



NOTICE OF A PUBLIC MEETING
AN AGENDA OF A MEETING OF THE CITY COUNCIL
CITY OF WHITE SETTLEMENT, TEXAS
6:30 PM – August 8, 2023
City Hall – Council Chambers
214 Meadow Park Drive, White Settlement, TX 76108

CALL TO ORDER

PUBLIC PARTICIPATION

The purpose of this item is to allow members of the public an opportunity to address the city council, a board or a commission on items that are not listed on the agenda, as well as any consent agenda, executive session, or workshop items. Any person desiring to make a comment must first fill out a speaker request form and be recognized by the presiding officer. Individual comments are limited to three minutes. The meeting body has no obligation to respond in any manner to comments or questions from the public. Any response from a member to comments on items not listed on the agenda is limited to a statement of specific factual information, a recitation of existing policy, or direction to staff to place the subject on the agenda for a future meeting.

CONSENT AGENDA

All items on the Consent Agenda are routine or previously discussed items and will be approved with one motion; however, should a member of the City Council wish to discuss any item, said item may be removed from the Consent Agenda and considered under the Deliberation Agenda.

1. Approval of the re-plat of a 3.08-acre tract of land and being all of Lot 12, and a portion of Lot "A", Block 20, McDonnell Addition, an addition to the City of White Settlement, Texas, more commonly known as 730 S. Cherry Lane, conforming to the requirements to the PD zoning regulations.
2. Approval of an ordinance amending the City of White Settlement 2040 Comprehensive Plan for a 3.08-acre tract of land and being all of Lot 12, and a portion of Lot "A", Block 20, McDonnell Addition, an addition to the City of White Settlement, Tarrant County, Texas, by re-designating the property from Regional Commercial with a Mixed-Use Area to Low Density Residential.

DELIBERATION AGENDA

3. Discuss and consider an ordinance calling for a General Election to be held on November 7, 2023, for the election of the mayor and place 1; calling a Special Election to be held on November 7, 2023, for the purpose of amending the City Charter; establishing procedures for that election; authorizing the method of voting; approving an election contract with Tarrant County; providing that this ordinance shall be cumulative of all ordinances; providing a severability clause; and providing an effective date.
4. Discuss and consider an ordinance amending Chapter 20 "Fees", Section 20.4 "Water and Sewer Services" Sewer; adopting and ratifying sewer rates inside and outside the city limits.
5. Discuss and consider an ordinance amending Chapter 20 "Fees", Section 20.4 "Water and Sewer Services" Water; adopting and ratifying water rates inside and outside the city limits.
6. Discuss and consider Fiscal Year 2023-2024 No New Revenue and Proposed Tax Rate and take a record vote.

ADJOURNMENT

Notice posted on the 3rd day of August, 2023, on the City Hall bulletin board at 214 Meadow Park Drive, White Settlement, Texas by 5:00 p.m.

Amy Arnold, TRMC, CMC
City Secretary

CITY OF WHITE SETTLEMENT PLANNING AND DEVELOPMENT DEPARTMENT
EXTERNAL CORRESPONDENCE MEMORANDUM
INFORMAL REPORT TO MAYOR AND COUNCIL

From: Robert Nunley, Building Official

Ref: Whitney Crossing Replat

Date: August 8, 2023

ISSUE

The City Council postponed an agenda item from June 6, 2023 to August 1, 2023. The item included a rezoning of 730 S. Cherry Lane, also known as Whitney Crossing. Also in June, a replat for the same property was denied due to the postponement of the rezone item.

DISCUSSION

On August 1, 2023, City Council took action to approve the rezone request from CC to PD which included approval of an amendment to the 2040 Comp Plan. The applicant has submitted a letter, as required by Ch. 212 LGC, stating the replat request documents have not changed; the replat remains the same, conforming to the requirements of the approved PD zoning regulations

ACTION / RECOMMENDATION

With this letter, the replat is presented for approval as it conforms with the PD zoning regulations and the 2040 Comp Plan.

ADDITIONAL INFORMATION

Attached: Letter and re-plat

STAFF CONTACT(S)

Robert Nunley
Building Official
817-246-4971 Ext. 079
rnunley@wstx.us

GRB Development LLC.

August 3, 2023

Robert Nunley

Building Official

White Settlement, Texas

R.E. Whitney Crossing plat

Robert, please use the previously submitted Whitney Crossing plat, signed and dated June 5, 2023, as the final plat to be recorded as there are no changes to be made. The city council approved the changing of the property to PD, this plat conforms to the requirements of the PD zoning regulations.

Best Regards,

A handwritten signature in black ink, appearing to read "Glen Burda". The signature is fluid and cursive, with the first name "Glen" and last name "Burda" clearly distinguishable.

Glen Burda

Manager, GRB Development LLC.

OWNER'S CERTIFICATION:

STATE OF TEXAS §
COUNTY OF TARRANT §

Whereas, GRB Development, LLC, is the owner of of LOT 12, BLOCK 20, McDONNELL ADDITION recorded as Volume 388-17, Page 29, Plat Records, Tarrant County, Texas (PRTCT) and two other tracts as recorded in D208357105, Official Public Records, Tarrant County, Texas (OPRTCT) and being a tract of land out of the John Collett Survey, Abstract Number 262 and the John Murry Survey, Abstract Number 1072, City of White Settlement, Tarrant County, Texas, and being all of Lot 12 and part of Lot A, Block 20, McDonnell Addition per the plat recorded in Volume 388-17, Page 63, Plat Records, Tarrant County, Texas (PRTCT) being the same tract sold to the City of White Settlement, Texas Economic Development Corporation per the deed recorded as D208357105, Official Public Records, Tarrant County, Texas (OPRTCT) and being more particularly described by the metes and bounds as follows:

BEGINNING at a 1" iron rod found for the southeasterly corner of Lot 9, Block 20 of said McDonnell Addition, with said point being on the northerly line of Whitney Drive;

THENCE North 0° 08' 21" West departing the northerly line of Whitney Drive, a distance of 467.34 feet to a 1" iron rod found for the southwest corner of Lot 10, Block 20 of said McDonnell Addition;

THENCE South 89° 24' 13" East, with the south line of Lots 10 & 11, continuing on with the south line of Lot 13, Block 20, McDonnell Addition, per the plat recorded in Volume 288-27, Page 373, PRTCT, a distance of 179.40 feet to 1/2" iron rod with a blue cap stamped OLD TOWN SURVEYING found for the southeast corner of said Lot 13, Block 20;

THENCE North 0° 41' 28" West, with the east line of said Lot 13, Block 20, a distance of 90.08 feet to a 5/8" iron rod found for the northeast corner of said Lot 13, Block 20 and being on the southerly line of Marrett Drive, a variable width right of way;

THENCE North 0° 26' 39" West, with the southerly line of Marrett Drive and the most northerly west line of said Lot 12, Block 20, a distance of 42.10 feet to a MAG Nail found for the most northerly northwest corner of said Lot 12, Block 20;

THENCE South 73° 08' 16" East, with the southerly line of Marrett Drive and the most northerly north line of said Lot 12, Block 20, a distance of 133.50 feet to a "Y" cut found for the most northerly northwest corner of Lot A-1-R, Block 20, McDonnell Addition per the replat recorded in Volume 388-150, Page 89, PRTCT;

THENCE South 1° 10' 19" West, departing the southerly line of Marrett Drive and with the westerly line of said Lot A-1-R, Block 20, a distance of 188.12 feet to a 3/4" iron rod found for the southwest corner of said Lot A-1-R, Block 20, from which a 1/2" iron rod with a blue cap stamped OLD TOWN SURVEYING bears South 1° 10' 18" West at a distance of 20.00 feet;

THENCE South 89° 53' 27" East, with the south line of Lot A-1-R, Block 20, McDonnell Addition, a distance of 86.35 feet to a MAG nail with a washer stamped RPLS 5094 set for an angle point on the westerly line of South Cherry Lane;

THENCE South 39° 59' 32" West with the westerly line of South Cherry Lane, passing a 5/8" iron rod found at 26.50 feet, in all, a total distance of 48.54 feet to a PK nail found for the Point of Curvature for a curve to the left having a Radius of 326.00 feet with a Chord Bearing South 19° 55' 39" West for a Chord Length of 224.12 feet;

THENCE Southwesterly with said curve, an Arc Length of 228.77 feet to a 5/8" iron rod found for the point of tangency;

THENCE South 0° 08' 21" East, with the westerly line of South Cherry Lane a distance of 23.45 feet to a 5/8" iron rod found for the point of intersection with the westerly line of South Cherry Lane and the northerly line of Whitney Drive;

THENCE South 84° 56' 39" West with the northerly line of Whitney Drive a distance of 113.08 feet to PK nail found for the Point of Curvature for a curve to the left having a Radius of 181.80 feet with a Chord Bearing South 69° 34' 09" West for a Chord Length of 96.40 feet;

THENCE Southwesterly with said curve, an Arc Length of 97.57 feet to a PK nail found for the point of tangency;

THENCE South 54° 11' 39" West with the northerly line of Whitney Drive a distance of 95.26 feet to the POINT OF BEGINNING and containing a calculated area of 3.122 Acres of land.

NOW THEREFORE KNOW ALL MEN BY THESE PRESENTS:

That, GRB Development, LLC, does hereby adopt this plat designating the herein above referenced property as the **WHITNEY CROSSING ADDITION**, an addition to the City of White Settlement, Tarant County, Texas, and does hereby dedicate to the public's use forever the streets and easements shown hereon, and does hereby reserve the easement strips shown on this plat for the mutual use and accommodation of garbage collection agencies and all public utilities desiring to use the same. Any public utility shall have the right to remove and keep removed all or part of any buildings, fence, trees shrubs or other improvements or growths which in any way endanger or interfere with the construction, maintenance or efficiency of its respective systems on any of these easement strips and any public utility shall at all times have the right of ingress and egress to and from and upon said easement strips for the purpose of constructing, reconstructing, inspecting and patrolling, without the necessity at any time of procuring the permission of anyone. This plat approved subject to all platting ordinance, rules, regulations and resolutions of the City of White Settlement, Texas.

WITNESS MY HAND IN TARRANT COUNTY, TEXAS, THIS THE ____ DAY OF _____, 20__.

Printed Name & Title

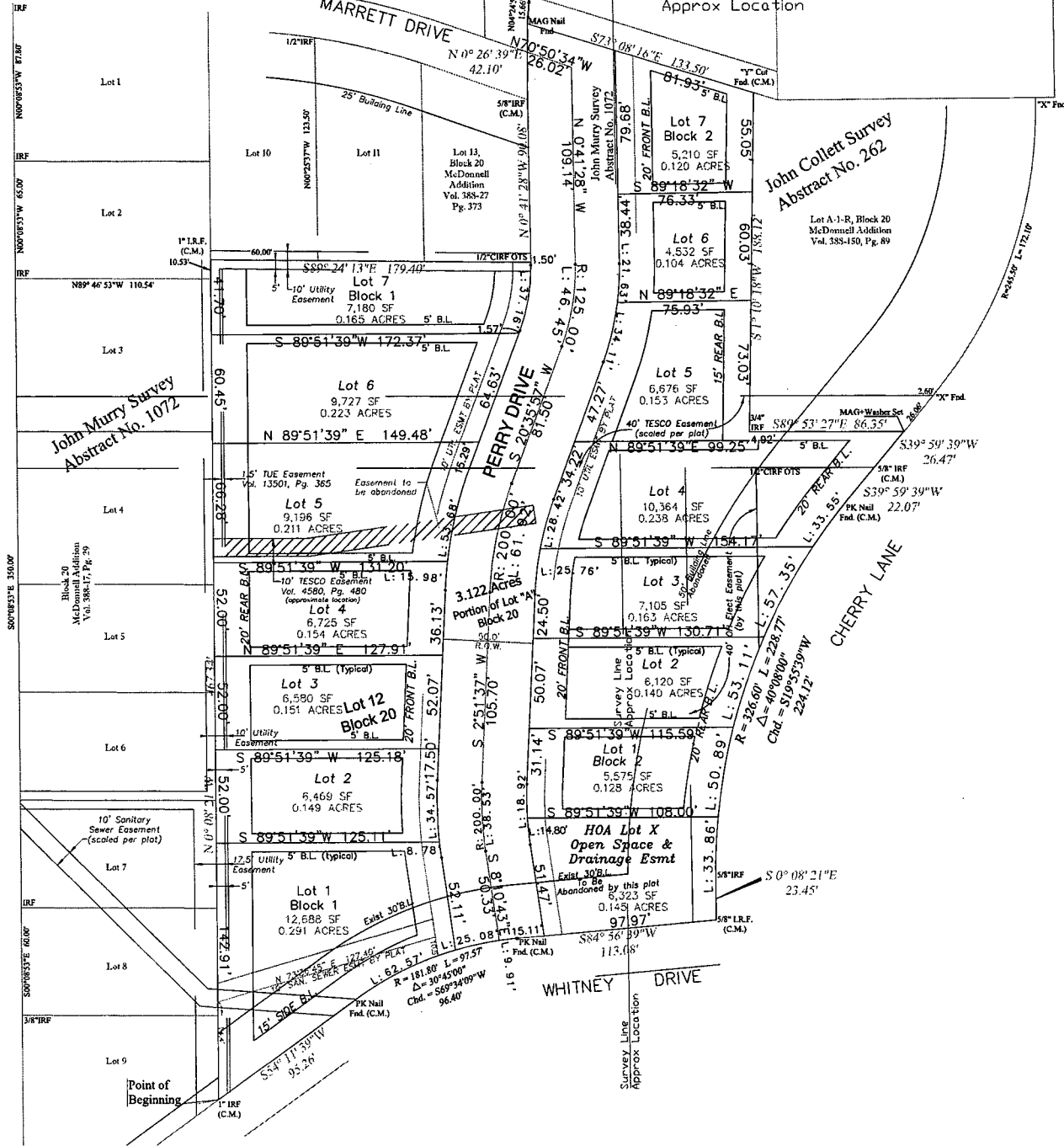
STATE OF TEXAS §
COUNTY OF TARRANT §

Before me, the undersigned authority, a Notary Public in and for the State of Texas; on this date personally appeared _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and considerations therein expressed.

Given under my hand and seal of office the ____ day of _____, 20__.

Notary Public for the State of Texas

© Copyright 2023 Michael B Davis/Alpha Land Surveying, Inc. Z:\MBO_RPLS7\730 S Cherry Ln\Whitney Crossing_Working Replat7.dwg modified by RPLS7 at Jan 16, 2023 - 1:09pm



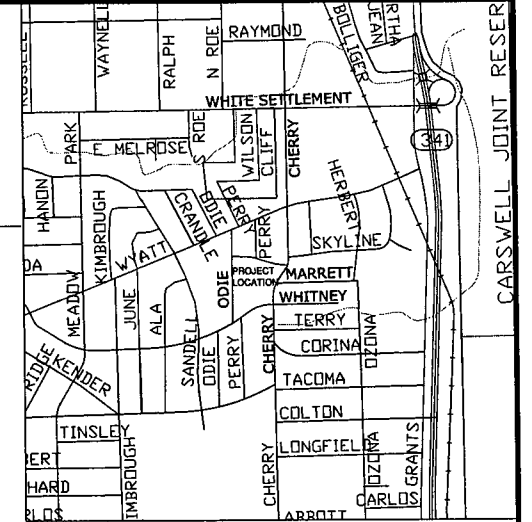
SURVEYOR'S CERTIFICATION:

I, Michael B H Davis, do hereby certify that I prepared this plat from an actual and accurate survey of the land, and that the corner monuments shown thereon were properly placed under my supervision.

Per Texas Administrative Code, TBPES RULE §663.118:
Certification - Preliminary; this document shall not be recorded for any purpose and shall not be used or viewed or relied upon as a final survey document.
Registered Professional Land Surveyor 5094.
Firm Registration Certificate number: 10135300

FOR REVIEW ONLY

Michael B H Davis, Registered Professional Land Surveyor
Firm Registration Certificate Number: 10135300



VICINITY MAP

1" = 1000'

NOTES:

THE BASIS OF BEARINGS FOR THIS PLAT IS GRID NORTH, NAD 83, TEXAS NORTH CENTRAL ZONE, 4202.

DISTANCES MEASURED PERPENDICULAR OR RADIAL TO LOT LINES UNLESS NOTED OTHERWISE.

5/8" CAPPED IRON RODS STAMPED RPLS 5094 SET AT ALL LOT CORNERS, UNLESS NOTED OTHERWISE.

THE SUBJECT PROPERTY IS IN ZONE X, AN AREA DETERMINED TO BE OUTSIDE THE 100-YEAR FLOODPLAIN BASED ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NUMBER 48439C0165K, DATED SEPTEMBER 25, 2009.

THE CITY OF WHITE SETTLEMENT RESERVES THE RIGHT TO REQUIRE ADDITIONAL MINIMUM FINISHED FLOOR ELEVATIONS ON ANY LOT CONTAINED WITHIN THIS SUBDIVISION. THE MINIMUM ELEVATIONS SHOWN ARE BASED ON THE MOST CURRENT INFORMATION AVAILABLE AT THE TIME THE PLAT IS FILED AND MAY BE SUBJECT TO CHANGE.

APPROVED BY THE CITY COUNCIL OF WHITE SETTLEMENT, TEXAS, on this _____ day of _____

ATTEST:

Mayor

City Secretary

I, _____ do hereby acknowledge and accept all storm drainage runoff coming on and across the property being platted.

Signature

Date

FOR REVIEW ONLY
REPLAT

of
LOTS 1-7, BLOCK 1 &
LOTS 1-7 & LOT X, BLOCK 2
WHITNEY CROSSING ADDITION
previously recorded as Lot 12, Block 20
McDonnell Addition, Volume 388-17, Page 29
Plat Records, Tarrant County, Texas
out of the
John Collett Survey, Abstract No. 262 &
the John Murry Survey, Abstract No. 1072
White Settlement, Tarrant County, Texas
Resubmitted: January 17, 2023

SHEET 1 of 1

CITY OF WHITE SETTLEMENT PLANNING AND DEVELOPMENT DEPARTMENT
EXTERNAL CORRESPONDENCE MEMORANDUM
INFORMAL REPORT TO MAYOR AND COUNCIL

From: Robert Nunley, Building Official
Ref: Amend 2040 Comprehensive Plan
Date: August 8, 2023

ISSUE

The City Council took action to amend the 2040 Comprehensive Plan on August 1, 2023.

DISCUSSION

This ordinance amends the 2040 Comp Plan as approved by council action on August 1, 2023.

