



**TOWN OF SHADY OF SHADY SHORES
REGULAR TOWN COUNCIL MEETING
SEPTEMBER 13, 2016, 7:00 PM
SHADY SHORES COMMUNITY CENTER
101 S. SHADY SHORES ROAD
SHADY SHORES, TX 76208**

AGENDA

**IN THE EVENT A QUORUM IS NOT AVAILABLE MONDAY, SEPTEMBER 12, 2016 TO
ADOPT THE BUDGET AND TAX RATE THIS AGENDA IS POSTED AS AN
ALTERNATIVE DATE.**

1. CALL TO ORDER
2. ROLL CALL
Establish a quorum.
3. ORDINANCE ADOPTING THE 2016-2017 FISCAL YEAR BUDGET
Consider and take action relative to approving the 2016-2017 Fiscal Year budget.

Documents:

[AGENDA MEMO 09.12.2016 ORDINANCE ADOPTING THE BUDGET.PDF](#)
[ORD_BUDGET 16-17 FYSS9.1.PDF](#)
[BUDGET 2016-2017.PDF](#)

4. ORDINANCE ADOPTING THE 2016-2017 AD VALOREM TAX RATE
Consider and take action relative to approving the 2016-2017 ad valorem tax rate.

Documents:

[AGENDA MEMO 09.12.2016 ORDINANCE ADOPTING THE TAX RATE.PDF](#)
[ORD_2016-17 TAXRATEFINAL.PDF](#)

5. ADJOURN

The Town Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed on this agenda, as authorized by Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberation about Real Property), 551.073 (Deliberation about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices), and 551.087 (Economic Development).

I, Cindy Aughinbaugh, Mayor of the Town of Shady Shores do hereby certify that the above notice of the Regular Council Meeting was posted on the bulletin board at the Community Center, 101 S. Shady Shores Road, Shady Shores, Texas on _____DAY OF _____ 2016, AT _____ P.M.

Cindy Aughinbaugh, Mayor

IN ADDITION, A QUORUM OF PLANNING AND ZONING MEMBERS MAY CHOOSE TO ATTEND THE COUNCIL MEETING POSTED ABOVE. THEREFORE, THIS IS A NOTICE OF A PLANNING AND ZONING MEETING AT THE SAME TIME AND PLACE, WITH THE SAME AGENDA AS THE COUNCIL. IN THE EVENT A QUORUM OF P&Z MEMBERS IS PRESENT AT THIS MEETING, NO ACTION OF THE MEMBERS WILL BE TAKEN. THIS NOTICE IS POSTED AT THE TIME STATED ABOVE.



To: Mayor Cindy Aughinbaugh and Council Members
From: Wendy Withers, Town Secretary
CC: Jim Shepherd, Town Attorney
Date: 09/12/2016
Re: Ordinance adopting the 2016/2017 Fiscal Year Budget

ACTION REQUESTED: Approve an Ordinance adopting the 2016/2017 Fiscal Year Budget.

BACKGROUND INFORMATION: The draft budget was filed with the Town Secretary on August 8th. The draft budget document has been available for citizen review in the Town Secretary's office and on the website since that date. The required public hearing for the budget was held on September 6, 2016.

The 2016/2017 fiscal year budget is based on a proposed tax rate of .314625 which is the same rate used last year. Using the same tax rate generates an additional \$60,788 which will be used in conjunction with budgeted reserve funds to make necessary road repairs.

The proposed budget is balanced; with income of \$2,941,907 matching the expenses of \$2,941,907. Council is proposing to use \$ 840,000 from the reserve accounts to fund estimated road repairs. Additionally, Shady Shores has been awarded funding from FEMA in the amount of 126,325 to assist with repairs to roads which were damaged in the 2015 Flooding event, and \$687,135 from the Federal Highway Authority (FHWA) to assist in repairs to W. Shady Shores and S. Shady Shores Road. A complete copy of anticipated road repairs and future planning is included in the budget document.

