

**AGENDA**  
**HALTOM CITY SPECIAL COUNCIL MEETING**  
**August 29, 2016**  
**CITY HALL - 5024 BROADWAY AVENUE**

**Council Chambers – Work Session – 6:00 P.M./Regular Session – 7:00 P.M.**  
**NOTICE: Council Member Place 6 Stephanie Davenport will be video conferencing from the Extended Stay America, 6580 Montana Ave., El Paso, TX. A quorum of the City Council will be present at City Hall, 5024 Broadway Avenue.**

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**WORK SESSION 6:00 P.M.**

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**CALL TO ORDER (General Comments)**

- Discuss scheduling future budget workshop dates
- Review and discuss items on the regular agenda of August 29, 2016

**EXECUTIVE SESSION**

**Chapter 551 of the Texas Government Code**

**As authorized by Section 551.071, 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, project schedule/construction contract with Tiseo Paving, dissolution/restructuring of the Haltom City Economic Development Corporation, and pending litigation and settlement offers for the following cases:

- Donald Anthony Hains v. City of Haltom City
- Flynn v. Haltom City EDC
- Progressive County Mutual Ins. Co. v. City of Haltom City
- James H. Watson v. City of Haltom City

**Section 551.072 – Deliberations about Real Property**

Deliberation regarding the purchase, exchange, lease or value of real property.

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**REGULAR SESSION 7:00 P.M.**

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**CALL TO ORDER**

**INVOCATION/PLEDGE OF ALLEGIANCE** – Mayor David Averitt

**ANNOUNCEMENTS**

**REGULAR AGENDA**

1. **Minutes** – Consideration and/or action regarding approval of the Minutes of the meeting of August 22, 2016. **(A. Camacho)**
2. **Proposed FY2017 Budget** – Conduct a public hearing and consideration and/or action regarding approval of Ordinance No. O-2016-022-03 adopting the proposed FY2017 budget. **1<sup>st</sup> Reading (J. Fung)**
3. **Proposed FY2017 Tax Rate** – Conduct a public hearing (second) and consideration and/or action regarding approval of Ordinance No. O-2016-023-03 adopting the FY2017 Proposed Tax Rate. **1<sup>st</sup> Reading (J. Fung)**

4. **Audit Committee Appointments** – Consideration and/or action regarding nominating and appointing members to the Audit Committee. **(Mayor Averitt)**
5. **T-Mobile Fifth Amendment Tower Lease** – Consideration and/or action regarding approval to authorize the City Manager to execute a new lease amendment to the original agreement with T-Mobile on the 820 Water Tower. **(R. Phelps)**

**EXECUTIVE SESSION**

See Posting on Page One (1) of Agenda.

**RECONVENE TO REGULAR SESSION**

6. 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 26th DAY OF AUGUST, 2016 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 \_\_\_\_\_, 2016.

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 29, 2016  
**Department:** City Secretary  
**Subject:** Minutes of August 22, 2016

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### **BACKGROUND**

A Regular Meeting was held at City Hall, 5024 Broadway Avenue on August 22, 2016.

### **FISCAL IMPACT**

None.

### **RECOMMENDATION**

Staff recommends the City Council approve the Minutes of August 22, 2016.

### **ATTACHMENTS**

August 22, 2016 Minutes

**MINUTES  
HALTOM CITY COUNCIL MEETING  
CITY HALL, 5024 BROADWAY AVENUE  
August 22, 2016**

A Regular Meeting by the City Council of the City of Haltom City, Texas, which was rescheduled, was held on August 22, 2016, at 7 p.m. at City Hall, 5024 Broadway Avenue, Haltom City, Texas, with the following members present:

Mayor Pro Tem Bob Watkins  
Council Place 2 Walter Grow  
Council Place 4 Trae Fowler

Council Place 1 Jeannine Nunn  
Council Place 3 Scott Garrett  
Council Place 7 Dr. An Truong

Mayor David Averitt and Council Place 6 Stephanie Davenport were absent.

