

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 010-037

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 2 (ADMINISTRATION), ARTICLE IV (FINANCE), DIVISION 2 (FINANCIAL POLICIES) AS SET FORTH HEREIN; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the Town of Addison, Texas (the "City") has heretofore adopted financial policies regarding the funds under its control; and

WHEREAS, the said financial policies are set forth in Division 2, Article IV, Chapter 2 of the City's Code of Ordinances; and

WHEREAS, the City Council has reviewed the said financial policies and desires to amend the same as set forth herein.

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

Section 1. Incorporation of Premises. The above and foregoing premises are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Amendment. Chapter 2 (Administration) of the Code of Ordinances (the "Code") of the Town of Addison, Texas (the "City") is hereby amended in the following particulars, and all other chapters, articles, sections, subsections, paragraphs, phrases, and words are not amended but are ratified and confirmed:

A. Division 2 (Financial Policies) of Article IV (Finance) of Chapter 2 of the Code is amended as follows (additions are underlined; deletions are ~~struck through~~):

Sec. 2-171. Purpose.

The Town of Addison, Texas financial policies set forth the basic framework for the fiscal management of the ~~town~~Town. These policies were developed within the parameters established by applicable provisions of the Texas Local Government Code and the Town of Addison City Charter. The policies are intended to assist the ~~city council~~City Council and city staff in evaluating current activities and proposals for future programs. The policies are to be reviewed on an annual basis and modified to accommodate changing circumstances or conditions. *Minor changes in policies have been adopted as a result of the issuance of GASB Statement 34 and are noted in italics. While the modified policies influenced how certain funds are displayed or organized, the changes did not affect the application of financial resources to government programs.*

Sec. 2-172. Annual budget. (Charter Requirements*)

(a) The fiscal year of the Town of Addison shall begin on October 1 of each calendar year and will end on September 30 of the following calendar year. The fiscal year will also be established as the accounting and budget year.*

(b) The ~~city manager~~City Manager, prior to August first of each year, shall prepare and submit to the ~~city secretary~~City Secretary the annual budget covering the next fiscal year, which shall contain the following information:*

(1) The ~~city manager's~~City Manager's budget message shall outline the proposed financial policies for the next fiscal year with explanations of any changes from previous years in expenditures and any major changes of policy and a complete statement regarding the financial condition of the ~~town~~Town.

(2) An estimate of all revenue from taxes and other sources, including the present tax structure rates and property ~~evaluations~~valuations for the ensuing year.

(3) A carefully itemized list of proposed expenses by office, department, agency, and project for the budget year, as compared to actual expenses of the last ended fiscal year, and estimated expenses for the current year compared to adopted budget.

(4) A description of all outstanding bonded indebtedness of the ~~town~~Town.

(5) A statement proposing any capital expenditure deemed necessary for undertaking during the next budget year and recommended provision for financing.

(6) A list of capital projects which should be undertaken within the next five succeeding years.

(7) A five-year financial plan for the ~~general~~General, ~~hotel~~Hotel, ~~airport~~Airport, and ~~utility~~Utility fundsFunds.

(c) The ~~city manager's~~City Manager's budget should assume, for each fund, operating revenues that are equal to, or exceed operating expenditures. The ~~city manager's~~City Manager's budget message shall explain the reasons for any fund that reflects operating expenditures exceeding operating revenues.*

(d) At least one public hearing shall be conducted before the ~~council~~City Council, allowing interested citizens to express their opinions concerning items of expenditures, giving their reasons for wishing to increase or decrease any items of expense. The notice of hearing shall be published in the official newspaper of the ~~town~~Town not less than 15 days or more than 30 days following date of notice.*

(e) Following the public hearing, the ~~council~~City Council shall analyze the budget, making any additions or deletions which they feel appropriate, and shall, at least three days prior to the beginning of the next fiscal year, adopt the budget by a favorable

majority vote. If the ~~council~~City Council fails to adopt the budget, the ~~city~~Town shall continue to operate under the existing budget until such time as the ~~council~~City Council adopts a budget for the ensuing fiscal year.*

(f) On final adoption, the budget shall be in effect for the budget year. Final adoption of the budget by the ~~council~~City Council shall constitute the official appropriations for the current year and shall constitute the basis of the official levy of the property tax. Under conditions which may arise, the ~~council~~City Council may amend or change the budget to provide for any additional expense.*

(g) The annual budget document shall be published in a format that satisfies all criteria established by the Government Finance Officers Association's Distinguished Budget Program. The final budget document shall be published no later than ninety days following the date of the budget's adoption by the ~~council~~City Council.

