in donations and \$16,505 in copy sales as of July 2015 and were at 98% of the budget.
- 7 Total revenues exceeded the annual budget mainly due to the Back to School Healthfair revenues of \$45,710.
- 8 Revenues received were below the proportionate budgeted amounts.
- 9 The Street Reconstruction Fund received \$297,695 grant money for work performed on the Safe Routes to School project which was not included in the adopted budget.
- 10 Bond proceeds of \$365,000 from the 2014 Tax Notes was recorded for the fiscal year which was the major revenue for the fund for the year.
- 11 Received \$7,728 in Street Assessments for the year and exceeded the annual budget of \$1,200.
- 12 Received total revenues of \$100,695 mainly from water and sewer impact fees and exceeded the annual budget of \$17,000.

2015 July Monthly Financial Report - Expenditure Summary

Fund No.	Fund Title	Adopted Budget	Revised Budget	YTD Budget	July Actual	YTD Expenditures	Percent of Budget Spent	Notes
1	General Fund	\$24,234,625	\$24,234,625	\$20,056,733	\$2,358,758	\$19,273,704	79.5%	
2	Parks Performance Fund	192,239	192,239	160,199	22,506	146,320	76.1%	
5	Debt Service Fund	4,915,614	4,915,614	4,096,345	765,457	5,061,685	103.0%	1
11	Economic Development Fund	11,252,551	11,252,551	9,377,126	592,369	10,696,671	95.1%	2
12	Crime Control & Prevention District Fund	1,670,823	1,670,823	1,392,353	362,882	1,399,577	83.8%	
13	Oil and Gas Fund	951,044	951,044	792,537	79,183	791,833	83.3%	
14	Hotel/Motel Tax Fund	60,041	60,041	50,034	2,721	46,332	77.2%	
15	Court Security Fund	47,438	47,438	39,532	3,926	39,338	82.9%	
16	Court Technology Fund	42,704	42,704	35,587	685	32,122	75.2%	
17	Juvenile Case Manager Fund	48,529	48,529	40,441	4,154	39,626	81.7%	
18	Red Light Camera Fund	206,912	206,912	172,427	39,324	132,952	64.3%	
19	Grant Fund	77,687	77,687	64,739	6,149	80,069	103.1%	3
20	PEG Fund	3,820	3,820	3,183	0	0	0.0%	
21	Fire Donation Fund	3,600	3,600	3,000	(0)	2,450	68.0%	
22	Library Donation Fund	82,900	82,900	69,083	3,368	15,785	19.0%	4
23	Police Forfeiture Fund	46,000	46,000	38,333	14,870	24,313	52.9%	5
24	Park Donation Fund	50,950	50,950	42,458	26,616	62,817	123.3%	6
25	Park Dedication Fund	0	0	0	1,458	14,583	NA	
26	Safe Pathways Fund	10,000	10,000	8,333	0	0	0.0%	
27	Animal Shelter Fund	5,150	5,150	4,292	0	0	0.0%	
28	Police Donation Fund	101,000	101,000	84,167	2,393	52,208	51.7%	7
29	Police CART Fund	2,500	2,500	2,083	0	0	0.0%	
31	Street Reconstruction Fund	3,291,799	3,291,799	2,743,166	276,985	3,140,136	95.4%	8
32	Capital Projects Fund	3,401,309	3,401,309	2,834,424	19,844	357,474	10.5%	9
39	Street Assessments Fund	1,200	1,200	1,000	100	1,000	83.3%	
41	Water & Sewer Fund	19,656,432	19,656,432	16,380,360	2,322,539	13,658,585	69.5%	10
42	Water & Sewer Utility Projects Fund	786,920	786,920	655,767	235	1,046,097	132.9%	9
44	Water and Sewer Impact Fees Fund	400,000	400,000	333,333	0	2,285	0.6%	
45	Drainage Utility Fund	1,855,297	1,855,297	1,546,081	131,689	1,163,889	62.7%	11
46	Drainage Capital Projects Fund	254,491	254,491	212,076	0	7,997	3.1%	12
Total Expenditures		\$73,653,575	\$73,653,575	\$61,239,191	\$7,038,212	\$57,289,848	77.8%	

Notes:

- 1 All debt service payments for the year were paid by the end of July. The adopted budget did not reflect the correct amount of total debt service requirement for the year. Budget amendment will be made to increase the total appropriation.
- 2 Expenditures incurred included over \$8.3 million from the C820EX project.
- 3 Total expenditures for Grant Fund amounted to \$80,069 which included \$12,135 for helmets and vests that were not included in the budget. Budget amendment will be made to increase the appropriation.
- 4 The Library Donation Fund budgeted \$47,500 for office supplies and other expenses and \$30,000 for computer equipment. As of July 2015, only \$8,083 was spend for office supplies and \$782 was spent for computer equipment.
- 5 The Police Forfeiture Fund budgeted \$45,000 for office supplies. As of July 2015, only \$24,313 was spent.
- 6 Expenditures for July included \$25,000 for the Back to School Healthfair. Budget amendment will be made to increase the appropriation.
- 7 The Police Donation Fund budgeted \$97,500 for equipment supplies. As of July 2015, only \$47,610 were spent.
- 8 Expenditures was about 95% of the budget due to Webster Street construction and drainage improvements.
- 9 Capital Project Fund and Water Sewer Utility Projects Fund are capital project funds. Capital project budgets may be carried from prior years. It is not unusual that the expenditures exceed the current year budget.
- 10 Actual expenses up to July were less than the proportionate budgeted amounts. Water and Sewer Funds are seasonal. It is possible that 50% of the expenses are incurred in the summer months.
- 11 Expenses were proportionally low as compared to the budget.
- 12 Curb and gutter maintenance was budgeted at \$250,000 for the year but no expenses have incurred yet.

2015 July Monthly Financial Report - General Fund Revenues

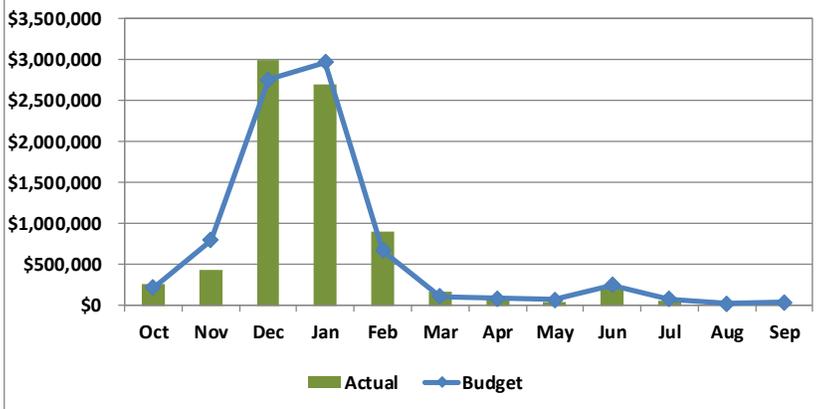
Description	Adopted Budget	Revised Budget	YTD Budget	July Actual	YTD Actual	Percent of Revenue Earned	Notes
Property Taxes	\$8,075,980	\$8,075,980	\$8,015,465	\$62,768	\$7,903,040	97.9%	1
Sales & Other Taxes	\$6,067,300	\$6,067,300	\$4,941,068	\$454,791	\$4,862,314	80.1%	
Franchise Fees	\$3,941,050	\$3,941,050	\$3,471,775	\$163,931	\$3,600,941	91.4%	2
Licenses/Permits/Fees	\$476,720	\$476,720	\$397,267	\$30,945	\$487,192	102.2%	3
Charges for Service	\$1,677,915	\$1,677,915	\$1,398,263	\$133,602	\$1,333,123	79.5%	
Fees and Fines	\$1,538,950	\$1,538,950	\$1,282,458	\$143,487	\$1,523,717	99.0%	4
Other Revenues							
Intergovernmental	\$164,765	\$164,765	\$137,304	\$33,288	\$236,522	143.6%	5
Interest Income	\$35,000	\$35,000	\$29,167	\$2,020	\$24,143	69.0%	
Miscellaneous	\$140,100	\$140,100	\$116,750	\$10,966	\$210,515	150.3%	6
Total General Fund Revenues	\$22,117,780	\$22,117,780	\$19,789,516	\$1,035,797	\$20,181,506	91.2%	
Transfers	\$1,430,005	\$1,430,005	\$1,191,671	\$93,640	\$1,136,402	79.5%	
Total General Fund Revenues and Transfers	\$23,547,785	\$23,547,785	\$20,981,187	\$1,129,437	\$21,317,908	90.5%	

Notes:

- 1 Received over \$7.9 million from property tax for the first ten months, which was almost 98% of the property tax revenues
- 2 The City received the annual Electric Franchise of over \$1.37 million in March and quarterly or monthly payments for the others franchises. Thus the overall percent appeared to be high.
- 3 Licenses and Permit Fees exceeded the budget amount mainly due to building permits. Total Building Permits revenues collected for the year totaled \$302,485.
- 4 The total Fees and Fines collected was about 99% of the budgeted amount. This was due to higher collection rate with the third party collector (McCreary, Vesekla, Bragg & Allen).
- 5 Major intergovernmental incomes received include Birdville ISD for police officers at high school campus and Tarrant County for Auto Theft Task Force.
- 6 The City has received \$96,508 from lease of city owned property and \$54,223 from TML for insurance settlement for the 10-month ending July 2015.

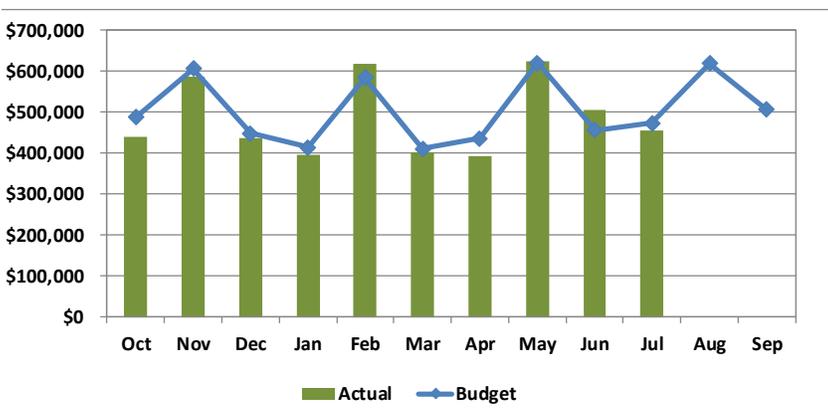
2015 July Monthly Financial Report - General Fund Revenues

Property Tax Revenues



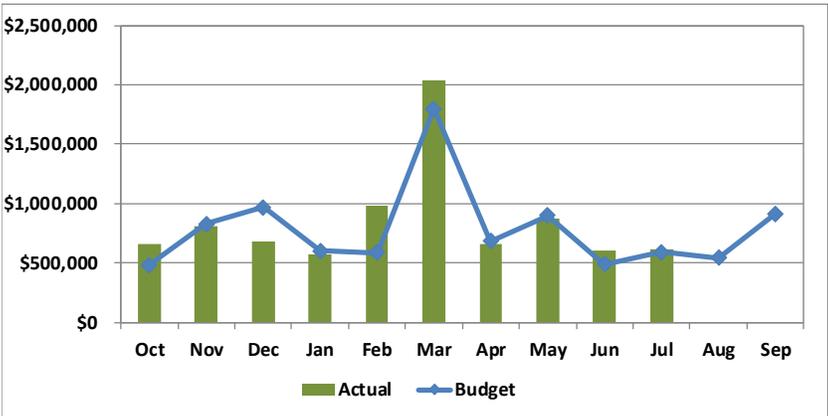
	Budget	Actual	YTD Variance
Oct	\$219,046	\$270,496	\$51,450
Nov	\$796,161	\$429,638	(\$315,074)
Dec	\$2,763,083	\$2,997,155	(\$81,002)
Jan	\$2,970,715	\$2,697,391	(\$354,326)
Feb	\$670,664	\$906,162	(\$118,828)
Mar	\$110,042	\$173,666	(\$55,204)
Apr	\$88,471	\$75,349	(\$68,327)
May	\$68,485	\$51,586	(\$85,225)
Jun	\$248,453	\$238,829	(\$94,849)
Jul		\$62,768	(\$112,425)
Aug	\$21,486		
Sep	\$39,029		
Total	\$8,075,980	\$7,903,040	(\$172,940)

Sales Tax Revenues



	Budget	Actual	YTD Variance
Oct	\$487,676	\$440,905	(\$46,771)
Nov	\$607,246	\$588,007	(\$66,010)
Dec	\$448,993	\$438,733	(\$76,270)
Jan	\$414,023	\$397,895	(\$92,398)
Feb	\$584,395	\$617,191	(\$59,601)
Mar	\$411,202	\$401,805	(\$68,998)
Apr	\$436,723	\$394,482	(\$111,240)
May	\$620,362	\$625,339	(\$106,263)
Jun	\$457,018	\$507,362	(\$55,920)
Jul	\$473,429	\$454,791	(\$74,558)
Aug	\$618,883		
Sep	\$507,349		
Total	\$6,067,300	\$4,866,510	(\$1,200,790)

Other General Fund Revenues



	Budget	Actual	YTD Variance
Oct	\$486,421	\$658,900	\$172,479
Nov	\$831,791	\$806,847	\$147,535
Dec	\$969,693	\$677,855	(\$144,303)
Jan	\$605,119	\$577,355	(\$172,066)
Feb	\$586,981	\$983,322	\$224,274
Mar	\$1,799,011	\$2,039,498	\$464,762
Apr	\$682,226	\$656,411	\$438,946
May	\$897,072	\$873,012	\$414,886
Jun	\$492,654	\$602,314	\$524,546
Jul	\$593,314	\$611,878	\$543,110
Aug	\$545,867		
Sep	\$914,356		
Total	\$9,404,505	\$8,487,392	(\$1,528,991)

2015 July Monthly Financial Report - General Fund Expenditures

Description	Adopted Budget	Revised Budget	YTD Budget	July Actual	YTD Expenditures	Percent of Budget Spent	Notes
General Government	\$6,290,776	\$6,290,776	\$5,242,313	\$539,662	\$4,012,330	63.8%	
Administration	544,781	544,781	453,984	60,650	478,985	87.9%	
City Secretary	206,355	206,355	171,963	20,326	183,003	88.7%	
City Council	18,672	18,672	15,560	3,426	14,846	79.5%	
Finance	585,866	585,866	488,222	65,670	511,975	87.4%	
Human Resources	430,427	430,427	358,689	31,513	306,282	71.2%	
Planning & Inspections	676,271	676,271	563,559	60,519	478,679	70.8%	
Information Technology	418,740	418,740	348,950	92,658	408,160	97.5%	
Fleet Services	523,635	523,635	436,363	58,001	448,068	85.6%	
Building Maintenance	348,552	348,552	290,460	11,959	220,186	63.2%	
Nondepartment	2,537,477	2,537,477	2,114,564	134,941	962,145	37.9%	1
Public Safety	\$14,774,521	\$14,774,521	\$12,312,101	\$1,375,066	\$12,759,064	86.4%	
Police	7,953,633	7,953,633	6,628,028	762,282	6,984,243	87.8%	
Fire	5,818,589	5,818,589	4,848,824	509,505	5,040,487	86.6%	
Animal Control	347,339	347,339	289,449	40,585	244,724	70.5%	
Municipal Court	654,960	654,960	545,800	62,694	489,609	74.8%	
Streets	\$894,817	\$894,817	\$671,113	\$74,873	\$606,450	67.8%	
Culture and Recreation	\$2,172,447	\$2,172,447	\$1,810,373	\$235,824	\$1,745,860	80.4%	
Parks and Recreation	991,522	991,522	826,268	114,732	853,558	86.1%	
Library	1,180,925	1,180,925	984,104	121,092	892,302	75.6%	
Total General Fund Expenditures	\$24,132,561	\$24,132,561	\$20,035,899	\$2,225,425	\$19,123,704	79.2%	
Transfers Out	25,000	25,000	\$20,833	133,333	150,000	600.0%	2
Total General Fund Expenditures & Transfers	\$24,157,561	\$24,157,561	\$20,056,733	\$2,358,758	\$19,273,704	79.8%	

Notes:

- 1 Non-department expenditures incurred was about 38% for the year.
- 2 The adopted budget was a transfer of \$25,000 to PEG Fund. It was decided that the transfer to PEG Fund was not required. Instead, a transfer of \$150,000 to Debt Service Fund was necessary due to insufficient revenue from the property tax allocation for Debt Service Fund.

City of Haltom City
Debt Ratio, Acid-test Ratio, and Current Ratio
July 31, 2015

	General Fund	Water & Sewer Fund	All Other Funds	City-wide
Assets				
Total Quick Assets (Current Assets without inventory, supplies and prepaid items)	10,874,603.06	8,749,912.03	22,003,818.79	41,628,333.88
Total Current Assets	11,062,680.90	8,858,545.65	22,009,004.54	41,930,231.09
Fixed Assets	77,567,273.77	41,273,754.73	16,918,835.70	135,759,864.20
Total Assets	88,629,954.67	50,132,300.38	38,927,840.24	177,690,095.29
Liabilities				
Current Liabilities	1,765,595.30	3,646,141.27	2,974,790.58	8,386,527.15
Long-Term Liabilities	43,551,246.94	14,580,751.11	2,576,728.20	60,708,726.25
Total Liabilities	45,316,842.24	18,226,892.38	5,551,518.78	69,095,253.40
Debt Ratio	51%	36%	14%	39%
Acid Test Ratio	6.16	2.40	7.40	4.96
Current Ratio	6.27	2.43	7.40	5.00

**City of Haltom City
Audit Findings Report - July 2015**

Item #	Findings	Corrective Action	July 2015
2014-001	Fund Balances were not accurately stated.	Roll forward balance will be checked for accuracy	This is a year end process
2014-002	Compensated absences were not properly stated.	Compensated absences calculation will be checked for accuracy	This is a year end process
2014-003	Obligation between funds were not accurately stated.	All cash and investments accounts will be reviewed for accuracy when preparing the year end trial balance	This is a year end process
2014-004	Receivable for unbilled water, sewer and drainage were not properly stated at year-end.	Adjustments from water, sewer and drainage receivable will be made at year-end before the books are closed	This is a year end process
2014-005	Receivables from grant agreements were not properly recorded.	Better communication between operating departments and Finance Department will be established to make sure all grants records are up-to-date	Intergovernmental receivables are recorded when the city pays for expenditures that are grants related and are subject for reimbursement.
2014-006	Revenue from an exchange transaction was incorrectly recorded in a special revenue fund restricted for donations.	Review source of funds to determine the correct recording of all revenues	All special revenues are reviewed and recorded appropriately.
2014-007	Debt and associated activity was recorded in the EDC fund, which is a separate legal entity, but is not the legal obligation of that entity.	All transactions will be reviewed by the controller to ensure that the transactions are recorded properly.	There is no debt issuance related to EDC for this Fiscal Year.
2014-008	Debt of the governmental funds was recorded as a liability.	All transactions will be reviewed by the controller to ensure that the transactions are recorded properly.	The only debt issuance for this fiscal year was in October 2014 and was recorded properly.
2014-009	Principal payments made on debt in the enterprise funds were reflected as an expense of that fund.	Year end adjustments for principal payment will be made.	This is a year end process
2014-010	Fixed assets were not properly recorded.	Review of fixed assets purchases and recording procedures to ensure correct recording.	Purchases of fixed assets are reviewed and coded properly.
2014-011	Account receivable for water and sewer did not accurately reflect the amounts billed for these services.	Review the reasonableness of accounts receivable for water and sewer monthly.	Monthly comparison of billed water and sewer is done to check variances.
2014-012	Review of aging of miscellaneous account receivable is not routinely done.	Regular reviews and analyses for all receivables will be conducted to ensure all receivables are monitored.	Aging of AR was analyzed in June 2015. Recommendation for write offs will be done at year-end.
2014-013	Schedule of expenditures and communication between Finance and operating department.	Better communication between operating departments and Finance Department will be established to make sure all grants records are up-to-date	Monthly grant reports are prepared and the accuracy of the reports is confirmed by both Finance and Departments.
2014-014	Monthly grant report to be filed with NCTCOG for 820 Backage Road Improvement project.	Monthly reports will be filed with granting agency.	June 2016 had been submitted. July report is in process.
2014-015	Checking and documenting suspended and debar vendor list.	All new and existing vendors with grant funding will be checked to ensure that they are not on the suspended and debar list.	Ongoing. Sent reminders to various departments regarding checking of all grant vendors and documenting the process.