ORDINANCE NO.
(Adopting FY 2016-2017 Budget)

AN ORDINANCE OF THE TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016, AND ENDING SEPTEMBER 30, 2017; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE MADE IN ACCORDANCE WITH SAID BUDGET; APPROPRIATING AND SETTING ASIDE THE NECESSARY FUNDS OUT OF THE GENERAL AND OTHER REVENUES FOR SAID FISCAL YEAR FOR THE MAINTENANCE AND OPERATION OF THE VARIOUS DEPARTMENTS AND FOR VARIOUS ACTIVITIES AND IMPROVEMENTS OF THE TOWN; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, as required by law, the Mayor has prepared and submitted to the Town Council a proposed budget reflecting financial policies for the year and forecasting revenues and expenditures for conducting the affairs of the Town and providing a complete financial plan for the fiscal year beginning October 1, 2016, and ending September 30, 2017; and

WHEREAS, the Town Council has received the Mayor's proposed budget, a copy of which and all supporting schedules have been filed with the Town Secretary of the Town of Shady Shores, Texas; and

WHEREAS, the Town Council has conducted the necessary public hearings as required by law;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, TEXAS AS FOLLOWS:

SECTION 1. The proposed budget of the revenue and expenditures necessary for conducting the affairs of the Town of Shady Shores, Texas, said budget being in the amount of \$2,941,907, providing a complete financial plan for the fiscal year beginning October 1, 2016, and ending September 30, 2017, as submitted to the Town Council by the Mayor, attached hereto as Exhibit "A", be and the same is hereby adopted and approved as the budget of the Town of Shady Shores, Texas for the fiscal year beginning October 1, 2016, and ending September 30, 2017.

SECTION 2. The sum of \$ 2,941,907 is hereby appropriated for the payment of the expenditures established in the approved budget for the fiscal year beginning October 1, 2016 and ending September 30, 2017.

SECTION 3. The expenditures during the fiscal year beginning October 1, 2016, and ending September 30, 2017 shall be made in accordance with the budget approved by this ordinance unless otherwise authorized by a duly enacted ordinance of the Town of Shady Shores, Texas.

SECTION 4. All budget amendments and transfers of appropriations budgeted from one account or activity to another within any individual activity for the fiscal year 2015-2016 are hereby ratified, and the budget Ordinance for fiscal year 2015-2016, heretofore enacted by the Town Council, be and the same is hereby, amended to the extent of such transfers and amendments for all purposes.

SECTION 5. Specific authority is given to the Mayor, with the approval of a majority of the Town Council, to make the following adjustments:

- A. The transfer of appropriations budgeted from one account classification to another account classification within the same department.
- B. The transfer of appropriations from one department or activity to another department or activity within the same fund.

State law regulating budget amendments must also be followed for any budget amendments.

SECTION 6. All notices and public hearings required by law have been duly completed.

SECTION 7. All provisions of the Ordinances of the Town of Shady Shores, Texas, in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other

provisions of the Ordinances of the Town of Shady Shores, Texas not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 8. Should any word, sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional.

SECTION 9. This Ordinance shall take effect from and after its passage as the law in such cases provides.

DULY PASSED by the Town Council of the Town of Shady Shores, Texas, on the _____ day of September, 2016, with Councilmembers voting as follows:

In favor: _____

Opposed: _____

APPROVED:

Cindy Aughinbaugh, Mayor

ATTESTED:

Wendy Withers, Town Secretary

APPROVED AS TO FORM:

James E. Shepherd, Town Attorney

2016-2017

Ordinary Income/Expense
Income

4000 · Town Services Revenue	
4010 · Ad Valorem Tax	836497
4050 · Sales Tax	60000
4130 · Permits/Variances	50000
4140 · Inspections	12000
4400 · Interest Earned	6000
4540 · Local government grants	0
4800 · Municipal Court Fines	20000
4801 · Court Technology Fund	0
4802 · Municipal Court Security Fund	0
4900 · Facility Rental	1000
4901 · Reimbursements	100
4902 · Community Events Income	2000
4903 * Solid Waste Collections	169500
4904 * Late Fees	600
4905 * Connect Fees	400