Sec. 2-173. Basis of accounting and budgeting.

(a) The ~~town's~~Town's finances shall be accounted for in accordance with generally accepted accounting principles (GAAP) as established by the Governmental Accounting Standards Board (GASB).

(1) The accounts of the ~~town~~Town are organized and operated on the basis of funds and account groups. Fund accounting segregates funds according to their intended purpose and is used to aid management in demonstrating compliance with finance-related legal and contractual provisions. The minimum number of funds is maintained consistent with legal and managerial requirements. Account groups are a reporting device to account for certain assets and liabilities of the governmental funds not recorded directly in those funds. Governmental funds are used to account for the government's general government activities and include the ~~general~~General, ~~special revenue~~Special Revenue, ~~debt service~~Debt Service and ~~capital project funds~~Capital Project Funds.

(2) Governmental fund types use the flow of current financial resources measurement focus and the modified accrual basis of accounting. Under the modified accrual basis of accounting, revenues are recognized when susceptible to accrual (i.e., when they are "measurable and available"). "Measurable" means the amount of the transaction can be determined, and "available" means collectible within the current period or soon enough thereafter to pay liabilities of the current period. Substantially all revenues are considered to be susceptible to accrual. Ad valorem, sales, hotel, franchise and tax revenues recorded in the ~~general fund~~General Fund and ad valorem tax revenues recorded in the ~~debt service fund~~Debt Service Fund are recognized under the susceptible to accrual concept. Licenses and permits, charges for services, fines and forfeitures, and miscellaneous revenues (except earnings on investments) are recorded as revenues when received in cash because they are generally not measurable until actually received. Investment earnings are recorded as earned since they are measurable and available. Expenditures are recognized when the related fund liability is incurred, if measurable, except for principal and interest on general long-

term debt, which are recorded when due, and compensated absences, which are recorded when payable from currently available financial resources.

(3) The ~~town~~-Town utilizes encumbrance accounting for its governmental fund types, under which purchase orders, contracts and other commitments for the expenditure of monies are recorded in order to reserve that portion of the applicable appropriation.

(4) The ~~town's~~-Town's proprietary fund types are accounted for on a flow of economic resources measurement focus and use the accrual basis of accounting. Under this method, revenues are recorded when earned, and expenses are recorded at the time liabilities are incurred.

(b) The ~~town's~~-Town's annual budgets shall be prepared and adopted on a basis consistent with generally accepted accounting principles for all governmental and proprietary funds except the capital projects funds, which adopt project-length budgets. Also, depreciation of fixed assets is not recognized in proprietary fund budgets. All annual appropriations lapse at fiscal year end. Under the ~~town's~~-Town's budgetary process, outstanding encumbrances are reported as reservations of fund balances and do not constitute expenditures or liabilities since the commitments will be reappropriated and honored the subsequent fiscal year.

(c) The issuance of Statement 34 by the ~~Governmental Accounting Standards Board~~GASB has influenced the creation and reporting of individual funds. GASB 34 essentially mandates dual accounting systems: one for government-wide (i.e. the government as a single entity) reporting and another for individual fund reporting. Under GASB 34 for individual funds, the ~~town~~-Town will continue utilizing the accounting and budgeting processes as described in paragraphs (1) and (2) of this section. However, because GASB 34 mandates the flow of economic resources measurement focus and accrual basis of accounting for the government-wide reporting, extensive reconciliation must be performed to present aggregated fund information in the government-wide reporting model. Therefore, individual operating funds will be created with the objective of reducing fund to government-wide reconciliation as much as possible. When appropriate, individual funds will be examined as to whether it will be appropriate to account for them as proprietary fund types. Also, the ~~town~~-Town will limit the use of internal service funds and incorporate the financial transactions of those funds into other governmental funds.