Green = Completed / On schedule
Yellow = In progress
Red = Behind Schedule

CITY COUNCIL MEMORANDUM

City Council Meeting: August 24, 2015

Department: City Secretary

Subject: Minutes of August 5, 2015, August 8, 2015, August 10, 2015, August 12, 2015 and August 15, 2015.

BACKGROUND

On August 5, 2015, August 8, 2015, August 12, 2015, and August 15, 2015, City Council Budget Worksessions were held at the Haltom City Fire Station, 5525 Broadway Avenue; on August 10, 2015, a Regular Meeting was held at City Hall, 5024 Broadway Avenue.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends the City Council approve the Minutes of the meetings of August 5, 2015, August 8, 2015, August 10, 2015, August 12, 2015 and August 15, 2015.

ATTACHMENTS

August 5, 2015 Minutes
August 8, 2015 Minutes
August 10, 2015 Minutes
August 12, 2015 Minutes
August 15, 2015 Minutes

MINUTES
HALTOM CITY COUNCIL/STAFF BUDGET WORKSHOP
HALTOM CITY CENTRAL FIRE STATION
5525 BROADWAY AVENUE, HALTOM CITY, TEXAS 76117
August 5, 2015

A Council/Staff Budget Workshop was held by the City Council of the City of Haltom City, Texas, on August 5, 2015, at 7:00 p.m. at the Haltom City Central Fire Station, Haltom City, Texas, with the following members present, to-wit:

Mayor David Averitt

Mayor Pro-Tem Bob Watkins

Council Place 1 Jeannine Nunn

Council Place 2 Walter Grow

Council Place 3 Scott Garrett

Council Place 6 Stephanie Davenport

Council Place 7 Dr. An Truong

Council Place 3 Scott Garrett left the meeting at 7:05 p.m. due to an emergency. Council Place 4 Trae Fowler arrived at 7:12 p.m.

Staff Present: Tom Muir, City Manager; Chuck Barnett, Assistant City Manager; Art Camacho, City Secretary; Jennifer Fung, Finance Director; Tom Henry, Parks and Recreation Director; Steve Ross, Fire Chief; Keith Lane, Police Chief; Freddy Thomas, Budget Analyst, Susan White, Business Development Coordinator, and Greg Van Nieuwenhuize, Public Works Director.

CALL TO ORDER

Mayor David Averitt called the Budget Workshop to order at 7:00 p.m.

1. Discussion on Upcoming Budgetary Issues and Priorities for FY 2015-16.

City Manager Tom Muir began the meeting by providing a quick review of the projected workshops and Finance Director Jennifer Fung gave a PowerPoint presentation on understanding the budget and its process. This included the base factors of a city budget, legal issues, accounting processes, sources of revenue and bond processes. A discussion was held regarding the current bond rating and borrowing objectives and the Effective Tax Rate provided by the Tarrant Appraisal District (TAD). The presentation also included the different types of expenditures such as equipment and salaries, and maintaining different fund balances. A discussion was held regarding the possible change in the Crime Control Prevention District (CCPD) and the Economic Development Corporation (EDC) sales and use tax amounts by having a special election in November. In addition, a discussion was also held regarding the EDC budget decision package and several items that were not going to be funded in 2016. The EDC will hold their Public Hearing for the budget on August 27th and the Council will make their final decision on the budget amounts in September.

ADJOURNMENT

Mayor Averitt adjourned the Budget Workshop at 9:12 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

Art Camacho, City Secretary

David Averitt, Mayor

MINUTES
HALTOM CITY COUNCIL/STAFF BUDGET WORKSHOP
HALTOM CITY CENTRAL FIRE STATION
5525 BROADWAY AVENUE, HALTOM CITY, TEXAS 76117
August 8, 2015

A Council/Staff Budget Workshop was held by the City Council of the City of Haltom City, Texas, on August 8, 2015, at 8:00 a.m. at the Haltom City Northeast Center, Haltom City, Texas, with the following members present, to-wit:

Mayor David Averitt	Mayor Pro-Tem Bob Watkins
Council Place 1 Jeannine Nunn	Council Place 2 Walter Grow
Council Place 3 Scott Garrett	Council Place 4 Trae Fowler
Council Place 7 Dr. An Truong	

Council Place 6 Stephanie Davenport arrived at 8:12 a.m.

Staff Present: Tom Muir, City Manager; Chuck Barnett, Assistant City Manager; Art Camacho, City Secretary; Jennifer Fung, Finance Director; Steve Ross, Fire Chief; Keith Lane, Police Chief; Justin French, Planning and Community Development Director; Melissa Pace, Municipal Court Administrator; Toni Beckett, Human Resources and Risk Management Director.

CALL TO ORDER

Mayor David Averitt called the Budget Workshop to order at 8:00 a.m.

1. Discussion on Upcoming Budgetary Issues and Priorities for FY 2015-16.

The Workshop began with a discussion on the effective tax rate and Tarrant Appraisal District (TAD) figures. Police Chief Keith Lane gave a PowerPoint presentation that included funding sources and a breakdown of expenditures. He also presented Decision Packages for the 2016 Budget and a discussion was held regarding Crime Control Prevention District (CCPD) expenditures, neighboring city participation, and Halo cameras.

The Council took a break at 9:10 a.m. and returned to the Workshop at 9:22 a.m.

Fire Chief Steve Ross gave a PowerPoint presentation that included the proposed budget and Decision Packages. A discussion was held regarding SWAT Medics, incentive pay, and a Smart Stat Basic Simulator. In addition, the subject of Fire and Arson certification was discussed, along with the possible addition of staff.

Council Member Trae Fowler left the meeting at 10:25 a.m.

The Council took a break at 10:55 a.m. and returned to the Workshop at 11:05 a.m.

Municipal Court Administrator Melissa Pace presented the Municipal Court Decision Package and additional information regarding customer service, online records search, and court notifications. Her program ended in discussion of funding sources for court equipment, but will likely be continued at a later workshop.

ADJOURNMENT

Mayor Averitt adjourned the Budget Workshop at 12:03 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

Art Camacho, City Secretary

David Averitt, Mayor

**MINUTES
HALTOM CITY COUNCIL MEETING
CITY HALL, 5024 BROADWAY AVENUE
August 10, 2015**

A Regular Meeting was held by the City Council of the City of Haltom City, Texas, on August 10, 2015, at 7:00 p.m. at City Hall, 5024 Broadway Avenue, Haltom City, Texas, with the following members present, to-wit:

Mayor David Averitt

Mayor Pro Tem Bob Watkins

Council Place 1 Jeannine Nunn

Council Place 2 Walter Grow

Council Place 3 Scott Garrett

Council Member 6 Stephanie Davenport

Council Place 7 Dr. An Truong

Council Place 4 Trae Fowler arrived at 6:09 during the Worksession.

Staff Present: Tom Muir, City Manager; Wayne Olson, City Attorney; Art Camacho, City Secretary; Jennifer Fung, Finance Director; Keith Lane, Police Chief; Tim Cool, IT Director; Chris Zarate, Utility Billing Director; and Susan White, Business Development Coordinator.

WORKSESSION

CALL TO ORDER

Mayor David Averitt called the Worksession to order at 6:04 p.m. Finance Director Jennifer Fung and Utility Billing Director Christina Zarate presented a PowerPoint that included new billing and a payment cycle. A discussion was held on changing the current billing schedule and assisting veterans with their payments. Charter Review Committee Chair Jimbo White approached the Council in regard to the charter revisions and stated that only two portions of the proposition need addressing before May 2016. A discussion was held and it was determined that a special election ordinance would be presented for Council approval at the Saturday special meeting. City Attorney Wayne Olson addressed the Council in regard to a re-appropriation of the current and proposed municipal sales and use taxes and a discussion was held regarding the possible reduction of the Economic Development Corporation (EDC) tax while increasing the Street Maintenance Tax and the Crime Control Prevention District (CCPD). Mayor Pro Tem Bob Watkins commented on the current status of the members of the Board of Directors for Reinvestment Zone No. 1 and a discussion was held in regard to these board directors terming out of their position and the procedure for replacing them. Mayor Averitt closed the Worksession at 7:15 p.m.

REGULAR MEETING

CALL TO ORDER

Mayor Averitt called the meeting to order at 7:25 p.m.

INVOCATION/PLEDGE OF ALLEGIANCE

Council Member Dr. An Truong gave the Invocation and led the Pledge of Allegiance and the Texas Flag Pledge.

ANNOUNCEMENTS AND EVENTS

City Secretary Art Camacho announced the following:

Ladies Night Out – Saturday, August 15th - This event will be held from 6:00 – 10:00 p.m., seating is limited, and you must call to purchase tickets.

Memory Loss, Dementia, & Alzheimer's Disease - Wednesday, September 2nd, 2:00 – 4:00 p.m. Presented by the Alzheimer's Association.

Crafty Saturdays – Easy-to-make craft class for adults will be held Saturday, August 29th from 10:00 a.m. to 12:00 noon and the cost is \$5.00 plus supplies.

Family Movie Night – On Monday, September 14th, the movie “*Quest for Camelot*” will be shown at 6:30 p.m.

Story Times – (1) Thursdays from 11:00 a.m. to 11:45 a.m. for ages 3 and older; (2) Fridays from 10:30 a.m. to 11:15 a.m. for ages 2 and younger.

Veterans Support Group – This group will meet on the 2nd and 4th Mondays of the month from 6:00 p.m. to 7:00 p.m.

Haltom Fire Services

The Haltom Fire Services Board will be hosting an “All You Can Eat” breakfast fundraiser at the Applebee’s restaurant at 6645 NE Loop 820 on Saturday, August 22nd from 8:00 – 10:00 a.m. Food items include pancakes, eggs, sausage, potatoes, orange juice, coffee and soft drinks. Tickets are \$10.00 and must be purchased in advance. All proceeds will go toward the support of the Haltom City Fire Department Services and Programs. For additional information, please contact Lin Thompson at 817-980-9524.

REGULAR AGENDA

1. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of July 27, 2015. Council Member Dr. An Truong moved, seconded by Council Member Stephanie Davenport, to approve the Minutes of July 27, 2015. ***The vote was unanimous. Motion carried.***
2. **Property Purchase** – Consideration and/or action to approve Resolution No. R-2015-014-01 for the purchase of Lot 5, Block 1, Jones Oakview Addition, as described in certain deeds of record in volume 9244, page 2258 and volume 12147, page 2081 of the deed records of Tarrant County, Texas (Account No. 01469592), locally known as 4408 Parrish Road. City Manager Tom Muir presented the resolution and a discussion was held regarding the payment source (General Fund) for the purchase. Council Member Trae Fowler moved, seconded by Council Member Stephanie Davenport, to approve Resolution No. R-2015-014-01. ***The vote was unanimous. Motion carried.***
3. **Budget Amendment** – Conduct a public hearing and consideration and/or action regarding approval of Ordinance No. O-2015-016-03 – 2015 Budget Amendment – ***1st Reading.*** Finance Director Jennifer Fung presented the ordinance and a discussion was held regarding the late funding additions and the specific amounts. Mayor Averitt opened the Public Hearing at 7:55 p.m. No citizen came forward. Mayor Averitt closed the Public Hearing at 7:56 p.m. Council Member Walter Grow moved, seconded by Council Member Jeannine Nunn, to approve Ordinance No. O-2015-016-03 – first reading. ***The vote was unanimous. Motion carried.***
4. **Crime Control & Prevention District** – Conduct a public hearing and consideration and/or action approving the proposed FY2016 budget for the Crime Control and Prevention District. Finance Director Jennifer Fung presented the agenda item and Police Chief Keith Lane commented on the specific use of the CCPD funds. Council Member Fowler moved, seconded by Council Member Truong, to approve the proposed FY2016 budget for the CCPD. ***The vote was unanimous. Motion carried.***
5. **Property Tax Rate** – Consideration and/or action on a Record Vote for setting the Preliminary Tax Rate for the FY2016 budget. Council Member Fowler moved, seconded by Council Member Stephanie Davenport, that the preliminary

property tax rate be set at \$0.763711 per \$100 of net taxable value, comprised of a maintenance and operations rate of \$0.526037 and an interest and sinking rate of \$0.237674, and that public hearings concerning the preliminary tax rate be held on August 24, 2015 and August 31, 2015. **Council Members Nunn, Grow, Garrett, Fowler, Davenport and Truong voted aye. Mayor Pro Tem Bob Watkins voted nay. Motion carried.**

VISITORS/CITIZENS FORUM

The following citizen came forward:

1. Calvin Pegues, 5276 Dillon Circle – Complained about the Junk Vehicle ordinance and the possibility of citizens paying for the installation of speed bumps.

BOARDS/COMMISSIONS

6. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members. Council Member Grow presented the resignation of Mike Logan from the ZBA. **The resignation was approved unanimously.**
7. **Appointment/Reappointment to Boards and Commissions** – Consider approval regarding appointments to Boards/Commissions. Council Member Nunn reappointed Betty Bronstad to the Library Board and Wayne Clowers to the Beautification Board. **The reappointments were approved unanimously.**

EXECUTIVE SESSION

Section 551.071

As authorized by Chapter 551 of the Texas Government Code, the City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to seek legal advice from the City Attorney about any matters listed on the agenda, in addition to the following matters:

Consultation with the City Attorney pertaining to any matter in which the duty of the City Attorney under the Texas Disciplinary Rules of Professional Conduct which may conflict with the Open Meetings Act; including discussion of any item posted on the Agenda; to seek legal advice on: open meetings, open records, contracts, expenditures and oversight of the Haltom City Economic Development Corporation, litigation, and settlement offers and/or claims for the following cases:

- Donald Anthony Hains v. City of Haltom City
- Burkett v. City of Haltom City, et al.
- Flynn v. Haltom City EDC
- Emily A. Rudicel v. City Secretary/Haltom City Police Department
- Progressive County Mutual Ins. Co. v. The City of Haltom City
- James H. Watson v. The City of Haltom City
- Settlement of USACE Contract Dispute

Section 551.072 – Deliberations about Real Property

Deliberation regarding the purchase, exchange, lease or value of real property owned or leased by the City and the Economic Development Corporation.

The Council went into Executive Session at 8:40 p.m. They reconvened to the Regular Session at 10:02 p.m.

RECONVENE TO REGULAR SESSION

8. Take any action deemed necessary as a result of the Executive Session.
No action was taken.

ADJOURNMENT

Mayor Averitt adjourned the meeting on August 10, 2015 at 10:02 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

Art Camacho, City Secretary

David Averitt, Mayor

MINUTES
HALTOM CITY COUNCIL/STAFF BUDGET WORKSHOP
HALTOM CITY CENTRAL FIRE STATION
5525 BROADWAY AVENUE, HALTOM CITY, TEXAS 76117
August 12, 2015

A Council/Staff Budget Workshop was held by the City Council of the City of Haltom City, Texas, on August 12, 2015, at 7:00 p.m. at the Haltom City Central Fire Station, Haltom City, Texas, with the following members present:

Mayor David Averitt	Mayor Pro-Tem Bob Watkins
Council Place 1 Jeannine Nunn	Council Place 2 Walter Grow
Council Place 3 Scott Garrett	Council Place 4 Trae Fowler
Council Place 6 Stephanie Davenport	
Council Place 7 Dr. An Truong was absent.	

Staff Present: Tom Muir, City Manager; Art Camacho, City Secretary; Jennifer Fung, Finance Director; Freddy Thomas, Budget Analyst; Melissa Pace, Municipal Court Administrator; Tim Cool, IT Director; Toni Beckett, Human Resources and Risk Management Director; Lesly Smith, Library Director, and Justin French, Planning and Community Development Director.

CALL TO ORDER

Mayor David Averitt called the Budget Workshop to order at 7:00 p.m.

1. Discussion on Upcoming Budgetary Issues and Priorities for FY 2015-16.

City Manager Tom Muir began the meeting and Municipal Court Administrator Melissa Pace recapped her previous presentation and provided additional information regarding the financial data for conducting a monthly night court. A discussion was held concerning the different options of providing a prosecutor, a possible combined municipal court services with North Richland Hills, and requested information on the municipal court system conducted by Colleyville-Keller.

IT Director Tim Cool presented a decision package regarding the purchase and upgrade of the city's computers and the camera system for the HCTV media. A discussion was held concerning the media service and production.

The Council took a break at 7:55 p.m. and resumed at 8:02 p.m.

Library Director Lesly Smith addressed the Council in regard to her decision package from the previous Council orientation and a discussion was held regarding bound library books in relation to e-book checkouts.

Finance Director Jennifer Fung presented the Water and Wastewater Funds that included the projected increase in future costs. She also presented the projected Debt Service, Special Revenues, and Capital Projects.

Planning and Community Development Director Justin French presented several budget issues and a discussion was held regarding permit fees, budget reduction changes, and city property maintenance. The Council was also notified of possible concrete work to be performed at 4:00 a.m. in the West Birdville District area.

ADJOURNMENT

Mayor Averitt adjourned the Budget Workshop at 9:35 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

Art Camacho, City Secretary

David Averitt, Mayor

**MINUTES
HALTOM CITY COUNCIL
SPECIAL MEETING/BUDGET WORKSHOP
HALTOM CITY CENTRAL FIRE STATION
5525 BROADWAY AVENUE, HALTOM CITY, TEXAS 76117
August 15, 2015**

A Council/Staff Budget Workshop was held by the City Council of the City of Haltom City, Texas, on August 15, 2015, at 8:00 a.m. at the Haltom City Northeast Center, Haltom City, Texas, with the following members present:

Mayor David Averitt	Mayor Pro-Tem Bob Watkins
Council Place 1 Jeannine Nunn	Council Place 2 Walter Grow
Council Place 3 Scott Garrett	Council Place 4 Trae Fowler
Council Place 6 Stephanie Davenport	Council Place 7 Dr. An Truong

Staff Present: Tom Muir, City Manager; Chuck Barnett, Assistant City Manager; Art Camacho, City Secretary; Jennifer Fung, Finance Director; Justin French, Planning and Community Development Director; Tom Henry, Parks and Recreation Director, and Toni Beckett, Human Resources and Risk Management Director.

CALL TO ORDER

Mayor David Averitt called the Budget Workshop to order at 8:06 a.m.

- Ordinance No. O-2015-017-01** – Consideration and/or action regarding calling a special election to be held November 3, 2015 for the purpose of submitting a charter amendment to the voters. **1st Reading.** City Manager Tom Muir presented the ordinance and a discussion was held regarding the cost of the election and the amount of items proposed for the May 2016 ballot if the November election is not held. Mayor Averitt opened the Public Hearing at 8:22 a.m. and Charter Review Committee Chair Jimbo White stated that he had received numerous inquiries in regard to the new propositions and was in favor of the November election. No other citizen was present to come forward. Mayor Averitt closed the Public Hearing at 8:25 a.m. Council Member Walter Grow moved, seconded by Council Member Trae Fowler, to pass (until next meeting) Ordinance No. O-2015-017-01 – first reading. **Council Members Jeannine Nunn, Walter Grow, Scott Garrett, Trae Fowler and Dr. An Truong voted aye. Mayor Pro Tem Bob Watkins and Council Member Stephanie Davenport voted nay. Motion carried.** The ordinance will be considered for a second reading at the Regular Council Meeting on August 24, 2015.
- Discussion on Upcoming Budgetary Issues and Priorities for FY 2015-16.

The Workshop began with Planning and Community Development Director Justin French presenting a PowerPoint listing of a proposed 2016 work plan. A discussion was held regarding acquiring assistance from other departments (Public Works/Parks), mowing services, towing services, graffiti monitoring and prevention, property values and productivity measures.