ACTION / RECOMMENDATION

Approval of the Ordinance

ADDITIONAL INFORMATION

Attached: Ordinance

STAFF CONTACT(S)

Robert Nunley
Building Official
817-246-4971 Ext. 079
rnunley@wstx.us

ORDINANCE NO. 2023-08-016-17

AN ORDINANCE AMENDING THE CITY OF WHITE SETTLEMENT 2040 COMPREHENSIVE PLAN FOR A 3.08-ACRE TRACT OF LAND AND BEING ALL OF LOT 12, AND A PORTION OF LOT "A", BLOCK 20, MCDONNELL ADDITION, AN ADDITION TO THE CITY OF WHITE SETTLEMENT, TARRANT COUNTY, TEXAS FROM REGIONAL COMMERCIAL WITH A MIXED-USE AREA TO LOW-DENSITY RESIDENTIAL; PROVIDING FOR THE AMENDMENT OF THE OFFICIAL ZONING MAP TO REFLECT SUCH CHANGES; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of White Settlement, 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; and

WHEREAS, the Council of the City previously adopted The City of White Settlement 2040 Comprehensive Plan Update, which included a map which depicts, by distinct colors, the various land uses within the City; and

WHEREAS, a public hearing was at a meeting of the Planning and Zoning Commission on May 9, 2023, and the City Council on August 1, 2023, with respect to the proposed changes described herein; and

WHEREAS, the City Council of the City of White Settlement, Texas, does hereby deem it advisable and in the public interest to amend The City of White Settlement 2040 Comprehensive Plan, as amended, as described herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT, TEXAS;

**SECTION 1
PROPERTY RE-ZONED**

That the City of White Settlement 2040 Comprehensive Plan, as amended, is hereby amended by re-designating the following property from Regional Commercial with a Mixed-Use Area to Low-Density Residential:

A 3.08-acre tract of land and being all of Lot 12, and a portion of Lot "A", Block 20, McDonnell Addition, an addition to the City of White Settlement, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-17, Page 29, Plat Records, Tarrant County, Texas (P.R.T.C.T.), and being more particularly described on the attached Exhibit "A".

SECTION 2
ORDINANCE CUMULATIVE

This Ordinance shall be cumulative of all provisions of ordinances and of the Code of Ordinances of the City of White Settlement, Texas, 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 3
SEVERABILITY

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

SECTION 4
EFFECTIVE DATE

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

PASSED AND APPROVED ON THIS 8th DAY OF AUGUST, 2023.

Faron Young, Mayor

ATTEST:

Amy Arnold, TRMC, CMC
City Secretary

Exhibit A

BEING a 3.08-acre tract of land and being all of Lot 12, and a portion of Lot "A", Block 20, McDonnell Addition, an addition to the City of White Settlement, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-17, Page 29, Plat Records, Tarrant County, Texas (P.R.T.C.T.), and being more particularly described as follows:

Beginning at a 1-inch iron rod found for corner being the southwest corner of the herein described tract, same point being the southwest corner of said Lot 12, and being the southeast corner of Lot 9, Block 20, of said McDonnell addition, same point being in the north right-of-way line of Whitney Drive, a called fifty (50) foot right-of-way;

THENCE North 00 degrees 08 minutes 21 seconds West, a distance of 467.34 feet to a 1-inch iron rod found for corner being in the east line of Lot 2, Block 20 of said McDonnell Addition, same point being the southwest corner of Lot 10, Block 20 of said McDonnell Addition;

THENCE South 89 degrees 24 minutes 13 seconds East, a distance of 179.40 feet to a 1/2-inch iron rod with blue cap stamped "OLD TOWN SURVEYING" (OTS) set for corner being the southeast corner of Lot 13, Block 20, McDonnell Addition, an addition to the City of White Settlement, recorded in Volume 388-27, Page 373, P.R.T.C.T.;

THENCE North 00 degrees 41 minutes 28 seconds West, a distance of 90.08 feet to a 5/8-inch iron rod found for corner being the northeast corner of said Lot 13, same point being in the apparent south right-of-way line of Marrett Drive;

THENCE North 00 degrees 26 minutes 39 seconds East, a distance of 42.10 feet to a "PK" Nail set in asphalt for corner being from which a 5/8-inch iron rod found for the southwest corner of Lot 1, Block 7 McDonnell Addition, an addition to the City of White Settlement, Tarrant County, Texas, according to the plat thereof recorded in Volume 388-6, Page 41, P.R.T.C.T. bears North 04 degrees 24 minutes 53 seconds East at 15.66 feet;

THENCE South 73 degrees 08 minutes 16 seconds East, with a south line of a fifteen (15) foot right of-way dedication for said Marrett Drive, a distance of 133.50 feet to a "Y" cut in concrete found for corner being the northwest corner of Lot A-1-R, Block 20, McDonnell Addition, and addition to the City of White Settlement, recorded in Volume 388-150, Page 89, P.R.T.C.T.;

THENCE South 01 degrees 10 minutes 18 seconds West, passing a 3/4-inch rod found for the southwest corner of said Lot A-1-R at 188.11 feet, and continuing for total distance of 208.12 feet to a 1/2-inch iron rod with blue cap stamped "OTS" set for corner;

THENCE South 89 degrees 38 minutes 26 seconds East, a distance of 69.75 feet to a 5/8-inch iron rod found for the corner being the west right-of-way line of S. Cherry Lane, a called eight (80) foot right-of-way;

THENCE South 39 degrees 59 minutes 39 seconds West, with the west right-of-way line of said S. Cherry Lane, a distance of 22.07 feet to a "PK" nail found in asphalt for corner being the beginning of a curve to the left having a radius of 326.60 feet;

THENCE with the west right-of-way line of said S. Cherry Lane, and with said curve to the left, through a central angle of 40 degrees 08 minutes 00 seconds, whose chord bears South 19 degrees 55 minutes 39 seconds West at 224.12 feet, as arc length of 228.77 feet to a 1/2-inch iron rod set for corner;

THENCE South 00 degrees 08 minutes 21 seconds East, with the west right-of-way line of said S. Cherry Lane, a distance of 23.45 feet to a 5/8-inch iron rod found for corner being at the intersection of the north right-of-way of said Whitney Drive with the west right-of-way line of said S. Cherry Lane;

THENCE South 84 degrees 56 minutes 39 seconds West, with the north right-of-way line of said Whitney Drive, a distance of 113.08 feet to a "PK" nail found in asphalt for corner being the beginning of the curve to the left, having a radius of 181.80 feet,

THENCE with the north right-of-way line of said Whitney Drive, and with said curve to the left, through a central angle of 30 degrees 45 minutes 00 seconds, whose chord bears South 69 degrees 34 minutes 09 seconds West at 96.40 feet, an arc length of 97.57 feet to a "PK" nail found in asphalt for corner;

THENCE South 54 degrees 11 minutes 39 seconds West, with the north right-of-way line of said Whitney Drive, a distance of 95.26 feet to the POINT OF BEGINNING and containing 3.086 acres of land, more or less.

CITY OF WHITE SETTLEMENT
INFORMAL REPORT TO MAYOR AND COUNCIL

Date: August 8, 2023

ISSUE

The City will hold a General Election on November 7, 2023 to elect a mayor and council member place 1. The city will also hold a Special Election on November 7, 2023 to consider proposed charter amendments.

DISCUSSION

The Charter Review Commission presented recommended amendments on July 6, 2023. This item calls for the General Election for mayor and place 1 and calls for a special election on amendments to the city charter providing ballot language.

ACTION / RECOMMENDATION

Approval of the Ordinance

ADDITIONAL INFORMATION

Attached: Ordinance

STAFF CONTACT(S)

Amy Arnold
City Secretary/Chief Governance Officer

ORDINANCE NO. 2023-08-017-18

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT, TEXAS, CALLING FOR A GENERAL ELECTION TO BE HELD ON NOVEMBER 7, 2023, FOR THE ELECTION OF THE MAYOR AND PLACE 1; CALLING A SPECIAL ELECTION TO BE HELD ON NOVEMBER 7, 2023, FOR THE PURPOSE OF AMENDING THE CITY CHARTER; ESTABLISHING PROCEDURES FOR THAT ELECTION; AUTHORIZING THE METHOD OF VOTING; APPROVING AN ELECTION CONTRACT WITH TARRANT COUNTY; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of White Settlement 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 general election for City Council members of the City of White Settlement is required to be held on November 7, 2023, at which time the voters will elect persons to fill the offices of Mayor and City Council Place 1; 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 Texas Local Government Code; and

WHEREAS, an election to submit to the voters proposed amendments to the City Charter is required by law to be held on the uniform election date that occurs thirty (30) days after the election is ordered, and Section 3.005 of the Texas Election Code requires that a special election be ordered prior to August 21, 2023; and

WHEREAS, Section 41.011 of the Texas 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; and

WHEREAS, the City Council wishes to contract through Tarrant County Elections Administrator for the Special Election which can be held on November 7, 2023; and

WHEREAS, the City of White Settlement, along with other cities, and Independent School Districts located entirely and partially within Tarrant County who may also be holding an election on November 7, 2023, desire to conduct joint elections contracted through the Tarrant County Elections Administrator, pursuant to the provisions of Chapter 271 of the Texas Election Code, including the conduct of joint early voting, and to provide for the sharing of expenses.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY

OF WHITE SETTLEMENT, TEXAS, THAT:

**SECTION 1.
GENERAL ELECTION CALLED**

General Election Order. A General Election shall be held in the City of White Settlement, Texas, on Tuesday, November 7, 2023, between the hours of 7:00 a.m. and 7:00 p.m., at the White Settlement Public Library, 8215 White Settlement Road, White Settlement, Texas 76108.

The following officials will be elected to serve from November of 2023 until November of 2026, or until their successors are duly elected and qualified:

City Mayor, seat currently occupied by Faron Young
City Council Place 1, seat currently occupied by Paul Moore

**SECTION 2.
CHARTER AMENDMENT ELECTION CALLED**

The City Council does hereby, on its own motion, order a special election to submit to the voters of the City of White Settlement 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 7, 2023, from 7:00 a.m. to 7:00 p.m., at the White Settlement Public Library, 8215 White Settlement Road, White Settlement, Texas 76108.

**SECTION 3.
ELECTION SERVICES CONTRACT**

The Mayor is hereby authorized to execute a contract with the Tarrant County Elections Administrator (the "Contract") for the purpose of having Tarrant County furnish all or any portion of the election services and equipment needed by the City Secretary to conduct the election. The Contract, and election services provided therein, shall conform to Chapter 31, Subchapter D, of the Texas Election Code, and other applicable statutes and laws.

**SECTION 4.
CONTRACT TERMS**

The Contract shall provide: (a) the type of electronic voting equipment to be used for early voting by personal appearance and on election day; (b) notification and training of election judges and clerks; (c) an estimate and final payment terms for the election services provided; (d) agreements for early voting equipment and voting machine rental; and (e) other procedures to conduct the election.

SECTION 5.

COMBINED BALLOTS

Combined ballots may be utilized, containing all of the offices and propositions to be voted on at each polling place, provided that no voter shall be given a ballot or permitted to vote for any office or proposition on which the voter is ineligible to vote. Returns may be made on forms, which are individual or combined, and the Elections Administrator shall be designated as the custodian of combined records.

SECTION 6. CHARTER PROPOSITION BALLOTS

The official ballots for the election shall be prepared in accordance with the Texas 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 7. POLLING PLACE

The polling place for the special election shall be at the White Settlement Public Library, 8215 White Settlement Road, White Settlement, Texas 76108, between the hours of 7:00 a.m. and 7:00 p.m., on election day.

SECTION 8. ELECTION JUDGE

The Presiding Election Judge and Alternate Presiding Election Judge shall be appointed by Tarrant County as indicated in the Contract and authorized by Chapter 271 of the Texas Election Code.

SECTION 9. METHOD OF VOTING

The City Secretary is hereby authorized and instructed to provide and furnish all necessary supplies to conduct the special election, in accordance with this Ordinance and the Texas Election Code.

SECTION 10. EARLY VOTING

(a) Early Voting by Personal Appearance. Clint Ludwig, the Tarrant County Elections Administrator (“Elections Administrator”), is hereby designated as the Early Voting Clerk for the election as indicated in the Contract. Early voting by personal appearance shall commence October 23, 2023, and shall continue until November 3, 2023. The early voting main location will be at the Tarrant County Elections Center, 2700 Premier Street, Fort Worth, Texas. Early voting shall take

place on the following days and times:

Date	Time
Monday, October 23 – Friday, October 27	8:00 a.m. – 5:00 p.m.
Saturday, October 28	7:00 a.m. – 7:00 p.m.
Sunday, October 29	10:00 a.m. – 4:00 p.m.
Monday, October 30 – Friday, November 3	7:00 a.m. – 7:00 p.m.

(b) Early Voting by Mail. The Elections Administrator shall be responsible for Early Voting applications and ballots. Applications for early voting by mail may be delivered to Clint Ludwig, Tarrant County Elections Administrator, 2700 Premier Street, Fort Worth, Texas 76111, not later than close of business on October 27, 2023. Early voting ballots shall be mailed to the Elections Administrator at the same address. The City Secretary is directed to forward applications and ballots received to the Elections Administrator as provided in the Contract.

SECTION 11. NOTICE

(a) Notice of Election. A substantial copy of this Ordinance shall serve as proper notice of the special election. Said notice, including a Spanish translation thereof, shall be posted not later than the twenty first (21st) day before the election on the bulletin board used for posting notices of meetings of the City Council and shall be published at least once, not earlier than the thirtieth (30th) day nor later than the tenth (10th) day before the election in a newspaper published and of general circulation in the City of White Settlement.

(b) Publication of Amendments. Additionally, in accordance with Section 9.004(c) of the Local Government Code, notice shall be published in a newspaper of general circulation in White Settlement on the same day, in each of two consecutive weeks, with the first publication occurring on or before the 14th day before election day. The notice shall contain a substantial copy of the proposed amendments to the Charter.

SECTION 12. AMENDMENTS

Matters contained in this Ordinance relating to discretionary procedural matters may be amended by resolution of the City Council.

SECTION 13. OTHER ACTION

The Mayor and City Secretary of the City, in consultation with the City Attorney, are hereby authorized and directed to take any and all action necessary to comply with provisions of the Texas Election Code or other state and federal statutes and constitutions in carrying out the conduct of the election, whether or not expressly authorized herein.

**SECTION 14.
CUMULATIVE CLAUSE**

This Ordinance shall be cumulative of all provisions of ordinances and resolutions of the City of White Settlement, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances and resolutions are hereby repealed.

**SECTION 15.
SEVERABILITY CLAUSE**

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 16.
EFFECTIVE DATE**

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

PASSED AND APPROVED ON THIS 8th DAY OF AUGUST, 2023.

Faron Young, MAYOR

ATTEST:

Amy Arnold, CITY SECRETARY

APPROVED AS TO FORM AND LEGALITY:

CITY ATTORNEY

EXHIBIT “A”

PROPOSED WHITE SETTLEMENT CHARTER AMENDMENTS

WHITE SETTLEMENT CHARTER CHART 2023

*This document contains only sections that are being amended. Any section that has no proposed revisions is not included.

CURRENT CHARTER LANGUAGE Blue Text = text in current charter but moved in proposed charter language for organizational purposes Strikethrough Text = Deleted from proposed charter	PROPOSED CHARTER LANGUAGE Red Text = changed or additional language Blue Text = text in current charter but moved for organizational purposes
ARTICLE I. – CORPORATE NAME¹	ARTICLE I. – INCORPORATION AND POWERS OF CITY
	Sec. 2. - Adoption of council-manager form of government. The City of White Settlement shall be governed by the city council-city manager form of government. (Moved from Article IV, Sec. 14)
ARTICLE II. – MUNICIPAL BOUNDARIES	
Sec. 1. – Municipal boundaries described. The boundaries of the City of White Settlement are hereby established and described as follows: [full metes and bounds listed] Reference: “(Ord No. 2278-05, 11-21-05)”	Sec. 3. – Municipal boundaries. The boundaries of the city are those previously established and as may be amended from time to time. The official map of the city shall be kept in the office of the city secretary, and shall be revised to reflect the city's boundaries each time the boundary of the city is changed.
Sec. 2. – Extension of boundaries. The city council shall have power by ordinance to fix the boundary limits of the City of White Settlement; and to provide for the alteration and the extension of said the corporate boundary limits and the annexation of additional territory lying adjacent to the city, with or without the consent of the territory and the inhabitants annexed, in accordance with law. Upon the introduction of any such ordinance in the city council, it shall be published in a newspaper of general circulation in the City of White Settlement, at least one time, and said ordinance shall not thereafter be finally acted upon until at least 30 days have elapsed after the first publication	Sec. 4. – Annexation and Disannexation The city council shall have power, by ordinance, to fix the boundary limits of the City of White Settlement, and to provide for the alteration and the extension of the corporate boundary limits and the annexation of additional territory to the city, with or without the consent of the territory and the inhabitants annexed, in accordance with law. Upon the final passage of any ordinance defining, extending, or reducing boundaries in its original or amended form, as the city council may determine, the boundary limits of the city shall thereafter be as fixed in such ordinance; and when any additional territory has been so annexed,

thereof. Upon the final passage of any such ordinance <u>defining, extending, or reducing boundaries</u> in its original or amended form, as the city council may determine, 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 White Settlement and the inhabitants shall be entitled to all the rights and privileges of all the other citizens, and shall be bound by the acts, ordinances, resolutions and regulations of said city.	same shall be a part of the City of White Settlement and the inhabitants shall be entitled to all the rights and privileges of all the other citizens, and shall be bound by the acts, ordinances, resolutions and regulations of said city. If the city council determines that any territory within the corporate boundaries of the city is not necessary or suitable for city purposes, and approves by resolution or ordinance the exchange or release of territory from the city, the disannexed territory shall cease to be a part of the city, but the disannexed territory shall remain liable for its pro rata share of any indebtedness incurred while the area was a part of the city and the city shall continue to levy, assess, and collect taxes on the property in the disannexed territory until such indebtedness has been paid, unless the city council determines that it is not necessary or advisable.
ARTICLE III. – CORPORATE POWERS	ARTICLE II. – CORPORATE POWERS
Sec. 1. – General. The City of White Settlement, 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. 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 White Settlement shall have, and may exercise, all powers of local self-government, and all powers granted to home rule municipalities under state law, 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. 1. – General. The City of White Settlement, 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. 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 White Settlement shall have, and may exercise, all powers of local self-government, and all powers granted to home rule municipalities under state law, 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. – Special provision for damage suits. Before the city shall be liable to damage claim or suit for personal injury 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 30 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 as accurately as possible, and giving the names and addresses of all witnesses upon whose testimony such person is relying to establish the injury or damage. No action at law for damages shall be brought against the city for personal injury or damage to property prior to the expiration of 60 days after the notice hereinbefore described has been filed with the mayor or the city secretary. The City of White Settlement will be required to act upon all claims within 60 days from receipt of the claim. After the expiration of the 60 days aforementioned, the complainant may then have two years in which to bring an action of law. (Moving to Article XIII, Section 10)	
Sec. 3. — Police department. The City of White Settlement shall have power by ordinance to establish and maintain a police department and to prescribe the duties of the members of said department, and regulate their conduct and fix their salaries. The head of the police department of said city shall be known and designated as "chief of police," and the other members thereof shall be known as "police officers."	
ARTICLE IV. – OFFICERS AND ELECTIONS	ARTICLE III. – CITY COUNCIL AND MAYOR
Sec. 1. – Governing body. The governing body and lawmaking body of the City of White Settlement shall consist of five councilmembers and a mayor, and said body shall be known as the "City Council of the City of White Settlement."	Sec. 1. – Governing body. The governing body and lawmaking body of the City of White Settlement shall consist of five councilmembers and a mayor, and said body shall be known as the "City Council of the City of White Settlement."
Sec. 2. – Elective officers. The members of the city council of the City of White Settlement, which includes the five councilmembers and a mayor, shall be the only elective officers of the city, and they shall be elected and hold office and be compensated as herein provided. Said councilmembers and mayor shall be elected from the city at large.	Sec. 2. – Elective officers. The members of the city council of the City of White Settlement, which includes the five councilmembers and a mayor, shall be the only elective officers of the city, and they shall be elected and hold office and be compensated as herein provided. Said councilmembers and mayor shall be

set out by state laws for municipal elections. 3.02. Qualifications. Each member of the city council shall be: (a) A resident of the City of White Settlement and the State of Texas and shall have been a resident for a period of not less than 12 months immediately preceding his election<u>the election date</u>; (b) A qualified voter of the State of Texas and Tarrant County; (c) Shall not be employed by the City of White Settlement; (d) Shall not hold another elective governmental office; (e) Shall be 18 years of age or older at the time of filing for a and/or assuming office; (f) Shall not have been determined to be mentally incompetent by a final judgment of a court; (g) Shall have not been finally convicted of a felony or misdemeanor offense involving moral turpitude from which the person had not been pardoned or otherwise released from the resulting disability. For purposes of this Home Rule Charter, a crime of moral turpitude shall mean a criminal offense involving fraud, deceit, dishonesty or a criminal offense that is inherently immoral. A member of the council ceasing to possess any of the qualifications specified in this section or any other section of the Charter, or convicted of a felony while in office, shall immediately forfeit the member's office. (Ord. No. 2278-05, 11-21-2005; Ord. No. 2435-12, § 1(att. A), 11-15-2012).	
Sec. 4. – Candidates—To run for places; places designated. Candidates for city council shall run for Place No. 1, Place No. 2, Place No. 3, Place No. 4, Place No. 5 or for mayor, as the case may be, and shall be voted on and elected accordingly. (Moved to Article III, Section 3)	Sec. 4. – <u>Terms for mayor and councilmembers</u> The regular election shall be held on the November Uniform Election Date, commencing November 2014. The mayor and each councilmember shall hold office for a three-year term, or until their successor is elected and duly qualified. The election of mayor and councilmembers shall be for terms as follows: (1) The Mayor and Place 1 shall be elected for a term of three (3) years at the November 2014 general election, and for three (3) <u>year terms thereafter.</u>

