



**City of Azle
Special Meeting Agenda
City Council**

505 W. Main Street
Azle, Texas 76020

August 21, 2023

6:00 PM

Council Chambers

Pursuant to Section 551.071 of the Texas Government Code, the Council may convene into Executive Session(s) from time to time as deemed necessary during the meeting for any posted agenda item and may receive advice from its attorney as permitted by law.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC PARTICIPATION

This is an opportunity for the public to address the City Council on posted agenda items or non-agenda items. In order to address the Council, please complete a Speaker's Request Form and submit to the City Secretary prior to the start of the council meeting. All comments must be directed to the Presiding Officer, rather than an individual council member or city staff. All speakers must refrain from personal attacks toward any individual. Comments are limited to three (3) minutes and must pertain to the subject matter listed on the Speaker's Request Form. Speakers requiring the assistance of a translator shall be provided four (4) minutes. Council may not comment publicly on non-agenda items, but may direct the City Manager to resolve the matter or request the matter be placed on a future agenda. Public comments regarding non-agenda items shall not include any "deliberation" as defined by Chapter 551 of the Government Code, as now or hereafter amended. If you have a subject that may require City Council action, you may obtain a form from the City Secretary and request the item be placed on a future agenda.

ACTION ITEMS

1. Consider any action on Ordinance No. 2023-11 setting forth the expenditures/expenses to conduct each fund for the municipal government of the City of Azle, Texas, for the period beginning October 1, 2023 and ending September 30, 2024, appropriating money for the various funds, setting out the purposes of such various funds, and providing an effective date.

Tom Muir, City Manager

2. Consider any action on ratifying the property tax increase reflected in the FY 2023-24 budget.

Tom Muir, City Manager

3. Consider any action on Ordinance No. 2023-12 levying taxes for the uses and support of the municipal government of the City of Azle, Texas, for the fiscal year beginning October 1, 2023 and ending September 30, 2024, and providing for the interest and sinking funds for the tax year 2023, and approving each levy for the specific purpose, and providing an effective date.

Tom Muir, City Manager

4. Consider any action on proposed Ordinance No. 2023-13 amending Appendix A of the Azle Municipal Code and reestablish water base rates, sewer base rates, and related fees for FY 2023-24.

Tom Muir, City Manager

DISCUSSION ITEM

5. Food Truck Park.

David Hawkins, Director of Planning and Development

6. Murals.

David Hawkins, Director of Planning and Development

ADJOURNMENT

I, the undersigned authority, do hereby certify the above Agenda was posted at City Hall on 08-18-2023, at the City's official bulletin board and is readily accessible to the public at all times in accordance with V.T.C.A. Chapter 551, Texas Government Code.



**Yael Forgey,
City Secretary**

This facility is wheelchair accessible and handicapped parking spaces are available. Auxiliary aids and services are available to a person when necessary to afford an equal opportunity to participate in city functions and activities. Auxiliary aids and services or accommodations should be requested forty-eight hours prior to the scheduled starting time by calling the City Secretary's Office at 817-444-7101. Complete City Council agenda packet is available for review at the City Secretary's Office and on our website www.cityofazle.org.



Presenter: Tom Muir, City Manager

Agenda Item: Consider any action on Ordinance No. 2023-11 setting forth the expenditures/expenses to conduct each fund for the municipal government of the City of Azle, Texas, for the period beginning October 1, 2023 and ending September 30, 2024, appropriating money for the various funds, setting out the purposes of such various funds, and providing an effective date.

Background and Explanation:

The purpose of the ordinance that follows this communication is to approve the planned expenditures/expenses and fund the municipal government of the City of Azle for its fiscal year beginning October 1, 2023 and ending September 30, 2024.

Board/Commission/Committee Recommendation:

Staff Recommendation:

Attachments:

1. Ordinance 2023-11 FY 2023-24 Budget

ORDINANCE NO. 2023-11

AN ORDINANCE OF THE CITY OF AZLE, TEXAS, SETTING FORTH THE EXPENDITURES/EXPENSES TO CONDUCT EACH FUND FOR THE MUNICIPAL GOVERNMENT OF THE CITY OF AZLE, TEXAS, FOR THE PERIOD BEGINNING OCTOBER 1, 2023, AND TERMINATING SEPTEMBER 30, 2024, APPROPRIATING MONEY FOR THE VARIOUS FUNDS; SETTING OUT THE PURPOSES OF SUCH VARIOUS FUNDS; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND PROVIDING FOR AN EFFECTIVE DATE.