Staff Present: Keith Lane, City Manager; Rex Phelps, Assistant City Manager, Wayne Olson, City Attorney; Art Camacho, City Secretary; Justin French, Planning and Community Director; Jennifer Fung, Finance Director; Cody Phillips, Police Chief; and Greg Van Nieuwenhuize, Public Works Director.

**WORKSESSION**

**CALL TO ORDER**

Mayor Pro Tem Bob Watkins called the Worksession to order at 6:07 p.m. City Manager Keith Lane presented a review of the BISD “Stop Arm” Camera Program and a discussion was held in regard to the legalities of vehicle offenses, possible generated revenue, safety prevention, and city participation. Public Works Director Greg Van Nieuwenhuize provided information regarding mosquito aerial spraying by Tarrant County at a cost of \$1.89 per acre, equaling \$15,006 for the service, for 3 sprayings, at a total net of \$45,018. A discussion was held regarding the city’s ground spraying, preventative measures resulting in negative mosquito test results, and neighboring cities’ participation. There was no Executive Session. The Worksession was adjourned at 6:55 p.m.

**REGULAR MEETING**

**CALL TO ORDER**

Mayor Pro Tem Watkins called the meeting to order at 7:05 p.m.

**INVOCATION/PLEDGE OF ALLEGIANCE**

Council Member Trae Fowler gave the Invocation and led the Pledge of Allegiance and the Texas Flag Pledge.

**ANNOUNCEMENTS/EVENTS**

Assistant City Manager Rex Phelps announced the following:

**Public Library**

**Family Movie Night** is Monday, September 12<sup>th</sup> at 6:30 p.m. featuring the movie “*The Angry Birds Movie*.”

**Story Times** are Thursdays, 11 – 11:45 a.m. for ages 3 and older. The first Thursday of each month also features a puppet show. Story Times for ages 2 and younger are Fridays, from 10:30 – 11:15 a.m.

**Super Science Saturdays** are the first Saturday of each month. The theme is “Microscopes” for the class being held on Saturday, September 3<sup>rd</sup>, from 9 a.m. – 10:30 a.m. It is for ages 6 – 12 and is free. No registration is required.

**Bi-lingual Story Time** is every Wednesday from 10:30 – 11 a.m. It includes songs and stories in Spanish and English and a craft.

**Coloring and Cookies for Grownups** will hold its final class on Friday, September 2<sup>nd</sup> from 6:30 – 8 p.m. Materials are provided or you can bring your own.

**GED Study Classes** - Free GED classes are on Tuesdays, Wednesdays, and Thursdays from 5 – 8 p.m.

### **Community Projects**

**Keep Haltom City Beautiful** is hosting the Trinity Trash Bash on Saturday, October 1<sup>st</sup> from 10 a.m. – 2 p.m. The Trinity Trash Bash is a litter clean-up along a waterway at Buffalo Ridge Park. Free T-shirts for volunteers along with much more. Online registration will be available on the city website.

**Art in the City** is hosting “Fall Gallery Night 2016” on Saturday, September 10<sup>th</sup> from 1 – 7 p.m. Works of watercolors, acrylics, oils, mixed media, wood turning, pottery and gourd carving will be on display at the Haltom City Northeast Center. Other cities in Tarrant County will be participating. The locations and artistic works are on the city website.

**AirCheckTexas** - If your vehicles have failed the emissions portion of the state inspection in the past 30 days or are at least 10 years old, you may qualify for the Air Check Texas, Drive a Clean Machine Program. Administered locally by the North Central Texas Council of Governments (NCTCOG), AirCheckTexas provides qualifying motorists vouchers worth up to \$3,000 toward vehicle replacement (\$3,500 for hybrids and some other fuel-efficient models) or repair vouchers of up to \$600. There is more information on the city’s website as well as a limited number of brochures at City Hall and Public Works.

**Voter Registration** - The last day to register to vote in this upcoming election is October 11, 2016. Voter registration cards are available at City Hall or you can register to vote online at [www.VoteTexas.gov](http://www.VoteTexas.gov). This website offers all the information you will need about voting, your polling place and more. The General Election will take place on Tuesday, November 8, 2016. Early voting will take place from October 24 - November 4, 2016.