	(2) Place 2 and Place 3 shall be elected for a term of three (3) years at the November 2013 general election, and for three (3) year terms thereafter. (3) Place 4 and Place 5 shall be elected for a term of three (3) years at the November 2012 general election, and for three (3) year terms thereafter. (Note: Regular municipal elections were held in April each year; superseded by State law in 1988; providing for May elections with terms of office to begin in May. In 2011, H.B. 100 [see Texas Election Code § 41.0052] allowed for municipalities to adopt the November uniform election date with the passage of a resolution; and without the requirement of a Charter amendment election. White Settlement City Council unanimously adopted Resolution No. 987-11, selecting the November uniform election date as the municipality's regular municipal election date to begin in 2012.) (Moved from Article IV, Sec. 9)
Sec. 5. – Candidates—How elected. The candidates receiving a majority of all the votes cast for the office for which he or she is a candidate shall be elected to such office. In the event any candidate for either of said offices fails to receive a majority of all votes cast for all the candidates for such office at such election, the mayor of said city shall call for a runoff election to be held in said city. The runoff election shall be called to be held on the date agreed upon and established by the election contract with Tarrant County Elections and in accordance with state law and the election code. At said the runoff election the two candidates receiving the highest number of votes for any such office in the first election at which no one was elected by receiving a majority of all votes cast for all candidates for such office, shall again be voted for. The official ballot to be used at said runoff election shall be prepared by the city secretary and the name of no person shall appear thereon unless he was a candidate for the office designated at said first election. The two candidates receiving the first and second highest number of votes cast for such office at the first election shall have their names printed on said official ballot in the order of their standing in the computation of the votes cast. In the event any person who was a candidate at said first election and who shall be entitled to become a candidate at said runoff election request, in writing, his name not appear on the	Sec. 5. – Officers: oaths and bonds. All officers of the city, whether elective or appointive, shall qualify by taking the oath prescribed by the Constitution of this State and by executing such bond as may be required under the provisions of this Charter and the ordinances and resolutions of the city. (Moved from Article IV, Sec. 8)

ballot: the candidate standing next highest in computation of votes for such office shall have his name appear on the ballot at the runoff election. In the event of a tie in the vote for two leading candidates for any office at said first election, said office shall be filled at a runoff election as herein provided for, at which such candidates so tied in said first election may again become candidates. The candidates shall have their names printed on said official ballot in the order in which they were printed in the first election. In the event of a tie between the two candidates for any office at said second election, they shall cast lots to determine who shall be elected to such office. (Ord. No. 2015-2516 , § 1(att. A), 11-16-2015) (Moved to Article VIII, Section 2)	
Sec. 6. – Official canvass. The city council shall convene to conduct the local canvass of election results in compliance with state law requirements. (Moved to Article VIII, Section 3)	Sec. 6. – Duties of the mayor. The mayor of the City of White Settlement shall preside over the meetings of said city council and perform such other duties consistent with the office as may be imposed upon him 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. (Moved from Article IV, Sec. 13)
Sec. 7. – Date of election. The regular municipal elections of the City of White Settlement shall be held on dates specified by state law, and the same shall be conducted and the results canvassed and announced by the election authorities prescribed by the general election laws of the State of Texas, and said general election laws shall control in all municipal elections except as otherwise herein provided.	Sec. 7. – Mayor pro tem. The mayor pro tem shall be selected from among the members of the Council and shall perform all duties of the mayor in the mayor’s absence. The mayor pro tem must have at least one-year prior experience as a City of White Settlement Councilmember. If no sitting member has one year of prior experience as a City of White Settlement Councilmember, then any sitting member may be selected as the mayor pro tem. (Moved from Article IV, Sec. 11)

Sec. 8. – Officers: oaths and bonds. All officers of the city, whether elective or appointive, shall qualify by taking the oath prescribed by the Constitution of this State and by executing such bond as may be required under the provisions of this Charter and the ordinances and resolutions of the city. (Moved to Article III, Section 5)	Sec. 8. – Compensation of mayor and councilmembers. The city council may allow the mayor a salary, but the amount of such salary, including payment for meetings attended, shall in no event be more than one hundred and fifty dollars (\$150.00) per month. The city council may allow each councilmember the sum of twenty-five dollars (\$25.00) for each regular and special meeting of the city council actually attended by him or her, provided that no councilmember shall be allowed a greater compensation than one hundred and fifty dollars (\$150.00) per month.
Sec. 9. – Terms for mayor and councilmembers. Regular municipal elections were held in April each year; superseded by state law in 1988; providing for May elections with terms of office to begin in May. In 2011, H.B. 100 [see Texas Election Code § 41.0052] allowed for municipalities to adopt the November uniform election date with the passage of a resolution; and without the requirement of a charter amendment election. White Settlement City Council unanimously adopted Resolution No. 987-11 selecting the November uniform election date as the municipality's regular municipal election date to begin in 2012; making terms of office begin in November as listed below: At the regular municipal election held in November of 2014, a mayor and a councilmember for Place 1 were elected for a term of three years and in November of every third year thereafter shall be elected for a term of three years. At the regular municipal election held in November of 2013, a councilmember for Place 2 and a councilmember for Place 3 were elected for a term of three years and in November of every third year thereafter shall be elected for a term of three years. At the regular municipal election held in November of 2012, a councilmember for Place 4 and a councilmember for Place 5 were elected for a term of three years and in November of every third year thereafter shall be elected for a term of three years. (Ord. No. 2015-2516 , § 1(att. A), 11-16-2015).	

(Moved to Article III, Section 4)	
Sec. 10. – Vacancies; forfeiture of office. The office of a councilmember shall become vacant upon his death, written resignation submitted to the City Secretary, removal from office by recall, expulsion or forfeiture of his office. A councilmember shall forfeit his office if he: (1) Lacks at any time during his term of office any qualifications for the office prescribed by this Charter or by law; (2) Willfully violates any express prohibition of this Charter; (3) Is convicted of a felony or crime involving moral turpitude; or (4) Fails to attend any three consecutive regularly scheduled meetings of the city council without being excused only for reasons of personal emergency, incapacitation, or personal vacation. A notification of intent to be absent for reason of personal vacation shall be provided in writing to the city secretary prior to the meeting at which the councilmember will not be in attendance. Excusal, recall, expulsion, or forfeiture proceedings shall be initiated at the next regularly scheduled meeting of the city council following the absences, a recall election, or the act constituting the basis for expulsion or forfeiture, if established and proven beyond a reasonable doubt, and shall be approved by a majority vote of the remaining members of the city council in open session, who shall then immediately begin proceedings, if necessary, for election of a successor. For purposes of this section, determination of what shall constitute a sufficient "personal emergency" shall be in the discretion of the remaining members of the city council by majority vote in open session. The remaining members shall call for a special election within 120 days after the vacancy or vacancies occur in order that such vacancy or vacancies can be filled by majority vote of the qualified voters.	Sec. 9. – Vacancies; forfeiture of office. A. The office of a councilmember shall become vacant upon their death, written resignation submitted to the city secretary, removal from office by recall, expulsion, or forfeiture of their office. B. A councilmember shall forfeit their office if he/she: (1) Lacks at any time during their term of office any qualifications for the office prescribed by this Charter or by law; (2) Willfully violates any express prohibition of this Charter; (3) Is convicted of a felony or crime involving moral turpitude; or (4) Fails to attend any three consecutive regularly scheduled meetings of the city council without being excused only for reasons of personal emergency, incapacitation, or personal vacation. A notification of intent to be absent for reason of personal vacation shall be provided in writing to the city secretary prior to the meeting at which the councilmember will not be in attendance. Excusal, recall, expulsion, or forfeiture proceedings shall be initiated at the next regularly scheduled meeting of the city council following the absences, a recall election, or the act constituting the basis for expulsion or forfeiture, if established and proven beyond a reasonable doubt, and shall be approved by a majority vote of the remaining members of the city council in open session, who shall then immediately begin proceedings, if necessary, for election of a successor. (5) For purposes of this section, determination of what shall constitute a sufficient "personal emergency" shall be at the discretion of the remaining members of the city council by majority vote in open session. The city council shall be the sole judge of all elections and of qualifications of its members and for such purposes shall have the power to subpoena witnesses and require the production of records. In the event a vacancy from any cause in the office of mayor or

The city council shall be the sole judge of all elections and of qualifications of its members and for such purposes shall have the power to subpoena witnesses and require the production of records. (Ord. No. 2435-12, § 1(att. A), 11-15-2012).	councilmember with three-year terms, and an unexpired term greater than four (4) months, the city council shall order a special election called for the purpose of filling the vacancy within one hundred and twenty (120) days after such vacancy or vacancies. However, if a vacancy occurs in the office of mayor or councilmember with an unexpired term of four (4) months or less, the city council may call a special election to fill the vacancy or may appoint a person to fill such vacancy until the expiration of the office to be filled, if permitted by the Texas Constitution. Such appointment shall require an affirmative vote of 75% of the full council.
Sec. 11. – Mayor pro tem. The mayor pro tem shall be selected from among the members of the council and shall perform all duties of the mayor in his absence. The mayor pro tem must have at least one year prior experience as a City of White Settlement Councilmember. (Ord. No. 2435-12, § 1(att. A), 11-15-2012). (Moved to Article III, Section 7)	
Sec. 12. – Compensation of mayor and councilmembers. The city council may allow the mayor a salary, but the amount of such salary shall in no event be more than \$150.00 per month. The city council may allow each councilmember the sum of \$25.00 for each meeting actually attended by him or her, or when they are in an official capacity representing the city at the time of the meeting, provided that no councilmember shall be allowed a greater compensation than one hundred \$150.00 per month. (Moved to Article III, Section 8)	
Sec. 13. – Duties of the mayor. The Mayor of the City of White Settlement shall preside over the meetings of said city council and perform such other duties consistent with the office as may be imposed upon him 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. (Moved to Article III, Section 6)	
	ARTICLE V. – RESPONSIBILITIES OF THE CITY COUNCIL
Sec. 14. – Adoption of council-manager form of government and allocation of responsibilities and duties thereunder. The City of White Settlement shall be governed by the city council-city manager form of government, and the respective areas of responsibility shall be as follows: A. <i>Selection of city manager.</i> The city manager shall be appointed by the city council at a rate of compensation fixed by the city council. Such selection shall be based upon executive and administrative training, experience, and ability. No member of the city council shall be eligible to serve as city manager for a period of two years after having been a city councilmember. B. <i>Duties, responsibilities, and authority of the city manager.</i> The city manager shall be the chief executive officer and the head of the administrative branch of the city government. The city manager shall be responsible to the city council for the proper administration of the affairs of the city under the city manager's supervision and to that end, shall have the power to: (1) Appoint and remove all the heads of each department except city secretary, city attorney, municipal court judge, and city auditors; (2) Appoint and, when necessary for the good of the city, remove all other employees of the city except as otherwise provided by this Charter and except as the city manager may authorize the head of a department or office to appoint and remove subordinates in such department or office; (3) Prepare the annual budget, present it to the city council and be responsible for its administration after adoption; (4) Prepare and submit to the city council, at the end of the fiscal year, a complete report of the finances and administrative activities of the city for the preceding year;	Sec. 1. – Duties of the City Council. The city council shall have all powers enumerated by this Charter and granted to Home Rule Cities and General Law Cities by the Constitution and the laws of the State of Texas as well as those powers that may be reasonably implied therefrom or that may hereinafter be granted to municipalities by the Constitution or the laws of the State of Texas, save and except those powers which by this Charter are expressly vested elsewhere. Neither the city council nor any of its members shall direct the appointment of any person to office by the city manager or by any of his subordinates. Except for the purpose of inquiry, the city council and its members shall deal with the administrative services solely through the city manager and neither the city council nor any member thereof shall give orders to any subordinate of the city manager, either publicly or privately, save and except those positions specifically enumerated in the next preceding paragraph. The city council shall have the power, right and authority to employ, terminate and set the compensation for: (1) The city manager; (2) The city secretary; (3) The city attorney; (4) The municipal court judge; (5) The city auditor or the person, firm, or corporation employed to conduct periodic audits of the city's financial position and related transactions; and (6) One or more city prosecutors.

(5) Keep the council advised of the financial condition and future needs of the city and make such recommendations to the council as may seem to the city manager desirable; (6) Enforce the performance of contracts and franchises to which the city is a party and supervise the administration and implementation of capital improvement programs; (7) Perform such other duties as may be prescribed by this Charter or required of the city manager by the council not inconsistent with this Charter or other provisions of state law. (Moved to Article V, Sections 1 and 2) <i>C. Duties of the city council.</i> The city council shall have all powers enumerated by this Charter and granted to Home Rule Cities and General Law Cities by the Constitution and the laws of the State of Texas as well as those powers that may be reasonably implied therefrom or that may hereinafter be granted to municipalities by the Constitution or the laws of the State of Texas, save and except those powers which by this Charter are expressly vested elsewhere. Neither the city council nor any of its members shall direct the appointment of any person to office by the city manager or by any of his subordinates. Except for the purpose of inquiry, the city council and its members shall deal with the administrative services solely through the city manager and neither the city council nor any member thereof shall give orders to any subordinate of the city manager, either publicly or privately, save and except those positions specifically enumerated in the next preceding paragraph. The city council shall have the power, right and authority to employ, terminate and set the compensation for: (1) The city manager; (2) The city secretary; (3) The city attorney; (4) The municipal court judge; and (5) The city auditor or the person, firm or corporation employed to conduct periodic audits of the city's financial position and related transactions; {and} (6) One or more city prosecutors.	The city manager and the city secretary may be dismissed only after a written notification, including specific charges, if any, is provided to the party whose dismissal is sought. Such charges shall be presented at least ten days prior to the effective date. A public hearing, if requested by the affected party, shall be held not less than ten days after the written notification is presented to the affected party. Actual dismissal shall be at a regularly scheduled city council meeting. (Ord. No. 2278-05, 11-21-2005).
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The city manager and the city secretary may be dismissed only after a written notification, including specific charges, if any, is provided to the party whose dismissal is sought. Such charges shall be presented at least ten days prior to the effective date. A public hearing, if requested by the affected party, shall be held not less than ten days after the written notification is presented to the affected party. Actual dismissal shall be at a regularly scheduled city council meeting. (Ord. No. 2278-05, 11-21-2005).	
Sec. 15. – Meetings of the city council. The city council shall hold one regular meeting per month and so many special meetings as the council may deem necessary. (Ord. No. 2435-12, § 1(att. A), 11-15-2012).	Sec. 2. – Meetings of the city council. The city council shall hold one regular meeting per month and as many special meetings as the council may deem necessary. (Ord. No. 2435-12, § 1(att. A), 11-15-2012).
Sec. 16. – Enactment of ordinances. Each proposed ordinance or resolution shall be introduced in written or printed form, and the enacting clause of all ordinances shall be, "BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT," but such enacting clause may be omitted when the ordinances of the city are codified and published in book or pamphlet form by the City of White Settlement. No ordinance, unless it be declared an emergency measure, shall ever be passed at a called meeting, but may be passed at any regular meeting of the council unless otherwise provided. All resolutions or orders may be passed at any regular meeting or may be passed at any special or called meeting called for that purpose.	Sec. 3. – Enactment of Ordinances. Each proposed ordinance or resolution shall be introduced in written or printed form, and the enacting clause of all ordinances shall be, "BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT," but such enacting clause may be omitted when the ordinances of the city are codified and published in book or pamphlet form by the City of White Settlement. All ordinances, resolutions, or orders may be passed at any regular meeting, or may be passed at any special or called meeting called for that purpose, provided notice has been given in accordance with the Texas Open Meetings Act.
Sec. 17. – Reserved.	Sec. 4. – Publication of Ordinances. A. All ordinances and resolutions, unless otherwise provided by State law, this Charter, or the ordinance itself shall be effective on the passage or adoption by the required majority of the council. Every ordinance, resolution, or

	motion shall require on final passage the affirmative vote of a majority of a quorum of the council, unless more is required by State law or this Charter. B. The descriptive caption or title of an ordinance that imposes a penalty, fine, or forfeiture, and the penalty for violating the ordinance, shall be published at least once in the official newspaper of the city, or by any other means permitted by State law. C. All ordinances and resolutions may be admitted and received in all courts, subject to the rules of evidence and laws of jurisdictions where proof of such ordinances and resolutions are tendered, without further proof. (Moved from Article IV, Sec. 19)
Sec. 18. – Ordinances now in effect. All ordinances of the City of White Settlement 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. (Moved to Article XIII, Section 7)	Sec. 5. – Boards and Commissions. A. <i>Creation.</i> The city council may create, establish, or appoint, as may be required by the laws of the State of Texas or this Charter, or deemed desirable by council, such boards, commissions, and committees as it deems necessary to carry out the functions and obligations of the city. The city council shall, by ordinance or resolution, prescribe the purpose, composition, function, duties, accountability, and tenure of each board, commission, and committee where such are not prescribed by law or this Charter. B. <i>Appointment of Members of Boards.</i> The members of all boards, commissions, or committees created by the council shall be appointed by the city council and shall be residents of the city.
Sec. 19. – Publication of ordinances. The descriptive caption or title, stating in summary the purpose of each ordinance imposing any penalty, fine or forfeiture, and stating the penalty for violation of such ordinance, shall be published in every issue of the official newspaper of the city for ten days, if the city shall designate as its official paper a daily newspaper. If the official paper be published weekly or semi-weekly, the publication shall be made in one issue thereof. Ordinances published by the city in pamphlet or book	

form need not be republished, if the same have been previously published; all such ordinances, where printed and published by authority of the city council, shall be admitted and received in all courts without further proof. (Moved to Article IV, Section 4)	
	ARTICLE V. – CITY ADMINISTRATION
	Sec. 1. – City Manager. A. <i>Selection of city manager.</i> The city manager shall be appointed by the city council at a rate of compensation fixed by the city council. Such selection shall be based upon executive and administrative training, experience, and ability. No member of the city council shall be eligible to serve as city manager for a period of two years after having been a city councilmember. B. <i>Duties, responsibilities, and authority of the city manager.</i> The city manager shall be the chief executive officer and the head of the administrative branch of the city government. The city manager shall be responsible to the city council for the proper administration of the affairs of the city under the city manager's supervision and to that end. The city manager's authority shall include, but not be limited to: (1) Appoint and remove all the heads of each department except city secretary, city attorney, municipal court judge, and city auditors; (2) Appoint and, when necessary for the good of the city, remove all other employees of the city except as otherwise provided by this Charter and except as the city manager may authorize the head of a department or office to appoint and remove subordinates in such department or office; (3) Prepare the annual budget, present it to the city council and be responsible for its administration after adoption; (4) Prepare and submit to the city council, at the end of the fiscal year, a complete report of the finances and administrative activities of the city for the preceding year;