Total 4000 · Town Services Revenue 1158097

5000 · Franchise Revenues	
5010 · TXU	80000
5020 · Atmos Energy	26000
5030 · CoServe	50
5040 · Century Telephone	2800
5050 · Charter Communication	20000
5070 · -CWD	1500

Total 5000 · Franchise Revenues 130350

6000- Grants and Reserve Funds	
- Fema Funding	126325
- FWHA Funding	687135
- Budgeted Reserve Funds	840000
-	1653460

Total Income 2941907

Expense

7400 · Contract Labor expenses	
7410 · Animal Control	15400
7415 · Code Enforcement Officer	14000
7420 · Fire Dept	315000
7430 · Building Inspector	25000
7440 · Library	29046
7460 · Police Patrol Svc	174378

Total 7400 · Contract Labor expenses 572824

7500 - Professional Svc expenses	
7510 - Attorney fees	70000
7520 - Accounting/Audit fees	6800
7530 - Engineer fees	85000
7552 - Municipal Judge	4200
Total 7500 - Professional Svc expenses	166000
7600- Personnel	
7640 - Town Secretary	66654
7650 - Office Clerk	0
7655- Municipal Court Clerk	49504
7656- Landscape Tech	5000
7660 - Payroll Tax	9000
7661- 1- TMRS	5550
8540 - - Staff Development	5000
7662 - Misc/Other	10000
Total Personnel	150708
8000 - Infrastructure	
8010- Signs	1000
8030- Regional Stormwater	2500
8040- (- Grants NCTCOG - FEMA CTP	0
8060 - Roads / Streets	1760095
8070 - Public Works	30000
Total 8000 - Infrastructure	1793595
8100 - Non-personnel expenses	
8110 - Office Supplies	4000
8115 - Texas Municipal League	5000
8120 - Legal Advertising	2500
8130 - Computer Expenses	17030
8140 - Postage, shipping, delivery	1500
8180 - Books, subscriptions, reference	250
8185 - Codification	1500
8190 - Election expenses	4000
Total 8100 - Non-personnel expenses	35780
8200 - Occupancy expenses	
8205 - Telephone	1300
8210 - Utility Atmos Energy	1000
8215 - Utility LCMUA	1200
8220 - Utility Electric	14000
8250 - Building Maintenance	16200
Total 8200 - Occupancy expenses	33700
8500 - Misc expenses	
8510 - Dues	650

8515 · Promotional	1500
8517 · Community Events	4300
8518 · KSSB	4000
8520 · Ad Valorem Tax Svc	7500
8550 · Municipal Court Fines to State	10000
8551 · Municipal Court Software Mnt	0
8552 · Municipal Court Jury Service	500
8570 · Advertising expenses	500
8580 · Contingency provisions	0
8585 · Delinquent Ticket Collection Fee	2000
8590 · Other expenses	200
8591 · Bank Service Charge	150
8592 · Building Deposit Refund	2000
859X Solid Waste	156000
Total 8500 · Misc expenses	189300
Total Expense	2941907
Net Ordinary Income	0



To: Mayor Cindy Aughinbaugh and Council Members
From: Wendy Withers, Town Secretary
CC: Jim Shepherd, Town Attorney
Date: 09/12/2016
Re: Ordinance Adopting the 2016/2017 Tax Rate

ACTION REQUESTED: Approve an ordinance adopting the 2016/2017 tax rate.

BACKGROUND INFORMATION: The Town of Shady Shores is proposing to use the same tax rate of .314625; however; the tax rate will generate \$ 60,788 in additional funds. The majority of excess funds have been used to fund necessary road repairs that may have occurred due to the recent flooding event.

The total appraised value of properties in the Town of Shady Shores is 263,054,608 of which \$3,619,822 is generated from new construction and additions to the tax roll. New Construction values constitute approximately 1% of the total tax revenue that will be generated. The additional funds collected will be used to make necessary road repairs.