### **PRESENTATIONS/PROCLAMATION**

Proclamation – “Blood Cancer Awareness Month” – There was no representative from the Leukemia and Lymphoma Society to receive the proclamation.

Donation of K-9 vests and Veterinarian Services – Police Chief Cody Phillips stated the Colleyville Rotary Club donated \$900 for a second K-9 vest and he also had a plaque for Sgt. Scott Russell and himself to present to Colleyville Rotary Club member Mark Bauer.

City Employee Longtime Service Award – Police Chief Cody Phillips presented a 20-Year Service Award to Police Officer Timothy Clontz, who expressed his thanks to Haltom City and also stated that through all his years of service, he had never witnessed any unprofessional behavior by a Haltom City police officer.

Chief Phillips also stated that a testing promotional process had been concluded and Sergeant Shawn Holt was promoted to Captain; Corporal Josh Boyd was promoted to Sergeant, and Corporal Ron Foreman was promoted to Sergeant.

### **REPORTS\***

1. **Monthly Financial Report for July 2016** – Review of the preliminary monthly Financial Report for the month ending July 31, 2016. Finance Director Jennifer Fung presented the monthly financial report which included the budgeted property tax that has been collected, and a discussion was held regarding the \$3.7 million payment to TxDOT for the Little Fossil Creek/Carson Street Bridge improvement.

## REGULAR AGENDA

2. **Minutes** – Consideration and/or action regarding approval of the Minutes for the August 15, 2016. Council Member Dr. An Truong moved, seconded by Council Member Jeannine Nunn, to approve the Minutes of August 15, 2016. ***The vote was unanimous. Motion carried.***
  
3. **Masonry Waiver Request (CV-001-16) B & S Fence Company-** Consideration and/or action to approve an application by Cruz Burciaga requesting to not provide the minimum masonry required on the exterior of a proposed 3,000 square-foot building to be located on Lot 1, Block 1 of the B and S Fence Addition, being approximately 0.948 acres located south of E. Belknap Street and west of Carson Street, locally known as 2813 Carson Street. Planning and Community Development Director Justin French presented the request and James Pliska, of James Pliska Consulting, provided additional documentation for neighboring property owner approval and estimated costs for masonry work. A discussion was held regarding masonry requirements and reasons for a variance. Mayor Pro Tem Watkins opened the Public Hearing at 8:18 p.m. on legal advice from City Attorney Wayne Olson and citizen Roy Sullen came forward to state that a metal building with proper construction does not necessarily require masonry to be appealing. No other citizen came forward. Mayor Pro Tem Watkins closed the Public Hearing at 8:26 p.m. Council Member Scott Garrett moved, seconded by Mayor Pro Tem Watkins, to approve the masonry waiver request (CV-001-16) - as the Council is making the findings set forth in the masonry ordinance for the approval of the variance. ***Mayor Pro Tem Watkins and Council Member Garrett voted aye. Council Members Nunn and Fowler voted nay. Council Members Grow and Truong abstained. Council Member Truong stated he had voted wrong and a vote recount was done. Mayor Pro Tem Watkins and Council Member Garrett voted aye. Council Members Nunn, Truong and Fowler voted nay. Council Member Grow abstained. Motion was denied.*** James Pliska, speaking on behalf of Cruz Burciaga, inquired if this item could be deliberated again when all members of the Council are present and was informed that all voting members needed for this item were available. Council Member Fowler moved, seconded by Council Member Truong, to deny masonry waiver request (CV-001-16) of B & S Fence Company, Carson Street property. ***Council Members Nunn, Fowler and Truong voted aye. Mayor Pro Tem Watkins and Council Member Garrett voted nay. Council Member Grow abstained. Motion carried.***
  
4. **FY2017 Tax Rate** – Conduct a public hearing regarding the FY2017 proposed tax rate. Finance Director Jennifer Fung presented the following tax rates: current tax rate - \$0.69999; proposed effective tax rate - \$0.64980; rollback tax rate - \$0.730408. Mayor Pro Tem Watkins opened the Public Hearing at 8:44 p.m. Citizen Irvlene Hays inquired of the effect of the different rates. No other citizen came forward. Mayor Pro Tem Watkins closed the Public Hearing at 8:47 p.m.
  