The Council took a break at 9:45 a.m. and returned to the Workshop at 9:55 a.m.

Parks and Recreation Director Tom Henry addressed the Council in regard to reclassifying a Parks and Recreation Assistant to Athletic Director. He also stated the bathrooms will need to be installed at Pecan Park and the bathrooms at the Haltom Road will be upgraded. A discussion was held regarding all mowing services being conducted

through Public Works and reducing the mowing contract with the Economic Development Corporation.

Human Resources and Risk Management Director Toni Beckett addressed the Council for the purpose of acquiring an application trailing system with funds that were reimbursed from the Texas Municipal League (TML) and Cigma Insurance. A discussion was held regarding employment advertising, job fairs, internship programs, job training, and tuition reimbursements. In addition, a discussion was also held concerning the hiring of a firm to provide an objective analysis of employee productivity and the cost of “Obamacare” re-budgeting.

City Secretary Art Camacho presented the City Secretary/City Council budget and a discussion was held regarding the November election, vehicle usage, and the budgeting of the Council’s conference and training amount, including a possible increase for attending the TML Association of Mayors, Councilmembers and Commissioners (AMCC) training in Bastrop on February 18 – 20, 2016.

ADJOURNMENT

Mayor Averitt adjourned the Budget Workshop at 12:00 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

Art Camacho, City Secretary

David Averitt, Mayor

CITY COUNCIL MEMORANDUM

City Council Meeting: August 24, 2015

Department: Finance - Budget

Subject: Ordinance No. – Fiscal Year 2015
Revised Budget – Second Reading

BACKGROUND

The Texas Local Government Code, Chapter 102.010, provides that the governing body of a municipality may make changes in the adopted budget for municipal purposes. Further, the Legislature has provided that home-rule cities that have adopted guidelines for budget preparation that meets, or exceeds, the requirements of Chapter 102 of the Local Government Code may apply those provisions.

The first reading and public hearing for this ordinance was conducted on August 10th City Council Regular Session. This is the second reading and public hearing.

FISCAL IMPACT

The revised FY2015 budget totals \$73,862,075. This is an increase of \$208,500 over the adopted budget of \$73,653,575. There are four funds that need budget increase to meet operational needs.

1. Debt Service Fund – an increase of \$150,000 is required for debt service payment due to the issuance of General Obligation Bonds Series 2014 in September 2014 and Tax Notes Series 2014 in October 2014.
2. Grant Fund – an increase of \$11,000 is needed for the purchase of cell phone extraction equipment related to the Department of Justice Grant. This \$11,000 will be reimbursed by the Department of Justice.
3. Park Donation Fund – an increase of \$30,000 is requested for the Back to School Health Fair. The original budget amount of \$10,000 for this program is insufficient. This program benefitting the school children has expanded. Additional appropriation for the program is required. All expenses for this program are funded by donations.
4. Park Dedication Fund – The City received a \$500,000 grant from the Texas Parks and Wildlife Department for the creation of Little Fossil Linear Park. A condition of the grant required the City to provide \$17,500 towards the Park. During last year's budget workshops, the Council chose to fund this amount from the Park Dedication

Fund, but Staff failed to put the appropriation in the budget. Therefore, the FY2015 budget needs to be amended to provide for the \$17,500 appropriation.

The City Council has approved Ordinance No. O-2015-016-03, adopting the revised budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015, on its first reading on August 10, 2015.

RECOMMENDATION

Staff recommends the Mayor open the public hearing, receive the public comment upon the proposed budget amendments and close the public hearing. Staff further recommends the City Council approve the second reading of Ordinance O-2015-016-03, adopting the revised budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015.

ATTACHMENTS

Ordinance No. O-2015-016-03.

ORDINANCE NO. O-2015-016-03

APPROPRIATION

AN ORDINANCE APPROVING REVISED BUDGET FIGURES FOR FISCAL YEAR 2015; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Haltom City is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, Section 102.010 of the Local Government Code allows the City Council of the City of Haltom City to make changes in the Fiscal Year 2015 budget for municipal purposes; and

WHEREAS, Section 5.04 of the Haltom City Charter specifies that once the budget is adopted the City Manager shall authorize no expenditure over the total funds for expenditure in the overall budget unless the budget is amended by the same public notice procedure called for in adopting the budget; and

WHEREAS, a Public Hearing was held by the City Council of the City of Haltom City, Texas on the 10th day of August, 2015; and

WHEREAS, after a full and final consideration, the City Council is of the opinion that the budget should be amended;

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

SECTION 1.

The revised budget of the Revenues of the City of Haltom City and the Expenses of conducting the affairs thereof for the Fiscal Year beginning October 1, 2014 and ending September 30, 2015, as approved by the City Council, hereby be, and the same is, in all things, adopted and approved as the said City of Haltom City budget for the Fiscal Year beginning the first day of October, 2014, and ending the thirtieth day of September, 2015.

SECTION 2.

The following sums are hereby appropriated from the respective funds for the payment of expenditures on behalf of the City government as established in the approved budget document, including the revised budgetary data for the fiscal year ending September 30, 2015:

	Revised Budget Fiscal Year 2015	Adopted Budget Fiscal Year 2015
General	\$24,234,625	
Parks Performance	192,239	
Debt Service	5,065,614	\$150,000
Economic Development	11,252,551	
Crime Control & Prevention Distr	1,670,823	
Oil and Gas	951,044	
Hotel/Motel Tax	60,041	
Court Security	47,438	
Court Technology	42,704	
Juvenile Case Manager	48,529	
Red Light Camera	206,912	
Grant	88,687	11,000
PEG	3,820	
Fire Donation	3,600	
Library Donation	82,900	
Police Forfeiture	46,000	
Park Donation	80,950	30,000
Park Dedication	17,500	17,500
Safe Pathways	10,000	
Animal Shelter	5,150	
Police Donation	101,000	
Police CART	2,500	
Street Reconstruction	3,291,799	
Capital Projects	3,401,309	
Street Assessments	1,200	
Water & Sewer	19,656,432	
Water & Sewer Utility Projects	786,920	
Water and Sewer Impact Fees	400,000	
Drainage Utility	1,855,297	
Drainage Capital Projects	254,491	
Total	\$73,862,075	\$208,500

SECTION 3.

A true and correct copy of this ordinance along with the approved budget attached hereto, and any amendments thereto, shall be filed with the City Secretary. In addition, the City Manager is hereby directed to file or cause to be filed a true and correct copy of this ordinance along with the approved budget attached hereto, and any amendments thereto, in the office of the County Clerk of Tarrant County, Texas, as required by law.

SECTION 4.

This ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of Haltom City, Texas (1998), as amended, except where the provisions of this

ordinance are in direct conflict with the provisions of such ordinances and such Code, in which event the conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 5.

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

SECTION 6.

This ordinance shall be in full force and effect from and after its passage, and it is so ordained.

PASSED AND APPROVED ON FIRST READING THIS 10TH DAY OF AUGUST 2015.

David Averitt, Mayor

ATTEST:

Art Camacho, City Secretary

PASSED AND APPROVED ON SECOND READING THIS 24TH DAY OF AUGUST 2015.

David Averitt, Mayor

ATTEST:

Art Camacho, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Wayne Olson, City Attorney

CITY COUNCIL MEMORANDUM

City Council Meeting: August 24, 2015
Department: Administration
Subject: Ordinance No. O-2015-017-01 –
Charter Election

BACKGROUND

On August 11, 2014, the City Council created a 9-member Charter Review Committee and tasked them with reviewing the entire Charter and provide the City Council with proposed recommendations for citizens to consider in a possible Charter election.

At a Special Council Meeting on August 15, 2015, the Council voted 5-2 to pass Ordinance No. O-2015-017-01 on first reading, calling for a special election for possible Charter revisions to be held on November 3, 2015.

FISCAL IMPACT

The anticipated cost of having a special election in November is approximately \$14,000.

RECOMMENDATION

Staff recommends the City Council approve Ordinance No. O-2015-017-01, on second reading, calling for a special election on November 3, 2015 to consider amendments to the Charter.

ATTACHMENTS

Ordinance No. O-2015-017-01
Ordinance No. O-2015-017-01 Exhibit "A" – Proposed Charter Amendments
Charter Election Ballot Language

ORDINANCE NO. 2015-017-01

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HALTOM CITY, TEXAS, CALLING FOR A SPECIAL ELECTION TO BE HELD ON NOVEMBER 3, 2015, FOR THE PURPOSE OF SUBMITTING CHARTER AMENDMENTS TO THE VOTERS; PROVIDING AN ESTIMATE OF ANTICIPATED FISCAL IMPACT; PROVIDING FOR NOTICE OF THE ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Haltom City, Texas, is a home rule city acting under its charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, Section 9.004 of the Local Government Code allows for Charter Amendments to be submitted to the qualified voters of a home rule municipality; and

WHEREAS, it is the intention of the City Council to call a special election to submit proposed amendments to the City Charter to the voters in accordance with Section 9.004 of the Local Government Code; and

WHEREAS, Section 9.004(b) of the Local Government Code requires the elections to be held on a uniform election date; and

WHEREAS, Section 41.011 of the Election Code establishes the first Tuesday in November as a uniform election date, and the Council has determined that date sufficient in time to comply with the requirements of the law.

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

SECTION 1 CHARTER AMENDMENT ELECTION CALLED

The City Council does hereby, on its own notion, order a special election to submit to the voters of the City of Haltom City proposed amendments to the City Charter. The proposed amendments to the City Charter are set forth in Exhibit "A" attached to this ordinance and incorporated herein for all purposes and are hereby approved by the City Council for submission to the voters. The election shall be conducted according to the laws of the State of Texas, and shall be held on Tuesday, November 3, 2015, from 7:00 a.m. to 7:00 p.m.

SECTION 2 BALLOTS

The official ballots for the election shall be prepared in accordance with the Election Code so as to permit the electors to vote "Yes" or "No" on the propositions, with the ballots to contain such provisions, markings, and language as required by law, and

with the propositions to be expressed substantially as set forth on Exhibit "B" attached hereto and incorporated herein for all purposes.

**SECTION 3
POLLING PLACES**

Voting shall be conducted on Election Day between the hours of 7:00 a.m. and 7:00 p.m. at the following voting places:

County Precincts	Election Day Polling Location
1199, 1622, 4632 Key Precinct 1277	The Potter's House Youth Center 1238 Woodhaven Boulevard Fort Worth, Texas 76112
4620 Key Precinct 3164	Richland Hills Community Center 3204 Diana Drive Richland Hills, Texas 76118
4191 Key Precinct 3194	First Baptist Church of Watauga 6124 Plum Street Watauga, Texas 76148
4399 Key Precinct 3215	St. Paul Presbyterian Church 4517 Rufe Snow Drive North Richland Hills, Texas 76180
4042, 4239, 4362	Landmark Baptist Church 1909 Thomas Road Haltom City, Texas 76117
4102, 4483, 4485	Moose Lodge 1889 Haltom City 5001 Bernice Street Haltom City, Texas 76117
4141	Haltom City Public Library 4809 Haltom Road Haltom City, Texas 76117
4159	Haltom City Northeast Center 3201 Friendly Lane Haltom City, Texas 76117
4218	The Academy at West Birdville 3001 Layton Avenue Haltom City, Texas 76117
4290	O. H. Stowe Elementary School 4201 Rita Lane Haltom City, Texas 76117
4328	W. G. Thomas Coliseum 6108 Broadway Avenue Haltom City, Texas 76117
4410	Glenview Baptist Church 4805 N.E. Loop 820 Fort Worth, Texas 76137

First Baptist Church of Fort Worth
5001 Northeast Loop 820
Haltom City, Texas 76137

SECTION 4 ELECTION PROCEDURES

Procedures for this special election shall be established by a separate resolution.

SECTION 5 FISCAL IMPACT

If the charter amendments in this ordinance are approved at the election, it is estimated that there will be no fiscal impact on the City.

SECTION 6 SEVERABILITY CLAUSE

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

SECTION 7 NOTICE

(a) A copy of this ordinance shall be posted not later than the 21st day before the election on the bulletin board used for posting notices of meetings of the City Council. Notice of the election, including a Spanish translation thereof, shall be published at least once, not earlier than the 30th day nor later than the 10th day before the election in a newspaper of general circulation in the City of Haltom City.

(b) Additionally, in accordance with Section 9.004(c) of the Local Government Code, notice of the election shall be published in a newspaper of general circulation in Haltom City on the same day, in each of two consecutive weeks, with the first publication occurring before the 14th day before the election day. The notice shall contain a substantial copy of the proposed amendments and shall include an estimate of the anticipated fiscal impact to the City if the amendments are approved.

SECTION 8 EFFECTIVE DATE

This Ordinance shall be in full force and effect from and after its second and final reading.

**PASSED AND APPROVED ON FIRST READING THIS THE 15th DAY OF
AUGUST, 2015.**

**PASSED AND APPROVED ON SECOND READING THIS THE 24th DAY OF
AUGUST, 2015.**

David Averitt, Mayor

ATTEST:

Art Camacho, City Secretary

APPROVED AS TO FORM AND LEGALITY

Wayne K. Olson, City Attorney

EXHIBIT "A"
PROPOSED HALTOM CITY CHARTER AMENDMENTS

ARTICLE I. - BOUNDARIES AND ANNEXATIONS

Sec. 1.01. - Boundaries.

The boundaries of the City of Haltom City are those previously established and as may be amended from time to time. The official map of the city indicating the current boundaries shall be kept in the office of the city secretary and shall be revised to reflect the city's boundaries each time a boundary of the city is changed.

Sec. 1.02. - Annexation by city council.

The city council shall have power by ordinance to fix the boundary limits of the City of Haltom City and to provide for the alteration and the extension of said boundary limits and the annexation of additional territory lying adjacent to the city, with or without the consent of the inhabitants of the territory annexed. Upon the annexation of any additional territory, however, the City of Haltom City must, in accordance with the provisions of state law, provide for the extension of municipal services to the territory so annexed. Before the consideration of an ordinance to annex territory, the city council shall cause notice to be published in accordance with state law. Upon final passage of an annexation ordinance in the original or amended form, the boundary limits of the city shall thereafter be as fixed in such ordinance; and when any additional territory has been so annexed, same shall be a part of the City of Haltom City and the property situated therein shall bear its pro rata part of taxes levied by the city and thereafter the inhabitants thereof shall be entitled to all of the rights and privileges of all citizens, and shall be bound by the acts, ordinances, resolutions and regulations of the city.

Sec. 1.03. - Petition to annex.

Whenever a majority of the legally qualified voters who are citizens of the State of Texas and inhabitants of any territory adjoining the City of Haltom City, as said territory may be designated by the city council, or in case there are no such qualified voters in said territory, then when persons owning a majority of land area in said territory, desire the annexation of such territory to the City of Haltom City, they may present a written petition to that effect to the city council and shall attach to said petition an affidavit signed by the majority of such qualified voters, or in case there are no such qualified voters in said territory, an affidavit stating that the person or persons so signing said petition own a majority of the land area in said territory; thereupon the city council at a regular session or a special session called in the manner required by this charter may by ordinance annex such territory to the City of Haltom City and thereafter said territory shall be a part of the City of Haltom City and the property situated therein shall bear its pro rata part of taxes levied by the city and the inhabitants thereof shall be entitled to all of the rights and privileges of all citizens, and shall be bound by the acts, ordinances, resolutions and regulations of the city.

Sec. 1.04. - Disannexation of territory.

The city council may, in its exclusive discretion, by ordinance disannex from the city any territory within the corporate limits of the city when and if at least sixty (60) percent of the inhabitants thereof qualified to vote for members of the council shall present a verified petition requesting that such territory be discontinued as a part of the city and tender to the city secretary with such petition a sum

of money equivalent to that percentage of the then outstanding indebtedness of the city for bonds and warrants and fair proportion of the then existing budget which the assessed value of all property within such territory on the tax rolls next preceding the presentation of such petition bears to the total of all property on said rolls. Except as required by state law for failure to provide municipal services, the council shall never, regardless of the facts and circumstances, be required to discontinue any territory as a part of the city except at its exclusive discretion expressed by ordinance.

Sec. 1.05. - Platting.

Should any property situated within the city limits, as herein established or as may hereafter be established, or within the extraterritorial jurisdiction of such corporate limits of the City of Haltom City, as herein established or as may hereafter be established, be hereafter platted in blocks and lots, the owner or owners of said property shall comply with all the provisions of V.T.C.A., Local Government Code chs. 212 and 242 and any ordinances or regulations established by the city regarding platting.

ARTICLE II. – POWERS

Sec. 2.01. - General.

The City of Haltom City, made a body politic and corporate by the adoption of this charter, shall have and may exercise all the powers, functions, rights, privileges and immunities of every name and nature whatsoever now or hereafter granted to municipal corporations and to cities by the constitution and laws of the State of Texas, together with all the implied powers necessary to carry into execution all the powers, functions, rights, privileges and immunities granted.

Sec. 2.02. - General powers adopted.

The enumeration of particular powers by this charter shall not be deemed to be exclusive, and in addition to the powers enumerated herein or implied hereby, or appropriate to the exercise of such powers, it is intended that the City of Haltom City shall have, and may exercise, all powers of local self-government, and all powers enumerated in state law [2] or any other powers which under the constitution and laws of the State of Texas, it would be competent for this charter specifically to enumerate.

Sec. 2.03. - Powers of the city council.

All powers of the city and the determination of all matters of policy shall be vested in the city council. Except where in conflict with and otherwise expressly provided by this charter, the city council shall have all powers authorized in state law [3] to be exercised by the city council. Without limitation of the foregoing and among the other powers that may be exercised by the council, the following are hereby enumerated for greater certainty:

- (1) Appoint and remove the city manager and city secretary.
- ~~(2) Establish other administrative departments and distribute the work of divisions.~~
- ~~(23)~~ Adopt the budget of the city.
- ~~(34)~~ Authorize the issuance of bonds by a bond ordinance.

- (45) Inquire into the conduct of any office, department or agency of the city and make investigations for this purpose.
- (56) Provide for and appoint members to a planning commission, a zoning commission, a zoning board of adjustment, and all commissions and boards of the city unless required otherwise by this charter or state law. The planning and zoning commission may be combined. City boards and commissions shall have all powers and duties now or hereafter conferred and created by this charter, by city ordinance, or by other law.
- (67) Adopt plats.
- (78) Adopt and modify the official map of the city.
- (89) Adopt, modify, and carry out plans proposed by the planning commission for the clearance of slum districts and rehabilitation of blighted areas.
- (940) Adopt, modify and carry out plans proposed by the planning commission for the replanning, improvement and redevelopment of neighborhoods and for the replanning, reconstruction or redevelopment of any area or district which may have been destroyed in whole or part by disaster.
- ~~(11) Regulate, license and fix the charges or fares made by any person owning, operating or controlling any vehicle of any character used for the carrying of passengers for hire or the transportation of freight for hire on the public streets or alleys of the city.~~
- (1210) Provide for the establishment and designation of fire limits and to prescribe the kind and character of buildings or structures or improvements to be erected therein, and to provide for the erection of fireproof buildings within certain limits, and to provide for the condemnation of dangerous structures or buildings or dilapidated buildings or buildings calculated to increase the fire hazard, and the manner of their removal or destruction.
- (1143) May regulate burial grounds, cemeteries, and crematories and condemn and close any such in the thickly settled portions of the city when public interest or public health may demand, and may regulate interment of the deceased.

ARTICLE III. - CITY COUNCIL

Sec. 3.01. - Number, selection and term.

The legislative and governing body of the city shall consist of a mayor and seven (7) council members and shall be known as the "Council of the City of Haltom City."

- (a) The mayor shall be elected by a majority vote of the qualified voters voting at the election.
- (b) The seven (7) council members shall be elected to individual places, designated by number, from the city at large and each shall be elected by a majority vote of the qualified voters voting at the election.
- (c) The mayor and each council member shall hold his office for a period of two (2) years and until his successor is duly elected and qualified.