Public Hearings were conducted on August 29, 2016 and September 6, 2016

ORDINANCE NO. _____
(Adopting a Tax Rate for 2016-2017)

AN ORDINANCE OF THE TOWN OF SHADY SHORES, DENTON COUNTY, TEXAS LEVYING THE AD VALOREM TAXES FOR THE YEAR 2016 (Fiscal Year 2016-2017) AT A RATE OF \$0.314625 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE TOWN OF SHADY SHORES AS OF JANUARY 1, 2016, TO PROVIDE REVENUE FOR THE PAYMENT OF CURRENT EXPENSES; PROVIDING FOR DUE AND DELINQUENT DATES TOGETHER WITH PENALTIES AND INTEREST; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SHADY SHORES, COLLIN COUNTY, TEXAS AS FOLLOWS:

SECTION 1. There be and is hereby levied for the year 2016 on all taxable property, real, personal and mixed, situated within the corporate limits of the Town of Shady Shores, and not exempt by the Constitution of the State and valid State laws, a tax of **\$0.314625** on each One Hundred Dollars (\$100) assessed valuation of taxable property, and shall be apportioned and distributed as follows:

- (a) For the purpose of defraying the current expenditures of the municipal government of the Town of Shady Shores, a tax of **\$0.314625** on each One Hundred Dollars (\$100) assessed value on all taxable property.
- (b) For the purpose of creating a sinking fund to pay the interest and principal maturities of all outstanding debt of the Town of Shady Shores, not otherwise provided for, a tax of **\$0.0000** on each One Hundred Dollars (\$100).
- (c) **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 6.24% PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$19.64.

SECTION 2. All ad valorem taxes shall become due and payable on October 1, 2016, and all ad valorem taxes for the year shall become delinquent if not paid prior to February 1, 2017. There shall be no discount for payment of taxes prior to February 1, 2017. A delinquent tax shall incur all penalty and interest authorized by law, to wit:

(a) A penalty of six per cent on the amount of the tax for the first calendar month it is delinquent, plus one percent for each additional month or portion of a month the tax remains unpaid prior to July 1 of the year in which it becomes delinquent.

(b) Provided, however, a tax delinquent on July 1, 2017 incurs a total penalty of twelve per cent of the amount of delinquent tax without regard to the number of months the tax has been delinquent. A delinquent tax shall also accrue interest at the rate of one percent for each month or portion of a month the tax remains unpaid. Taxes for the year 2016 and taxes for all future years that become delinquent on or after February 1 but not later than May 1, that remain delinquent on July 1 of the year in which they become delinquent, incur an additional penalty in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 6.30 and 33.07, as amended. Taxes assessed against tangible personal property for the year 2016 and for all future years that become delinquent on or after February 1 of a year incur an additional penalty on the later of the date the personal property taxes become subject to the delinquent tax attorney's contract, or 60 days after the date the taxes become delinquent, such penalty to be in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 33.11. Taxes for the year 2016 and taxes for all future years that remain delinquent on or after June 1 under Texas Property Tax Code Sections 26.07(f), 26.15(e), 31.03, 31.031, 31.032 or 31.04 incur an additional penalty in the amount of twenty percent (20%) of taxes, penalty and interest due, pursuant to Texas Property Tax Code Section 6.30 and Section 33.08, as amended.

SECTION 3. Taxes are payable at the Denton County Tax Office. The Town shall have available all the rights and remedies provided by law for the enforcement of the collection of taxes levied under this ordinance.

SECTION 4. The tax roll as presented to the Town Council, together with any supplements thereto, be and the same are hereby approved.

SECTION 5. All ordinances of the Town of Shady Shores in conflict with the provisions of this Ordinance be, and the same are hereby, repealed and all other provisions of the ordinances of the Town of Shady Shores not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 6. Should any sentence, paragraph, subdivision, clause, phrase or section of this Ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this Ordinance as a whole or any part or provision thereof other than the part thereof decided to be unconstitutional, illegal or invalid.

SECTION 7. This ordinance shall take effect immediately from and after its passage, as the law in such cases provides.

DULY PASSED by the Town Council of the Town of Shady Shores, Texas, on the _____ day of September, 2016, with Councilmembers voting as follows:

In favor: _____

Opposed: _____

APPROVED:

Cindy Aughinbaugh, Mayor

CORRECTLY ENROLLED:

Wendy Withers, Town Secretary

APPROVED AS TO FORM:

James E. Shepherd, Town Attorney