5. **Audit Committee Appointments** – Consideration and/or action regarding nominating and appointing members to the Audit Committee. Because of the absence of Mayor Averitt, the appointments will be made at the next meeting.

## VISITORS/CITIZENS FORUM

Citizen Don Lemaster inquired if the voting board indicator viewing screen to the audience citizens could be improved. No other citizen came forward.

## **BOARDS/COMMISSIONS**

6. **Resignations of Board Members** – Consider approval of the resignations of Board/Commission Members. There were no resignations.
7. **Appointment/Reappointment to Boards and Commissions** – Consider approval regarding appointments to Boards/Commissions. Council Member Garrett reappointed Cody Gamble to the Parks and Recreation Board. ***The reappointment was approved unanimously.***

## **EXCUSED ABSENCE OF COUNCIL MEMBERS**

8. **Attendance Requirements** – Consideration regarding excused absences of Council Members according to Article III, Sec. 3.07 (a). Attendance Requirements of the Haltom City Charter. Mayor Pro Tem Watkins moved to approve the absence of Mayor David Averitt and Council Member Stephanie Davenport. ***The Council unanimously approved the absences.***

## **EXECUTIVE SESSION**

The Council went into Executive Session at 8:52 p.m. regarding the following:

### **Chapter 551 of the Texas Government Code**

**As authorized by Section 551.071, 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, project schedule/construction contract with Tiseo Paving, dissolution/restructuring of the Haltom City Economic Development Corporation, and pending litigation and settlement offers for the following cases:

- Donald Anthony Hains v. City of Haltom City
- Flynn v. Haltom City EDC
- Progressive County Mutual Ins. Co. v. City of Haltom City
- James H. Watson v. City of Haltom City

### **Section 551.072 – Deliberations about Real Property**

Deliberation regarding the purchase, exchange, lease or value of real property.

## **RECONVENE TO REGULAR SESSION**

9. The Council reconvened to Regular Session at 9:15 p.m. No action was taken.

## **ADJOURNMENT**

Mayor Pro Tem Watkins adjourned the meeting at 9:15 p.m.

RESPECTFULLY SUBMITTED BY:

APPROVED BY:

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Art Camacho, City Secretary

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David Averitt, Mayor

## CITY COUNCIL MEMORANDUM

**City Council Meeting:** August 29, 2016  
**Department:** Finance / Budget  
**Subject:** Proposed FY2017 Budget

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### BACKGROUND

In accordance with applicable statutes and the City Charter, the City must conduct a public hearing to receive input on the proposed FY2017 budget, including the budget of the Crime Control and Prevention District.

### FISCAL IMPACT

The proposed FY2017 budget totals \$75,792,258 and includes a proposed property tax rate of \$0.69999 per \$100 of assessed value. The budget is balanced in compliance with the City Charter and applicable State statutes.

The attached budget ordinance reflects the proposed amounts for fiscal year 2017 budget. The City Council may still change any of the budget amounts until the budget is adopted. The second reading and adoption of the budget are on September 12, 2016.

### RECOMMENDATION

Staff recommends the Mayor open the public hearing, receive the public comment upon the proposed budget and close the public hearing. Staff further recommends the City Council approve the first reading of Ordinance No. O-2016-022-03, announce the second public hearing and adoption of the budget are scheduled on September 12, 2016.