(d) In each odd numbered year the mayor and three (3) council members shall be elected and in each even numbered year four (4) councilmen shall be elected. Places 1, 2 and 7 shall be elected in odd numbered years and places 3, 4, 5 and 6 shall be elected in even numbered years.

Sec. 3.01a. - Limitation of consecutive terms for elected officials.

(a) A person who has served as an elected official in any one elected office for three consecutive terms shall not again be eligible to become a candidate for, or to serve in, the elected office held until the next general election after the third consecutive term has expired. The office of city council member, regardless of place number, is a single elected office for purposes of this chapter (article).

(b) A person who has served in more than one elected office for five consecutive terms shall not be eligible to become a candidate for, or to serve in, an elected office until the next general election after the fifth consecutive two-year term has expired.

(c) As used in Subsections (a) and (b) any length of service within a two-year term that exceeds 360 days, is a term served.

~~(d) — The provisions of this section apply to time served as an elected official whether the time was accrued before or after the effective date of this section.~~

Sec. 3.02. - Qualifications for city council.

To be qualified to serve on the city council, each of the seven (7) council members and the mayor shall:

- (1) Be a citizen of the United States of America;
- (2) Be a qualified voter;
- (3) Have resided in the city for at least 12 months prior to the date of the election;
- (4) Be 18 years of age or older on the first day of the term to be filled at the election;
- (5) Not be in arrears in the payment of any taxes or other liability due the city;
- (6) Not have been finally convicted of a felony from which the person has not been otherwise released from the resulting disabilities;
- (7) Not have any financial interest in any contract with the city or the sale of any equipment, materials, or other articles to the city, except as permitted by state law;
- (8) Not hold any other public office except that of notary public, member of the national guard, any military reserve, or retired member of the armed services, except as otherwise permitted by state law;
- (9) Not have been declared mentally incompetent by the final judgment of a court; and
- (10) Abide by the nepotism law (Chapter 573, Texas Government Code), and as provided in Section 10.02 of the Charter.

A member of the council who ceases to possess any of the qualifications specified in this section for a period of sixty (60) days following notice from the city secretary regarding same, or who is convicted of a felony while in office, shall immediately forfeit the office.

Sec. 3.03. - Running for other office.

If a person holding an elective office of the city becomes a candidate for nomination or election to any elective public office other than the office then held, the person automatically resigns the city office. The city council shall declare the office vacant and proceed to fill the office as provided in Section 3.06 of this charter.

Sec. 3.04. - Council judge of election of member, declaring election results.

The city council shall be the judge of the election and qualifications of its own members and of the mayor, subject to review of the courts in case of contest. The city council shall, after each regular or special election, canvass the return and declare the results of the election in accordance with state law.

Sec. 3.05. - Compensation.

For each regular or special council meeting, ~~t~~The city council members shall be paid twenty-five dollars (\$25.00) and the mayor ~~each~~ shall be paid fifty dollars (\$50.00) allowed, for incidental expenses, the sum of ten dollars (\$10.00) per regular or special city council meeting, and plus such designated actual expenses supported by receipt.

Sec. 3.06. - Vacancies.

In the event of a vacancy occurring in the office of mayor or city council member from any cause whatsoever, a special election shall be held at the next state uniform election date that allows time for holding the election as provided in state law.

Sec. 3.07. - Number of meetings.

The city council shall hold at least one regular meeting per month, to be designated by ordinance or resolution, and so many special meetings as the mayor or council may deem necessary.

Sec. 3.07a. - Attendance requirements.

(a) If the mayor or a council member has three ~~consecutive~~ unexcused absences from regular city council meetings per term, the mayor or council member shall forfeit the office. The city council shall declare the office vacant and proceed to fill the office as in the case of other vacancies.

(b) At each regular meeting from which the mayor or a city council member is absent, the city council shall determine whether the absence is excused.

Sec. 3.08. - Quorum.

A quorum at any council meeting will be established by the presence of at least five (5) members. The mayor's presence may not be counted toward a quorum.

Sec. 3.09. - Mayor pro-tem.

The mayor pro-tem shall be elected by the council from among the members of the council and shall perform all duties of the mayor in case of the Mayor's absence or disability.

Sec. 3.10. - The mayor.

The mayor of the City of Haltom City shall preside over the meeting of said city council and perform such other duties consistent with the office as may be imposed upon the Mayor by this charter and ordinances and resolutions passed in pursuance thereof. The Mayor may participate in the discussion of all matters coming before the council. The Mayor shall not be entitled to vote as a member thereof, on legislative or other matters, except in case of a tie, when the Mayor shall have the right to cast the deciding vote.

Sec. 3.11. - Appointment or removal by city council.

Neither the council nor any of its members shall direct or request the appointment of any person to, or the person's removal from office by the city manager or by any of the City Manager's subordinates, or in any manner take part in the appointment or removal of officers and employees in the administrative service of the city. Except for the purpose of inquiry, the council and its members shall deal with the administrative service solely through the city manager and neither the council nor any member thereof shall give orders to any subordinates of the city manager, either publicly or privately. Any council member violating the provisions of this section, or voting for a resolution or ordinance in violation of this section, shall be guilty of a misdemeanor and upon conviction thereof shall cease to be a council member.

ARTICLE IV. - NOMINATIONS AND ELECTIONS

Sec. 4.01. - Elections.

The regular city election shall be held on a date authorized by state law, at which time officers will be elected to fill those offices which become vacant that year. The city council shall designate the location of the polling place in such election. The city council may, by resolution, or ordinance, order such special elections permitted by law, fix the time and place for holding same and provide all means for holding such special election.

Sec. 4.02. - Regulation of elections.

The city council shall make all regulations which it considers needful or desirable, not inconsistent with this charter or the laws of the State of Texas, for the conduct of municipal elections, for the prevention of fraud in such elections and for the recount of ballots in case of doubt or fraud. Municipal elections shall be conducted by the appointed election authorities who shall also have power to make regulations not inconsistent with this charter or with any regulations made by the council or the laws of the State of Texas.

Sec. 4.03. - Filing for office.

(a) Any qualified person may have his or her name placed on the official ballot as a candidate for the office of mayor or council member by providing information required by state law and filing an application in substantially the following form:

"I, _____, do hereby declare that I am a candidate for the office of _____ and request that my name be printed upon the official ballot for that particular office in the next City election. I meet all the qualifications to serve on the city council listed in Section 3.02 of this charter, which are as follows:

- (1) Be a citizen of the United States of America;
- (2) Be a qualified voter;
- (3) Have resided in the city for at least 12 months prior to the date of the election;
- (4) Be 18 years of age or older on the first day of the term to be filled at the election;
- (5) Not be in arrears in the payment of any taxes or other liability due the city;
- (6) Not have been finally convicted of a felony from which the person has not been otherwise released from the resulting disabilities;
- (7) Not have any financial interest in any contract with the city or the sale of any equipment, materials, or other articles to the city, except as permitted by state law;
- (8) Not hold any other public office except that of notary public, member of the national guard, any military reserve, or retired member of the armed services, except as permitted by state law;
- (9) Not have been declared mentally incompetent by the final judgment of a court; and
- (10) Abide by the nepotism law (Chapter 573, Texas Government Code), and as provided in Section 10.02 of this Charter.

At the present time I reside at _____ in the city. I further swear that the foregoing statements in my application are in all things true and correct.

Signature of Candidate

(b) The application shall be filed in the office of the city secretary not later than 5:00 p.m. of a day authorized by state law as a filing deadline for general or special elections. The application shall be witnessed by an officer of the city who is qualified to administer oaths. A fifty dollar (\$50.00) filing fee shall be paid by each candidate whose name appears on the official ballot. This fee shall be paid to the city secretary at the time of filing of the application, and credited to the general fund of the city. As an alternate procedure to payment of this fee, a person may submit a petition in favor of his or her candidacy, signed by at least fifty (50) registered voters. The application must be accompanied by two forms of identification required by state law to identify a voter, reflecting an address that matches the address on the application. The official ballots shall be printed not less than twenty (20) days before the date of the election. The name of a person who does not file all required, completed documents by the deadline, will not be placed on the ballot.

Sec. 4.04. - The official ballot.

The names of all candidates for office, except such as may have withdrawn, died or become ineligible, shall be printed on the official ballots without party designations in the order determined in a drawing of lots conducted by the city secretary.

Sec. 4.05. - Qualified voter.

A "qualified voter," except as herein elsewhere defined within the meaning of the terms of this charter, is one who is a resident of the City of Haltom City and who possesses the other qualifications required by the general laws of the State of Texas. In addition to other qualifications set out in this charter, any candidate for elective office must be a qualified voter.

Sec. 4.06. - Laws governing city elections.

All city elections shall be governed, except as otherwise provided by this charter, by the laws of the State of Texas governing general and municipal elections.

Sec. 4.07. - Conducting and canvassing elections.

~~All elections shall be conducted and canvassed in accordance with state law. The election judges and other necessary election officials for conducting all such elections shall be appointed by the city council. The election judges shall conduct the elections, determine, record and report the results as provided by the general election laws of Texas. Within the time period established by state law, the city council shall meet, open the returns, canvass and officially declare the results of the election as to candidates and questions and issue certificates of election to candidates elected as hereinbefore provided.~~

Sec. 4.08. - Oath of office.

Every officer of the city shall, before entering upon the duties of the officer's office, take and subscribe to the following oaths in accordance with requirements of state law:

- (1) First, the officer elected or appointed must sign the following written statement before the second oath may be taken:

"I, _____, do solemnly swear (or affirm), that I have not directly or indirectly paid, offered, promised to pay, contributed, or promised to contribute any money or thing of value, or promised any public office or employment, as a reward for the giving or withholding of a vote at the election at which I was elected (or if the office is one of appointment, to secure my appointment) so help me God."

- (2) Second, the officer takes the following oath:

"I, _____, do solemnly swear (or affirm), that I will faithfully execute the duties of the office of _____, of the City of Haltom City of the State of Texas, and will to the best of my ability preserve, protect, and defend the constitution and laws of the United States and of this state and the charter and ordinances of this City; and I furthermore solemnly swear (or affirm), that I have not directly or indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money or valuable thing, or promised any public office or employment, as a reward for the giving or withholding of a vote at the election at which I was elected (or if the office is one of

appointment, to secure my appointment). So help me God."

ARTICLE V. – FINANCE

Sec. 5.01. - Annual budget.

The city's financial expenditures shall be governed by an annual budget. The budget shall embrace the fiscal year of the city as opposed to the calendar year.

Sec. 5.02. - Preparation and submission of budget.

The city manager shall prepare and submit to the city council a proposed budget at least forty-five (45) days prior to the beginning of the fiscal year. The city council shall hold a public hearing on the budget and shall give at least ten (10) days notice of said hearing in the official newspaper of the city.

Sec. 5.03. - Adoption of budget.

At the public hearing or at any regular or special called council meeting, the city council shall make such changes in the proposed budget as it deems advisable and shall adopt a budget prior to the first day of the fiscal year. If the city council fails to adopt a budget in final form before such date, the budget proposed by the city manager shall be deemed to have been adopted.

Sec. 5.04. - Budget establishes expenditures.

Once the budget is adopted, the city manager shall authorize no expenditure over the total funds for expenditure in the overall budget unless the budget is amended by the same public notice procedure called for in adopting the budget.

Sec. 5.05. - Budget a public record.

The budget shall be a public record and a copy shall remain on file in the office of the city secretary for public inspection.

Sec. 5.06. - Independent audit.

The council shall cause an independent audit to be made of the books of account, records and transactions of all the administrative departments of the city at least once yearly. Such audits, during such fiscal year, shall be made by one or more certified public accountants who for three (3) years next preceding have held a certificate issued by the State Board of Accountancy of the State of Texas, or by a state maintaining an equal standard of professional requirements, which entitled the holder of such certificate to a Texas certificate. The auditor or auditors to make the said audit shall be selected by the council and shall be responsible to the council; provided, however, that no auditor may be selected for more than five (5) consecutive years. The duties of the auditor or auditors so appointed shall include the certification of all statements. The report of such auditor or auditors for the fiscal year shall be printed and a copy thereof shall be furnished to each member of the council, the city manager, and to each citizen who may apply therefore. The original report of the said auditor or auditors shall be kept among the permanent records of the city.

Sec. 5.07. - Power to tax.

The city council shall have full power to provide for the prompt collection of taxes imposed and the procedures, time limits, interest, penalties and methods of levying, imposing, assessing and collecting

taxes shall be those prescribed by state law. The council shall impose such ad valorem taxes as are necessary to support the budget.

Sec. 5.08. - Exempt property.

There shall be exempt from taxation all property exempted by the State Constitution, state statutes and the ordinances of the city, as they are now or as they may be amended.

Sec. 5.09. - Franchise fees.

All rights, privileges and franchises granted to and held by any person, firm or corporation, in the streets, alleys, highways, or public grounds or places in the city, shall be subject to a fee charged by the city for their use. This fee shall be paid separately from and in addition to municipal taxes on the assets and sales of such person, firm or corporation.

Sec. 5.10. - Disbursement of funds.

All checks or warrants for the withdrawal of money from the city depository shall be signed by the city manager or assistant city manager with the signature being attested by the city secretary or assistant city secretary.

ARTICLE VI. - RECALL OF OFFICERS

Sec. 6.01. - Recall authorized.

Any council member, shall be subject to recall and removal from office by the qualified voters of the city on grounds of incompetency, misconduct, or malfeasance in office.

- (1) For purposes of this section, the term "incompetency" shall mean lack of ability, legal qualification or fitness to discharge the required duty.
- (2) For purposes of this section, the term "misconduct" shall mean a transgression of some established and definite rule of law, charter provision or city ordinance. In order to constitute "misconduct," such conduct must be of a forbidden nature, a dereliction from duty, unlawful behavior, and willful in nature.
- (3) For purposes of this section, the term "malfeasance" shall mean a wrongful act which the actor has no right to do and which affects, interrupts, or interferes with the performance of official duty of any officer, employee or member of the governing body of the city.

~~Any city official, elected by the people, shall be subject to recall and removal from office by the qualified voters of the city.~~

Sec. 6.02. - Petition for recall—Filing requirements.

Before the question of recall of such officer shall be submitted to the qualified voters of the city, a petition demanding such question to be so submitted shall first be filed with the person performing the duties of city secretary; which said petition shall be signed by qualified voters of the city equal in number to at least ~~thirty-three~~ ~~twenty-five~~ ~~(3325)~~ per centum of the number of votes cast at the last regular municipal election of the city, ~~but in no event less than two hundred fifty (250) such petitioners.~~ Each signer of such recall petition shall personally sign his name thereto in ink or indelible

pencil, and shall write after his name his place of residence, giving name of street and number, or place of residence, and shall also write thereon the day, the month and year his signature was affixed. In addition to this information the signer must provide information required by Section 277.002, Texas Election Code.

Sec. 6.03. - Same—Form.

The recall petition mentioned above must be addressed to the city council of the city, must distinctly and specifically point out the ground or grounds upon which the petition for removal is predicated, and, if there be more than one ground, shall specifically state each ground with such certainty as to give the officer sought to be removed, notice of the matters and things which are alleged. The signature shall be verified by oath in the following form:

"STATE OF TEXAS §
COUNTY OF TARRANT §

I, _____, being first duly sworn, on oath depose and say that I am one of the signers of the above petition; and that the statements made therein are true, and that each signature appearing thereto was made in my presence on the day and date it purports to have been made, and I solemnly swear that the same is the genuine signature of the person whose name it purports to be.

Sworn and subscribed to before me this ;#rule; day of ; date rule, _____.

Notary Public in and for
the State of Tarrant
County, Texas."

Sec. 6.04. - Same—Various papers constituting.

The petition may consist of one or more copies, or subscription lists, circulated separately, and the signature thereto may be upon the paper or papers containing the form of petition, or upon other papers attached thereto. Verifications provided for in the next preceding section of this article may be made by one or more petitioners, and the several parts or copies of the petition may be filed separately and by different persons; but no signatures to such petition shall remain effective or be counted which were placed thereon more than forty-five (45) days prior to the filing of such petition or petitions with the person performing the duties of city secretary. All papers comprising a recall petition shall be filed with the person performing the duties of city secretary on the same day, and said secretary shall immediately notify, in writing, the officer so sought to be removed, by mailing such notice to the officer's Haltom City address.

Sec. 6.05. - Same—Presentation to city council.

Within five (5) working days after the date of the filing of the papers constituting the recall petition, the person performing the duties of the city secretary shall present such petition to the city council of the city. If the petition is certified as containing a sufficient number of valid signatures, this certification to the city council will constitute initiation of the election process.

Sec. 6.06. Hearing to be held.—Reserved

The officer whose removal is sought may, within five days after such recall petition has been presented to the City Council, request that a public hearing be held to permit him/her to present facts pertinent to the charges specified in the recall petition. The city council shall order such public hearing to be held not less than five days nor more than fifteen days after receiving such request for a public hearing.

Sec. 6.07. - Election—To be called.

If the officer whose removal is sought does not resign then it shall become the duty of the city council to order an election and fix a date for holding such recall election, the date of which election shall be the next state uniform election date that is not less than forty-five (45) days from the date such petition was certified to the city council.

Sec. 6.08. - Same—Ballots.

(a) Ballots used at recall elections shall conform to the following requirements:

(1) With respect to each person whose removal is sought, the question shall be submitted:

"Shall (Name of person) be removed from the office of (Name of office) by recall?"

(2) Immediately to the left of each such question there shall be printed the following words, one above the other, in the order indicated:

"YES"

"NO"

(b) In voting said ballot, the voter shall indicate his or her vote in favor of recall or against recall by marking the ballot in the way ordinarily prescribed for ballot propositions.

Sec. 6.09. - Same—Result.

If a majority of the votes cast at a recall election shall be against the recall of the person named on the ballot, the person shall continue in office for the remainder of the person's unexpired term, subject to recall as before. If a majority of the votes cast at such an election be for the recall of the person named on the ballot, the person shall, regardless of any technical defects in the recall petition, be deemed removed from office and the vacancy shall be filled as vacancies in the city council are filled.

Sec. 6.10. - Restriction recall.

No recall petition shall be filed against any officer of the City of Haltom City within six (6) months after the officer's election, nor within six (6) months after an election for such officer's recall.

Sec. 6.11. - Failure of city council to act.

In case all of the requirements of this charter shall have been met and the city council shall fail or refuse to receive the recall petition, or order such recall election, or discharge any other duties imposed upon said city council by the provisions of this charter with reference to such recall, then the county judge of Tarrant County, Texas, shall discharge any of such duties herein provided to be discharged by the person performing the duties of city secretary or by the city council.

ARTICLE VII. - INITIATIVE AND REFERENDUM

Sec. 7.01. - General power.

The qualified voters of the City of Haltom City shall have the power of direct legislation by the initiative and referendum.

Sec. 7.02. - Initiative procedure.

Qualified voters of the city may initiate legislation by submitting a petition addressed to the city council which requests the submission of a proposed ordinance or resolution to a vote of the qualified voters of the city. Said petition must be signed by qualified voters of the city equal in number to twenty-five (25) per centum of the number of votes cast at the last regular municipal election of the city, or two hundred fifty (250), whichever is greater, and each copy of the petition shall have attached to it a copy of the proposed legislation. The petition shall be signed in the same manner as recall petitions are signed, as provided in section 6.02 of this charter, and shall be verified by oath in the manner and form provided for recall petitions in section 6.03 of this charter. The petition may consist of one or more copies as permitted for recall petitions in section 6.04 of this charter. Such petition shall be filed with the person performing the duties of city secretary. Within five (5) days after the filing of such petition, the person performing the duties of city secretary shall present said petition and proposed ordinance or resolution to the city council. Upon presentation to it of the petition and draft of the proposed ordinance or resolution, it shall become the duty of the city council, within ten (10) days after the receipt thereof, to pass and adopt such ordinance or resolution without alteration as to meaning or effect in the opinion of the persons filing the petition, or to call a special election, to be held at the next state uniform election date that is not less than forty-five (45) days after the date the petition is presented to the city council. At the election, the qualified voters of the city shall vote on the question of adopting or rejecting the proposed legislation. However, if any other municipal election is to be held within sixty (60) days after the filing of the petition, the question may be voted on at such election.