	(5) Keep the council advised of the financial condition and future needs of the city and make such recommendations to the council as may seem to the city manager desirable; (6) Enforce the performance of contracts and franchises to which the city is a party and supervise the administration and implementation of capital improvement programs; (7) Perform such other duties as may be prescribed by this Charter or required of the city manager by the council not inconsistent with this Charter or other provisions of state law. (Moved from Article IV, Sec. 14)
Sec. 20. – City secretary and city treasurer. The city council shall appoint a city secretary who shall also be city treasurer. The city secretary-treasurer shall be a qualified voter residing in the city for at least one year preceding his/her appointment. The city secretary-treasurer shall receive compensation as the city council may fix. The city secretary-treasurer shall perform such duties as are assigned by the city council or required by the laws of the State of Texas.	Sec. 2. – City secretary. The city council shall appoint a city secretary who shall also be city treasurer. The city secretary shall be a qualified voter residing in the city for at least one year preceding their appointment. The city secretary shall receive compensation as the city council may fix. The city secretary shall perform such duties as are assigned by the city council or required by the laws of the State of Texas.
	ARTICLE VI. – MUNICIPAL COURT
Sec. 21. Municipal court. A. There shall be a municipal court of the city, which shall have such jurisdiction, powers and duties as are prescribed by this Charter, by ordinance of this city, and by the laws and Constitution of the State of Texas. The jurisdiction of the court shall be both criminal and civil as set out by law. B. The city council may, if it chooses, and if so allowed by law, establish a municipal court of record, to have and exercise all powers of a municipal court. C. The judge of the municipal court shall be appointed by the city council. The person appointed judge shall have such qualifications as may be imposed by law for the municipal court judge. The judge shall hold office at the pleasure of the council. The council may appoint one or more substitute persons to act as judge if the judge is absent or unable or unwilling to act for any reason. D. There shall be a clerk of the municipal court appointed by the city manager to	Sec. 1. - Municipal court. There shall be a municipal court of the city, which shall have such jurisdiction, powers and duties as are prescribed by this Charter, by ordinance of this city, and by the laws and Constitution of the State of Texas. The jurisdiction of the court shall be both criminal and civil as set out by law.

be designated as the court clerk. The court clerk and any deputies shall have the power to administer oaths and affidavits, make certificates, affix the seal of the court, and generally do and perform any and all acts usually and necessarily performed by clerks and deputies of courts and as are assigned and required by law. The court clerk may hold other positions of city employment concurrent with, but secondary to and not in conflict with, the position of court clerk. (Moved to Article VI, Sections 3, 4, and 7)	
Sec. 22. – Municipal court – State laws controlling. All complaints, prosecutions, 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 state laws applicable to municipal courts.	Sec. 2. – Municipal court: State laws controlling. All complaints, prosecutions, 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 state laws applicable to municipal courts.
	Sec. 3. - Court of Record. The City Council may, if it chooses, and if so allowed by law, establish a municipal court of record, to have and exercise all powers of a municipal court. (Moved from Article IV, Sec. 21.B.)
	Sec. 4. - Municipal Court Judge Appointment. The city council shall appoint a municipal court judge as judge of the municipal court. The judge shall be a competent and duly licensed attorney practicing law in the State of Texas. The city council may also appoint one or more associate city judges, who shall be competent and duly licensed attorney(s) practicing law in the State of Texas, to serve when the municipal court judge fails to act for any reason. The municipal court judge and associate municipal court judge(s) shall serve for terms of two (2) years or until their successors have been qualified. (Moved from Article IV, Sec. 21.C.)

	Sec. 5. - Removal. The municipal court judge and associate judge(s) shall serve at the will of the council and may be removed after receiving notice and an opportunity for a hearing before the council.
	Sec. 6. - Compensation. The city council shall determine the compensation of the judges, who shall not be paid on a commission basis.
	Sec. 7. - Court Clerk. There shall be a clerk of the municipal court appointed by the city manager to be designated as the court clerk. The court clerk and any deputies shall have the power to administer oaths and affidavits, make certificates, affix the seal of the court, and generally do and perform any and all acts usually and necessarily performed by clerks and deputies of courts and as are assigned and required by law. The court clerk may hold other positions of city employment concurrent with, but secondary to and not in conflict with, the position of court clerk. (Moved from Art. 4, Sec. 21.D.)
Sec. 23. Municipal court Appeals. Appeals from conviction in the municipal court shall be to the County Criminal Court of Tarrant County, Texas, or to such courts as may be given criminal jurisdiction under the Constitution and laws of this State. Such appeal shall be governed by the same rules of practice and procedure as are provided by law in cases of appeal from the justice court, as far as the rules are applicable.	
	ARTICLE VII. – CITY ATTORNEY
	Sec. 1. - City Attorney. A. The council shall appoint by the affirmative vote of a majority of the full membership of the council, a competent, duly qualified, licensed and practicing attorney in the State of Texas, to be an attorney for the city, hereinafter referred to as the "City Attorney."

	B. The City Attorney shall: (1) Serve as the legal advisor to council and the city manager; (2) Represent the city in litigation and legal proceedings as directed by the council and city manager; (3) Review and provide opinions as requested by council or the city manager on contracts, legal instruments, and ordinances of the city; and (4) Perform other duties prescribed by this Charter, by ordinance, or as directed by the council. C. The council may contract with an attorney or with a firm of attorneys who may designate one (1) member of said firm, with council approval, to serve as city attorney. D. Compensation shall be fixed by contract with approval of council or by appointment subject to the approval of council. E. The council shall have the right to retain special counsel at any time that it may deem necessary and appropriate. F. The city attorney serves at the pleasure of the council and may be removed by the affirmative vote of a majority of the full membership of council.
	Sec. 2. - City Prosecutor. All cases in the Municipal Court shall be prosecuted by the city attorney, or such designated prosecutor as the council may authorize.
	ARTICLE VIII. – ELECTIONS
	Sec. 1. – Elections. A. All city elections shall be conducted in accordance with the requirements of the Texas Election Code.

	B. The regular city election shall be held annually on the first Tuesday in November, unless specifically prescribed by State law. The council shall fix the hours and place for holding elections. C. The council may, by ordinance or resolution, call special elections as are authorized by State law, this Charter, or for any other reason the council deems necessary, and shall fix the time and place of holding same, and provide all means for holding special elections in accordance with State law. D. All general and special elections shall be held in accordance with the laws of the State of Texas that regulate the holding of municipal elections and in accordance with this Charter and ordinances or resolutions adopted by the council for the conduct of elections. The council shall appoint the election judges and shall provide for the compensation of all election officials in the city elections and for all other expenses in holding the elections. Sample ballots identical to the voting format for the specific election shall be posted in the voting place for the benefit of the voter. E. All duly qualified electors under the laws of the State of Texas, who are residents of the city, shall be qualified to vote in any city election.
	Sec. 2. – Candidates: How elected. The candidate receiving a majority of all the votes cast for the office for which they are a candidate shall be elected to such office. In the event any candidate for either of said offices fails to receive a majority of all votes cast for all the candidates for such office at such election, the mayor shall call for a runoff election to be held. The runoff election shall be called to be held on the date agreed upon and in accordance with State law and the Texas Election Code. At the runoff election, the two candidates receiving the highest number of votes for any such office in the first election at which no one was elected by receiving a majority of all votes cast for all candidates for such office, shall again be voted for. In the event of a tie in the vote for two leading candidates for any office at said first election, said office shall be filled at a runoff election as herein provided for, at which such candidates so tied in said first election may again become candidates. The candidates shall have their names printed on said official ballot

	in the order in which they were printed in the first election. In the event of a tie between the two candidates for any office at said second election, they shall cast lots to determine who shall be elected to such office. (Ord. No. 2015-2516, § 1(att. A), 11-16-2015) (Moved from Art. IV, Sec. 5)
	Sec. 3. – Official canvass. The city council shall convene to conduct the local canvass of election results in compliance with state law requirements. (Moved from Article IV, Sec. 6)
	ARTICLE IX. – INITIATIVE, REFERENDUM, AND RECALL
	Sec. 1. – Initiative and Referendum A. <i>Initiative:</i> The qualified voters of the city shall have power to propose ordinances to the council and if the council fails to adopt an ordinance so proposed without any change in substance, or to adopt or reject it at a city election, provided that such power shall not extend to the budget or capital program or any ordinance relating to zoning, appropriation of money, levy of taxes, issuance of bonds and notes, borrowing of money, salaries or duties of city officers or employees, matters related to administration of municipal employees, annexation, municipal boundary adjustments, or in any instance where a court of proper jurisdiction determines that the initiated ordinance has been removed from the field of initiative. Such initiative power may be used to enact a new ordinance, or to repeal or amend sections of any existing ordinances. B. <i>Referendum:</i> The qualified voters of the city shall have power to require reconsideration by the council of any adopted ordinance, and if the council fails to repeal an ordinance so reconsidered, to approve or reject it at a city election provided that such power shall not extend to the budget or capital program or any ordinance relating to zoning, appropriation of money, levy of taxes, issuance of bonds and notes, borrowing of money, salaries or duties of city officers or employees, matters related to administration of

	municipal employees, annexation, municipal boundary adjustments, or in any instance where a court of proper jurisdiction determines that the referred ordinance has been removed from the field of referendum. <i>C. Commencement and Proceedings for Initiative and Referendum:</i> 1. Any ten (10) qualified voters may commence initiative or referendum proceedings by filing with the city secretary an affidavit stating they will constitute the Petitioners' Committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance or citing the ordinance sought to be reconsidered. The Petitioners' Committee shall designate one contact person for communications with the city and to receive all notices. 2. Promptly after the affidavit of the Petitioners' Committee is filed, the city secretary shall verify that the applicants are qualified voters and, if they are, shall issue the appropriate petition blanks to the Petitioners' Committee. <i>D. Petitions for Initiative and Referendum:</i> 1. <i>Number of Signatures:</i> Initiative and referendum petitions must be signed by qualified voters of the city equal in number to at least fifteen (15) percent of the qualified voters of the city, or fifty-one percent (51%) of the number of qualified votes cast at the most recent regular municipal election, whichever is greater. 2. <i>Form and Content:</i> All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. The form and contents of a petition shall meet the requirements of the Texas Election Code. Petitions shall contain, or have attached thereto throughout their circulation, the full text of the ordinance proposed or sought to be reconsidered. 3. <i>Time for Filing Petitions:</i> Initiative and Referendum petitions must be filed within sixty (60) days after issuance of the appropriate petition blanks to the Petitioners' Committee. All petitions shall be filed with the city secretary. 4. <i>Referendum Petitions:</i> Referendum petitions must be filed with the city secretary within 60 days after the final passage of the ordinance that is the subject of the referendum, or the petition shall
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	be barred by the lapse of time. When such petition has been certified as sufficient by the city secretary, the ordinance specified in the petition shall not go into effect, or if it has gone into effect, then further enforcement of action thereunder shall be suspended unless and until such ordinance is approved by the voters as herein provided. <i>E. Procedure After Filing Petition for Initiative or Referendum:</i> 1. <i>Review by City Secretary.</i> Upon the filing of a petition for initiative or referendum, the city secretary shall review the petition to determine the existence of the requisite number of signatures of qualified voters and whether the form of the petition complies with the provisions of this Charter. The city secretary shall also review the petition to determine the genuineness of the signatures. 2. <i>Certificate of City Secretary.</i> Within ten (10) days after the petition is filed, the city secretary shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars wherein it is defective and shall promptly send a copy of the certificate to the Petitioners' Committee by registered mail. 3. <i>Amendment by Petitioner.</i> A petition certified insufficient for lack of the required number of valid signatures or due to inadequate form or content may be amended once if the Petitioners' Committee files a notice of intention to amend it with the city secretary within five (5) days after receiving the copy of this certificate and files a supplementary petition with additional papers within ten (10) days after receiving the copy of such certificate. Such supplementary petition shall comply with the requirements of subsection D. above, and within five (5) days after it is filed the city secretary shall complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of such certificate to the Petitioners' Committee by registered mail as in the case of an original petition. 4. <i>Submission to City Council.</i> If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient and the Petitioners' Committee does not elect to amend as provided in subsection C within the time required, the city secretary shall promptly present this certificate to the council and the certificate shall then be a final determination as to the sufficiency of the petition.
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	<i>F. Action on Initiative or Referendum Petitions:</i> 1. <i>Action by Council:</i> When an initiative or referendum petition has been finally determined sufficient, the council shall promptly consider the proposed initiative ordinance in the manner prescribed for enacting ordinances or reconsider the referred ordinance by voting its repeal. If the council fails to adopt a proposed initiative ordinance without any change in substance within ninety (90) days, or fails to repeal the referred ordinance within sixty (60) days after the date the petition was finally determined sufficient, it shall submit the proposed or referred ordinance to the voters of the city. 2. <i>Submission to Voters:</i> The vote of the city on a proposed or referred ordinance shall be held on the next election date authorized by the Texas Election Code that allows sufficient time for compliance with the requirements of the Texas Election Code regarding deadlines to call elections. Copies of the proposed or referred ordinance shall be made available at the polls and shall be published at least once in the official newspaper of the city, or by other means permitted by State law, and on the city's website no later than fifteen (15) days before the date of the election. 3. <i>Withdrawal Signatures:</i> No signature shall be withdrawn from any petition after such petition has been filed with the city secretary. <i>G. Form of Ballots:</i> The ballots used when voting upon such proposed and referred ordinance, 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” or “Against the Ordinance” or “For the Resolution” or “Against the Resolution” <i>H. Results of Election for Initiative or Referendum:</i>
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	1. <i>Initiative</i>: If a majority of the qualified electors voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances of the same kind adopted by the council. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict. 2. <i>Referendum</i>: If a majority of the qualified electors voting on a referendum ordinance vote in favor of repealing it, it shall be considered repealed upon certification of the election results. I. <i>Limitation on Initiative and Referendum</i>: The same initiative or referendum petition shall be prohibited to be filed within one (1) year of the city secretary's certification of the previous petition.
	Sec. 2. – Recall. A. <i>Recall</i>. The voters of the city shall have the power to recall any elected officer of the city on the grounds of incompetency, misconduct, or malfeasance in office. B. <i>Petitions for Recall</i>. Before the question of recall of such officer shall be submitted to the qualified voters of the city, a petition demanding such question shall first be filed with the city secretary, which shall be signed by at least thirty percent (30%) of the qualified voters of the City of White Settlement, Texas, or fifty one percent (51%) of the number of qualified votes cast at the most recent regular municipal election, whichever is greater. C. <i>Form of Recall Petition</i>. The recall petition mentioned above must be addressed to the city council of the City of White Settlement, must distinctly and specifically set forth the ground(s) upon which such petition for removal is predicated, and, if there be more than one (1) ground, such as for incompetency, misconduct, or malfeasance in office, shall specifically state each ground with such certainty as to give the office sought to be removed notice of the matters and things with which they are charged. Each signer of such recall petition shall provide all requisite

	information as required by the Texas Election Code, as amended, and this Charter. 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 it purports to be. Sworn and subscribed before me this _____ day of _____, 20____. Notary Public in and for the State of Texas.” D. <i>Various Papers Constituting Petition.</i> The petition may consist of one (1) or more copies, or subscription lists, circulated separately, and the signatures thereon may be upon the paper or papers containing the form of petition or upon other papers attached thereto. Verifications provided for in this section may be made by one (1) or more petitioners; and the several parts of copies of the petition may be filed separately and by different persons, but no signatures to such petition shall remain effective or be counted that were placed thereon more than 180 days prior to the filing of such petition or petitions with the person performing the duties of city secretary on the same day, and the said secretary shall immediately notify, in writing, the officer sought to be removed, by mailing such notice to their city address. E. <i>Presentation of Petition to City Council.</i> Within thirty (30) 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. F. <i>Public Hearing to be Held.</i> The officer whose removal is sought may, within ten (10) business days after such recall petition has been presented to the city council, request that a public hearing be held to permit the
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	officer to present the facts pertinent to the charges specified in the recall petition. In this event, the council shall order such public hearing to be held not less than five (5) days nor more than thirty (30) days after receiving such request for a public hearing. G. <i>Calling of Recall Election.</i> If an officer whose removal is sought does not resign, then it shall become the duty of the council to order an election to be held on the first uniform election date that permits the compliance with the requirements of law. H. <i>Ballots in Recall Election.</i> 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 below each such question there shall be printed the following words, one above the other, in the order indicated: “YES” “NO” I. <i>Results of Recall Election.</i> If the majority of the legal votes cast at a recall election be for the recall of the officer named on the ballot, the council shall immediately declare such office vacant and such vacancy shall be filled in accordance with the provisions of this Charter. An officer thus removed shall not be eligible to hold office again in the city within a period of four (4) years from the date of such officer's recall. J. <i>Limitation on Recall.</i> No recall petition shall be filed against an officer within six (6) months after taking office nor within twelve (12) months after election for such officer's recall. Nothing herein shall prevent impeachment of an officer of the city nor removal for other cause as provided herein. (Moved from Article VII)
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ARTICLE V. – TAXATION	ARTICLE X. - TAXATION
Sec. 1. – Tax levy. The city council shall have the power under the provisions of state law to levy, assess and collect an annual tax upon taxable property within the city, the tax not to exceed a total of \$1.50 on the \$100.00 assessed valuation of said property. If for any cause the city council shall fail, neglect or refuse to pass a tax ordinance for any one year, levying taxes for that year, then and in that event, the tax levying ordinance last passed shall and will be considered in force and effect as the tax levying ordinance for the year for which the city council failed, neglected or refused to pass such ordinance, and the failure so to pass such ordinance for any year shall in no wise invalidate the tax collections for that year.	Sec. 1. – Tax levy. The city council shall have the power under the provisions of State law to levy, assess and collect an annual tax upon taxable property within the city, the tax not to exceed a total of \$1.50 on the \$100.00 assessed valuation of said property. The adoption of a tax rate and imposition of a tax levy shall comply with the requirements of State law.
	ARTICLE XI. – MUNICIPAL FINANCE
	Sec. 1. - Fiscal Year. The fiscal year of the city shall begin on the first day of October and end on the last day of September. Such fiscal year shall also constitute the budget and accounting year.
	Sec. 2. - Submission of Budget. The city manager shall, not less than sixty (60) days prior to the close of the fiscal year, prepare and submit to the council a proposed budget for the ensuing fiscal year and an accompanying message.
	Sec. 3. – Budget. A. <i>Budget Message:</i> A budget message explaining the budget both in fiscal terms and in terms of the work programs shall be submitted with the budget. It shall outline the proposed financial policies of the city for the ensuing fiscal year and the impact of those policies on future years. It shall describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the city's debt