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

SECTION I.

The appropriation for the period of time beginning October 1, 2023, and ending September 30, 2024, shall be distributed among the various funds established incident thereto as follows:

(a)	General Fund	\$ 17,927,910
(b)	Debt Service Fund	\$ 789,338
(c)	Utility Fund	\$ 11,313,360
(d)	Golf Course	\$ 2,252,586
(e)	Stormwater Fund	\$ 559,571
(f)	Street Maintenance Fund	\$ 1,401,000
(g)	Court Security Fund	\$ 7,500
(h)	Court Technology Fund	\$ 18,000
(i)	Hotel/Motel Tax Fund	\$ 0
(j)	Cable PEG Fee Fund	\$ 0
(k)	Capital Projects Fund	\$ 8,500,000
(l)	Water & Sewer Capital Projects Fund	\$ 2,480,000
(m)	Crime Control & Prevention District Fund	\$ 764,426

(n)	Municipal Development District Fund	\$ <u>526,573</u>
TOTAL ALLOCATION OF ALL FUNDS		\$ 46,540,264

SECTION II.

The distribution and division of the above named appropriation shall be made in accordance with the Budget of Expenditures submitted by the City Manager and as revised by the City Council and adopted by the City Council, which budget is hereby made a part of this Ordinance by reference thereto, and the same as if copied verbatim herein, and should be considered in connection with the expenditures of the above appropriations.

SECTION III.

The budget for the one-year period as set forth above has been heretofore submitted by the City Manager to the City Council, published, and a hearing held incident hereto. The City Council has theretofore approved the same in all respects. The purpose and intent of this ordinance then, is to set forth in ordinance form the funds from which budget allocations are to be derived for operational purposes; and further, to approve the budget in all respects.

SECTION IV.

The City Manager is hereby authorized to make intra-fund and/or intra-departmental transfers during the Fiscal Year as becomes necessary in order to avoid over expenditure of a particular account.

SECTION V.

The City Manager is hereby authorized to invest any funds not needed for current use, whether operating funds or bond funds, in accordance with the Investment Policy of the City of Azle, Texas.

SECTION VI.

Should any part, portion, section or provision of this ordinance be declared to be invalid or inoperative or void for any reason by a court of competent jurisdiction, such decision, opinion or judgement shall in no way affect the remaining parts, portions, sections or provisions of this ordinance which provisions shall remain and continue to be in full force and effect.

SECTION VII.

This ordinance shall take effect and shall be in full force and effect from and after the

date of its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
AZLE, TEXAS, ON THIS THE 21ST DAY OF AUGUST, 2023.**

Alan Brundrett, Mayor

ATTEST:

Yael Forgey, City Secretary



Presenter: Tom Muir, City Manager

Agenda Item: Consider any action on ratifying the property tax increase reflected in the FY 2023-24 budget.

Background and Explanation:

State Truth-in-Taxation laws require that anytime the City Council adopts a budget that increases property tax revenue the Council must take a separate vote to ratify the increase. The increase in property tax revenue in the FY 2023-24 budget is \$807,980. The property tax revenue to be raised from new property added to the tax roll this year is \$398,989.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

Suggested Motion: "I move to ratify the property tax revenue increase reflected in the FY 2023-24 budget."

Attachments:

None



Presenter: Tom Muir, City Manager

Agenda Item: Consider any action on Ordinance No. 2023-12 levying taxes for the uses and support of the municipal government of the City of Azle, Texas, for the fiscal year beginning October 1, 2023 and ending September 30, 2024, and providing for the interest and sinking funds for the tax year 2023, and approving each levy for the specific purpose, and providing an effective date.