Sec. 7.03. - Referendum.

Qualified voters of the City of Haltom City may require that any ordinance or resolution passed by the city council be submitted to the voters of the city for approval or disapproval, by submitting a petition for this purpose within thirty (30) days after final passage of said ordinance or resolution, or within thirty (30) days after its publication. Said petition shall be addressed, prepared, signed and verified as required for petitions initiating legislation as provided in section 7.02 of this charter and shall be submitted to the person performing the duties of city secretary. Immediately upon the filing of such petition, the person performing the duties of city secretary shall present said petition to the city council. Thereupon the city council shall immediately reconsider such ordinance or resolution and, if it does not entirely repeal the same, shall submit it to popular vote as provided in section 7.02 of this charter. Pending the holding of such election, such ordinance or resolution shall be suspended from taking effect and shall not later take effect unless a majority of the qualified voters voting thereon at such election shall vote in favor thereon.

Sec. 7.04. - Voluntary submission of legislation by the council.

The city council, upon its own motion and by a majority vote of its members, may submit to popular

vote at any election for adoption or rejection any proposed ordinance or resolution or measure, or may submit for repeal any existing ordinance, resolution or measure, in the same manner and with the same force and effect as provided in this article for submission on petition, and may in its discretion call a special election for this purpose.

Sec. 7.05. - Form of ballots.

The ballots used when voting upon such proposed and referred ordinances, resolutions or measures, shall set forth their nature sufficiently to identify them and shall also set forth upon separate lines the words:

"FOR the ORDINANCE," and
"AGAINST the ORDINANCE," or
"FOR the RESOLUTION," or
"AGAINST the RESOLUTION."

Sec. 7.06. - Publication of proposed and referred ordinances.

The person performing the duties of city secretary shall publish at least once in the official newspaper of the city the proposed or referred ordinance or resolution within fifteen (15) days before the date of the election, and shall give such other notices and do such other things relative to such election as are required in general municipal elections or by the ordinance or resolution calling said election.

Sec. 7.07. - Adoption of ordinance.

If a majority of the qualified voters voting on any proposed ordinance or resolution or measure shall vote in favor thereof, it shall thereupon, or at any time fixed therein, become effective as a law or as a mandatory order of the city council.

Sec. 7.08. - Inconsistent ordinances.

If the provisions of two (2) or more proposed ordinances or resolutions approved at the same election are inconsistent, the ordinance or resolution receiving the highest number of votes shall prevail.

Sec. 7.09. - Ordinances passed by popular vote, repeal or amendment.

No ordinance or resolution which may have been passed by the city council upon a petition or adopted by popular vote under the provisions of this article shall be repealed or amended except by the city council in response to a referendum petition or by submission as provided in section 7.04 of this charter

Sec. 7.10. - Further regulations by city council.

The city council may pass ordinances or resolutions providing other and further regulations for carrying out the provisions of this article not inconsistent herewith.

Sec. 7.11. - Franchise ordinances.

Nothing contained in this article shall be construed to be in conflict with any of the provisions of article VIII of this charter, pertaining to ordinances granting franchises when valuable rights shall have accrued thereunder.

ARTICLE VIII. - FRANCHISES AND PUBLIC UTILITIES

Sec. 8.01. - Powers of the city as to utilities generally.

The city has the power to buy, sell, own, construct, maintain, and operate utilities, within or without the city limits, and to manufacture and distribute electricity, gas, or anything else that may be needed or used by the public. Further, the city shall have all powers as set forth in this Article VIII to regulate utilities to the fullest extent permitted by law.

Sec. 8.02. - Franchise power of city council.

Unless provided otherwise by state or federal law, the city council shall have power to grant, amend, renew or extend by ordinance all franchises of all public utilities of every character operating within the City of Haltom City, and for such purposes is granted full power. All ordinances granting, amending, renewing, or extending franchises for public utilities shall be read at two separate regular meetings of the city council and shall not be finally passed until fifteen (15) days after the first reading; and no such ordinance shall take effect until thirty (30) days after its final passage. No public utility franchise shall be transferable except to persons, firms or corporations taking all or substantially all of the holder's business in the City of Haltom City and except with the approval of the council expressed by ordinance.

Sec. 8.03. - Regulation of rates and service.

The city council shall have the following powers:

- (a) After due notice and hearing, to regulate by ordinance or otherwise the rates and services of every public utility operating in the City to the fullest extent permitted by law;
- (b) To employ at the expense of the public utility expert assistance and advice in determining a reasonable rate and equitable profit to the public utility; and
- (c) To require within the franchise grant, extension, or renewal, or as a condition of a hearing concerning rates and services, that the public utility seeking the rate or service change pay the cost of the expert advice and assistance as chosen by the city council.

Sec. 8.04. - Right of regulation.

All grants, renewals, extensions, or amendments of public utility franchises, whether it be so provided in the ordinance or not, shall be subject to the right of the city:

- (1) To repeal the same ordinance at any time for failure to begin construction or operation within the time prescribed or for failure otherwise to comply with the terms of the franchise, such power to be exercised only after due notice and hearing.
- (2) To require an adequate and reasonable extension of plant and service, and the maintenance of the plant and fixtures at the standard necessary to render the highest reasonable quality of utility service to the public.
- (3) To establish reasonable standards of service and quality of products and prevent unjust

discrimination in service or rates.

- (4) (a) To prescribe the form of accounts kept by each such utility; provided, that if the utility shall keep its accounts in accordance with the uniform system of accounts for said utility prescribed by the National Association of Railroad and Public Utility Commissioners, the Federal Power Commission, the Federal Communications Commission, the Railroad Commission of Texas, or their successors, or other state or federal utility regulating agencies, this shall be deemed sufficient compliance with this paragraph.
- (b) At any time to examine and audit the accounts and other records of any such utility and to require annual and other reports, including reports on local operations by each such public utility.
- (5) To impose such reasonable regulations and restrictions as may be deemed desirable or conducive to the safety, welfare, and accommodation of the public.

Sec. 8.05. - Consent of property owners.

The consent of abutting and adjacent property owners shall not be required for the construction, extension, maintenance or operation of any public utility; but nothing in this charter or in any franchise granted thereunder shall ever be construed to deprive any such property owners of any right of action for damage or injury to his property as now or hereafter provided by law.

Sec. 8.06. - Extensions.

All extensions of public utilities within the city limits shall become a part of the aggregate property of the public utility, shall be operated as such, and shall be subject to all the obligations and reserved rights contained in this charter and in any original grant hereafter made. The right to use and maintain any extension shall terminate with the original grant and shall be terminable as provided in section 8.04. In case of an extension of public utility operated under a franchise hereafter granted, such right shall be terminable at the same time and under the same conditions as the original grant.

Sec. 8.07. - Other conditions.

All franchises heretofore granted are recognized as contracts between the City of Haltom City and the grantee, and the contractual rights as contained in any such franchises shall not be impaired by the provisions of this charter, except that the power of the City of Haltom City to exercise the right of eminent domain in the acquisition of any utility property is in all things reserved, and except in the general power of the city heretofore existing and herein provided for to regulate the rates and services of a utility, which shall include the right to require adequate and reasonable extension of plant and service and the maintenance of the plant fixtures at the standard necessary to render the highest reasonable quality of utility service to the public. Every public utility franchise hereafter granted shall be held subject to all the terms and conditions contained in the various sections of this article, whether or not such terms are specifically mentioned in the franchises. Nothing in this charter shall operate to limit in any way, as specifically stated, the discretion of the council or the electors of the city in imposing terms and conditions as may be reasonable in connection with any franchise grant, including the right to require such compensation or rental as may be permitted by the laws of the State of Texas.

Sec. 8.08. - Franchise records.

Within six (6) months after this charter takes effect, every public utility and every owner of public utility franchise shall file with the city, as may be prescribed by ordinance, certified copies of all franchises owned or claimed, or under which such utility is operated in the City of Haltom City. The city shall compile and maintain a public record of public utility franchises.

Sec. 8.09. - Accounts of municipally owned utilities.

Accounts shall be kept for each public utility owned or operated by the city, in such manner as to show the true and complete financial results of such city ownership and operation, including all assets, appropriately subdivided into different classes, and all liability subdivided by classes, depreciation reserve, other reserves, and surplus; also revenues, operating expenses including depreciation, interest payments, rental, and other disposition of annual income. The accounts shall show the actual capital cost to the city of each public utility owned, also the cost of all extensions, additions, and improvements, and the source of the funds expended for such capital purposes. They shall show as nearly as possible the cost of any service furnished to or rendered by any such utility to any other city or governmental department. The council shall annually cause to be made by a certified public accountant, and shall publish, a report showing the financial condition of said public utility and the financial results of such city ownership and operation, giving the information specified in this section and such additional data as the council shall deem expedient.

Sec. 8.10. - Restoration of property; use of public right-of-way.

(a) A franchise holder shall at its expense refill and repair openings or other damage to the public rights-of-way or other public or private property caused by the franchise holder. It shall replace the pavement and perform all other work necessary to complete restoration of streets, sidewalks, or grounds to a condition equally as good or better than before disturbed. The city council may adopt ordinances to implement the requirements of this paragraph.

(b) A franchise holder shall comply with the provisions of any ordinance governing the use of the City's right-of-way and prescribing regulations for the use of the right-of-way. The franchise holder shall require its employees and contractors to comply with such ordinances and regulations.

ARTICLE IX. – ADMINISTRATION

Sec. 9.01. - City manager.

(a) Appointment and qualifications: The city council shall appoint a city manager who shall be the chief administrative and executive officer of the city and shall be responsible to the city council for the administration of all the affairs of the city. The City Manager shall be chosen by the city council solely on the basis of the City Manager's executive and administrative training, experience and ability, and need not, when appointed, be a resident of the City of Haltom City. No member of the city council shall, during the time for which he is elected and one year thereafter, be appointed city manager.

(b) Term and salary: The city manager shall not be appointed for a definite term but may be removed at the will and pleasure of the city council by an affirmative vote of at least five members of the city council voting in an open meeting. The action of the city council in suspending or removing the city manager shall be final, it being the intention of this charter to vest all authority and fix all responsibility for such suspension or removal in the city council.

(c) Power and duties of the city manager:

- (1) Appoint, and when necessary for the welfare of the city, remove any employee of the city, except as otherwise provided by this charter.
- (2) Prepare the budget annually and submit it to the city council, and be responsible for its administration after adoption.
- (3) Prepare and submit to the city council as of the end of the fiscal year a complete report on the finances and administrative activities of the city for the preceding year.
- (4) Keep the city council advised of the financial condition and future needs of the city and make such recommendations as may seem desirable.
- (5) Perform such duties as may be prescribed by this charter or may be required of him by the city council, not inconsistent with this charter.
- (6) Establish administrative departments and distribute the work of divisions.

Sec. 9.02. - City secretary.

The city council shall appoint the city secretary ~~and such assistant city secretaries as the city council shall deem advisable~~. The city secretary, or an assistant city secretary, shall give notice of council meetings, shall keep the minutes of the proceedings of such meetings, shall authenticate by his signature and record in full in a book kept and indexed for the purpose, all ordinances and resolutions, and shall perform such other duties as the city manager shall assign to him, and those elsewhere provided for in this charter.

Sec. 9.03. - Street department.

The city council shall establish and maintain a street department for the construction and maintenance of the streets of the City of Haltom City.

Sec. 9.04. - Reserved.

Sec. 9.05. - City attorney.

The city council shall appoint a competent and duly licensed attorney practicing law in Tarrant County, Texas, who shall be the city attorney. The city attorney shall receive for the city attorney's services such compensation as may be fixed by the city council and shall hold his office at the pleasure of the city council. The city attorney, or such other attorneys selected by the city attorney with the approval of the city council, shall represent the city in all litigation. The city attorney shall be the legal advisor of, and attorney and counsel for, the city and all departments thereof. The city council shall review the performance and effectiveness of the city attorney every three (3) years, beginning the year this section is adopted.

Sec. 9.06. - Municipal court.

(a) There is hereby created and established a court to be the municipal court of the city, which court shall have jurisdiction within the territorial limits of said city of all criminal cases arising under the ordinances of such city, and shall have concurrent jurisdiction with the justice of the peace of the precinct in which the city is or may be situated of all criminal cases arising under the criminal laws of the state, where the offense is committed within the territorial limits of said city and the punishment is

by fine only with the maximum of said fine, being that which is established under the laws of this state. The court shall have civil jurisdiction as conferred by state law. It shall also have jurisdiction over criminal offenses committed outside the corporate limits of the city under ordinances authorized by state law, including, but not limited to those enacted for the preservation of the city's water system, watersheds of the city's water supply and the purity of the water supply, the city's sewer disposal plant and the city's garbage dumping grounds; violations committed on municipal property; and any nuisance within five thousand feet outside of the corporate limits of the city.

(b) The judge of said court shall be designated as judge of the municipal court, and shall be selected as provided by law. If the judge is selected by election, the term limitations imposed upon elected officials in Section 3.01a of this charter also apply to the judge's position.

(c) The judge of the municipal court shall have power to punish for contempt to the same extent and under the same circumstances as the justice of the peace may punish for contempt in all criminal cases.

(d) The term of office of the judge of the municipal court shall be established by ordinance in accordance with state law. The city council shall have the authority to remove the municipal court judge for good cause as determined by the council. A hearing shall be held if requested by the judge, and removal shall require an affirmative vote of at least 2/3 of the members of the council.

(e) The judge of the municipal court shall serve as a part-time judge and must reside in, and be engaged in the private practice of law in Tarrant County, Texas.

(f) All complaints, prosecution, the service of process, commitment of those convicted of offenses, the collection and payment of fines, the attendance and service of witnesses and juries, punishment for contempt, bail and the taking of bonds shall be governed by the provisions of Vernon's Ann. C.C.P. ch. 45 applicable to municipal courts.

Sec. 9.07. - Clerk of municipal court.

There is hereby created the position of clerk of the municipal court. The clerk of said court and the clerk's deputies shall have the power to administer oaths and affidavits, make certificates fix the seal of said court thereto and generally do and perform any and all acts usual and necessary by clerks of courts in issuing process of said courts and conducting the business thereof.

Sec. 9.08. - Abolishing and consolidating departments.

The city council may abolish or consolidate such offices and departments as it may deem to be to the best interest of the city, and may divide the administration of any such departments as it may deem advisable; may create new departments, and may discontinue any offices or departments at its discretion, except those specifically established by this charter.

Sec. 9.09. - Establishing residence by city manager and city secretary.

It shall be the duty of the city council to ascertain within six (6) months from the date of hiring of the city manager and the city secretary that each has established residence in the City of Haltom City.

ARTICLE X. - GENERAL PROVISIONS

Sec. 10.01. - Ordinances.

(a) Every ordinance shall be introduced in written or printed form and shall take effect upon publication (when required by this charter) and final passage. The city secretary shall give notice of the passage of every ordinance imposing a penalty, fine or forfeiture for a violation of its provisions, by causing the caption or title and the penalty or forfeiture clause to be published in the official newspaper of the city at least once within ten (10) days after the first consideration of the ordinance. It shall be necessary to the validity of any ordinance that it shall be considered and adopted at two sessions of the city council, the sessions being at least five (5) days apart, except in the case of an emergency measure. An emergency measure is an ordinance or resolution for the immediate preservation of the public peace, property, health or safety. The city council shall, within its discretion, declare what measures are emergency measures, and any ordinance or resolution carrying an emergency clause shall be construed to be an emergency measure, which emergency shall be set forth and defined in the preamble or in the closing section of the ordinance.

(b) All ordinances of the city, published or compiled in book or pamphlet form by the city shall be presumed to have been adopted by and with the authority of the city, and shall be admitted as evidence in all courts, state and federal, without further proof beyond the production of the printed book or pamphlet; and provided, further, that copies of ordinances, resolutions, minutes and proceedings of the city council, or prior governing bodies of the city, certified by the city secretary to be true copies of the originals, with the seal of the city affixed thereon, shall also be admitted in evidence without further proof in all courts.

(c) Every ordinance shall be authenticated by the signature of the mayor and city secretary and shall be systematically recorded and indexed in an ordinance book in a manner approved by the council. The city council shall have power to cause the ordinances of the city to be codified and printed in code form, and such printed code, when adopted by the council, shall be in full force and effect without the necessity of publishing the same or any part thereof in a newspaper. Such printed code shall be admitted in evidence in all courts and places without further proof.

Sec. 10.02. - Nepotism.

No person related within the second degree by affinity or within the third degree by consanguinity, to the mayor, or to any member of the city council, or to the city manager, shall be appointed to any office, position, clerkship or service of the city.

Sec. 10.02a. - Ethics policy.

(a) The city council, by ordinance, shall adopt and maintain in force an ethics policy governing elected officials, members of city boards and commissions, and city employees. The city council may from time to time amend the ethics policy as the city council determines is appropriate.

(b) The city council shall enforce the ethics policy as it applies to the city council, board and commission members, and city council-appointed officers; and the city manager shall enforce the ethics policy as it applies to employees. Enforcement may include disciplinary action up to and including removal from office or employment.

Sec. 10.03. - Preservation of contract rights.

All contracts entered into by the City of Haltom City, or for its benefit, prior to the taking effect of this charter, shall continue in full force and effect. All rights, immunities, powers, privileges and franchises now possessed by said city shall also continue in full force and effect.

Sec. 10.04. - Partial invalidity.

If any section or part of section of this charter shall be held invalid by a court of competent jurisdiction, such holding shall not affect the remainder of this charter nor the context in which such section or part of section so held invalid may appear, except to the extent that an entire section or part of section may be inseparably connected in meaning and effect with the section or part of section to which such holding shall directly apply.

Sec. 10.05. - Amendment of charter.

This charter may be amended at any time in accordance with the provisions applicable thereto contained in V.T.C.A., Local Government Code ch. 9 or any amendments thereto or any amendments that may be made hereafter thereto. The qualified voters of the city shall have the opportunity of voting on any such amendments.

Sec. 10.06. - Construction.

The use of the singular number includes the plural, and the plural the singular, and words used in the masculine gender include the feminine also, unless by reasonable construction, it appears that such was not the intention of the language of this charter.

Sec. 10.07. - Official newspaper.

The city council shall designate as the "official newspaper" of the city a newspaper published either daily, semi-weekly, or weekly, and of general circulation in the City of Haltom City.

Sec. 10.08. - Present ordinances.

All ordinances of the City of Haltom City now in existence and not inconsistent with the provisions of this charter shall remain in full force and effect until altered, amended or repealed by the city council. If parts of ordinances now in existence are inconsistent with the provisions of this charter, then such parts are hereby repealed, but the remaining parts of such ordinances shall remain in full force and effect until altered, amended or repealed by the city council.

Sec. 10.09. - Special provision covering damage suits.

Before the city shall be liable for damages for personal injury of any kind or damage to property, the person who is injured or whose property is damaged, or someone in his behalf shall give the mayor or the city secretary notice in writing duly verified within ninety (90) days after the occurring of the alleged injury or damage, stating specifically in such notice when, where and how the injury or damage was sustained and setting forth the extent of the injury or damage and the amount of damages sustained, as accurately as possible, and giving the names and addresses of all witnesses

and upon whose testimony such person is relying to establish the injury or damage. No action for damages shall be brought against the city for personal injury or damage to property prior to the expiration of sixty (60) days after the notice hereinbefore described has been filed with the mayor or the city secretary.

Sec. 10.10. – Jurisdiction.

Jurisdiction for matters relating to the City of Haltom City shall only lie in courts of law established in the U.S. Constitution, the Texas Constitution, the Haltom City Charter or ordinances of the City.

ARTICLE XI. - CIVIL SERVICE

Sec. 11.01. - System established.