	position, including factors affecting the ability to raise resources through debt issues; and include such other material as the city manager deems desirable. B. <i>Operating Budget.</i> The operating budget shall provide a complete financial plan of all city funds and activities and, except as required by law or this Charter, shall be in such form as the city manager deems desirable or the council may require. The budget message shall explain the budget in fiscal terms and in terms of work programs for the ensuing fiscal year. It shall outline the proposed financial policies of the city, and shall include such other materials, as the city manager deems necessary. The authorized expenditures outlined in the operating budget may not exceed an amount greater than the total of estimated income plus funds available to the city from any source. The budget shall contain information as may be required by State law, the council or as deemed appropriate by the city manager.
	Sec. 4. - Public Notice and Hearing. The council shall cause notice to be published as required by State law prior to any required public hearing on the budget. The notice must state the time and place where copies of the message and budget are available for inspection by the public, and the time and place of any public hearing on the budget.
	Sec. 5. - Amendment before Adoption. The council may adopt the budget with or without amendment at a regular or special meeting. In amending the budget, it may add or increase any programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than the total of estimated income plus funds available from prior years.
	Sec. 6. – Adoption. The council, by majority vote of the entire membership, shall adopt the budget. Adoption of the budget shall constitute appropriations of the amount specified therein as expenditures from the fund indicated, and shall constitute a levy of

	the property tax therein proposed.
	Sec. 7. - Defect Shall Not Invalidate Tax Levy. Errors or defects in the form or preparation of the budget or the failure to perform any procedural requirements shall not nullify the tax levy or the tax rate.
	Sec. 8. - Lapse of Appropriations. Every appropriation, except an appropriation for a capital expenditure, shall lapse at the close of the fiscal year to the extent that it has not been expended or encumbered. An appropriation for a capital expenditure shall continue in force until the purpose for which it was made has been accomplished or abandoned. The purpose of any such appropriation shall be deemed abandoned if three (3) years pass without any disbursement from or encumbrance of the appropriation. Any funds not expended, disbursed or encumbered shall be deemed excess funds.
	Sec. 9. - Failure to Adopt a Budget. If the council fails to adopt the budget in accordance with State law, the amounts appropriated for the prior fiscal year just completed shall be deemed adopted for the ensuing fiscal year on a month-to-month basis with all items in it pro-rated accordingly until such time as the council adopts a budget for the ensuing fiscal year.
	Sec. 10. - Public Records. Copies of the approved budget shall be filed with the city secretary and shall be public record available to the public for inspection upon request.
	Sec. 11. - Specified Reserve Fund. Specified reserve funds may be created for specific purposes, and may be used only for such purposes.
	Sec. 12. – Transfers.

	A. During the fiscal year, the council shall have the power to transfer funds allocated by the budget to one activity, function, or department to another activity, function, or department, and to re-estimate revenues and expenditures. B. During the fiscal year, the city manager may transfer funds between programs or general classifications of expenditures within an office, department, agency, or organizational unit.
	Sec. 13. - Amendment after Adoption. Under conditions that may arise and that could not reasonably have been foreseen in the normal process of planning the budget, the council may, by the affirmative vote of a majority of the full membership of the council, amend or change the budget to provide for any additional expense in which the general welfare of the citizenry is involved. Budget amendments shall only be presented to city council at an April regular or special meeting, except in the case of emergency amendments, which may be brought at the discretion of the city Manager. These amendments shall be by ordinance, and shall become an attachment to the original budget. The amendments may be made effective immediately upon adoption of the ordinance.
	Sec. 14. – Borrowing. A. <i>Authority to Incur Indebtedness:</i> The council shall have the power to incur, create, refund and refinance indebtedness and borrow money for public purposes; to issue special or general obligation bonds, certificates of obligation, industrial bonds, revenue bonds, funding and refunding bonds, time warrants and any other evidences of indebtedness permitted by law, and to secure and pay the same in the manner and in accordance with the procedures provided and required by State law. B. <i>Bonds Incontestable:</i> All bonds of the city having been issued and sold and having been delivered to the purchaser thereof, shall thereafter be incontestable and all bonds issued to refund in exchange for outstanding bonds previously issued shall and after said exchange, be incontestable. C. <i>Borrowing in Anticipation of Property Tax:</i> In any budget year, the council may, by resolution, authorize the borrowing of money in

	anticipation of the collection of the property tax for the same year whether levied or to be levied. Notes may be issued for periods not exceeding one (1) year and must be retired by the end of the budget year in which issued. <i>D. Use of Bond Funds:</i> Any and all bond funds approved by a vote of the citizens of White Settlement will be expended only for the purposes stated in the bond issue.
	Sec. 15. – Purchasing. The council may confer upon the city manager general authority to contract for expenditures without further approval of the council for all budgeted items not exceeding limits set by council or State law. All contracts for expenditures involving more than the set limits must be approved by council. All contracts or purchases involving more than the set limits, shall be let as provided by law or ordinance; provided that the council, or city manager in such cases as they are authorized to contract for the city, shall have the right to reject any and all bids. Emergency contracts as authorized by law may be negotiated by the council, or city manager if given authority by the council, without competitive bidding. Such emergency shall be declared by the city manager and approved by council or may be declared by the council.
	Sec. 16. - Administration of the Budget. <i>A. Payments and obligations prohibited:</i> No payment shall be made or obligation incurred except those specifically allowed for in the budget. Any authorization of payment or incurring of any such obligation in violation of the provisions of this Charter will be void and any payment so made will be illegal. Such action may be the cause, at the discretion of the city manager, or the council in reference to the city manager, for the removal of any officer who knowingly authorized or made such payment or incurred such obligation. However, this prohibition shall not be construed to prevent the making or authorizing of payment, or the making of contracts for, payments beyond the end of the fiscal year, provided that such action is made or approved by an ordinance. <i>B. Financial reports:</i> The city manager shall submit to council a report of the financial condition of the city budget items for the fiscal year to date. The report shall be submitted periodically, as directed by council, but in no

	event less than quarterly. C. <i>Independent Audit:</i> At the close of each fiscal year, and at such times as it may be deemed necessary, the council shall cause an independent audit to be made of all accounts of the city by a Certified Public Accountant. The Certified Public Accountant shall be chosen by the council and shall have no personal interest, directly or indirectly, in the financial affairs of the city or any of its officers. Upon completion of the audit, the results thereof in a summary form shall be presented to the council. A copy of the audit shall be made available to the public for inspection upon request.
	ARTICLE XII. – FRANCHISES AND PUBLIC UTILITIES
	Sec. 1. - Inalienability of Control of Public Property. The sole right of control, easement, use, ownership of and title to the public streets, sidewalks, highways, bridges, alleys, public places, and other real property of the city is hereby declared to be inalienable, except by ordinance adopted by a majority of the city council.
	Sec. 2. - Powers of the City. The city shall have the power to buy, sell, construct, lease, maintain, operate, and regulate public services and utilities within and without the city limits, and to manufacture, distribute, and sell such utility services, including but not limited to water, gas, electric, telephone, cable, waste management, recycling, and transportation services. The city shall have such regulatory powers as may now or hereafter be granted under the Constitution and laws of the State of Texas.
	Sec. 3. - Power to Grant Franchise. The council shall have the power by ordinance, to grant, amend, renew, and extend all franchises for all utilities of every character operating within the city and, to amend the same, provided, however, that no franchise shall be granted for an indeterminate term, and that no franchise shall be granted for a term of more than twenty (20) years from the date of the grant, renewal or extension. Council action on all ordinances granting, renewing, extending or amending a

	utility franchise shall comply with the applicable provisions set forth in this Charter.
	Sec. 4. - Exclusiveness of Franchises. No grant or franchise to construct, maintain, or operate a public utility and no renewal or extension of such grant shall be exclusive.
	Sec. 5. - Transfer of Franchise. No utility franchise shall be transferable except with the approval of the council expressed by ordinance. The term "transferable" as used herein, shall not be construed in such a manner as to prevent the franchise holder from pledging said franchise as security for a valid debt or mortgage.
	Sec. 6. - Franchise Value Not to be Allowed. Franchises granted by the city are of no value in fixing reasonable rates and charges for utility service within the city and in determining the just compensation to be paid by the city for public utility property that the city may acquire by condemnation or otherwise.
	Sec. 7. - Right of Regulation. All grants, renewals, extensions, or amendments of utility franchises shall be subject to the following rights of the city, whether or not specifically stated in the franchise ordinance: (1) To repeal the franchise by ordinance at any time for failure to begin construction or operation within the time prescribed or otherwise to comply with the terms of the franchise. (2) To require an adequate extension of plant and service as is necessary to provide adequate service to the public, and maintenance of the plant and fixtures at the highest reasonable standard of efficiency. (3) To require at any time compensation and rental as may be permitted by the laws of the State of Texas for use of public streets, sidewalks, highways, alleys, and public places.

	(4) To require reasonable standards of service and quality of product and prevent rate discrimination. (5) To examine and audit the accounts and other records of any such utility and to require annual and other reports on local operations of the public service or utility as may be allowed by law. (6) To require the franchisee to restore at the franchisee's expense, all public or private property to a condition equally as good as or better than before disturbed by construction, repair or removal. (7) To require every franchisee to furnish within a reasonable time to the city, without cost to the city, a general map, with updates outlining the location, character, size, length, and terminals of all facilities of such franchisee in, over, and underground of property in the city and to provide detailed information regarding the same upon request of the city. (8) To impose other reasonable regulations, requirements, and conditions as may be deemed necessary to promote the health, safety, welfare, or accommodation of the public and to insure safe, efficient and continuous service to the public. (9) To require the franchisee to give notice to any subscriber to its services prior to permanent or temporary discontinuance of such service by the franchisee, except in cases of emergency, and to require that no officer, agent, servant or employee of the franchisee nor any vehicles under their control shall make use of, go upon or cross any private property without first obtaining the permission of the owner or occupant, except in cases of emergency, and to provide a penalty for the violation of such requirements. (10) To require every franchisee to indemnify and hold harmless the city against any liability, claims or damages (including attorney's fees and expenses) for injury to persons, including death, or damages to any property, arising out of any intentional or negligent act or omission of the franchisee, or any of its officers, agents, or employees, in connection
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	with the franchisee's construction, maintenance and operation of the franchisee's facilities in the city.
	Sec. 8. - Regulation of Rates. A. The council shall have full power after due notice and public hearing to regulate by ordinance the rates, charges and fares of all public utility franchise holders operating in the city as authorized by state and federal law. B. The council, upon receiving a request from a public service desiring a change in rates, charges, or fares, shall call a meeting for consideration of such change. C. A holder of a franchise to provide a public service or utility in the city must show the necessity for such change by establishing by clear, competent, and convincing evidence: (1) Cost of its investment for service in the city; (2) Amount and character of expenses and revenues connected with rendering the service; and (3) Any additional evidence required by council. D. The council may, if not satisfied with the sufficiency of the evidence furnished by the public service, select and employ rate consultants and auditors to investigate any requests or changes in rates, charges, or fares. The public service shall reimburse the city for the city's reasonable and necessary expenses incurred.
	Sec. 9. - Municipal Owned Utilities. The council shall have the right to: (1) Set rates of city-owned public services; and (2) Require any city-owned public services to keep accounts of financial operations.
	Sec.10. - Franchise Records.

	The city shall compile and maintain a public record of utility franchises.
	Sec.11. – Extensions. All extensions of service of utilities within the city limits shall become a part of the aggregate property of the utility, shall operate 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 this Chapter. In the case of extension of a 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.12. - Franchises Granted Before Ratification of this Charter Amendment. All franchises granted before ratification of the Charter amendment are recognized as contracts between the city and the grantee, shall continue in full force and effect, and the contractual rights contained in any such franchise shall not be impaired by the provisions of the Charter.
ARTICLE VI. – MISCELLANEOUS PROVISIONS	ARTICLE XIII. – MISCELLANEOUS PROVISIONS
Sec. 6. – Ethics. No elected or appointed officer or employee of the City of White Settlement, Texas, may participate in any contract or award made by the city nor shall any such official or employee have any ownership or financial interest in the land, materials, supplies or services sold to the city, nor shall they or any of them have any personal financial interest in city work or business. A failure to abide by the ethical standards contained herein shall result in a forfeiture of office to that officer or employee so involved and the voiding of any such contract related thereto.	Sec. 6. – Ethics. No elected or appointed officer of the city, or the city manager of the city, shall have a substantial financial interest in any contract with the city; nor be substantially interested in the sale to the city of any land, materials, supplies, or services, except in compliance with state law. A substantial interest is shall have the same meaning as defined by state law. A failure to abide by the ethical standards contained herein shall result in a forfeiture of office of that officer or employee so involved and may void any such contract related thereto.
Sec. 7. – Initiative, referendum and recall. A. Initiative. The voters of the City of White Settlement, Texas, shall have the power to propose any ordinance, except an ordinance appropriating money or authorizing the levy of taxes, or one repealing such an ordinance, and to adopt or reject the same at the polls, such power being known as the initiative. Any	Sec. 7. – Ordinances now in effect. All ordinances of the City of White Settlement 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,

initiative ordinance may be submitted to the council by a petition signed by qualified voters of the city equal in number to at least 15 percent of the qualified voters of the City of White Settlement, Texas, or 51 percent of the number of qualified votes cast at the most recent regular municipal election, whichever is greater. Such ordinances may be passed by the council without change or submitted to the voters at an election called for that purpose. B. <i>Referendum.</i> The voters of the City of White Settlement, Texas, shall have the power to approve or reject at the polls any ordinance passed by the city council which would have been the proper subject of any initiative election under this Charter, except that ordinances authorizing the issuance of either tax revenue bonds, whether original or refunding, shall not be subject to referendum. The petition for referendum shall require the same number and qualification of signers thereto as required by this Charter for an initiative petition, except that referendum petitions must be filed with the city secretary within 60 days after the final passage of the ordinance which is the subject of the referendum, or the petition shall be barred by the lapse of time. When such petition has been certified as sufficient by the city secretary, the ordinance specified in the petition shall not go into effect, or if it has gone into effect then further enforcement of action thereunder shall be suspended unless and until such ordinance is approved by the voters as herein provided. C. <i>Recall.</i> The voters of the City of White Settlement, Texas, shall have the power to recall any elected officer of this city and may exercise such power by filing with the city secretary a petition which shall be signed and verified by at least 30 percent of the qualified voters of the City of White Settlement, Texas, or 51 percent of the number of qualified votes cast at the most recent regular municipal election, whichever is greater. If the petition is certified by the city secretary to be sufficient, the council shall order and hold or cause to be held, an election forthwith to determine whether such officer shall be recalled. D. <i>Results of recall election.</i> If the majority of the legal votes cast at a recall election be for the recall of the officer named on the ballot, the council shall immediately declare such office vacant and such vacancy shall be filled in accordance with the provisions of this Charter. An officer thus removed shall not be eligible to hold office again in the city within a period of four years from the date of such officer's recall. E. <i>Limitation on recall.</i> No recall petition shall be filed against an officer within six months after he takes office and no officer shall be subjected to more than one recall election during a term of office. F. <i>Forms of petitions.</i> All papers for any particular petition circulated for the purpose of an initiative, referendum, or recall shall be uniform in size and	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. (Moved from Article IV, Sec. 18)
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style. An initiative petition shall contain the full text of the proposed ordinance, and referendum papers shall contain sufficient description of the ordinance sought to be repealed to positively identify it. The signatures to initiative, referendum or recall petitions need not be appended to one paper, but all petition papers comprising a single petition shall be assembled and filed with the city secretary as one instrument with an affidavit made by the person so filing such petition that it bears a stated number of signatures and that all the signatures appended thereto are, in his belief the genuine signatures of the persons whose names they purport to be. For a petition signature to be valid, a petition must contain in addition to the signatures:

- a. The signer's printed name;
- b. The signer's:
 - i. Date of birth; or
 - ii. Voter registration number;
- c. The signer's residence address; ~~and~~
- d. The date of signing; ~~and~~
- e. And comply with any other applicable requirements prescribed by law.

G. Petitions for initiative, referendum or recall shall be filed with city secretary. Within 20 days after a petition is filed, the city secretary shall determine whether such petition is signed by a sufficient number of qualified voters and whether it has a proper affidavit attached of the person filing same. After completing examination of such petition, the city secretary shall certify the results thereof to the council at its next regular meeting. If such petition is insufficient, the city secretary shall set forth in her certificate the particulars in which it is defective and shall at once notify the person who filed it of such findings.

H. Amendments of petitions. An initiative, referendum or recall petition may be amended at any time within ten days after the notice of insufficiency has been sent by the city secretary, by filing a supplemental petition signed and filed as provided in case of an original petition, and the same procedure shall then be followed by the city secretary and council as in the case of an original petition. The finding of the insufficiency of a petition shall not prejudice the filing of a new petition for the same purpose.