Sec. 2-174. Budget administration.

(a) All expenses of the ~~town~~-Town shall be made in accordance with the adopted annual budget. The department level is the legal level of control enacted by the ~~town~~-Town Charter. Budgetary control is maintained at the individual expenditure account level by the review of all requisitions of estimated purchase amounts prior to the release of purchase orders to vendors.

(b) The following represents the ~~town's~~-Town's budget amendment policy delineating responsibility and authority for the amendment process. Transfers between expenditure

accounts in one department may occur with the approval of the ~~director of financial and strategic services~~ Chief Financial Officer (CFO). Transfers between operating departments may occur with the approval of the ~~city manager~~ City Manager and ~~director of financial and strategic services~~ CFO provided that a department's total budget is not changed by more than five percent. Transfers between funds or transfers between departments that change a department's total budget by more than five percent must be accomplished by budget amendment approved by the ~~city council~~ City Council. Budget amendments calling for new fund appropriations must also be approved by the ~~city council~~ City Council.

Sec. 2-175. Financial reporting.

(a) Following the conclusion of the fiscal year, the ~~town's~~ Town's ~~director of financial and strategic services~~ CFO shall cause to be prepared a Comprehensive Annual Financial Report (CAFR) in accordance with generally accepted accounting and financial reporting principles established by the ~~governmental accounting standards board~~ GASB. The document shall also satisfy all criteria of the Government Finance Officers Association's Certificate of Achievement for Excellence in Financial Reporting Program.

(b) The CAFR shall show the status of the ~~city's~~ Town's finances on the basis of ~~generally accepted accounting principles (GAAP)~~ GAAP. The CAFR shall show fund revenues and expenditures on both a GAAP basis and budget basis for comparison purposes. In all but two cases this reporting conforms to the way the ~~city~~ Town prepares its budget. Compensated absences (accrued but unused sick leave) are not reflected in the budget but are accounted for in the CAFR's long-term debt account group. Depreciation expense is not shown in the budget's proprietary funds, although the full purchase price of equipment and capital improvements is reflected as uses of working capital.

(c) Included as part of the ~~comprehensive annual financial report~~ CAFR shall be the results of the annual audit prepared by independent certified public accountants designated by the ~~city council~~ City Council.

(d) The ~~director of financial and strategic services~~ CFO shall, within 60 days following the conclusion of each calendar quarter, issue a report to the ~~council~~ City Council reflecting the ~~town's~~ Town's financial condition for that quarter. The quarterly report format shall be consistent with the format of the annual budget document.

Sec. 2-176. Revenues.

(a) To protect the ~~town's~~ Town's financial integrity, the ~~town~~ Town will maintain a diversified and stable revenue system to shelter it from fluctuations in any one revenue source. Recognizing that sales tax is a volatile, unpredictable source of revenue, the ~~town~~ Town will attempt to reduce its dependence on sales tax revenue.

(b) For every annual budget, the ~~town~~ Town shall levy two property tax rates: operation/maintenance and debt service. The debt service levy shall be sufficient for meeting all principal and interest payments associated with the ~~town's~~ Town's outstanding

general obligation debt for that budget year. The debt service levy and related debt service expenditures shall be accounted for in the ~~debt service fund~~ Debt Service Fund. The operation and maintenance levy shall be accounted for in the ~~general fund~~ General Fund. The operation and maintenance levy will be established within the eight percent rollback rate as defined by the State of Texas Property Tax Code. City Council will consider exceeding the rollback rate only after options have been presented by staff to avoid the rollback by increasing revenue from other sources or reducing expenditures.

(c) The ~~town~~ Town will maintain a policy of levying the lowest tax rate on the broadest tax base. Minimal exemptions will be provided to homeowners, senior citizens, and disabled veterans. The ~~town~~ Town ~~will not provide~~ may consider providing tax abatements or other incentives to encourage development.

(d) The ~~town~~ Town will establish user charges and fees at a level that attempts to recover the full cost of providing the service.

(1) User fees, particularly utility rates, should identify the relative costs of serving different classes of customers.