### ATTACHMENTS

Ordinance No. O-2016-022-03

**ORDINANCE NO. O-2016-022-03**

**APPROPRIATION ORDINANCE**

**AN ORDINANCE ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017, IN ACCORDANCE WITH THE CHARTER OF THE CITY OF HALTOM CITY, TEXAS; PROVIDING FOR THE FILING OF THE BUDGET; 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**, the City Manager of the City of Haltom City submitted a budget proposal to the City Council prior to the beginning of the fiscal year, and in said budget proposal set forth the estimated revenues and expenditures and made the detailed classification as required by the City Charter of the City of Haltom City, Texas; and

**WHEREAS**, the City Council finds that all provisions pertaining to the adoption of a budget contained in the City Charter have been in all things complied with; and

**WHEREAS**, the first Public Hearing was held by the City Council of the City of Haltom City, Texas on the 29<sup>th</sup> day of August, 2016; and the second Public Hearing was held by the City Council of the City of Haltom City on the 12<sup>th</sup> day of September, 2016; and

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

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

**SECTION 1.**

The budget of the Revenues of the City of Haltom City and the Expenses of conducting the affairs thereof for the ensuing Fiscal Year beginning October 1, 2016 and ending September 30, 2017, as modified by the City Council, 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, 2016, and ending the thirtieth day of September, 2017.

**SECTION 2.**

The sums below 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.

<b>Fund Number</b>	<b>Fund Description</b>	<b>Approved Fiscal Year 2017 Budget</b>
	Operating Funds	
01	General	\$27,019,498
05	Debt Service	5,396,432
11	Economic Development	2,372,750
12	Crime Control & Prevention District	1,620,230
13	Oil and Gas	1,166,713
14	Hotel/Motel Tax	59,614
15	Court Security	34,000
16	Court Technology	64,717
17	Juvenile Case Manager	49,500
18	Red Light Camera	244,173
19	Grant	50,733
20	PEG	50,000
21	Fire Donation	3,000
22	Library Donation	24,659
23	Police Forfeiture	22,000
24	Park Donation	67,500
25	Park Dedication	0
26	Safe Pathways	0
27	Animal Shelter	0
28	Police Donation	43,500
29	Police CART	5,000
41	Water & Sewer	22,810,048
45	Drainage Utility	2,487,201
	Total Operating Funds	<u>\$63,591,268</u>
	Capital Projects Funds	
31	Street Reconstruction	\$4,718,000
32	Capital Projects	1,665,000
35	Capital Replacement	622,540
39	Street Assessments	0
42	Water & Sewer Utility Projects	4,683,000
44	Water and Sewer Impact Fees	0
46	Drainage Capital Projects	512,450
	Total Capital Projects Funds	<u>\$12,200,990</u>
	All Funds Total	<u><u>\$75,792,258</u></u>

### **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 29<sup>th</sup> DAY OF AUGUST 2016.**

ATTEST:

\_\_\_\_\_  
Art Camacho, City Secretary

\_\_\_\_\_  
David Averitt, Mayor

**PASSED AND APPROVED ON SECOND READING THIS 12<sup>nd</sup> DAY OF SEPTEMBER 2016.**

ATTEST:

\_\_\_\_\_  
Art Camacho, City Secretary

\_\_\_\_\_  
David Averitt, Mayor

APPROVED AS TO FORM AND LEGALITY:

\_\_\_\_\_  
Wayne Olson, City Attorney

## CITY COUNCIL MEMORANDUM

**City Council Meeting:** August 29, 2016

**Department:** Finance - Budget

**Subject:** FY2017 Tax Rate Ordinance – First Reading

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### 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 15<sup>th</sup> City Council meeting, the City Council, by record vote, established a proposed maximum tax rate of \$0.73 per \$100 of net taxable value. This exceeds the effective tax rate of \$0.6498 per \$100. The adopted rate for FY2016 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 12<sup>th</sup>.

This preliminary tax rate is lower than the calculated rollback rate of \$0.730408.

The proposed rate for FY2017 provides for a higher “maintenance and operations” (M&O) rate of \$0.48, as opposed to the adopted FY2016 rate of \$0.46232. The proposed increase is intended to provide funding for the operation needs considered by the City Council for FY2017.

The “interest and sinking” (I&S) rate proposed for FY2017 is \$0.25. The FY2016 I&S rate is at \$0.23767 per \$100 of net taxable value. This increase is earmarked for payment of the principal and interest for FY2017. This increase was anticipated by the voters when the current bond program was approved in 2010.