I. Consideration of initiative or referendum petition by the council. Whenever the council receives a certified initiative or referendum petition from the city secretary, it shall proceed at once to consider such petition. A proposed initiative ordinance shall be read and provisions shall be made for a public hearing upon the proposed ordinance. The council shall take final action on such ordinance not later than 30 days after the date on which it was submitted to the council by the city secretary. A referred ordinance shall be reconsidered by the council and its

final vote upon such consideration shall be upon the question, "Shall the ordinance specified in the referendum petition be repealed?" <i>J. Submission of proposed or referred ordinance to voters.</i> If the council shall fail to pass an ordinance proposed by initiative petition in the exact form proposed, or it fails to repeal a referred ordinance, the proposed or referred ordinance shall be submitted to the voters at an election to be held in compliance with state law requirements. <i>K. Results of initiative or referendum election.</i> If a majority of those voting on a proposed initiative ordinance shall vote in favor thereof, it shall thereupon be an ordinance of the city. A referred ordinance which is not approved by a majority of the voters voting thereon shall be deemed repealed. If conflicting ordinances are approved by the voters at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such content. (Ord. No. 2015-2516 , § 1(att. A), 11-16-2015). (Moved to Article IX)	
	Sec. 10. – Special provision for damage suits. Before the city shall be liable for any damage claim or suit for personal injury or damage to property, the person who is injured or whose property is damaged, or someone on their behalf, shall give the mayor, city secretary, or their designee, notice in writing duly verified within 30 days after the occurrence of the alleged injury or damage, stating specifically in such notice when, where and how the injury or damage was sustained, setting forth the extent of the injury or damage as accurately as possible, and giving the names and addresses of all witnesses upon whose testimony such person is relying to establish the injury or damage. No action at law for damages shall be brought against the city for personal injury or damage to property prior to the expiration of 60 days after the notice hereinbefore described has been filed with the mayor or the city secretary. (Moved from Article III, Sec. 2)
ARTICLE VII. – VOTE ON PROPOSED CHARTER	ARTICLE XIV. – VOTE ON PROPOSED CHARTER

EXHIBIT “B”
BALLOT LANGUAGE

EXHIBIT B
BALLOT LANGUAGE

Proposition A – Municipal Boundaries

Shall current Article II, Sections 1 and 2 of the White Settlement Home Rule Charter be amended to provide that the municipal boundaries of the city may be amended; that the City Secretary shall keep a map of the city boundaries; that the city may extend or reduce the municipal boundaries as provided by state law; and providing a method for disannexation?

Proposition B – City Council

Shall current Article IV, Section 3 of the White Settlement Home Rule Charter be amended to provide that qualification requirements for a place on the ballot for city council shall be governed by state application and qualification requirements and provide that the City Secretary shall determine candidate qualifications, as provided by law?

Proposition C –Elections

Shall current Article IV, Section 5 of the White Settlement Rule Charter be amended to remove requirements that election dates must be established by Tarrant County and remove redundant provisions regarding runoff election ballots?

Proposition D - Vacancies

Shall current Article VI, Section 10 of the White Settlement Home Rule Charter be amended to provide that the city council must call a special election to fill a vacancy in an unexpired term greater than four (4) months but may fill a vacancy in an unexpired term of four (4) months or less by calling a special election or by appointing a person to fill the vacancy by the affirmative vote of 75% of the full council?

Proposition E – Mayor pro tem.

Shall current Article VI, Section 11 of the White Settlement Home Rule Charter be amended to provide that in the event no sitting member has one year of prior council experience, any member of council may be selected as the mayor pro tem?

Proposition F – City Council Compensation

Shall current Article IV, Section 12 of the White Settlement Home Rule Charter be amended to provide that the Mayor shall not receive additional compensation above \$150 per month for additional meetings attended and to provide that council members shall only receive compensation for regular and special meetings attended?

Proposition G – Ordinances

Shall current Article IV, Section 16 of the White Settlement Home Rule Charter be amended to permit the passage of ordinances, resolutions, and orders at any meeting where notice has been given in accordance with the Texas Open Meetings Act?

Proposition H – Ordinances

Shall current Article IV, Section 19 of the White Settlement Home Rule Charter be amended to provide that ordinances are effective upon their passage or adoption, unless otherwise provided by state law; that ordinances or resolutions require an affirmative vote of a majority of a quorum of the council, unless more is required by state law; that ordinances that impose a fine or penalty must be published in accordance with state law; and removing requirements that ordinances be published for ten days?

Proposition I – Boards and Commissions

Shall the White Settlement Home Rule Charter be amended by adding a section providing that the city council may establish boards, commissions, and committees it deems necessary to carry out the functions of the City; and that provides the members of all boards, commissions, and committees shall be appointed by city council and be residents of the city?

Proposition J – City Manager

Shall current Article VI, Section 14 of the White Settlement Home Rule Charter be amended to provide that the list of duties, responsibilities, and authority of the City Manager is not exhaustive?

Proposition K – Municipal Court

Shall current Article IV, Section 21 of the White Settlement Home Rule charter be amended to provide that city council shall appoint a municipal court judge who is an attorney licensed and practicing in the State of Texas; that the city council may appoint associate judges who are licensed in the State of Texas; that the municipal court judge and associate judges shall serve for a term of two years; that the judges serve at the will of the council and may be removed after notice and an opportunity for a hearing; and that the judges' compensation shall be set by council?

Proposition L – City Attorney

Shall the White Settlement Home Rule Charter be amended by adding an Article regarding the City Attorney to provide that council may appoint either an individual attorney or firm of attorneys, licensed in the state of Texas as city attorney; that the city attorney shall serve at the pleasure of council; that council shall determine the city attorney's compensation; establishing the duties and obligations of the city attorney; providing that council may retain special counsel as

necessary; and providing that municipal court shall be prosecuted by the city attorney or designated prosecutor?

Proposition M – Elections

Shall the White Settlement Home Rule Charter be amended by adding a Section regarding elections to provide that elections shall be conducted in accordance with the Texas Election Code; that general elections are held on the first Tuesday in November; that Council may call special elections as authorized by state law; that council shall appoint election judges; and that city residents that are duly qualified electors shall be qualified to vote in any city election?

Proposition N – Initiative and Referendum

Shall current Article VI, Section 7 of the White Settlement Home Rule Charter be amended to provide that ordinances pertaining to levying taxes, setting rates for services, adopting a budget or capital improvement program, zoning, appropriation of money, levying of taxes, issuances of bonds, borrowing money, salaries or administration of employees, annexation, boundary adjustments, any matter a court has determined inappropriate for initiative or referendum, or any subject requiring a public hearing shall not be subject to initiative or referendum?

Proposition O – Initiative and Referendum

Shall current Article VI, Section 7 of the White Settlement Home Rule Charter be amended to establish separate procedures for initiative and referendum; to establish the duties of the City Secretary in reviewing petitions for initiative and referendum; to provide that an election for initiative or referendum must comply with the Texas Election Code; and to provide limitations on the frequency by which repeated petitions for initiative or referendum on may be filed?

Proposition P – Recall

Shall current Article VI, Section 7 of the White Settlement Home Rule Charter be amended to establish separate procedures for recall to include that recall of an elected officer must be based on the grounds of incompetency, misconduct, or malfeasance in office; to establish the requirements of petitions for recall and duties of the City Secretary in reviewing petitions; to provide a right to a hearing for an officer against whom a recall petition is filed; to provide that an election for recall must comply with the Texas Election Code; and to provide limitations on the frequency by which an officer may be recalled?

Proposition Q – Taxation

Shall current Article V, Section 1 of the White Settlement Home Rule Charter be amended to provide that adoption of a tax rate and levy shall comply with state law requirements?

Proposition R – Municipal Finance

Shall the White Settlement Home Rule Charter be amended to add an Article related to municipal finance that establishes the fiscal year; that provides procedures for adoption of the budget; that provides the budget process must comply with state law; that provides that defects in the budget shall not nullify the tax levy or tax rate; that provides for the lapse of appropriations at the end of the fiscal year; that provides procedures in the event city council fails to adopt a budget; that provides the budget shall be a public record; that provides for reserve funds, transfer of funds, and amendments to the budget; that authorizes the city council to borrow funds; and that provides for delegation of purchasing authority?

Proposition S – Franchises and Public Utilities

Shall the White Settlement Home Rule Charter be amended to add an Article related to municipal finance to provide that the city has sole control over public properties; that the city has the right to operate and sell public services and utilities; that the city has the power to grant franchise agreements for utilities within the city; that no franchise shall be exclusive or exceed twenty years; that franchises shall not be transferrable without approval of council; that franchise values cannot be considered in determining charges for services; that the city maintains rights for regulation of franchises; that the city council has the power to regulate rates for public utility franchise holders and setting a procedure franchises requesting a change in rates; that the city may own and set the rates for public services; that franchise records are public records; that extension of utilities are subject to the original franchise grant; and that all franchises granted prior to this charter amendment shall continue in full force and effect and not be impaired by this Charter amendment?

Proposition T – Ethics

Shall current Article VI, Section 6 of the White Settlement Home Rule charter be amended to provide that no elected or appointed officer of the city shall have a substantial interest in contracts with the city or sale of land, except when in compliance with state law; that substantial interest shall have the same meaning as defined by state law; and that violation of the ethics provision may void a contract related to the violation?

Proposition U – Removal of Redundant Provisions, Reorganization, Headings, and Non-Substantive Corrections

Shall Article III, Section 3, and Article IV, Sections 7 and 23 of the White Settlement Home Rule Charter be amended by deleting redundant provisions related to the police department, date of the municipal election, municipal court appeals; and shall the White Settlement Home Rule Charter be fully reorganized for clarity and functionality; and shall new Article and Section headings be provided for organization, as appropriate based on the outcome of the election; and shall the White Settlement Home Rule Charter be amended to make non-substantive grammatical and textual corrections and clarifications throughout the Charter?

**WHITE SETTLEMENT FINANCE DEPARTMENT
EXTERNAL CORRESPONDENCE MEMORANDUM
INFORMAL REPORT TO MAYOR AND COUNCIL**

TO: WHITE SETTLEMENT CITY COUNCIL

FROM: KRYSTAL CRUMP

REF: SEWER RATE INCREASE

DATE: AUGUST 8TH, 2023

ISSUE

The City needs additional funds to cover the proposed budget for FY 2023-2024 Budget.

DISCUSSION

City of Fort Worth costs continue to rise and the city continues to see an increase in prices due to inflation as well as an increase in maintenance and capital needs. Staff is recommending a 2.5% increase in sewer base rate as well as volume tier rates to ensure the City has enough revenues to cover these costs and maintain stable increases for our customers.

ACTION

Staff is recommending increase sewer rates by 2.5% effective on billing periods beginning on or after October 15, 2023. The rates are included in the attached ordinance.

ADDITIONAL INFORMATION

Attached: Ordinance

STAFF CONTACT(S)

Krystal Crump
Finance Director
817-246-4971 ext 851
kcrump@wstx.us

Jeffrey James
City Manager
817-246-4971 ext 253
jjames@wstx.us

ORDINANCE NO. 2023 - _____

AN ORDINANCE AMENDING CHAPTER 20.4 “FEES”, “WATER AND SEWER SERVICES”, SEWER SERVICE MONTHLY RATES OF THE WHITE SETTLEMENT CODE OF ORDINANCES; ADOPTING AND RATIFYING SEWER RATES INSIDE AND OUTSIDE THE CITY LIMITS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of White Settlement 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, based on the recommendation of the City Manager, the City Council has determined that winter quarter averaging be used to determine the volume billed on residential sewer bills for the 12-month period beginning with service dates starting on or after March 15th of each year will benefit the water and sewer customers of the City by evenly spreading the sewer costs over 12 months;

WHEREAS, the City will use the winter monthly average of November, December, January, and February for sewer calculations for residential customers since customers usually do not water lawns during the winter and most of the water use is inside the house entering the sanitary sewer. Therefore, the City will average the residential water consumption during these months to set the residential wastewater usage for the year. The month with the highest consumption will be dropped so that winter quarter average is based on the three winter months with the lowest usage. The actual three-month period used is based on billing cycles. Generally, these are the residential bills with service dates beginning in November, December, January and February.

WHEREAS, new residential customers who do not have a winter quarter average will be billed for sewer using their actual water consumption for the month billed until the City performs the next winter quarter average calculation.

WHEREAS, commercial customers will be billed for sewer using their actual water consumption for the month billed.

WHEREAS, the City Council adopted sewer service monthly rates on the 8th Day of August 2022, which were effective on or after October 15, 2022; and

WHEREAS, based on the recommendation of the City Manager, the City Council has determined that the City's current sewer rates as codified into Section 20.4 sewer service, monthly rates of the White Settlement Code of Ordinances as amended does not provide sufficient revenues to cover the annual funding requirements for the annual operations of the sewer department of the City of White Settlement.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT:

SECTION 1.

With the adoption of this Ordinance, Chapter 20, Section 2 of the White Settlement Code of Ordinances will be amended to now read as follows:

Chapter 20.4 Sewer Service Monthly Rates

The following uniform monthly rates per month, or fraction thereof shall be the rates charged for sewer services furnished to sewer service consumers within the corporate limits of the City. The following sewer rates are effective for the billing periods beginning on or after October 15, 2023.

SEWER					
<i>Residential Rate Option</i>			<i>Commercial Rate Option</i>		
Meter Size	Gallons Included in Base	Base Rate	Meter Size	Gallons Included in Base	Base Rate
3/4"	2,000	24.81	3/4"	2,000	28.39
1"	3,500	51.06	1"	3,500	51.06
			1 1/2"	8,000	113.43
			2"	14,000	198.53
			3"	32,000	453.83
			4"	57,000	808.35
			6"	130,000	1,829.53
Tier	Gallons	Volume Rate	Tier	Gallons	Volume Rate
1	2,001 - 14,000 (Max)	8.48	1	2,001+	7.93
Franchise Fee	Residential	5.00%	Franchise Fee	Commercial	5.00%

The residential maximum use cap shall be 14,000 gallons.

The winter monthly average volume of November, December, January, and February will be used to calculate the monthly sewer volume for residential customers. The average residential water consumption during these months will set the customer's residential wastewater volume for the year beginning on or after April 1st of each year. The month with the highest consumption will be dropped so that winter quarter average is based on the three winter months with the lowest volume. The actual three-month period used is based on billing cycles. Generally, these are the residential bills with service dates beginning in November, December, January and February.

New residential customers who do not have a winter quarter average will be billed for sewer using their actual water consumption for the month billed until the City performs the next winter quarter average calculation.

Commercial customers will be billed for sewer using their actual water consumption during the billing period.

SECTION 2.

The implementation of the winter quarter average provided by this ordinance shall take effect for the billing periods beginning on or after October 15, 2023.

SECTION 3.

This Ordinance shall be Cumulative of all provisions of Ordinances and of the White Settlement Code of Ordinance, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances or Code, in which case the conflicting provisions of such Ordinances or Code are hereby repealed.

SECTION 4.

It is hereby declared to be the intentions 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 5.

This Ordinance shall be in full force and effect for the billing periods beginning on or after October 15, 2023 after its passage by a majority vote of the City Council of the City of White Settlement and publication as required by law, and it is so ordained.

PASSED AND APPROVED THIS THE 8th DAY OF AUGUST 2023.

Faron Young, Mayor
City of White Settlement

ATTEST:

Amy Arnold
City Secretary
City of White Settlement

**WHITE SETTLEMENT FINANCE DEPARTMENT
EXTERNAL CORRESPONDENCE MEMORANDUM
INFORMAL REPORT TO MAYOR AND COUNCIL**

TO: WHITE SETTLEMENT CITY COUNCIL

FROM: KRYSTAL CRUMP

REF: WATER RATE INCREASE

DATE: AUGUST 8TH, 2023

ISSUE

The City needs additional funds to cover the proposed budget for FY 2023-2024 Budget.

DISCUSSION

City of Fort Worth costs continue to rise and the city continues to see an increase in prices due to inflation as well as an increase in maintenance and capital needs. Staff is recommending a 2.5% increase in water base rate as well as volume tier rates to ensure the City has enough revenues to cover these costs and maintain stable increases for our customers.

ACTION

Staff is recommending increase water rates by 2.5% effective on billing periods beginning on or after October 15, 2023. The rates are included in the attached ordinance.

ADDITIONAL INFORMATION

Attached: Ordinance

STAFF CONTACT(S)

Krystal Crump
Finance Director
817-246-4971 ext 851
kcrump@wstx.us

Jeffrey James
City Manager
817-246-4971 ext 253
jjames@wstx.us

ORDINANCE NO. 2023-_____

AN ORDINANCE AMENDING CHAPTER 20.4 “FEES”, “WATER AND SEWER SERVICES”, WATER SERVICE, MONTHLY RATES OF THE WHITE SETTLEMENT CODE OF ORDINANCES; ADOPTING AND RATIFYING WATER RATES INSIDE AND OUTSIDE THE CITY LIMITS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of White Settlement 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, based on the recommendation of the City Manager, the City Council has determined that the City’s current water rates as codified into Section 20.4 water service, monthly rates of the White Settlement Code of Ordinances as amended does not provide sufficient revenues to cover the annual funding requirements for the annual operations of the water department of the City of White Settlement; and

WHEREAS, the City Council has concluded after due and careful consideration that it is now necessary to increase the water rates for use of the City water by all customers connected to the White Settlement Water System; and

WHEREAS, the City Council adopted sewer service monthly rates on the 8th Day of August 2022, which were effective on or after October 15, 2022; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WHITE SETTLEMENT:

SECTION 1.

With the adoption of this Ordinance, Chapter 20.4 of the White Settlement Code of Ordinances will be amended to now read as follows:

Chapter 20.4 Water service, monthly rates

The following uniform monthly rates per month, or fraction thereof shall be the rates charged for water services furnished to water service consumers within the corporate limits of the City. The following water rates are effective for the billing periods beginning on or after October 15, 2023.

WATER					
<i>Residential Rate Option</i>			<i>Commercial Rate Option</i>		
Meter Size	Gallons Included in Base	Base Rate	Meter Size	Gallons Included in Base	Base Rate
3/4"	2,000	22.46	3/4"	2,000	24.22
1"	3,500	42.86	1"	3,500	42.86
			1 1/2"	8,000	97.85
			2"	14,000	174.06
			3"	32,000	392.32
			4"	57,000	697.80
			6"	130,000	1,974.71
Tier	Gallons	Volume Rate	Tier	Gallons	Volume Rate
1	2,001 - 5,000	5.32	1	2,001+	7.25
2	5,001 - 10,000	6.65			
3	10,001 - 15,000	8.31			
4	15,001+	10.39			
Franchise Fee	Residential	5.00%	Franchise Fee	Commercial	5.00%

SECTION 2.

The rate change provided by this ordinance shall take effect for the billing periods beginning on or after October 15, 2023.

CUMULATIVE CLAUSE

This Ordinance shall be Cumulative of all provisions of Ordinances and of the White Settlement Code of Ordinance, as amended, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances or Code, in which case the conflicting provisions of such Ordinances or Code are hereby repealed.

SECTION 3.

SEVERABILITY CLAUSE

It is hereby declared to be the intentions 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 4.

EFFECTIVE DATE

This Ordinance shall be in full force for the billing periods beginning on or after October 15, 2023, after its passage by a majority vote of the City Council of the City of White Settlement and publication as required by law, and it is so ordained.

PASSED AND APPROVED THIS THE 8th DAY OF AUGUST 2023.

Faron Young, Mayor
City of White Settlement

ATTEST:

Amy Arnold
City Secretary
City of White Settlement

WHITE SETTLEMENT FINANCE DEPARTMENT
EXTERNAL CORRESPONDENCE MEMORANDUM
INFORMAL REPORT TO MAYOR AND COUNCIL

TO: WHITE SETTLEMENT CITY COUNCIL

FROM: KRYSTAL CRUMP

REF: NO NEW REVENUE AND PROPOSED TAX RATE

DATE: **AUGUST 2, 2023**

ISSUE

City Council needs to take a record vote on the No New Revenue and Proposed Tax Rate

DISCUSSION

The tax calculation has been calculated by the City with July Certified Values from Tarrant Appraisal District and verified by the Tarrant County Tax Office.