The City of Haltom City provides due process to Regular Full-Time Employees when dealing with disciplinary actions resulting in the loss of pay. There is hereby established in the City of Haltom City, a municipal civil service system for Sworn Employees of the Police and Fire Department. There is also hereby established a sick leave payout policy for certain Regular Full-Time Employees and Sworn Employees of the City of Haltom City.

Sec. 11.02. - Definitions.

In this article:

- (1) "Regular full-time employee" means an employee of the City of Haltom City that has completed the probationary period and is filling a budgeted full-time position. An appointed employee shall be considered a Regular Full-Time Employee for purposes of Section 11.34 of this Article only.
- (2) "Business day" means Monday through Friday and excludes all City observed holidays/closings and Saturday and Sunday.
- (3) "Commission" means the City of Haltom City civil service commission.
- (4) "Department Head" means the chief or head of a fire or police department or his/her designee, regardless of the name or title used.
- (5) "Director" means director of the City of Haltom City civil service.
- (6) "Sworn Employee" means an employee of the fire department who is certified by the Texas Commission on Fire Protection Personnel Standards and Education (or a successor agency) or an employee of the police department who is licensed by the Texas Commission on Law Enforcement Officer Standards and Education (or a successor agency) below the ranks of chief and assistant chief.
- (7) "Seniority Pay" means any pay in addition to longevity pay required by state law that may be provided to an employee based upon continuous length of service in the rank including but not limited to pay received due to step increases.

Sec. 11.03. - Civil service commission—Establishment, members.

There is hereby established in the City of Haltom City, an Employees Civil Service Commission, which shall consist of three (3) members, to be selected as follows: Members of the commission shall be appointed by the mayor of the City of Haltom City and such appointments shall be confirmed by the city council of said city before any such appointments shall be effective. The term of office of each commissioner shall be for a term of three (3) years, and/or until a successor is appointed, confirmed, and qualified. Any such vacancies in said Commission caused by death, resignation, or otherwise, or by failure of any appointee to qualify within ten (10) days after appointment, shall be filled in the manner hereinabove specified. All such commissioners shall be of good moral character, resident citizens of the City of Haltom City, and shall have resided in said city for a period of more than three (3) years and shall not have held any city elective office within the preceding three (3) years.

Sec. 11.04. - Same—Organization.

The Commissioners shall elect a chairman and a vice-chairman annually, at the first meeting scheduled on or after October 1st.

Sec. 11.05. - Same—Powers.

Two (2) members of said commission shall constitute a quorum to transact business. The Commission shall operate under the authority of this article of the Charter and the policies and procedures created by the City Manager or his designee and approved by the city council to discharge the duties of the Commission. The Commission shall hear matters outlined in this article.

Sec. 11.06. - Same—Policies.

This article and the policies and procedures approved by the city council shall prescribe what shall constitute cause for removal or suspension of Sworn Employees. Proposed policy and procedure revisions will be made available [to] Regular Full-Time and Sworn Employees for review prior to presentation to the city council. Policy changes will be considered as regular agenda items affording Regular Full-Time and Sworn Employees the opportunity to provide input regarding proposed changes.

Sec. 11.07. - Same—Appointment, etc., of director of civil service.

There is hereby created the office of Director of the Haltom City municipal civil service system. The Director shall be appointed by the city manager subject to confirmation by the Commission. The city council shall determine what salary, if any, shall be paid to the Director. The Director shall at all times be subject to removal by the Commission, and shall perform all such work incidental to the Haltom City civil service system as may be required of the Director by the Commission. The Director shall serve as the liaison to the Commission.

In the absence of a Director, the duties of Director revert to the city manager, or the city manager's designee, until a Director is appointed by the city manager and confirmed by the Commission. If the Director position is vacant, the city manager must appoint a new Director within 90 days unless approved by the Civil Service Commission.

Sec. 11.08. - Commission appeal procedure.

(a) Except as otherwise provided by this article, a Sworn Employee may appeal to the Commission disciplinary appeals resulting from suspensions, involuntary demotions, and indefinite

suspensions by filing a written notice of appeal with the Director within ten (10) business days after the date the action occurred. Except as otherwise provided by this article, a Sworn Employee may challenge promotional exam questions and promotional bypass to the Commission by filing a written notice of appeal to the Director within five (5) business days of the date of the promotional examination or promotional bypass.

(b) The appeal notice must include the basis for the appeal and a request for a Commission hearing. For disciplinary appeals, the appeal must also contain a statement denying the truth of the charge(s) as made, a statement taking exception to the legal sufficiency of the charge or action taken, a statement alleging that the recommended action does not fit the alleged offense or circumstances, or a combination of these statements.

(c) In each hearing, appeal, or review of any kind in which the Commission performs an adjudicatory function, the Sworn Employee is entitled to be represented by counsel or a person the Sworn Employee chooses. Each Commission proceeding shall be held in accordance with the Texas Open Meetings Act (or successor law).

(d) Witnesses may be placed under "The Rule" at the Commission hearing.

(e) The Commission shall conduct the hearing fairly and impartially as prescribed by this article and shall render a just and fair decision. The Commission may consider only the evidence submitted at the hearing.

Sec. 11.09. - Decisions and records.

(a) Each concurring Commission member shall sign a decision issued by the Commission.

(b) Records of each hearing or case that comes before the Commission shall be forwarded by the Director to the Human Resources Department to be maintained in accordance with established records retention policies of the City.

(c) Each rule, opinion, directive, decision, or order issued by the Commission must be written and constitutes a public record that the Director shall retain on file in accordance with retention requirements. Such records shall be available to the public as provided in the Texas Public Information Act (or successor law).

Sec. 11.10. - Appointment of department head for departments with sworn employees.

A person appointed as a head of a fire or police department must be eligible for certification by the agency governing their respective department at a level equivalent to similarly situated cities in North Texas. The head of the fire or police department must have served as a fully paid fire fighter or police officer in their respective service, for at least five years.

Sec. 11.11. - Classification examination requirement.

The city council shall approve the number of positions in each classification each year as part of the budget approval process. An existing sworn position/classification or a sworn position/classification created in the future may be filled only from an eligibility list that results from an examination held in accordance with this article.

An applicant for a beginning sworn position with the police department must be able to meet all legal requirements necessary for licensing as a sworn peace officer under state law~~by the Texas~~

~~Commission on Law Enforcement Officer Standards and Education~~. An applicant for a beginning sworn position with the fire department must be able to meet all legal requirements necessary for certification under state law ~~by the Texas Commission on Fire Protection Personnel Standards and Education~~ and be eligible to meet all requirements to be licensed or certified as a paramedic in the State of Texas.

Sec. 11.12. - Reappointment after resignation.

The city manager, with the approval of the city council, may adopt rules regarding eligibility for Sworn Employees who leave the employment of the City to be reappointed to the department without taking another departmental entrance examination.

Sec. 11.13. - Probationary period.

(a) A person appointed to a beginning position in the fire or police department must serve a probationary period of one year beginning on that person's date of employment as a fire fighter, police officer, or academy trainee.

(b) A Sworn Employee who was appointed in substantial compliance with this article and who serves the entire probationary period automatically becomes a civil service employee.

(c) A person already employed by the City in a non-civil service position shall serve the appropriate probationary period when moving to a sworn position.

Sec. 11.14. - Temporary duties in a higher classification.

(a) The Department Head may designate a person from the next lower classification to temporarily fill a position in a higher classification. The designated person is entitled to the base salary of the higher position plus any other applicable pay including, but not limited to, longevity pay.

(b) The temporary performance of the duties of a higher position by a person who has not been promoted as prescribed by this article may not be construed as a promotion. A Sworn Employee may perform duties in a higher classification for a maximum of one-hundred eighty (180) consecutive calendar days as long as no vacancy exists. All vacancies will be filled in accordance with other provisions within this article.

Sec. 11.15. - Compensation.

(a) All Sworn Employees in the same classification are entitled to the same base salary except as provided under the Temporary Duties in a Higher Classification section of this article.

(b) In addition to the base salary, if applicable each Sworn Employee is entitled to supplemental pay including, but not limited to, seniority and longevity pay. Seniority Pay shall be based on years of service in the rank since the employee was most recently promoted and as authorized by the city council in the annual budget unless the employee is demoted. An employee that is demoted will be placed at the level of Seniority Pay that he would have held if the promotion had not taken place.

Sec. 11.16. - Entrance examination notice.

At least twenty-one (21) days in advance of any entrance examination for a Sworn Employee position, the Director shall post continuously in plain view on a bulletin board in the main lobby of the

City Hall and in the Human Resources office, a notice of such examination, and said notice shall show the position(s) to be filled or for which examination is to be held, with date, time and place thereof. The notice of the examination may include a deadline to register prior to the test.

Sec. 11.17. - Entrance examinations/eligibility lists.

(a) Open and competitive entrance examinations shall be administered to provide eligibility lists for beginning positions in the fire and police departments. The examinations are open to each person who makes a proper application and meets the prescribed requirements.

(b) An eligibility list for a beginning position in the fire or police department may be created only as a result of a competitive examination held in the presence of each applicant for the position, except as provided by Subsections (c) and (d). The examination must be based on the person's general knowledge and aptitude and must inquire into the applicant's general education and mental ability. A person may not be appointed to the fire or police department other than through the examination except as otherwise provided in this article.

(c) Examinations for beginning positions in the fire department may be held at different locations if each applicant takes the same examination and is examined in the presence of other applicants.

(d) An applicant may not take an examination unless at least one other applicant taking the examination is present.

(e) Each applicant's grade on the written examination is based on a maximum grade of 100 points and is determined entirely by the correctness of the applicant's answers to the questions. The minimum passing grade on the examination is 70 points. An applicant must pass the examination to be placed on an eligibility list.

(f) An additional five points shall be added to the examination grade of an applicant who served in the United States armed forces, received an honorable discharge, and made a passing grade on the examination as long as appropriate documentation showing honorable discharge (or current enlistment) is presented at the time of the test.

(g) Ties will be broken by a pre-determined method approved by the Commission.

(h) The Director shall keep each eligibility list for a beginning position in effect for a period of 12 months, unless the names of all applicants on the list have been referred to the appropriate department or the list has been exhausted. The effective date of the eligibility list begins on the day of the test with the test expiring as outlined above.

(i) The Director is responsible for the preparation and security of each entrance examination.

(j) A person commits an offense if the person knowingly or intentionally: (1) reveals a part of an entrance examination to an unauthorized person for either person's unfair personal gain or advantage; or (2) receives from an authorized or unauthorized person a part of an entrance examination for unfair personal gain or advantage.

(k) An offense under this section is a Class C misdemeanor.

Sec. 11.18. - Procedures for filling beginning positions.

When a vacancy occurs in a beginning position in the fire or police department, the Department Head shall appoint the person having the highest grade on the eligibility list unless there is a good and sufficient reason why the person having the second or third highest grade should be appointed. If the Department Head does not appoint the person having the highest grade, the Department Head shall clearly set forth in writing the good and sufficient reason why the person having the highest grade was not appointed and submit such documentation to the Director. The Department Head will utilize this process to hire or eliminate all persons on the eligibility list until the list is either exhausted or expires.

Sec. 11.19. - Eligibility for promotional examination and promotion.

(a) A firefighter is not eligible for promotion unless the person has served in the fire department in the next lower rank for at least two years immediately preceding the date the promotional examination is held. A firefighter is not eligible for promotion to the rank of captain or its equivalent unless the person has at least four years' actual service in the fire department.

(b) A police officer is not eligible for promotion unless the person has served in the police department in the next lower rank for at least two years immediately preceding the date the promotional examination is held. A police officer is not eligible for promotion to the rank of lieutenant or its equivalent unless the person has at least four years' actual service in the police department.

(c) If a Sworn Employee is recalled on active military duty the Sworn Employee's eligibility for promotion will be handled in accordance with the Uniformed Services Employment and Reemployment Rights Act (or successor law).

(d) If there are not a minimum of three (3) candidates in the next lower rank with two years' service in that position to allow the Department Head to consider three potential candidates for each current vacancy, the examination will open to Sworn Employees in that rank with less than two years' service. If there are still fewer than three (3) candidates, the examination will open to Sworn Employees with at least two years' experience in the second lower rank, to the position for which the examination is to be held.

(e) If a candidate had previously terminated employment with either the police or fire department and is subsequently reemployed by the same department, the candidate must again meet the service requirement for eligibility to take a promotional examination. In determining if a candidate has met the service requirement, service in another department may not be considered.

Sec. 11.20. - Promotional examination notice.

At least twenty-one (21) days in advance of any promotional examination for a Sworn Employee position, the Director shall post continuously in plain view on a bulletin board in the main lobby of City Hall and in the Human Resources office, a notice of such examination, and said notice shall show the position(s) to be filled or for which examination is to be held, with date, time and place thereof and shall include the name of each source used for the examination. The notice of the examination may establish a deadline to register prior to the test. Copies of such notice of examination shall be posted in the department in which the position is to be filled.

Sec. 11.21. - Promotional examination procedure.

(a) Each eligible promotional candidate shall be given an identical examination in the presence of other eligible promotional candidates.

- (b) The examination must be entirely in writing and may not in any part consist of an oral interview.
- (c) The examination questions must test the knowledge of the eligible promotional candidates about information and facts and must be based on: (1) the duties of the position for which the examination is held; and (2) the source material referenced in the Examination Notice.
- (d) The examination questions must be prepared and composed so that the grading of the examination can be promptly completed immediately after the examination is over.
- (e) The Director is responsible for the preparation and security of each promotional examination.
- (f) A person commits an offense if the person knowingly or intentionally: (1) reveals a part of a promotional examination to an unauthorized person for either person's unfair personal gain or advantage; or (2) receives from an authorized or unauthorized person a part of a promotional examination for unfair personal gain or advantage.
- (g) An offense under this section is a Class C misdemeanor punishable by fine of \$500.

Sec. 11.22. - Promotional examination grades.

- (a) The grading of each promotional examination shall begin when one eligible promotional candidate completes the examination. As the eligible promotional candidates finish the examination, the examinations shall be graded at the examination location.
- (b) Each Sworn Employee is entitled to receive one point for each full year of seniority as a Sworn Employee in the affected department, with a maximum of 10 points. A Sworn Employee will only receive seniority points based upon the Sworn Employee's most recent and continuous service with the City.
- (c) ~~Reserved. The Department Head shall ensure that annual performance evaluations are completed for Sworn Employees. Upon examination for promotion each applicant for a Sworn Employee position shall receive credit points based on the average of the applicant's performance reports for the last two evaluations prior to the time of the examination. The city manager shall determine the number of credit points received for performance evaluations.~~
- (d) Each candidate's grade on the written examination(s) is based on a maximum grade of 100 points and is determined entirely by the correctness of the candidate's answers to the questions. All candidates who score a total of at least 70 points on the test(s) shall be determined to have passed the examination. Seniority points ~~and evaluation points~~ will be added to all candidates that pass the test. If no candidates score at least 70 points after question challenges are resolved, the test shall be declared invalid and another test scheduled and opened to the next level of eligible Sworn Employees.
- (e) Unless a different procedure is adopted under an alternate promotional system, the grade that must be placed on the eligibility list for each promotional candidate shall be computed by adding the candidate's points for seniority ~~and the average performance evaluation points~~ to the candidate's grade on the written examination. Ties will be broken by a predetermined method approved by the Commission.

Sec. 11.23. - Review and appeal of promotional examination.

(a) On request, each eligible promotional candidate from the fire or police department is entitled to review the questions that were marked as incorrect on their promotional examination, and the source material for the examination. The candidate may appeal test questions he/she believes have been marked as wrong in error, within five business days from the date of the test, to the Commission for review in accordance with this article.

(b) The eligible promotional candidate may not remove the examination or copy a question used in the examination.

Sec. 11.24. - Alternate promotional system.

(a) On the recommendation of the Department Head of the police or fire department and a majority vote of the Sworn Employees in the affected department, the Commission may adopt an alternate promotional system to select persons to occupy non-entry level positions other than positions that are filled by appointment by the Department Head.

(b) Upon the receipt of a recommendation by the Department Head for a revised promotional system, the Commission may order the Director to conduct an election and to submit the revised promotional system either to all Sworn Employees within the rank immediately below the classification for which the promotional examination is to be administered or to all Sworn Employees in the affected department.

(c) The Director shall hold the election on or after the 30th day after the date [of] notice of the election is posted at the affected department. The election shall be conducted throughout each regular work shift at an accessible location within the department during a 24-hour period. (In the Fire Department, such election shall be conducted throughout each regular work shift at an accessible location within the department during three consecutive 24-hour periods.)

(d) The ballot shall contain the specific amendment to the promotional procedure. Each Sworn Employee in the affected department shall be given the opportunity to vote by secret ballot "for" or "against" the amendment.

(e) The revised promotional system must be approved by a majority vote of the affected Sworn Employees voting. A defeated promotional system amendment may not be placed on a ballot for a vote by the affected Sworn Employees for at least 12 months after the date the prior election was held, but this provision does not apply if the head of the department recommends a different proposal to the Commission.

(f) The Commission shall canvass the votes within 30 days after the date the election is held. An appeal alleging election irregularity must be filed with the Commission within five business days after the date the election closes. If approved by the affected Sworn Employees, the promotional system amendment becomes effective after all election disputes have been ruled on and the Commission has canvassed the election votes.

(g) At any time after an alternate promotional system has been adopted under this section and has been in effect for at least 180 days, the Department Head may petition the Commission to terminate the alternate system, and the Commission shall determine whether or not to terminate the alternate system.

(h) At any time after an alternate promotional system has been adopted under this section and has been in effect for at least 180 days, a petition signed by at least 35 percent of the affected Sworn Employees may be submitted to the Commission asking that the alternate promotional system be reconsidered. If a petition is submitted, the Commission shall, within 60 days after the date the petition is filed, hold an election as prescribed by this section. If a majority of those voting vote to terminate, the Commission shall determine whether or not to terminate the alternate promotional system.

(i) If the alternate system is terminated, an additional eligibility list may not be created under the alternate system.

(j) An eligibility list may not be created if an election under this section is pending. An existing eligibility list, whether created under the system prescribed by this article or created under an alternate system adopted under this section, may not be terminated before or extended beyond its expiration date. A Sworn Employee promoted under an alternate system has the same rights and the same status as a Sworn Employee promoted under this article even if the alternate system is later terminated.

Sec. 11.25. - Promotional eligibility lists/appointments.

(a) If an eligibility list for the promotional position to be filled exists on the date the vacancy occurs, or a new position is created, the Director, upon request of the Department Head, shall provide the eligibility list to the Department Head.

(b) If an eligibility list does not exist on the date a vacancy occurs or a new position is created, an examination will be held to create a new eligibility list within 90 days after the date the vacancy occurs or a new position is created. Once the eligibility list is created, the Director shall provide the eligibility list to the Department Head. The Department Head shall fill the position by appointment from the eligibility list furnished by the Director within 30 days after the date the list is created unless promotional examination test question appeals have not been resolved in which case the Department Head shall wait until all promotional examination test question appeals have been resolved by the Commission.

(c) If an eligibility list exists on the date a vacancy occurs or a new position is created, the Department Head shall fill the position by appointment from the eligibility list furnished by the Director within 30 days after the date the vacancy occurs. The eligibility list will remain valid until such appointment.

(d) Unless the Department Head has a good and sufficient reason for not appointing the candidate having the highest grade on the eligibility list, the Department Head shall appoint the eligible promotional candidate having the highest grade on the eligibility list. If the Department Head has a good and sufficient reason for not appointing the eligible promotional candidate having the highest grade, the Department Head shall personally discuss the reason with the candidate being bypassed before appointing another candidate. The Department Head shall within five business days file the reason in writing with the Commission and shall provide the bypassed candidate with a copy of the written notice. On application of the bypassed candidate, the reason the Department Head did not appoint the bypassed candidate is subject to review by the Commission.

(e) If a candidate is bypassed, the candidate's name is returned to its place on the eligibility list and shall be reconsidered by the Department Head if a vacancy occurs. If the Department Head

refuses three times to appoint a candidate, files the reasons for the refusals in writing with the Commission, and the Commission does not set aside the refusals, the candidate's name shall be removed from the eligibility list. If the candidate(s) is bypassed and therefore results in there being no other candidates on the list then the list is invalid and a new test shall be administered.