(2) Where possible, utility rates should be designed to reduce peak (hour and day) demands on the utility systems.

(3) The ~~town~~ Town will make every reasonable attempt to ensure accurate measurement of variables impacting taxes and fees (e.g. verification of business sales tax payments, verification of appraisal district property values, and accuracy of water meters).

(e) The ~~town~~ Town will attempt to maximize the application of its financial resources by obtaining supplementary funding through agreements with other public and private agencies for the provision of public services or the construction of capital improvements.

(f) The ~~town~~ Town will consider market rates and charges levied by other public and private organizations for similar services in establishing tax rates, fees and charges.

(g) When developing the annual budget, the ~~city manager~~ City Manager shall project revenues from every source based on actual collections from the preceding year and estimated collections of the current fiscal year, while taking into account known circumstances which will impact revenues for the new fiscal year. The revenue projections for each fund should be made conservatively so that total actual fund revenues exceed budgeted projections.

Sec. 2-177. Operating expenditures.

(a) Operating expenditures shall be accounted, reported, and budgeted for in the following major categories:

- (1) Operating, recurring expenditures:
 - a. Personal services.
 - b. Supplies.
 - c. Maintenance.
 - d. Contractual services.
 - e. Capital replacement/lease.

- (2) Operating, non-recurring expenditures:
 - a. Capital equipment.

(b) The annual budget shall appropriate sufficient funds for operating, recurring expenditures necessary to maintain established (i.e. status quo) quality and scope of city services.

(c) The ~~town~~Town will constantly examine the methods for providing public services in order to reduce operating, recurring expenditures and/or enhance quality and scope of public services with no increase to cost.

(d) Personal service expenditures will reflect the minimum staffing needed to provide established quality and scope of city services. To attract and retain employees necessary for providing high-quality service, the ~~town~~Town shall maintain a compensation and benefit package competitive with the public and, when quantifiable, private service industries.

(e) Supply expenditures shall be sufficient for ensuring the optimal productivity of ~~town~~Town employees.

(f) Maintenance expenditures shall be sufficient for addressing the deterioration of the ~~town's~~Town's capital assets to ensure the optimal productivity of the capital assets. Maintenance should be conducted to ensure a relatively stable level of maintenance expenditures for every budget year.

(g) The ~~town~~Town will utilize contracted labor for the provision of city services whenever private contractors can perform the established level of service at less expense to the ~~town~~Town. The ~~town~~Town will regularly evaluate its agreements with private contractors to ensure the established levels of service are performed at the least expense to the ~~town~~Town.

(h) Capital equipment is defined as equipment that exceeds \$5,000.00 and has a useful life of at least one year. Existing capital equipment shall be replaced when needed to ensure the optimal productivity of ~~town~~Town employees. Existing capital equipment associated with ~~general fund~~General Fund operations will be amortized by charges to the departments using the equipment. The amortization charges will be sufficient for replacing the capital equipment at the end of its expected useful life. The amortization charges and application of those funds will be accounted for in the ~~capital replacement fund~~Capital Replacement Fund.

(i) Expenditures for additional capital equipment shall be made only to enhance employee productivity, improve quality of service, or expand scope of service.

(j) To assist in controlling the growth of operating expenditures, operating departments will submit their annual budgets to the ~~city manager~~ City Manager within a ceiling calculated by the ~~director of financial and strategic services~~ CFO. Projected expenditures that exceed the ceiling must be submitted as separate budget adjustment requests. The ~~city manager~~ City Manager will recommend the adjustment requests to the ~~council~~ City Council, which will vote on the requests.

Sec. 2-178. Fund balance.

(a) The annual budget shall be presented to ~~council~~ City Council with each fund reflecting an ending fund balance which is no less than 25 percent of that fund's annual operating expenditures. To satisfy the particular needs of individual funds, ending fund balances may be established which exceed the 25 percent minimum.

(b) Fund balance that exceeds the minimum level established for each fund may be appropriated for non-recurring capital projects or programs.