The Proposed Property Tax Rate is: \$0.667233/100

The No New Revenue Tax Rate is: \$0.634293/100

The Voter Approval Tax Rate is: \$0.677234/100

The Maintenance & Operations (M&O) Rate is: \$0.547855

The Interest & Sinking (I&S) Rate is: \$0.119378

The No New Revenue Tax Rate is the tax rate that would generate the same income as last year with the new appraisal and taxable values.

The Voter Approval Tax Rate is 3.5% additional revenues which is the maximum allowable under state law without an election by the residents.

The Maintenance & Operations (M&O) Rate is used to fund the General Fund while the Interest & Sinking (I&S) Rate is calculated based on the amount of debt the city has in our General Debt Service Fund.

ACTION

The finance department is requesting the City Council take a record vote on the maximum rate the City can approve for the FY 2023-2024 Operating Budget.

ADDITIONAL INFORMATION

Attached: Tax Rate Calculation

STAFF CONTACT(S)

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Jeffrey James
City Manager
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2023 Tax Rate Calculation Worksheet

Taxing Units Other Than School Districts or Water Districts

Form 50-856

City of White Settlement	817-246-4971
Taxing Unit Name	Phone (area code and number)
214 Meadow Park Drive White Settlement, Texas 76108	www.wsbx.us
Taxing Unit's Address, City, State, ZIP Code	Taxing Unit's Website Address

GENERAL INFORMATION: Tax Code Section 26.04(c) requires an officer or employee designated by the governing body to calculate the no-new-revenue (NNR) tax rate and voter-approval tax rate for the taxing unit. These tax rates are expressed in dollars per \$100 of taxable value calculated. The calculation process starts after the chief appraiser delivers to the taxing unit the certified appraisal roll and the estimated values of properties under protest. The designated officer or employee shall certify that the officer or employee has accurately calculated the tax rates and used values shown for the certified appraisal roll or certified estimate. The officer or employee submits the rates to the governing body by Aug. 7 or as soon thereafter as practicable.

School districts do not use this form, but instead use Comptroller Form 50-859 *Tax Rate Calculation Worksheet, School District without Chapter 313 Agreements* or Comptroller Form 50-884 *Tax Rate Calculation Worksheet, School District with Chapter 313 Agreements*.

Water districts as defined under Water Code Section 49.001(1) do not use this form, but instead use Comptroller Form 50-858 *Water District Voter-Approval Tax Rate Worksheet for Low Tax Rate and Developing Districts* or Comptroller Form 50-860 *Developed Water District Voter-Approval Tax Rate Worksheet*.

The Comptroller's office provides this worksheet to assist taxing units in determining tax rates. The information provided in this worksheet is offered as technical assistance and not legal advice. Taxing units should consult legal counsel for interpretations of law regarding tax rate preparation and adoption.

SECTION 1: No-New-Revenue Tax Rate

The NNR tax rate enables the public to evaluate the relationship between taxes for the prior year and for the current year based on a tax rate that would produce the same amount of taxes (no new taxes) if applied to the same properties that are taxed in both years. When appraisal values increase, the NNR tax rate should decrease.

The NNR tax rate for a county is the sum of the NNR tax rates calculated for each type of tax the county levies.

While uncommon, it is possible for a taxing unit to provide an exemption for only maintenance and operations taxes. In this case, the taxing unit will need to calculate the NNR tax rate separately for the maintenance and operations tax and the debt tax, then add the two components together.

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
1.	2022 total taxable value. Enter the amount of 2022 taxable value on the 2022 tax roll today. Include any adjustments since last year's certification; exclude Tax Code Section 25.25(d) one-fourth and one-third over-appraisal corrections from these adjustments. Exclude any property value subject to an appeal under Chapter 42 as of July 25 (will add undisputed value in Line 6). This total includes the taxable value of homesteads with tax ceilings (will deduct in Line 2) and the captured value for tax increment financing (adjustment is made by deducting TIF taxes, as reflected in Line 17). ¹	\$ 1,238,557,948
2.	2022 tax ceilings. Counties, cities and junior college districts. Enter 2022 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2022 or a prior year for homeowners age 65 or older or disabled, use this step. ²	\$ 0
3.	Preliminary 2022 adjusted taxable value. Subtract Line 2 from Line 1.	\$ 1,238,557,948
4.	2022 total adopted tax rate.	\$ 0.712115 /\$100
5.	2022 taxable value lost because court appeals of ARB decisions reduced 2022 appraised value.	
	A. Original 2022 ARB values:..... \$ 138,612,227	
	B. 2022 values resulting from final court decisions:..... - \$ 121,850,420	
	C. 2022 value loss. Subtract B from A. ³	\$ 16,761,807
6.	2022 taxable value subject to an appeal under Chapter 42, as of July 25.	
	A. 2022 ARB certified value:..... \$ 22,136,278	
	B. 2022 disputed value:..... - \$ 3,320,442	
	C. 2022 undisputed value. Subtract B from A. ⁴	\$ 18,815,836
7.	2022 Chapter 42 related adjusted values. Add Line 5C and Line 6C.	\$ 35,577,643

¹ Tex. Tax Code §26.012(14)

² Tex. Tax Code §26.012(14)

³ Tex. Tax Code §26.012(13)

⁴ Tex. Tax Code §26.012(13)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
8.	2022 taxable value, adjusted for actual and potential court-ordered adjustments. Add Line 3 and Line 7.	\$ 1,274,135,591
9.	2022 taxable value of property in territory the taxing unit deannexed after Jan. 1, 2022. Enter the 2022 value of property in deannexed territory. ⁵	\$ 0
10.	2022 taxable value lost because property first qualified for an exemption in 2023. If the taxing unit increased an original exemption, use the difference between the original exempted amount and the increased exempted amount. Do not include value lost due to freeport, goods-in-transit, temporary disaster exemptions. Note that lowering the amount or percentage of an existing exemption in 2023 does not create a new exemption or reduce taxable value. A. Absolute exemptions. Use 2022 market value: \$ 0 B. Partial exemptions. 2023 exemption amount or 2023 percentage exemption times 2022 value: + \$ 3,319,952 C. Value loss. Add A and B. ⁶	\$ 3,319,952
11.	2022 taxable value lost because property first qualified for agricultural appraisal (1-d or 1-d-1), timber appraisal, recreational/scenic appraisal or public access airport special appraisal in 2023. Use only properties that qualified in 2023 for the first time; do not use properties that qualified in 2022. A. 2022 market value: \$ 0 B. 2023 productivity or special appraised value: - \$ 0 C. Value loss. Subtract B from A. ⁷	\$ 0
12.	Total adjustments for lost value. Add Lines 9, 10C and 11C.	\$ 3,319,952
13.	2022 captured value of property in a TIF. Enter the total value of 2022 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which 2022 taxes were deposited into the tax increment fund. ⁸ If the taxing unit has no captured appraised value in line 18D, enter 0.	\$ 51,602,455
14.	2022 total value. Subtract Line 12 and Line 13 from Line 8.	\$ 1,219,213,184
15.	Adjusted 2022 total levy. Multiply Line 4 by Line 14 and divide by \$100.	\$ 8,682,199
16.	Taxes refunded for years preceding tax year 2022. Enter the amount of taxes refunded by the taxing unit for tax years preceding tax year 2022. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2022. This line applies only to tax years preceding tax year 2022. ⁹	\$ 120,991
17.	Adjusted 2022 levy with refunds and TIF adjustment. Add Lines 15 and 16. ¹⁰	\$ 8,803,190
18.	Total 2023 taxable value on the 2023 certified appraisal roll today. This value includes only certified values or certified estimate of values and includes the total taxable value of homesteads with tax ceilings (will deduct in Line 20). These homesteads include homeowners age 65 or older or disabled. ¹¹ A. Certified values: \$ 1,412,060,505 B. Counties: Include railroad rolling stock values certified by the Comptroller's office: + \$ C. Pollution control and energy storage system exemption: Deduct the value of property exempted for the current tax year for the first time as pollution control or energy storage system property: - \$ 0 D. Tax increment financing: Deduct the 2023 captured appraised value of property taxable by a taxing unit in a tax increment financing zone for which the 2023 taxes will be deposited into the tax increment fund. Do not include any new property value that will be included in Line 23 below. ¹² - \$ 75,528,020 E. Total 2023 value. Add A and B, then subtract C and D.	\$ 1,336,532,485

⁵ Tex. Tax Code §26.012(15)⁶ Tex. Tax Code §26.012(15)⁷ Tex. Tax Code §26.012(15)⁸ Tex. Tax Code §26.03(c)⁹ Tex. Tax Code §26.012(13)¹⁰ Tex. Tax Code §26.012(13)¹¹ Tex. Tax Code §26.012, 26.04(c-2)¹² Tex. Tax Code §26.03(c)

Line	No-New-Revenue Tax Rate Worksheet	Amount/Rate
19.	Total value of properties under protest or not included on certified appraisal roll. ¹³	
A.	2023 taxable value of properties under protest. The chief appraiser certifies a list of properties still under ARB protest. The list shows the appraisal district's value and the taxpayer's claimed value, if any, or an estimate of the value if the taxpayer wins. For each of the properties under protest, use the lowest of these values. Enter the total value under protest. ¹⁴ \$ 65,417,139	
B.	2023 value of properties not under protest or included on certified appraisal roll. The chief appraiser gives taxing units a list of those taxable properties that the chief appraiser knows about but are not included in the appraisal roll certification. These properties also are not on the list of properties that are still under protest. On this list of properties, the chief appraiser includes the market value, appraised value and exemptions for the preceding year and a reasonable estimate of the market value, appraised value and exemptions for the current year. Use the lower market, appraised or taxable value (as appropriate). Enter the total value of property not on the certified roll. ¹⁵ + \$ 5,787,053	
C.	Total value under protest or not certified. Add A and B.	\$ 71,204,192
20.	2023 tax ceilings. Counties, cities and junior colleges enter 2023 total taxable value of homesteads with tax ceilings. These include the homesteads of homeowners age 65 or older or disabled. Other taxing units enter 0. If your taxing unit adopted the tax ceiling provision in 2022 or a prior year for homeowners age 65 or older or disabled, use this step. ¹⁶	\$ 0
21.	2023 total taxable value. Add Lines 18E and 19C. Subtract Line 20. ¹⁷	\$ 1,407,736,677
22.	Total 2023 taxable value of properties in territory annexed after Jan. 1, 2022. Include both real and personal property. Enter the 2023 value of property in territory annexed. ¹⁸	\$ 0
23.	Total 2023 taxable value of new improvements and new personal property located in new improvements. New means the item was not on the appraisal roll in 2022. An improvement is a building, structure, fixture or fence erected on or affixed to land. New additions to existing improvements may be included if the appraised value can be determined. New personal property in a new improvement must have been brought into the taxing unit after Jan. 1, 2022 and be located in a new improvement. New improvements do include property on which a tax abatement agreement has expired for 2023. ¹⁹	\$ 19,863,654
24.	Total adjustments to the 2023 taxable value. Add Lines 22 and 23.	\$ 19,863,654
25.	Adjusted 2023 taxable value. Subtract Line 24 from Line 21.	\$ 1,387,873,023
26.	2023 NNR tax rate. Divide Line 17 by Line 25 and multiply by \$100. ²⁰	\$ 0.634293 /\$100
27.	COUNTIES ONLY. Add together the NNR tax rates for each type of tax the county levies. The total is the 2023 county NNR tax rate. ²¹	\$ /\$100

SECTION 2: Voter-Approval Tax Rate

The voter-approval tax rate is the highest tax rate that a taxing unit may adopt without holding an election to seek voter approval of the rate. The voter-approval tax rate is split into two separate rates:

- Maintenance and Operations (M&O) Tax Rate:** The M&O portion is the tax rate that is needed to raise the same amount of taxes that the taxing unit levied in the prior year plus the applicable percentage allowed by law. This rate accounts for such things as salaries, utilities and day-to-day operations.
- Debt Rate:** The debt rate includes the debt service necessary to pay the taxing unit's debt payments in the coming year. This rate accounts for principal and interest on bonds and other debt secured by property tax revenue.

The voter-approval tax rate for a county is the sum of the voter-approval tax rates calculated for each type of tax the county levies. In most cases the voter-approval tax rate exceeds the no-new-revenue tax rate, but occasionally decreases in a taxing unit's debt service will cause the NNR tax rate to be higher than the voter-approval tax rate.

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
28.	2022 M&O tax rate. Enter the 2022 M&O tax rate.	\$ 0.589803 /\$100
29.	2022 taxable value, adjusted for actual and potential court-ordered adjustments. Enter the amount in Line 8 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 1,274,135,591

¹³ Tex. Tax Code §26.01(c) and (d)

¹⁴ Tex. Tax Code §26.01(c)

¹⁵ Tex. Tax Code §26.01(d)

¹⁶ Tex. Tax Code §26.012(6)(B)

¹⁷ Tex. Tax Code §26.012(6)

¹⁸ Tex. Tax Code §26.012(17)

¹⁹ Tex. Tax Code §26.012(17)

²⁰ Tex. Tax Code §26.04(c)

²¹ Tex. Tax Code §26.04(d)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
30.	Total 2022 M&O levy. Multiply Line 28 by Line 29 and divide by \$100	\$ 7,514,889
31.	Adjusted 2022 levy for calculating NNR M&O rate. A. M&O taxes refunded for years preceding tax year 2022. Enter the amount of M&O taxes refunded in the preceding year for taxes before that year. Types of refunds include court decisions, Tax Code Section 25.25(b) and (c) corrections and Tax Code Section 31.11 payment errors. Do not include refunds for tax year 2022. This line applies only to tax years preceding tax year 2022. + \$ 100,048 B. 2022 taxes in TIF. Enter the amount of taxes paid into the tax increment fund for a reinvestment zone as agreed by the taxing unit. If the taxing unit has no 2023 captured appraised value in Line 18D, enter 0. - \$ 268,514 C. 2022 transferred function. If discontinuing all of a department, function or activity and transferring it to another taxing unit by written contract, enter the amount spent by the taxing unit discontinuing the function in the 12 months preceding the month of this calculation. If the taxing unit did not operate this function for this 12-month period, use the amount spent in the last full fiscal year in which the taxing unit operated the function. The taxing unit discontinuing the function will subtract this amount in D below. The taxing unit receiving the function will add this amount in D below. Other taxing units enter 0. +/- \$ 0 D. 2022 M&O levy adjustments. Subtract B from A. For taxing unit with C, subtract if discontinuing function and add if receiving function. \$ -168,466 E. Add Line 30 to 31D.	\$ 7,346,423
32.	Adjusted 2023 taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 1,387,873,023
33.	2023 NNR M&O rate (unadjusted). Divide Line 31E by Line 32 and multiply by \$100.	\$ 0.529329 /\$100
34.	Rate adjustment for state criminal justice mandate. ²³ If not applicable or less than zero, enter 0. A. 2023 state criminal justice mandate. Enter the amount spent by a county in the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. \$ 0 B. 2022 state criminal justice mandate. Enter the amount spent by a county in the 12 months prior to the previous 12 months providing for the maintenance and operation cost of keeping inmates in county-paid facilities after they have been sentenced. Do not include any state reimbursement received by the county for the same purpose. Enter zero if this is the first time the mandate applies. - \$ 0 C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ 0 /\$100 D. Enter the rate calculated in C. If not applicable, enter 0.	\$ 0 /\$100
35.	Rate adjustment for indigent health care expenditures. ²⁴ If not applicable or less than zero, enter 0. A. 2023 indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state assistance received for the same purpose. \$ 0 B. 2022 indigent health care expenditures. Enter the amount paid by a taxing unit providing for the maintenance and operation cost of providing indigent health care for the period beginning on July 1, 2021 and ending on June 30, 2022, less any state assistance received for the same purpose. - \$ 0 C. Subtract B from A and divide by Line 32 and multiply by \$100. \$ 0 /\$100 D. Enter the rate calculated in C. If not applicable, enter 0.	\$ 0 /\$100

²² [Reserved for expansion]²³ Tex. Tax Code §26.044²⁴ Tex. Tax Code §26.041

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
36.	Rate adjustment for county indigent defense compensation. ²⁵ If not applicable or less than zero, enter 0.	
A.	2023 indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, 2022 and ending on June 30, 2023, less any state grants received by the county for the same purpose.....	\$ 0
B.	2022 indigent defense compensation expenditures. Enter the amount paid by a county to provide appointed counsel for indigent individuals and fund the operations of a public defender's office under Article 26.044, Code of Criminal Procedure for the period beginning on July 1, 2021 and ending on June 30, 2022, less any state grants received by the county for the same purpose.....	\$ 0
C.	Subtract B from A and divide by Line 32 and multiply by \$100.....	\$ 0 /\$100
D.	Multiply B by 0.05 and divide by Line 32 and multiply by \$100.....	\$ 0 /\$100
E.	Enter the lesser of C and D. If not applicable, enter 0.	\$ 0 /\$100
37.	Rate adjustment for county hospital expenditures. ²⁶ If not applicable or less than zero, enter 0.	
A.	2023 eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2022 and ending on June 30, 2023.	\$ 0
B.	2022 eligible county hospital expenditures. Enter the amount paid by the county or municipality to maintain and operate an eligible county hospital for the period beginning on July 1, 2021 and ending on June 30, 2022.	\$ 0
C.	Subtract B from A and divide by Line 32 and multiply by \$100.....	\$ 0 /\$100
D.	Multiply B by 0.08 and divide by Line 32 and multiply by \$100.....	\$ 0 /\$100
E.	Enter the lesser of C and D, if applicable. If not applicable, enter 0.	\$ 0 /\$100
38.	Rate adjustment for defunding municipality. This adjustment only applies to a municipality that is considered to be a defunding municipality for the current tax year under Chapter 109, Local Government Code. Chapter 109, Local Government Code only applies to municipalities with a population of more than 250,000 and includes a written determination by the Office of the Governor. See Tax Code Section 26.0444 for more information.	
A.	Amount appropriated for public safety in 2022. Enter the amount of money appropriated for public safety in the budget adopted by the municipality for the preceding fiscal year.....	\$ 0
B.	Expenditures for public safety in 2022. Enter the amount of money spent by the municipality for public safety during the preceding fiscal year.....	\$ 0
C.	Subtract B from A and divide by Line 32 and multiply by \$100.....	\$ 0 /\$100
D.	Enter the rate calculated in C. If not applicable, enter 0.	\$ 0 /\$100
39.	Adjusted 2023 NNR M&O rate. Add Lines 33, 34D, 35D, 36E, and 37E. Subtract Line 38D.	\$ 0.529329 /\$100
40.	Adjustment for 2022 sales tax specifically to reduce property taxes. Cities, counties and hospital districts that collected and spent additional sales tax on M&O expenses in 2022 should complete this line. These entities will deduct the sales tax gain rate for 2023 in Section 3. Other taxing units, enter zero.	
A.	Enter the amount of additional sales tax collected and spent on M&O expenses in 2022, if any. Counties must exclude any amount that was spent for economic development grants from the amount of sales tax spent.....	\$ 0
B.	Divide Line 40A by Line 32 and multiply by \$100.....	\$ 0 /\$100
C.	Add Line 40B to Line 39.	\$ 0.529329 /\$100
41.	2023 voter-approval M&O rate. Enter the rate as calculated by the appropriate scenario below. Special Taxing Unit. If the taxing unit qualifies as a special taxing unit, multiply Line 40C by 1.08. - or - Other Taxing Unit. If the taxing unit does not qualify as a special taxing unit, multiply Line 40C by 1.035.	\$ 0.547855 /\$100