This is the first reading of the tax ordinance. The second reading and adoption of the proposed tax rate is scheduled on September 12<sup>th</sup> regular session.

This agenda item is also the second public hearing of two (2) required public hearings. The first public hearing was conducted at the August 22<sup>nd</sup> Council meeting. Again, the final tax rate will be determined by the City Council at the September 12<sup>th</sup> regular session.

## **FISCAL IMPACT**

For the proposed FY2017 budget, the TAD estimated net taxable value is \$1,842,343,558 as of July 25<sup>th</sup>. Applying the preliminary tax rate of \$0.73 yields a levy of \$13,449,108. The portion of the levy estimated to be uncollectable is \$336,228. Of the remaining collections, \$8,843,249 would be allocable to maintenance and operations and \$4,490,712 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 the second reading of the tax ordinance and record vote to adopt the tax rate will be conducted on September 12<sup>th</sup>, 2016 at 7:00 pm in the City Hall Council Chambers.**

Also, staff recommends that the City Council approve Ordinance No. O-2016-023-03 approving the FY2017 Proposed Tax Rate on the first reading. Two motions are required. Please make these motions as follows:

I MOVE THAT THE PROPERTY TAX RATE FOR MAINTENANCE AND OPERATIONS BE INCREASED BY THE ADOPTION OF A TAX RATE OF \$0.48, WHICH IS EFFECTIVELY A 3.82% INCREASE IN THE TAX RATE.

I MOVE THAT THE PROPERTY TAX RATE FOR DEBT SERVICE BE INCREASED BY THE ADOPTION OF A TAX RATE OF \$0.25, WHICH IS EFFECTIVELY A 5.19% INCREASE IN THE TAX RATE.

## **ATTACHMENTS**

Ordinance No. O-2016-023-03.

**ORDINANCE NO. O-2016-023-03**

**AN ORDINANCE APPROVING THE APPRAISAL ROLL; SETTING THE TAX RATE; LEVYING AND ASSESSING GENERAL AND SPECIAL AD VALOREM TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF HALTOM CITY, TEXAS; APPORTIONING THE LEVIES FOR SPECIFIC PURPOSES; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Manager of the City of Haltom City submitted a tax rate proposal to the City Council prior to the beginning of the fiscal year, and in said tax rate proposal set forth the estimated necessary tax rate required to provide adequate revenues for the general use and support of the Municipal Government of the City of Haltom City, Texas; and

**WHEREAS**, the City Council finds that all provisions pertaining to the adoption of an ad valorem tax rate have been in all things complied with; and

**WHEREAS**, Public Hearings were held by the City Council of the City of Haltom City on the 29<sup>th</sup> day of August, 2016 and the 12<sup>th</sup> day of September, 2016;

**WHEREAS**, after a full and final consideration, the City Council is of the opinion that the tax rate and ad valorem tax appraisal roll should be approved and adopted; and

**WHEREAS**, the taxes have been levied in accordance with the adopted fiscal year 2017 budget as required by state law; and

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

**SECTION 1.**

The ad valorem tax appraisal roll and effective tax rate information as presented by the tax assessor for the tax year 2016, be and is hereby in all things approved and adopted.

**SECTION 2.**

There is hereby levied and assessed and there shall be collected for the tax year 2016 for the general use and support of the Municipal Government of the City of Haltom City, Texas, a total ad valorem tax of Seventy-Three Cents (\$0.73) on each One Hundred Dollars (\$100.00) of valuation of property - real and personal - within the corporate limits of the City of Haltom City, Texas, subject to taxation. The assessment ratio shall be One Hundred percent (100%).

**SECTION 3.**

The taxes collected shall be apportioned for the use as follows:

- (a) To the Interest and Sinking Fund the sum of \$0.25 cents or an adequate amount necessary to fund all General debt service for fiscal year 2017.
- (b) To the General Fund for general municipal purposes the sum of \$0.48 cents for fiscal year 2017.

All monies collected and hereby apportioned and set apart for the specific purposes indicated and the funds shall be accounted for in such a manner as to readily show balances at any time.