Background and Explanation:

To support the municipal government of the City of Azle, a tax rate of \$0.5688744 will be established for the fiscal year beginning October 1, 2023 and ending September 30, 2024. The General Fund maintenance and operations rate will be set at \$0.5222032 with the remaining \$0.0466712 for interest and sinking fund debt service. State law requires that a tax rate that exceeds the no-new-revenue tax rate must be approved by at least sixty percent (60%) of the members of the governing body.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

REQUIRED MOTION: "I move that we adopt Ordinance No. 2023-12 and that the property tax rate be increased by the adoption of a tax rate of \$0.5688744, which is effectively a 5.40 percent increase in the tax rate.

Attachments:

1. Ordinance 2023-12 Tax Year 2023 Tax Rate

ORDINANCE NO. 2023-12

AN ORDINANCE OF THE CITY OF AZLE, TEXAS, LEVYING TAXES FOR THE USES AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF AZLE, TEXAS, FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2023 AND ENDING SEPTEMBER 30, 2024, AND PROVIDING FOR THE INTEREST AND SINKING FUNDS FOR THE TAX YEAR 2023 AND APPROPRIATING EACH LEVY FOR THE SPECIFIC PURPOSE; PROVIDING FOR A DATE FOR PAYMENT OF SAID TAXES; PROVIDING FOR THE COLLECTION OF DELINQUENT TAXES; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the Notice of Public Hearing on Tax Increase for the City of Azle, Texas for the year 2022 has heretofore been published in accordance with the law; and

WHEREAS, a public hearing on the proposed tax increase and proposed tax rate was held on August 14, 2023 in accordance with the law, and

WHEREAS, it is necessary, at this time, that said ordinance be passed levying tax on all property, both real and personal, within the City of Azle, Texas, in accordance with such budget.

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

SECTION 1

There is hereby levied, and there shall be collected for the use and support of the municipal government of the City of Azle, Texas, for the 2023-2024 Fiscal Year, upon all property, whether real, personal, or mixed, within the corporate limits of the City of Azle, Texas, subject to taxation for the tax year 2023, a tax at the rate of \$0.5688744 on each One Hundred Dollars (\$100.00) valuation of property to be assessed and collected for the purposes hereinafter stipulated, to wit:

General Fund	<u>\$0.5222032</u>
Interest and Sinking Fund	<u>\$0.0466712</u>

SECTION 2

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

THE TAX RATE WILL EFFECTIVELY BE RAISED BY 6.63 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-47.28.

SECTION 3

All taxes collected by the City of Azle, Texas, shall be payable on October 1, 2023, and if such taxes are not paid in full on or before January 31st, of the succeeding year, the amounts shall be declared delinquent and penalties and interest charges shall be collected as provided by law.

SECTION 4

This ordinance shall take effect and shall be in full force and effect from and after its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF AZLE,
TEXAS, ON THIS THE 21ST DAY OF AUGUST, 2023.**

Alan Brundrett, Mayor

ATTEST:

Yael Forgey, City Secretary



Presenter: Tom Muir, City Manager

Agenda Item: Consider any action on proposed Ordinance No. 2023-13 amending Appendix A of the Azle Municipal Code and reestablish water base rates, sewer base rates, and related fees for FY 2023-24.

Background and Explanation:

The attached ordinance amends Appendix A, Article A6.000 of the Azle Municipal Code and reestablishes water and sewer rates for FY 2023-24 as prescribed by ordinance. City Ordinance requires the base rates must be reviewed and set each year. The base rates for FY 2023-24 reflect no increase over the FY 2022-23 base rates. In addition, there are no changes to the water or sewer consumption rates.

Board/Commission/Committee Recommendation:

Staff Recommendation:

Attachments:

1. Ordinance 2023-13 FY 2023-24 Utility Rates

ORDINANCE NO. 2023-13

AN ORDINANCE AMENDING APPENDIX A OF THE AZLE MUNICIPAL CODE (2023), AS AMENDED, BY AMENDING THE RESIDENTIAL AND COMMERCIAL WATER AND SEWER RATES WITHIN AND OUTSIDE THE CORPORATE CITY LIMITS OF THE CITY OF AZLE; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City of Azle heretofore adopted water and sewer rates applicable to customers both within and outside the city limits; and

WHEREAS, the City Council now deems it necessary to establish the base rates for water and sewer service.