(f) The Commission shall keep each eligibility list for a promotional examination in effect for a period of 12-months after the date on which the promotion process is completed~~the written examination is given~~, unless the list has been exhausted as provided in this article. An examination will not be administered until a vacancy occurs or is reasonably anticipated.

Sec. 11.26. - Disciplinary suspensions.

The Department Head may suspend any Sworn Employee under his jurisdiction or supervision for disciplinary purposes, not to exceed two-hundred forty working hours (240). The Department Head shall provide to the employee and file with the Commission by delivery to the Director a written statement of action within five business days. Said order of suspension shall inform the employee that he has ten (10) business days after receipt of a copy thereof, within which to file a written appeal with the Commission. If the Sworn Employee appeals, the Commission shall have the power to review and determine whether just cause exists to support the discipline. In the event the Department Head fails to file said statement with the Director within five business days, the suspension shall be void and the Sworn Employee shall be entitled to the Sworn Employee's full salary. The Commission shall have the power to, uphold, modify, or reverse the decision of the Department Head.

Sec. 11.27. - Demotions.

The Department Head may demote any Sworn Employee under his jurisdiction or supervision for disciplinary purposes or inadequate performance. The Department Head shall provide to the Sworn Employee and file with the Commission by delivery to the Director a written statement of action within five (5) business days. The order of demotion shall inform the Sworn Employee that the Sworn Employee has ten (10) business days after receipt of a copy thereof, within which to file a written appeal with the Commission. The Commission shall have the power to review and determine whether just cause exists to support the demotion. In the event the Department Head fails to file said statement with the Director within five business days, the demotion shall be void and the Sworn Employee shall be entitled to the Sworn Employee's full salary and position. The Commission shall have the power to uphold or reverse the decision of the Department Head. This paragraph does not apply to a voluntary demotion initiated by the Sworn Employee.

Sec. 11.28. - Indefinite suspensions.

The Department Head may indefinitely suspend any Sworn Employee under his supervision or jurisdiction for the violation of established City policies and/or civil service rules. The Department Head shall provide to the Sworn Employee and file with the Commission by delivery to the Director a written statement of action within five (5) business days. The order of indefinite suspension shall inform the Sworn Employee that the Sworn Employee has ten (10) business days after receipt of the order, within which to file a written appeal with the Commission. The Commission shall have the power to review and determine whether just cause exists to support the indefinite suspension. In the event the Department Head fails to file said statement with the Director within five business days, the indefinite suspension shall be void and the Sworn Employee shall be entitled to the Sworn Employee's full salary and position. The Commission shall have the power to uphold, modify or reverse the decision of the Department Head.

Sec. 11.29. - Appeal hearings.

The Commission shall hold a hearing within thirty (30) business days after it receives a notice of appeal for suspension, involuntary demotion, indefinite suspension, or challenges to promotional exam questions and promotional bypass. The Commission shall render a decision in writing within forty-five (45) business days after it receives said notice of appeal. Said decision shall state whether the decision or question is upheld, modified, or reversed. This period may be extended by written request of the City or the Sworn Employee subject to the approval of the civil service Commission chairperson.

In any civil service hearing hereunder the Department Head is hereby restricted to the Department Head's original written statement and charges, which shall not be amended.

Sec. 11.30. - Reduction of force; reinstatement.

If any sworn position in the police or fire department is vacated or abolished by action of the city council:

(a) The Sworn Employee with the least seniority holding the position shall be demoted to the position next below the position vacated or abolished. For purposes of this section, seniority means years of service in the rank since the employee was most recently promoted. An employee that is demoted will be placed at the level of seniority the Sworn Employee would have held if the promotion had not taken place.

(b) If no vacancy exists in the next lower classification, the Sworn Employee with the least seniority in that classification shall be demoted to the next lower classification, if any. The process of demoting the least senior Sworn Employee in each classification to the next lower classification shall continue until the demoted Sworn Employee shall fill an existing vacancy in the lower classification or until the lowest classification is reached. If no vacancies exist in the lowest classification or positions in the lowest classification are abolished, the Sworn Employee with the least seniority in the lowest classification shall be indefinitely suspended.

(c) All Sworn Employees demoted or indefinitely suspended under provisions of this section shall be placed on reinstatement lists in order of their seniority as provided herein. Appointments and promotions shall be made from the reinstatement lists before they are made from the eligibility lists or by other selection procedures. Sworn Employees shall remain on the reinstatement list for not longer than three (3) years.

Sec. 11.31. - Reinstatement to lower position for rank immediately below chief.

(a) The Department Head may remove, without cause, a person occupying a position in the rank immediately below the Department Head. If a person is removed without cause, the person shall be placed on a reinstatement list to be restored to that person's highest rank earned by competitive examination. Employees shall remain on the reinstatement list for not longer than two (2) years.

(b) A person occupying a position in the rank immediately below the Department Head may voluntarily be placed on a reinstatement list to demote himself to the highest rank the person earned by competitive examination.

Sec. 11.32. - Status of present employees.

All Sworn Employees who have completed the probationary period at the time of the final passage of

this article are entitled to civil service classification, and shall enjoy the status of civil service employees without having to take any competitive examinations for the position occupied at the time. Persons in the probationary period at the time of final passage of this article shall serve the probationary period in effect at the time of hire.

Sec. 11.33. - Appeal to the district court.

In the event a Sworn Employee is dissatisfied with the decision of the Commission on an appeal filed by such Sworn Employee based on a suspension, involuntary demotion, or indefinite suspension, the Sworn Employee may, within ten (10) business days after the rendition of such final decision, file a petition in the district court, asking that the decision of the Commission be set aside. Such case shall be tried under the substantial evidence rule.

Sec. 11.34. - Sick leave payout.

(a) Regular Full-Time Employees and Sworn Employees working 2080 hours annually who have accrued more than 240 hours of sick leave shall be paid for all additional unused sick leave hours up to 96 hours at the employee's regular rate during the month of November each year. Sworn Employees working 24-hour shifts will receive the equivalent of the employee's regular rate calculated based upon working 2080 hours prior to payout outlined above.

(b) In the event that an employee terminates employment with the City, after five (5) years continuous service, the employee shall receive, in a lump sum payment, the full amount of the employee's sick leave at the employee's regular rate provided that such payment shall not be based upon more than 240 hours of accumulated sick leave. Sworn Employees working 24-hour shifts will receive the equivalent of the employee's regular rate calculated based upon working 2080 hours prior to the payout above.

(c) This section shall not apply to Regular Full-Time Employees and Sworn Employees hired or rehired after the passage of this amendment. Regular Full-Time Employees and Sworn Employees hired or rehired after the passage of this amendment shall have the sick leave payout provision, if any, outlined in the City's policies and procedures. The city policy outlining sick leave payout may not be eliminated until all Regular Full-Time and Sworn Employees hired under this section of the charter have separated service with the city.

Sec. 11.35. - Repeal and saving clause.

If any section, paragraph, portion, sentence, line, phrase, clause or word of this article should be held to be unconstitutional or invalid, then such unconstitutionality or invalidity shall not affect the constitutionality or validity of any other section, paragraph, portion, sentence, line, phrase, or word thereof; and it is hereby declared to be the legislative intent that each and all of the said portions as above specified that are not held to be unconstitutional or invalid, shall be and remain in full force and effect, just as though said unconstitutional and invalid portions, if any, were eliminated from the text of this article.

Sec. 11.36. - Expanding provisions.

The city council in conjunction with the city manager may add to but not detract from this article to the extent deemed necessary to effectively and efficiently promote the interest of the City of Haltom City.

This article may be amended upon agreement of the city council, the city manager and a majority of the sworn employees of the police or fire departments, as applicable.

EXHIBIT "B"

BALLOT LANGUAGE

Proposition No. 1 - Administration

Shall Sections 2.03, 9.01 9.02 and 9.05 of the Haltom City Home Rule Charter be amended to provide for the city council to appoint and remove the city secretary but not assistant city secretaries; to authorize the city manager to establish administrative departments and distribute the work of divisions; to require the city council to review the city attorney's performance every three years; and to delete language redundant of state law regarding regulation of vehicles for hire?

Proposition No. 2 – Council Compensation

Shall Section 3.05 of the Haltom City Home Rule Charter be amended to provide compensation for each regular and special city council meeting of \$25.00 for city council members and \$50.00 for the mayor?

Proposition No. 3 – City Council

Shall Section 3.07a of the Haltom City Home Rule Charter be amended to provide that the mayor and council members forfeit their office if they have three unexcused absences per term?

Proposition 4 – City Council

Shall Sections 3.02 and 4.03 of the Haltom City Home Rule Charter be amended to provide that financial conflicts of interest and public office qualifications for the mayor and city council members shall be governed by state law?

Proposition No. 5 - Elections

Shall Section 4.03 of the Haltom City Home Rule Charter be amended to require that an application for elective office must be submitted with two forms of identification that reflect the address on the application, and to amend Section 4.07 to provide that the election shall be conducted and canvassed in accordance with state law?

Proposition No. 6 - Recall

Shall Sections 6.01, 6.02 and 6.06 of the Haltom City Home Rule Charter be amended to allow for an election to remove elected officials on the grounds of incompetency, misconduct or malfeasance in office if a petition is signed by qualified voters equal to 33% of the number of votes cast in the last regular election of the city and to allow an official whose removal is sought to request a public hearing?

Proposition 7 – Jurisdiction

Shall the Haltom City Home Rule Charter be amended by adding Section 10.10, clarifying which courts have jurisdiction over matters relating to Haltom City?

Proposition No. 8 – Civil Service

Shall Sections 11.11, 11.22 and 11.25 of the Haltom City Home Rule Charter be amended to clarify the licensing and certification requirements for peace officers and sworn positions with the fire department; to remove credit points for performance evaluations from the promotional exam grade for civil service employees; and to clarify the length of time the commission retains the eligibility list for promotional examinations?

Proposition 9 – Civil Service

Shall Section 11.36 of the Haltom City Home Rule Charter be amended to provide that the civil service provisions in Article XI of the Charter may be amended by agreement of the city council, city manager and a majority of the sworn employees of the police or fire departments?

Proposition 10 - Corrections

Shall the Haltom City Home Rule Charter be amended to make non-substantive, grammatical and textual corrections throughout the Charter?

CITY COUNCIL MEMORANDUM

City Council Meeting: August 24, 2015
Department: Administration
Subject: Property Sale – 5736 Bertha Lane

BACKGROUND

On occasion, when tax-foreclosed vacant lots are not sold on the court house steps, the City will hold the properties “in trust” on behalf of all taxing entities. In an effort to get the properties back on the tax rolls, the City’s tax attorney, Linebarger Goggan Blair and Sampson, LLC, conducted a bid process for several properties the City is holding in trust.

An acceptable bid was received for Lot 30B, Block 1, Jonesfield Addition, locally known as 5736 Bertha Lane. Mr. Anthony Titcomb has offered \$9,501. The TAD value is \$7,800. Mr. Titcomb would like to build a home on the property.

FISCAL IMPACT

Birdville Independent School District (BISD), Tarrant County and the City will share in the sale proceeds, less court costs (\$1,566.00), as follows:

Taxing Entity	Amount
Birdville ISD	\$4,403.74
Tarrant County	1,920.58
City	1,610.68
Total	\$7,935.00

The City will receive \$1,610.68 from the sale and the property will return to the tax rolls.

RECOMMENDATION

Staff recommends the City Council approve Resolution R-2015-016-01 for the sale of the property and authorize the Mayor to execute the attached deed.

ATTACHMENTS

Resolution No. R-2015-016-01
 Tax Resale Deed

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your social security number or your driver's license number.

TAX RESALE DEED

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF TARRANT

That CITY OF HALTOM CITY, TARRANT COUNTY, BIRDVILLE INDEPENDENT SCHOOL DISTRICT acting through the presiding officer of its governing body, hereunto duly authorized by resolution and order of each respective governing body which is duly recorded in their official Minutes, hereinafter called grantors, for and in consideration of the sum of \$9,501.00, cash in hand paid by

**ANTHONY B. TITCOMB
6649 STARNES RD
WATAUGA, TX 76148**

hereinafter called grantee(s), the receipt of which is acknowledged and confessed, have quitclaimed and by these presents do quitclaim unto said grantee(s) all of the right, title and interest of grantor and all other taxing units interested in the tax foreclosure judgment against the property herein described, acquired by tax foreclosure sale heretofore held under Suit No. L23350-06, in the district court of said county, said property being located in Tarrant County, Texas, and described as follows:

LOT 30B, BLOCK 1, OUT OF THE JONESFIELD ADDITION, SITUATED IN THE CITY OF HALTOM CITY, TARRANT COUNTY, TEXAS AND LOCATED WITHIN THE BIRDVILLE INDEPENDENT SCHOOL DISTRICT AND BEING FURTHER DESCRIBED IN VOLUME 4302, PAGE 270 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS. (ACCOUNT NO. 01471414)

TO HAVE AND TO HOLD the said premises, together with all and singular the rights, privileges, and appurtenances thereto in any manner belonging unto the said grantee(s), their heirs and assigns forever, so that neither the grantors, nor any other taxing unit interested in said tax foreclosure judgment, nor any person claiming under it and them, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

All liens foreclosed by the judgment and the post-judgment tax liens are discharged and extinguished by virtue of the conveyance, with the exception of the prorated tax for the current year.

This deed is given expressly subject to recorded restrictive covenants running with the land, and valid easements of record as of the date of this sale, if such covenants or easements were recorded prior to January 1 of the year the tax lien(s) arose.

IN TESTIMONY WHEREOF City of Haltom City has caused these presents to be executed this _____ day of _____, 2015.

BY: _____

David Averitt
Mayor

STATE OF TEXAS X

COUNTY OF TARRANT X

This instrument was acknowledged before me on this _____ day of _____, 2015, by David Averitt, Mayor.

Printed Name:
Notary Public, State of Texas
My Commission Expires:

RESOLUTION NO. R-2015-016-01

**A RESOLUTION OF THE CITY OF HALTOM CITY,
APPROVING THE SALE OF CERTAIN REAL PROPERTY**

WHEREAS, CITY OF HALTOM CITY, for itself and the use and benefit of TARRANT COUNTY and the BIRDVILLE INDEPENDENT SCHOOL DISTRICT has acquired title to a certain tract of real estate at a Tax Sale held on December 3, 2013 in Cause No. L23350-06, CITY OF HALTOM CITY vs. JAMES L. MCGEE; and

WHEREAS, Section 34.05(a), Texas Property Tax Code, authorizes the City of Haltom City, by and through its governing body, to resale the property; and

WHEREAS, it is in the best interest of the City of Haltom City and its taxpayers to return this property to a productive use; and

WHEREAS, an offer has been made by ANTHONY B. TITCOMB to purchase the property for the sum of NINE THOUSAND FIVE HUNDERED ONE and 00/100 Dollars (\$9,501.00) for judgment years 2003 thru 2011 and post-judgment years 2012 thru 2013;

NOW THEREFORE, BE IT RESOLVED by the City Council of Haltom City, that the Mayor is authorized to sell, convey and transfer that certain tract of real estate acquired at the above described tax sale for the sum of \$9,501.00, as authorized by Section 34.05, Texas Property Tax Code. The liens foreclosed by the judgment and the post-judgment tax liens are extinguished by virtue of the conveyance.

LOT 30B, BLOCK 1, OUT OF THE JONESFIELD ADDITION, SITUATED IN THE CITY OF HALTOM CITY, TARRANT COUNTY, TEXAS AND LOCATED WITHIN THE BIRDVILLE INDEPENDENT SCHOOL DISTRICT AND BEING FURTHER DESCRIBED IN VOLUME 4302, PAGE 270 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS. (ACCOUNT NO. 01471414)

PRESENTED and PASSED this _____ day of _____, 2015, by a vote of _____ Ayes and _____ Nays by the City Council of Haltom City, Tarrant County, Texas.

**BY: _____
David Averitt
Mayor**

ATTEST:

**BY: _____
_____, Secretary
City Council**

CITY COUNCIL MEMORANDUM

City Council Meeting: August 24, 2015
Department: Administration
Subject: Property Sale – 1405 Joplin Avenue

BACKGROUND

On occasion, when tax-foreclosed vacant lots are not sold on the court house steps, the City will hold the properties “in trust” on behalf of all taxing entities. In an effort to get the properties back on the tax rolls, the City’s tax attorney, Linebarger Goggan Blair and Sampson, LLC, conducted a bid process for several properties the City is holding in trust.

An acceptable bid was received for Lot 29G, Block 29, GW Burkett’s Subdivision, locally known as 1405 Joplin Avenue. Troy and Karen Willis have offered \$9,271.45 plus a \$728.55 payment of post judgment taxes for a total of \$10,000. The TAD value is \$10,400. The Willis’s are adjacent property owners and want to extend their property.

FISCAL IMPACT

Fort Worth Independent School District (FWISD), Tarrant County and the City will share in the sale proceeds, less court costs (\$1,371.00), as follows:

Taxing Entity	Amount	Post Judgment Taxes	Total
Fort Worth ISD	\$4,473.39	\$426.71	\$4,900.10
Tarrant County	1,955.36	166.58	2,121.94
City	1,471.70	135.26	1,606.96
Total	\$7,900.45	\$728.55	\$8,629.00

The City will receive \$1,471.70 from the sale and an additional \$135.26 for post judgment taxes for a total of \$1,606.96. The property also returns to the tax rolls.

RECOMMENDATION

Staff recommends the City Council approve Resolution R-2015-018-01 for the sale of the property and authorize the Mayor to execute the attached deed.

ATTACHMENTS

Resolution No. R-2015-018-01
Tax Resale Deed

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your social security number or your driver's license number.

TAX RESALE DEED

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF TARRANT

That CITY OF HALTOM CITY, TRUSTEE, for itself and on behalf of TARRANT COUNTY and BIRDVILLE INDEPENDENT SCHOOL DISTRICT acting through the presiding officer of its governing body, hereunto duly authorized by resolution and order which is duly recorded in their official Minutes, hereinafter called grantors, for and in consideration of the sum of \$9,271.45, cash in hand paid by

**KAREN WILLIS AND TROY WILLIS
1403 JOPLIN
HALTOM CITY, TX 76117**

hereinafter called grantee(s), the receipt of which is acknowledged and confessed, have quitclaimed and by these presents do quitclaim unto said grantee(s) all of the right, title and interest of grantor and all other taxing units interested in the tax foreclosure judgment against the property herein described, acquired by tax foreclosure sale heretofore held under Suit No. E14689-99, in the district court of said county, said property being located in Tarrant County, Texas, and described as follows:

LOT 29G, BLOCK 29, G. W. BURKETT'S SUBDIVISION, SITUATED IN THE CITY OF HALTOM CITY, TARRANT COUNTY, TEXAS AND LOCATED WITHIN THE FORT WORTH INDEPENDENT SCHOOL DISTRICT AS SHOWN BY A DEED OF RECORD IN VOLUME 9611, PAGE 320 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS (ACCOUNT NO 00382302)

TO HAVE AND TO HOLD the said premises, together with all and singular the rights, privileges, and appurtenances thereto in any manner belonging unto the said grantee(s), their heirs and assigns forever, so that neither the grantors, nor any other taxing unit interested in said tax foreclosure judgment, nor any person claiming under it and them, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

All liens foreclosed by the judgment are discharged and extinguished by virtue of this conveyance. Post Judgment taxes and any prorated taxes for the present year are to be paid by grantee(s) herein.

This deed is given expressly subject to recorded restrictive covenants running with the land, and valid easements of record as of the date of this sale, if such covenants or easements were recorded prior to January 1 of the year the tax lien(s) arose.

This deed is given without any warranty of title. Grantors make no warranties, express or implied, regarding the above described property.

IN TESTIMONY WHEREOF City of Haltom City, Trustee, for itself and on behalf of Tarrant County and Birdville Independent School District has caused these presents to be executed this _____ day of _____, 2015.