²⁵ Tex. Tax Code §26.0442²⁶ Tex. Tax Code §26.0443

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
D41.	Disaster Line 41 (D41): 2023 voter-approval M&O rate for taxing unit affected by disaster declaration. If the taxing unit is located in an area declared a disaster area and at least one person is granted an exemption under Tax Code Section 11.35 for property located in the taxing unit, the governing body may direct the person calculating the voter-approval tax rate to calculate in the manner provided for a special taxing unit. The taxing unit shall continue to calculate the voter-approval tax rate in this manner until the earlier of 1) the first year in which total taxable value on the certified appraisal roll exceeds the total taxable value of the tax year in which the disaster occurred, or 2) the third tax year after the tax year in which the disaster occurred If the taxing unit qualifies under this scenario, multiply Line 40C by 1.08.²⁷ If the taxing unit does not qualify, do not complete Disaster Line 41 (Line D41).	\$ 0 /\$100
42.	Total 2023 debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that: (1) are paid by property taxes, (2) are secured by property taxes, (3) are scheduled for payment over a period longer than one year, and (4) are not classified in the taxing unit's budget as M&O expenses. A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here.²⁸ Enter debt amount \$ 1,925,051 B. Subtract unencumbered fund amount used to reduce total debt. - \$ 0 C. Subtract certified amount spent from sales tax to reduce debt (enter zero if none) - \$ 0 D. Subtract amount paid from other resources - \$ 218,990 E. Adjusted debt. Subtract B, C and D from A. \$ 1,706,061	\$ 1,706,061
43.	Certified 2022 excess debt collections. Enter the amount certified by the collector. ²⁹	\$ 25,521
44.	Adjusted 2023 debt. Subtract Line 43 from Line 42E.	\$ 1,680,540
45.	2023 anticipated collection rate. A. Enter the 2023 anticipated collection rate certified by the collector.³⁰ 100.00 % B. Enter the 2022 actual collection rate. 99.89 % C. Enter the 2021 actual collection rate. 99.10 % D. Enter the 2020 actual collection rate. 101.68 % E. If the anticipated collection rate in A is lower than actual collection rates in B, C and D, enter the lowest collection rate from B, C and D. If the anticipated rate in A is higher than at least one of the rates in the prior three years, enter the rate from A. Note that the rate can be greater than 100%.³¹ 100.00 %	100.00 %
46.	2023 debt adjusted for collections. Divide Line 44 by Line 45E.	\$ 1,680,540
47.	2023 total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 1,407,736,677
48.	2023 debt rate. Divide Line 46 by Line 47 and multiply by \$100.	\$ 0.119378 /\$100
49.	2023 voter-approval tax rate. Add Lines 41 and 48.	\$ 0.667233 /\$100
D49.	Disaster Line 49 (D49): 2023 voter-approval tax rate for taxing unit affected by disaster declaration. Complete this line if the taxing unit calculated the voter-approval tax rate in the manner provided for a special taxing unit on Line D41. Add Line D41 and 48.	\$ /\$100

²⁷ Tex. Tax Code §26.042(a)²⁸ Tex. Tax Code §26.012(7)²⁹ Tex. Tax Code §26.012(10) and 26.04(b)³⁰ Tex. Tax Code §26.04(b)³¹ Tex. Tax Code §26.04(h), (h-1) and (h-2)

Line	Voter-Approval Tax Rate Worksheet	Amount/Rate
50.	COUNTIES ONLY. Add together the voter-approval tax rates for each type of tax the county levies. The total is the 2023 county voter-approval tax rate.	\$ 0 /\$100

SECTION 3: NNR Tax Rate and Voter-Approval Tax Rate Adjustments for Additional Sales Tax to Reduce Property Taxes

Cities, counties and hospital districts may levy a sales tax specifically to reduce property taxes. Local voters by election must approve imposing or abolishing the additional sales tax. If approved, the taxing unit must reduce its NNR and voter-approval tax rates to offset the expected sales tax revenue.

This section should only be completed by a county, city or hospital district that is required to adjust its NNR tax rate and/or voter-approval tax rate because it adopted the additional sales tax.

Line	Additional Sales and Use Tax Worksheet	Amount/Rate
51.	Taxable Sales. For taxing units that adopted the sales tax in November 2022 or May 2023, enter the Comptroller's estimate of taxable sales for the previous four quarters. ³² Estimates of taxable sales may be obtained through the Comptroller's Allocation Historical Summary webpage. Taxing units that adopted the sales tax before November 2022, enter 0.	\$ 0
52.	Estimated sales tax revenue. Counties exclude any amount that is or will be spent for economic development grants from the amount of estimated sales tax revenue. ³³ Taxing units that adopted the sales tax in November 2022 or in May 2023. Multiply the amount on Line 51 by the sales tax rate (.01, .005 or .0025, as applicable) and multiply the result by .95. ³⁴ - or - Taxing units that adopted the sales tax before November 2022. Enter the sales tax revenue for the previous four quarters. Do not multiply by .95.	\$ 0
53.	2023 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 1,407,736,677
54.	Sales tax adjustment rate. Divide Line 52 by Line 53 and multiply by \$100.	\$ 0 /\$100
55.	2023 NNR tax rate, unadjusted for sales tax. ³⁵ Enter the rate from Line 26 or 27, as applicable, on the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 0.634293 /\$100
56.	2023 NNR tax rate, adjusted for sales tax. Taxing units that adopted the sales tax in November 2022 or in May 2023. Subtract Line 54 from Line 55. Skip to Line 57 if you adopted the additional sales tax before November 2022.	\$ 0.634293 /\$100
57.	2023 voter-approval tax rate, unadjusted for sales tax. ³⁶ Enter the rate from Line 49, Line D49 (disaster) or Line 50 (counties) as applicable, of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ 0.667233 /\$100
58.	2023 voter-approval tax rate, adjusted for sales tax. Subtract Line 54 from Line 57.	\$ 0.667233 /\$100

SECTION 4: Voter-Approval Tax Rate Adjustment for Pollution Control

A taxing unit may raise its rate for M&O funds used to pay for a facility, device or method for the control of air, water or land pollution. This includes any land, structure, building, installation, excavation, machinery, equipment or device that is used, constructed, acquired or installed wholly or partly to meet or exceed pollution control requirements. The taxing unit's expenses are those necessary to meet the requirements of a permit issued by the Texas Commission on Environmental Quality (TCEQ). The taxing unit must provide the tax assessor with a copy of the TCEQ letter of determination that states the portion of the cost of the installation for pollution control.

This section should only be completed by a taxing unit that uses M&O funds to pay for a facility, device or method for the control of air, water or land pollution.

Line	Voter-Approval Rate Adjustment for Pollution Control Requirements Worksheet	Amount/Rate
59.	Certified expenses from the Texas Commission on Environmental Quality (TCEQ). Enter the amount certified in the determination letter from TCEQ. ³⁷ The taxing unit shall provide its tax assessor-collector with a copy of the letter. ³⁸	\$ 0
60.	2023 total taxable value. Enter the amount from Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 1,407,736,677
61.	Additional rate for pollution control. Divide Line 59 by Line 60 and multiply by \$100.	\$ 0 /\$100
62.	2023 voter-approval tax rate, adjusted for pollution control. Add Line 61 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties) or Line 58 (taxing units with the additional sales tax).	\$ 0.667233 /\$100

³² Tex. Tax Code §26.041(d)

³³ Tex. Tax Code §26.041(i)

³⁴ Tex. Tax Code §26.041(d)

³⁵ Tex. Tax Code §26.04(c)

³⁶ Tex. Tax Code §26.04(c)

³⁷ Tex. Tax Code §26.045(d)

³⁸ Tex. Tax Code §26.045(i)

SECTION 5: Voter-Approval Tax Rate Adjustment for Unused Increment Rate

The unused increment rate is the rate equal to the difference between the adopted tax rate and voter-approval tax rate adjusted to remove the unused increment rate for the prior three years.³⁹ In a year where a taxing unit adopts a rate by applying any portion of the unused increment rate, the portion of the unused increment rate must be backed out of the calculation for that year.

The difference between the adopted tax rate and adjusted voter-approval tax rate is considered zero in the following scenarios:

- a tax year before 2020;⁴⁰
- a tax year in which the municipality is a defunding municipality, as defined by Tax Code Section 26.0501(a);⁴¹ or
- after Jan. 1, 2022, a tax year in which the comptroller determines that the county implemented a budget reduction or reallocation described by Local Government Code Section 120.002(a) without the required voter approval.⁴²

Individual components can be negative, but the overall rate would be the greater of zero or the calculated rate.

This section should only be completed by a taxing unit that does not meet the definition of a special taxing unit.⁴³

Line	Unused Increment Rate Worksheet	Amount/Rate
63. Year 3 component.	Subtract the 2022 actual tax rate and the 2022 unused increment rate from the 2022 voter-approval tax rate.	
A.	Voter-approval tax rate (Line 67).....	\$ 0.722116 /\$100
B.	Unused increment rate (Line 66).....	\$ 0.000001 /\$100
C.	Subtract B from A.....	\$ 0.722115 /\$100
D.	Adopted Tax Rate.....	\$ 0.712115 /\$100
E.	Subtract D from C.....	\$ 0.010000 /\$100
64. Year 2 component.	Subtract the 2021 actual tax rate and the 2021 unused increment rate from the 2021 voter-approval tax rate.	
A.	Voter-approval tax rate (Line 67).....	\$ 0.741795 /\$100
B.	Unused increment rate (Line 66).....	\$ 0.000000 /\$100
C.	Subtract B from A.....	\$ 0.741795 /\$100
D.	Adopted Tax Rate.....	\$ 0.741795 /\$100
E.	Subtract D from C.....	\$ 0.000000 /\$100
65. Year 1 component.	Subtract the 2020 actual tax rate and the 2020 unused increment rate from the 2020 voter-approval tax rate.	
A.	Voter-approval tax rate (Line 65).....	\$ 0.746201 /\$100
B.	Unused increment rate (Line 64).....	\$ 0 /\$100
C.	Subtract B from A.....	\$ 0.746201 /\$100
D.	Adopted Tax Rate.....	\$ 0.746200 /\$100
E.	Subtract D from C.....	\$ 0.000001 /\$100
66. 2023 unused increment rate.	Add Lines 63E, 64E and 65E.	\$ 0.010001 /\$100
67. Total 2023 voter-approval tax rate, including the unused increment rate.	Add Line 66 to one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax) or Line 62 (taxing units with pollution control).	\$ 0.677234 /\$100

³⁹ Tex. Tax Code §26.013(a)

⁴⁰ Tex. Tax Code §26.013(c)

⁴¹ Tex. Tax Code §26.0501(a) and (c)

⁴² Tex. Local Gov't Code §120.007(d), effective Jan. 1, 2022

⁴³ Tex. Tax Code §26.063(a)(1)

⁴⁴ Tex. Tax Code §26.012(8-a)

⁴⁵ Tex. Tax Code §26.063(a)(1)

SECTION 6: De Minimis Rate

The de minimis rate is the rate equal to the sum of the no-new-revenue maintenance and operations rate, the rate that will raise \$500,000, and the current debt rate for a taxing unit.⁴⁶ This section should only be completed by a taxing unit that is a municipality of less than 30,000 or a taxing unit that does not meet the definition of a special taxing unit.⁴⁵

Line	De Minimis Rate Worksheet	Amount/Rate
68.	Adjusted 2023 NNR M&O tax rate. Enter the rate from Line 39 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ 0.529329 /\$100
69.	2023 total taxable value. Enter the amount on Line 21 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 1,407,736,677
70.	Rate necessary to impose \$500,000 in taxes. Divide \$500,000 by Line 69 and multiply by \$100.	\$ 0.035518 /\$100
71.	2023 debt rate. Enter the rate from Line 48 of the <i>Voter-Approval Tax Rate Worksheet</i> .	\$ 0.119378 /\$100
72.	De minimis rate. Add Lines 68, 70 and 71.	\$ 0.684225 /\$100

SECTION 7: Voter Approval Tax Rate Adjustment for Emergency Revenue Rate

In the tax year after the end of the disaster calculation time period detailed in Tax Code Section 26.042(a), a taxing unit that calculated its voter-approval tax rate in the manner provided for a special taxing unit due to a disaster must calculate its emergency revenue rate and reduce its voter-approval tax rate for that year.⁴⁶

Similarly, if a taxing unit adopted a tax rate that exceeded its voter-approval tax rate, calculated normally, without holding an election to respond to a disaster, as allowed by Tax Code Section 26.042(d), in the prior year, it must also reduce its voter-approval tax rate for the current tax year.⁴⁷

This section will apply to a taxing unit other than a special taxing unit that:

- directed the designated officer or employee to calculate the voter-approval tax rate of the taxing unit in the manner provided for a special taxing unit in the prior year; and
- the current year is the first tax year in which the total taxable value of property taxable by the taxing unit as shown on the appraisal roll for the taxing unit submitted by the assessor for the taxing unit to the governing body exceeds the total taxable value of property taxable by the taxing unit on January 1 of the tax year in which the disaster occurred or the disaster occurred four years ago. This section will apply to a taxing unit in a disaster area that adopted a tax rate greater than its voter-approval tax rate without holding an election in the prior year.

Note: This section does not apply if a taxing unit is continuing to calculate its voter-approval tax rate in the manner provided for a special taxing unit because it is still within the disaster calculation time period detailed in Tax Code Section 26.042(a) because it has not met the conditions in Tax Code Section 26.042(a)(1) or (2).

Line	Emergency Revenue Rate Worksheet	Amount/Rate
73.	2022 adopted tax rate. Enter the rate in Line 4 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 0.712115 /\$100
74.	Adjusted 2022 voter-approval tax rate. Use the taxing unit's Tax Rate Calculation Worksheets from the prior year(s) to complete this line. If a disaster occurred in 2022 and the taxing unit calculated its 2022 voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) of the 2022 worksheet due to a disaster, complete the applicable sections or lines of Form 50-856-a, <i>Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> . - or - If a disaster occurred prior to 2022 for which the taxing unit continued to calculate its voter-approval tax rate using a multiplier of 1.08 on Disaster Line 41 (D41) in 2022, complete the separate <i>Adjusted Voter-Approval Tax Rate for Taxing Units in Disaster Area Calculation Worksheet</i> to recalculate the voter-approval tax rate the taxing unit would have calculated in 2022 if it had generated revenue based on an adopted tax rate using a multiplier of 1.035 in the year(s) following the disaster. ⁴⁸ Enter the final adjusted 2022 voter-approval tax rate from the worksheet. - or - If the taxing unit adopted a tax rate above the 2022 voter-approval tax rate without calculating a disaster tax rate or holding an election due to a disaster, no recalculation is necessary. Enter the voter-approval tax rate from the prior year's worksheet.	\$ 0 /\$100
75.	Increase in 2022 tax rate due to disaster. Subtract Line 74 from Line 73.	\$ 0 /\$100
76.	Adjusted 2022 taxable value. Enter the amount in Line 14 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 1,219,213,184
77.	Emergency revenue. Multiply Line 75 by Line 76 and divide by \$100.	\$ 0
78.	Adjusted 2023 taxable value. Enter the amount in Line 25 of the <i>No-New-Revenue Tax Rate Worksheet</i> .	\$ 1,387,873,023
79.	Emergency revenue rate. Divide Line 77 by Line 78 and multiply by \$100. ⁴⁹	\$ 0 /\$100

⁴⁶ Tex. Tax Code §26.042(b)⁴⁷ Tex. Tax Code §26.042(f)⁴⁸ Tex. Tax Code §26.042(c)⁴⁹ Tex. Tax Code §26.042(b)

Line	Emergency Revenue Rate Worksheet	Amount/Rate
80.	2023 voter-approval tax rate, adjusted for emergency revenue. Subtract Line 79 from one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax), Line 62 (taxing units with pollution control) or Line 67 (taxing units with the unused increment rate).	\$ 0.677234 /\$100

SECTION 8: Total Tax Rate

Indicate the applicable total tax rates as calculated above.

No-new-revenue tax rate. \$ 0.634293 /\$100
 As applicable, enter the 2023 NNR tax rate from: Line 26, Line 27 (counties), or Line 56 (adjusted for sales tax).
 Indicate the line number used: 26

Voter-approval tax rate. \$ 0.677234 /\$100
 As applicable, enter the 2023 voter-approval tax rate from: Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (adjusted for sales tax), Line 62 (adjusted for pollution control), Line 67 (adjusted for unused increment), or Line 80 (adjusted for emergency revenue).
 Indicate the line number used: 67

De minimis rate. \$ 0.684225 /\$100
 If applicable, enter the 2023 de minimis rate from Line 72.

SECTION 9: Taxing Unit Representative Name and Signature

Enter the name of the person preparing the tax rate as authorized by the governing body of the taxing unit. By signing below, you certify that you are the designated officer or employee of the taxing unit and have accurately calculated the tax rates using values that are the same as the values shown in the taxing unit's certified appraisal roll or certified estimate of taxable value, in accordance with requirements in the Tax Code.⁵⁰

**print
here** ➡

Wendy Burgess

Printed Name of Taxing Unit Representative

**sign
here** ➡

Taxing Unit Representative

Date

⁵⁰ Tex. Tax Code §§26.04(c-2) and (d-2)

Line	Emergency Revenue Rate Worksheet	Amount/Rate
80.	2023 voter-approval tax rate, adjusted for emergency revenue. Subtract Line 79 from one of the following lines (as applicable): Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (taxing units with the additional sales tax), Line 62 (taxing units with pollution control) or Line 67 (taxing units with the unused increment rate).	\$ <u>0.677234</u> /\$100

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Indicate the applicable total tax rates as calculated above.

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 As applicable, enter the 2023 NNR tax rate from: Line 26, Line 27 (counties), or Line 56 (adjusted for sales tax).
 Indicate the line number used: 26

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 As applicable, enter the 2023 voter-approval tax rate from: Line 49, Line D49 (disaster), Line 50 (counties), Line 58 (adjusted for sales tax), Line 62 (adjusted for pollution control), Line 67 (adjusted for unused increment), or Line 80 (adjusted for emergency revenue).
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**print
here**

Wendy Burgess

Printed Name of Taxing Unit Representative

**sign
here**

Taxing Unit Representative

Date

Approve

Print Kristal Camp
 Here Printed name of representative

Sign Kristal Camp
 Here Signature of representative

Title Finance Director

Date 8/21/2023

⁵⁰ Tex. Tax Code §§26.04(c-2) and (d-2)