(c) The ~~town~~ Town will exercise diligence in avoiding the appropriation of fund balance for recurring operating expenditures. In the event fund balance is appropriated for recurring operating expenditures to meet the needs of the Addison community, the budget document shall include an explanation of the circumstances requiring the appropriation and the methods to be used to arrest the future use of fund balance for operating expenditures.

Sec. 2-179. Fund transfers.

(a) With the exceptions noted below, there will be no operating transfers between funds. Any costs incurred by one fund to support the operations of another shall be charged directly to the fund. (For example, actual hours worked by ~~general fund~~ General Fund employees for ~~hotel fund~~ Hotel Fund events.)

(b) Fund transfers may occur when surplus fund balances are used to support non-recurring capital expenses or when needed to satisfy debt service obligations.

(c) Transfers are permitted between funds to support economic development programs.

Sec. 2-180. Debt expenditures.

(a) The ~~town~~ Town will issue debt only to fund capital projects that cannot be supported by current, annual revenues.

(b) To minimize interest payments on issued debt, the ~~town~~ Town will seek to maintain a rapid debt retirement policy by issuing debt with maximum maturities not exceeding 15 years, except in instances when the capital improvements will significantly benefit the

community beyond the 15 year period. Retirement of debt principal will be structured to ensure ~~constant~~ consistent annual debt payments.

(c) The ~~town~~ Town will attempt to maintain base bond ratings (prior to insurance) of ~~A+~~ Aa1 (Moody's Investors Service) and ~~A+AAA~~ (Standard & Poor's) on its general obligation debt.

(d) When needed to minimize annual debt payments, the ~~town~~ Town will obtain insurance for new debt issues.

Sec. 2-181. Capital project expenditures.

(a) The ~~town~~ Town will develop a multi-year plan for capital projects, which identifies all projects likely to be constructed within a five-year horizon. The multi-year plan will reflect for each project the likely source of funding and attempt to quantify the project's impact to future operating expenditures.

(b) Capital projects will be constructed to:

- (1) Protect or improve the community's quality of life.
- (2) Protect or enhance the community's economic vitality.
- (3) Support and service new development.

(c) To minimize the issuance of debt, the ~~town~~ Town will attempt to support capital projects with appropriations from operating revenues or excess fund balances (i.e. "pay-as-you-go").

Sec. 2-182. Utility capital expenditures.

The ~~town~~ Town will design utility rates sufficient for funding a depreciation reserve which will accumulate resources to replace or rehabilitate aging infrastructure ~~which that~~ no longer can be serviced by regular maintenance. Attempts should be made to fund the reserve at a level approximate to annual depreciation of assets as reported in the ~~town's~~ Town's annual comprehensive annual financial report CAFR.

Sec. 2-183. Long-term financial plans.

(a) The ~~town~~ Town will adopt every annual budget in context of a long-term financial plan for the ~~general fund~~ General Fund. Financial plans for other funds may be developed as needed.

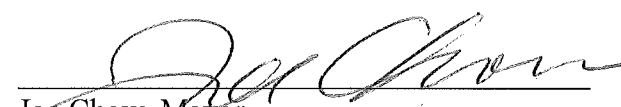
(b) The ~~general fund~~ General Fund long-term plan will establish assumptions for revenues, expenditures and changes to fund balance over a five-year horizon. The assumptions will be evaluated each year as part of the budget development process.

Section 3. Savings. This Ordinance shall be cumulative of all other ordinances of the City affecting the City's investment policy or investment strategy and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance.

Section 3. Severability. The sections, paragraphs, sentences, phrases, clauses and words of this Ordinance are severable, and if any section, paragraph, sentence, phrase, clause or word in this Ordinance or application thereof to any person or circumstance is held invalid or unconstitutional by a Court of competent jurisdiction, such holding shall not affect the validity of the remaining portions of this Ordinance, and the City Council hereby declares that it would have passed such remaining portions of this Ordinance despite such invalidity, which remaining portions shall remain in full force and effect.

Section 4. Effective Date. This Ordinance shall become effective from and after its date of passage and approval as provided by law.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this 28th day of September, 2010.



Joe Chow, Mayor

ATTEST:

By: 

Lea Dunn, City Secretary

APPROVED AS TO FORM:

By: 

John Hill, City Attorney