BY: _____
David Averitt
Mayor

STATE OF TEXAS X

COUNTY OF TARRANT X

This instrument was acknowledged before me on this _____ day of _____, 2015, by David Averitt, Mayor.

Printed Name:
Notary Public, State of Texas
My Commission Expires:

After recording return to:

LINEBARGER GOGGAN BLAIR & SAMPSON LLP
100 Throckmorton, Suite 300
Fort Worth, Texas 76102

RESOLUTION NO. R-2015-018-01

**A RESOLUTION OF THE CITY OF HALTOM CITY,
APPROVING THE SALE OF CERTAIN REAL PROPERTY**

WHEREAS, CITY OF HALTOM CITY, Trustee, for itself and the use and benefit of TARRANT COUNTY and the BIRDVILLE INDEPENDENT SCHOOL DISTRICT has acquired title to a certain tract of real estate at a Tax Sale held on December 4, 2007 in Cause No. E14689-99, TARRANT COUNTY, ET AL vs. DONALD MELVIN SHEARMAN, ET AL; and

WHEREAS, Section 34.05(a), Texas Property Tax Code, authorizes the City of Haltom City, by and through its governing body, to resale the property; and

WHEREAS, it is in the best interest of the City of Haltom City and its taxpayers to return this property to a productive use; and

WHEREAS, an offer has been made by KAREN WILLIS AND TROY WILLIS to purchase the property for the sum of NINE THOUSAND TWO HUNDRED SEVENTY ONE and 45/100 Dollars (\$9,271.45) for judgment years 1990 thru 2002;

NOW THEREFORE, BE IT RESOLVED by the City Council of Haltom City, that the Mayor is authorized to sell, convey and transfer that certain tract of real estate acquired at the above described tax sale as authorized by Section 34.05, Texas Property Tax Code for the sum of \$9,271.45, for judgment years 1990-2002, plus payment of the post judgment 2003-2004 taxes in the amount of \$728.55. The liens foreclosed by the judgment are extinguished by virtue of the conveyance.

LOT 29G, BLOCK 29, G. W. BURKETT'S SUBDIVISION, SITUATED IN THE CITY OF HALTOM CITY, TARRANT COUNTY, TEXAS AND LOCATED WITHIN THE FORT WORTH INDEPENDENT SCHOOL DISTRICT AS SHOWN BY A DEED OF RECORD IN VOLUME 9611, PAGE 320 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS (ACCOUNT NO 00382302)

PRESENTED and PASSED this _____ day of _____, 2015, by a vote of _____ Ayes and _____ Nays by the City Council of Haltom City, Tarrant County, Texas.

**BY: _____
David Averitt
Mayor**

ATTEST:

**BY: _____, Secretary
City Council**

CITY COUNCIL MEMORANDUM

City Council Meeting: August 24, 2015
Department: Administration
Subject: Property Sale – 4620 Nadine Drive

BACKGROUND

On occasion, when tax-foreclosed vacant lots are not sold on the court house steps, the City will hold the properties “in trust” on behalf of all taxing entities. In an effort to get the properties back on the tax rolls, the City’s tax attorney, Linebarger Goggan Blair and Sampson, LLC, conducted a bid process for several properties the City is holding in trust.

An acceptable bid was received for Lot 2, Block 22, West Browning Addition, locally known as 4620 Nadine Drive. Mr. Larry Young has offered \$13,131. The TAD value is \$12,400. Mr. Young is an adjacent property owner and wants to extend his property.

FISCAL IMPACT

Birdville Independent School District (BISD), Tarrant County and the City will share in the sale proceeds, less court costs (\$1,650.00), as follows:

Taxing Entity	Amount
Birdville ISD	\$7,598.88
Tarrant County	3,139.47
City	742.65
Total	\$11,481.00

The City will receive \$742.65 from the sale and the property will return to the tax rolls. The amount seems particularly low but the previous owner apparently only paid City taxes for a few years and continued not to pay BISD and Tarrant County.

RECOMMENDATION

Staff recommends the City Council approve Resolution R-2015-017-01 for the sale of the property and authorize the Mayor to execute the attached deed.

ATTACHMENTS

Resolution No. R-2015-017-01
 Tax Resale Deed

Notice of confidentiality rights: If you are a natural person, you may remove or strike any or all of the following information from any instrument that transfers an interest in real property before it is filed for record in the public records: your social security number or your driver's license number.

TAX RESALE DEED

STATE OF TEXAS

KNOW ALL MEN BY THESE PRESENTS

COUNTY OF TARRANT

That CITY OF HALTOM CITY, TARRANT COUNTY, BIRDVILLE INDEPENDENT SCHOOL DISTRICT acting through the presiding officer of its governing body, hereunto duly authorized by resolution and order of each respective governing body which is duly recorded in their official Minutes, hereinafter called grantors, for and in consideration of the sum of \$13,131.00, cash in hand paid by

**LARRY YOUNG
4624 NADINE DR.
HALTOM CITY, TX 76117**

hereinafter called grantee(s), the receipt of which is acknowledged and confessed, have quitclaimed and by these presents do quitclaim unto said grantee(s) all of the right, title and interest of grantor and all other taxing units interested in the tax foreclosure judgment against the property herein described, acquired by tax foreclosure sale heretofore held under Suit No. L19065-02, in the district court of said county, said property being located in Tarrant County, Texas, and described as follows:

LOT 2, BLOCK 22, OUT OF THE WEST BROWNING ADDITION, SITUATED IN THE CITY OF HALTOM CITY, TARRANT COUNTY, TEXAS AND LOCATED WITHIN THE BIRDVILLE INDEPENDENT SCHOOL DISTRICT, AS SHOWN BY A DEED OF RECORD IN VOLUME 8180 PAGE 2090 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS (ACCOUNT NO. 03396355)

TO HAVE AND TO HOLD the said premises, together with all and singular the rights, privileges, and appurtenances thereto in any manner belonging unto the said grantee(s), their heirs and assigns forever, so that neither the grantors, nor any other taxing unit interested in said tax foreclosure judgment, nor any person claiming under it and them, shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

All liens foreclosed by the judgment and the post-judgment tax liens are discharged and extinguished by virtue of the conveyance, with the exception of the prorated tax for the current year.

This deed is given expressly subject to recorded restrictive covenants running with the land, and valid easements of record as of the date of this sale, if such covenants or easements were recorded prior to January 1 of the year the tax lien(s) arose.

IN TESTIMONY WHEREOF Tarrant County has caused these presents to be executed this _____ day of _____, 2015.

BY: _____

B. Glen Whitley
County Judge

STATE OF TEXAS X

COUNTY OF TARRANT X

This instrument was acknowledged before me on this _____ day of _____, 2015, by B. Glen Whitley, County Judge.

Printed Name:
Notary Public, State of Texas
My Commission Expires:

After recording return to:

LINEBARGER GOGGAN BLAIR & SAMPSON LLP
100 Throckmorton, Suite 300
Fort Worth, Texas 76102

RESOLUTION NO. R-2015-017-01

**A RESOLUTION OF THE CITY OF HALTOM CITY,
APPROVING THE SALE OF CERTAIN REAL PROPERTY**

WHEREAS, CITY OF HALTOM CITY, for itself and the use and benefit of TARRANT COUNTY and the BIRDVILLE INDEPENDENT SCHOOL DISTRICT has acquired title to a certain tract of real estate at a Tax Sale held on March 5, 2013 in Cause No. L19065-02, CITY OF HALTOM CITY vs. ROGER K. ADAMS ESTATE; and

WHEREAS, Section 34.05(a), Texas Property Tax Code, authorizes the City of Haltom City, by and through its governing body, to resale the property; and

WHEREAS, it is in the best interest of the City of Haltom City and its taxpayers to return this property to a productive use; and

WHEREAS, an offer has been made by LARRY YOUNG to purchase the property for the sum of THIRTEEN THOUSAND ONE HUNDRED THIRTY ONE and 00/100 Dollars (\$13,131.00) for judgment years 2003 thru 2009 and post-judgment years 2010 thru 2013;

NOW THEREFORE, BE IT RESOLVED by the City Council of Haltom City, that the Mayor is authorized to sell, convey and transfer that certain tract of real estate acquired at the above described tax sale for the sum of \$13,131.00, as authorized by Section 34.05, Texas Property Tax Code. The liens foreclosed by the judgment and the post-judgment tax liens are extinguished by virtue of the conveyance.

LOT 2, BLOCK 22, OUT OF THE WEST BROWNING ADDITION, SITUATED IN THE CITY OF HALTOM CITY, TARRANT COUNTY, TEXAS AND LOCATED WITHIN THE BIRDVILLE INDEPENDENT SCHOOL DISTRICT, AS SHOWN BY A DEED OF RECORD IN VOLUME 8180 PAGE 2090 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS (ACCOUNT NO. 03396355)

PRESENTED and PASSED this _____ day of _____, 2015, by a vote of _____ Ayes and _____ Nays by the City Council of Haltom City, Tarrant County, Texas.

**BY: _____
David Averitt
Mayor**

ATTEST:

**BY: _____
_____, Secretary
City Council**

CITY COUNCIL MEMORANDUM

City Council Meeting: August 24, 2015
Department: Administration
Subject: 6 Stones' Community Powered Revitalization Program

BACKGROUND

In May 2015, the City Council discussed the possibility of participating in 6 Stones Mission Network's Community Powered Revitalization (CPR) Program. CPR is a joint effort between 6 Stones, cities, various businesses, nonprofit organizations and churches to help struggling homeowners make necessary home repairs. By mobilizing community volunteers, 6 Stones aims to strengthen, grow and revitalize the community, one house and one family at a time.

Many families with health issues or fixed incomes have no choice but to skip necessary repairs just to make ends meet. CPR helps many of these families.

6 Stones initially started CPR with the City of Euless and has grown the program to include the cities of Bedford, Hurst, Richland Hills and Watauga.

FISCAL IMPACT

Funding for the City's participation in CPR would come from the General Fund. An annual administrative fee of \$25,000 is required plus the funds to reimburse 6 Stones up to 40% of the approved renovations. Total estimated annual funding is \$60,000.

RECOMMENDATION

Staff recommends the City Council approve Resolution No. R-2015-019-01 authorizing the City Manager to execute an agreement with 6 Stones for the City's participation the CPR Program

ATTACHMENT

Resolution No. R-2015-019-01

RESOLUTION NO. R-2015-019-01

A RESOLUTION APPROVING AN ECONOMIC DEVELOPMENT PROGRAM AGREEMENT BETWEEN THE CITY OF HALTOM CITY, TEXAS AND 6 STONES MISSION NETWORK AND ADOPTING THE COMMUNITY POWERED REVITALIZATION ("CPR") PROGRAM AS PART OF THE ECONOMIC DEVELOPMENT EFFORTS OF THE CITY OF HALTOM CITY, TEXAS, PURSUANT TO AND IN ACCORDANCE WITH TEXAS LOCAL GOVERNMENT CODE, CHAPTER 380.

WHEREAS, as part of the long range planning and future revitalization efforts of the City of Haltom City, the Mayor and City Council desire to authorize the City Manager's Office to embark on a program of residential structure rehabilitation for the purpose of preservation and protection of the ad valorem property tax base of the City; and

WHEREAS, home restoration projects are deemed to be of economic benefit to the City of Haltom City and contribute to sustaining the City's property values; and

WHEREAS, the Haltom City City Attorney's Office reviewed state statutes and the City Charter and determined that the City of Haltom City can establish grants of funds for purposes of promoting local economic development and business and commercial activity within the City, and the stabilization of the ad valorem tax base directly impacts the economic development of the City at both the residential and commercial levels, pursuant to and in accordance with Texas Local Government Code, Chapter 380; and

WHEREAS, many houses in Haltom City are exhibiting various stages of decline which has a major impact on the deterioration of the real estate property tax base throughout the City through a ripple effect; and

WHEREAS, the demand for city government services may remain constant or expand over time even though the older residential tax base may decline, thereby creating a situation where remaining property owners have to assume the burden of paying a larger portion of tax revenue in order to maintain city service levels; and

WHEREAS, Texas Local Government Code, Chapter 380, allows a city to provide incentives consisting of loans and grants of city funds, use of city personnel, facilities and services with or without charge, for the promotion of economic development; and

WHEREAS, the promotion of the redevelopment of existing housing stock in the City promotes economic development within the City and is essential for the continued economic growth of the City; and it is well established that the availability of quality housing stock encourages the relocation of businesses and attracts new business enterprises, as well as the expansion of existing business enterprises within the City, which in turn stimulates growth, creates jobs, and increases property and sales tax revenues since businesses will look to the available housing stock to meet the needs of

management and the work force; and

WHEREAS, preservation and improvement of the housing stock is a major contributing factor to the economic health and growth of the City, which in turn stimulates trade and commerce, reduces unemployment, and contributes to the well-being and economic growth of the community.

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

SECTION 1.

The City Council of the City of Haltom City supports and approves the Community Powered Revitalization ("CPR") Program in cooperation with 6 Stones Mission Network as a valuable and important economic development tool.

SECTION 2.

The City Council of the City of Haltom City adopts the CPR Program as described as part of the City's economic development efforts to help stabilize the residential tax base of Haltom City for future generations, as well as for the health, safety, and welfare of the entire citizenry of Haltom City. The City Council encourages participation in this program and supports the ability of non-profit organizations to partner in the CPR Program.

SECTION 3.

The City Council of the City of Haltom City authorizes the City Manager to pay 6 Stones Mission Network a lump sum of \$25,000 for CPR Program administrative support in fiscal year 2015-2016, which may be renewed annually during the budget approval process.

SECTION 4.

The City Council of the City of Haltom City authorizes the City Manager to reimburse 6 Stones Mission Network a 40% local match for materials, supplies, and labor and waive all applicable City permit and inspection fees for all CPR sponsored home renovations or construction in Haltom City in fiscal year 2015-2016. All reimbursements to 6 Stones will be based on verifiable receipts and total reimbursements shall not exceed \$25,000 for the fiscal year, which may be renewed annually during the budget approval process. Expenses to be matched may include actual or donated goods, labor, or services but may not exceed what a project would actually have cost if all materials and labor were actually paid for on each project or activity.

SECTION 5.

In such cases which are deemed appropriate by the City Manager, said funds may be used for grant matching requirements to bring additional funds into projects in Haltom City. The City Manager may use his discretion in determining whether a particular expense item will be considered for reimbursement by the City of Haltom City as part of this program.

SECTION 6.

For the purpose of creating safe, livable neighborhoods and community, and for the ultimate purpose of maintaining property values within those neighborhoods, the City may, in accordance with state law, transfer properties/homes/vacant lots held in trust by the City of Haltom City to 6 Stones Mission Network in order to revitalize or build homes or necessary structures deemed appropriate to revitalize a neighborhood and community.

SECTION 7.

The City Council of the City of Haltom City authorizes the City Manager to enter into an Economic Development Program Agreement with 6 Stones Mission Network reflecting the terms and matters described above.

PASSED, APPROVED AND ADOPTED THIS ____ DAY OF _____, 2015.

David Averitt, Mayor

ATTEST:

Art Camacho, City Secretary

APPROVED AS TO FORM

Wayne Olson, City Attorney

CITY COUNCIL MEMORANDUM

City Council Meeting: August 25, 2014
Department: Finance - Budget
Subject: Proposed FY2016 Tax Rate

BACKGROUND

In accordance with Chapter 26 of the Texas Tax Code, the City Council must hold two (2) public hearings on a proposed tax rate that exceeds the effective tax rate.

At the August 10th regular session, the City Council, by record vote, established a proposed maximum tax rate of \$0.763711 per \$100 of net taxable value. This exceeds the effective tax rate of \$0.709255 per \$100. The adopted rate for FY2015 was \$0.69999 per \$100 of net taxable value. The proposed maximum rate is not the adopted tax rate, which will be determined by ordinance on September 14th.

This preliminary tax rate is the same as the calculated rollback rate of \$0.763711.

The proposed rate for FY2016 provides for a higher “maintenance and operations” (M&O) rate of \$0.526037, as opposed to the adopted FY2015 rate of \$0.47999. The proposed increase is intended to provide funding for the operation needs considered by the City Council for FY2016.

The “interest and sinking” (I&S) rate proposed for FY2016 is \$0.237674, an increase of \$0.017674 per \$100 of net taxable value. This increase is earmarked for payment of the principal and interest for FY2016. This increase was anticipated by the voters when the current bond program was approved in 2010.

This public hearing will be the first of two (2) public hearings. The second required public hearing will be conducted at the August 31st special session. Again, the final tax rate will be determined by the City Council at the September 14th regular session.

FISCAL IMPACT

For the proposed FY2016 budget, the TAD estimated net taxable value is \$1,682,741,323 as of July 25th. Applying the preliminary tax rate of \$0.763711 yields a levy of \$12,851,281. The portion of the levy estimated to be uncollectable is \$321,281. Of the remaining collections, \$8,630,546 would be allocable to maintenance and operations and \$3,899,453 will be used for principal and interest payments on outstanding debt.

RECOMMENDATION

Staff recommends that the Mayor open the public hearing, take comment, close the public hearing ***and*** announce that: **1) the next public hearing on the proposed tax rate will be conducted on August 31, 2015 at 7:00 pm in the City Hall Council Chambers and 2) that a record vote to adopt the tax rate will be conducted on September 14, 2015 at 7:00 pm in the City Hall Council Chambers.**

ATTACHMENTS

None.

CITY COUNCIL MEMORANDUM

City Council Meeting: August 24, 2015
Department: Finance
Subject: Audit Committee Appointments

BACKGROUND

Per the Council approved Audit Committee Policy, the members of the Audit Committee shall be selected by the City Council and serve for a period of one (1) year. In May 2015, council members Scott Garrett, Walter Grow and Stephanie Davenport were appointed to the Committee to complete the FY2014 audit. Their terms end on August 31, 2015.

The composition of the committee includes three (3) City Council members to serve as primary appointees and one (1) City Council member to serve as alternate as needed in the absence of one of the primary appointees. One of the primary appointees shall be appointed as Chairperson by the City Council or the Audit Committee.

Appointment of the Audit Committee is necessary at this time as the City's outside audit firm, Pattillo, Brown and Hill, LLP will be performing the City's annual audit for the fiscal year ended September 30, 2015 in November and December 2015. The Committee's first meeting with Pattillo, Brown and Hill will be held in November 2015.

FISCAL IMPACT

None.

RECOMMENDATION

Staff recommends City Council appoint the members of the Audit Committee for the period September 1, 2015 through August 31, 2016.

CITY COUNCIL MEMORANDUM

City Council Meeting: August 24, 2015
Department: City Secretary
Subject: Boards and Commissions
Resignation of Members

BACKGROUND

The City Council will consider action regarding the resignations from Boards and Commissions.

FISCAL IMPACT

None.

RECOMMENDATION

None.

ATTACHMENT

None.

CITY COUNCIL MEMORANDUM

City Council Meeting: August 24, 2015
Department: City Secretary
Subject: Boards and Commissions
Appointments/Reappointments

BACKGROUND

The City Council will consider action regarding the appointment/reappointment of board and commission members. Councilmember Davenport and Fowler have no appointments or reappointments that need to be made at this time.

FISCAL IMPACT

None.

RECOMMENDATION

None.

ATTACHMENTS

Applications: Diana Williams, David Wood, Suzanne Norris, Dorothy Tyler, Linda Thompson, Anastasia Taylor, and Trenton Tidwell.

Mayor: Civil Service Position 3, Housing Authority reappointments - Patricia Steely, Sandra Tork, Don LeMaster, Willis Nelson, P&Z Alternate 1 and Alternate 2, and ZBA Alternate.

Councilmember Place 1: CCPD/Red-light Camera, Fire Services, P&Z, and ZBA.

Councilmember Place 2: Beautification, CCPD/Red-light Camera, and ZBA.

Councilmember Place 3: Beautification and CCPD/Red-light Camera.

Councilmember Place 5: CCPD/Red-light Camera

Councilmember Place 7: Beautification, CCPD/Red-light Camera, Fire Services, Parks, P&Z, ZBA.