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

SECTION 1

A. That Appendix A of the Azle Municipal Code is hereby amended by amending Section A6.007 "Water Rates", Subsection (a) "Within city limits", Subsection (1) to read as follows:

- (1) A minimum monthly service charge shall be made each month or fraction thereof for water service within the city limits. The minimum charge shall be based on the size of the meter. The minimum charge shall be evaluated to insure adequacy prior to the start of each fiscal year based on the projected budgeted amount of the following fixed costs: annual water-related debt service, utility (electric, gas, water and sewer) costs, water system insurance costs, TCEQ fees, raw water costs, and administrative costs. Once evaluated and determined to be adequate, the minimum charge shall be approved by ordinance in conjunction with the adoption of the City's annual budget. The following minimum charge is established for Fiscal Year 2023-2024:

Meter Size	Residential	Commercial
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5/8 x 3/4"	\$25.95	\$31.40
1"	\$37.63	\$45.15
1 1/2"	\$55.53	\$66.64
2"	\$76.81	\$92.17
3"	\$179.06	\$214.87
4"	\$302.06	\$362.47
6"	\$510.48	\$612.57

B. That Appendix A of the Azle Municipal Code is hereby amended by amending Section A6.007 "Water Rates", Subsection (b) "Outside city limits", Subsection (1) to read as follows:

- (1) The City Council, having found that the cost of supplying water services to customers outside the corporate limits of the City of Azle is greater than that of supplying its customers receiving services inside the corporate limits, therefore set the following rates for its residential and commercial customers outside the corporate limits. A minimum monthly service charge shall be made each month, or fraction thereof for water service outside the city limits. The minimum charge shall be based on the size of the meter. The minimum charge shall be evaluated to insure adequacy prior to the start of each fiscal year based on the projected budgeted amount of the following fixed costs: annual water related debt service, utility (electric, gas, water & sewer) costs, water system insurance costs, TCEQ fees, raw water costs, and administrative costs. Once evaluated and determined to be adequate, the minimum charge shall be approved by ordinance in conjunction with the adoption of the City's annual budget. The following minimum charge is established for Fiscal Year 2023-2024:

Meter Size	Residential	Commercial
5/8 x 3/4"	\$38.93	\$46.71
1"	\$56.44	\$67.73

1 1/2"	\$83.30	\$99.96
2"	\$115.22	\$138.26
3"	\$268.58	\$332.30
4"	\$453.09	\$543.70
6"	\$765.72	\$918.85

C. That Appendix A of the Azle Municipal Code is hereby amended by amending Section A6.008 "Sewer Rates", Subsection (a), to read as follows:

- (a) The monthly charge for connection to the sanitary sewer system shall consist of a basic charge plus a usage charge based on the amount of water service consumed as set forth in subsections (b) and (c). The basic service charge shall be evaluated to insure adequacy prior to the start of each fiscal year based on the projected budgeted amount of the following fixed costs: annual sewer related debt service, utility (electric, gas, water & sewer) costs, TCEQ fees, sewer system insurance costs, and administrative costs. Once evaluated and determined to be adequate, the minimum charge shall be approved by ordinance in conjunction with the adoption of the City's annual budget. The following minimum charge is established for Fiscal Year 2023-2024:

- (1) Residential Rate: \$23.00
- (2) Commercial Rate: \$28.30

SECTION 2.

This ordinance shall be cumulative of all provisions of ordinances and of the Code, 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.

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 4.

This ordinance shall be in full force and effect on October 1, 2023.

PASSED AND APPROVED ON THIS 21ST DAY OF AUGUST, 2023.

Alan Brundrett, Mayor

ATTEST:

Yael Forgey, City Secretary



Presenter: David Hawkins, Director of Planning and Development

Agenda Item: Food Truck Park.

Background and Explanation:

Council requested Staff to look into possibly creating a food truck park. This discussion item is a follow-up to the last meeting with City Council on July 18, 2023 on the development of a new food truck park to be located at the City-owned property on Church St. and Locust Drive. Staff will discuss possible costs, programming, and event frequency.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

N/A.

Attachments:

None



Presenter: David Hawkins, Director of Planning and Development
Agenda Item: Murals.

Background and Explanation:

Staff will provide an update on the proposed mural project.

Board/Commission/Committee Recommendation:

N/A.

Staff Recommendation:

N/A.

Attachments:

None