**SECTION 4.**

THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

**SECTION 5.**

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 3.82 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$17.68.

**SECTION 6.**

THIS TAX RATE WILL RAISE MORE TAXES FOR DEBT SERVICE THAN LAST YEAR'S TAX RATE.

**SECTION 7.**

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 5.19 PERCENT AND WILL RAISE TAXES FOR DEBT SERVICE ON A \$100,000 HOME BY APPROXIMATELY \$10.12.

**SECTION 8.**

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 9.**

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

**SECTION 10.**

Ad valorem taxes for the year are due and payable on October 1, 2016 and shall become delinquent after January 31, 2017. A delinquent tax shall incur all penalty and interest authorized by state law, Section 33.01 of the Property Tax Code. Personal Property Taxes that remain delinquent on the 60<sup>th</sup> day after February 1, 2017, incur an additional penalty of 20% of the amount of the taxes, penalty and interest due, such additional penalty to defray the additional cost of collection as authorized in Section 33.11 of the Property Tax Code. All

other taxes that remain delinquent on and after July 1, 2017, incur an additional penalty of 20% of the amount of the taxes, penalty and interest due, such additional penalty to defray the cost of collection as authorized in Section 6.30 of the Property Tax Code. The City shall have available all rights and remedies provided by law for the enforcement of the collection of taxes levied under this ordinance.

**SECTION 11.**

Taxes are payable at the office of the Tarrant County Tax Collector.

**PASSED AND APPROVED ON FIRST READING THIS 29<sup>th</sup> DAY OF AUGUST 2016.**

\_\_\_\_\_  
David Averitt, Mayor

ATTEST:

\_\_\_\_\_  
Art Camacho, City Secretary

**PASSED AND APPROVED ON SECOND READING THIS 12<sup>th</sup> DAY OF SEPTEMBER 2016.**

\_\_\_\_\_  
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 29, 2016  
**Department:** Finance  
**Subject:** Audit Committee Appointments

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### 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 August 2016, council members Scott Garrett, Walter Grow and Stephanie Davenport were appointed to the Committee and Jeannine Nunn was appointed as the alternate member. Their terms end on August 31, 2016.

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, 2016 in November and December 2016. The Committee will meet with Pattillo, Brown, and Hill in November 2016.

### FISCAL IMPACT

None.

### RECOMMENDATION

Staff recommends City Council appoint the members of the Audit Committee for the period September 1, 2016 through August 31, 2017.

### ATTACHMENTS

None.

## CITY COUNCIL MEMORANDUM/RESOLUTION

**City Council Meeting:** August 29, 2016  
**Department:** City Manager  
**Subject:** T-Mobile Lease Agreement

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### BACKGROUND

The City currently has a tower lease with T-Mobile for their wireless communication network on the 820 Water Tower. T-Mobile has requested to modify their utilities at the antenna facility. As in any case involving access to our water facilities, we require an accessibility agreement and engineered approved plans along with additional compensation to install or modify the antennas. This will be the fifth amendment to the T-Mobile water tower lease thus allowing permits to install or replace antennas and radio equipment.

### FISCAL IMPACT

As part of T-Mobile's Lease, T-Mobile has agreed to amend the current monthly lease with a modification to increase the tower space rent by three hundred (\$300) dollars per month. The adjusted monthly rent payment will be \$5,066.79.

### RECOMMENDATION

Staff recommends the Council authorize the City Manager to execute a new lease amendment to the original agreement with T-Mobile on the 820 Water Tower.

### BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HALTOM CITY:

That the above stated Staff recommendations are hereby approved and authorized.

**PASSED AND APPROVED** at a regular meeting of the City Council of the City of Haltom City, Texas this 29<sup>th</sup> day of August, 2016 at which meeting a quorum was present, held in accordance with the provisions of V.T.C.A., Government Code, §551.001 *et seq.*

**APPROVED**

**ATTEST:**

\_\_\_\_\_  
David Averitt, Mayor

\_\_\_\_\_  
Art Camacho, City Secretary