

ORDINANCE NO. 22-09-15-02

AN ORDINANCE OF THE CITY OF LAGO VISTA, TEXAS LEVYING AD VALOREM TAXES FOR USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND TERMINATING SEPTEMBER 30, 2023; PROVIDING FOR APPORTIONING EACH LEVY FOR SPECIFIC PURPOSES; AND PROVIDING WHEN TAXES SHALL BECOME DUE AND WHEN SAME SHALL BECOME DELINQUENT IF NOT PAID.

WHEREAS, the City Council of the City of Lago Vista, Texas, has approved the municipal budget for the fiscal year beginning October 1, 2022, and ending September 30, 2023;

WHEREAS, it is necessary that an ordinance be passed levying an ad valorem tax on all property, both real and personal, within the corporate limits of the City of Lago Vista, Texas in accordance with such budget and the Texas Tax Code;

WHEREAS, the Chief Appraiser of the Travis Central Appraisal District has prepared and certified the appraisal roll for the City of Lago Vista, Texas, that roll being that portion of the approved appraisal roll of the Travis County Appraisal District which lists property taxable by the City of Lago Vista, Texas, and

WHEREAS, the proposed tax rate for the 2022-2023 fiscal year is \$0.4283;

WHEREAS, the proposed tax rate is lower than the tax rate that was adopted for the 2021/2022 fiscal year;

WHEREAS, the proposed tax rate qualifies as a tax rate increase under state law because the proposed tax rate will increase the total property tax revenue received by the City (assuming all amounts levied are collected and received); such increase is due to an increase in property valuations in 2022 rather than an increase in actual tax rate;

WHEREAS, the portion of the \$0.4283 proposed tax rate allocated for maintenance and operations is \$0.2959, and is a decrease from last year's maintenance and operations portion of the tax rate (which was \$0.3981), but will generate more revenue to fund maintenance and operations this fiscal year due to an increase in property valuations; and

WHEREAS, the portion of the \$0.4283 proposed tax rate allocated towards the interest and sinking fund is \$0.1324 and is a decrease from last year's interest and sinking fund portion of the rate (which was \$0.2089) but will generate more revenue to fund debt service this fiscal year.

WHEREAS, the Tax Assessor and Collector of Travis County has reviewed the statutory calculations performed by the Finance Director, the employee designated by the governing body, required by Section 26.04 of the Texas Tax Code. The Finance Director has published the new revenue tax rate, the voter approval tax rate, and an explanation of how they were calculated, and has fulfilled all other requirements for publication as required in Chapter 26 of

the Texas Tax Code, in a manner designed to come to the attention of all residents of the City of Lago Vista, and those rates have been submitted to the City Council; and

WHEREAS, the City Council has complied with all applicable requirements of the Texas Tax Code and the Texas Local Government Code prior to the setting of the tax rate for said City for the fiscal year beginning on October 1, 2022 and ending on September 30, 2023 (i.e., FY 2022-2023); and

WHEREAS, it is necessary to levy such an ad valorem tax at a given rate to generate revenues sufficient to meet the projected expenses of the City for FY 2022-2023.

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

Section 1. There is hereby levied and there shall be collected for the use and support of the municipal government of the City of Lago Vista (herein the "City") and to provide an Interest and Sinking fund for the 2022-2023 fiscal year, upon all property, real, personal and mixed, within the corporate limits of said City on January 1, 2022 subject to taxation, a tax of \$0.4283 on each \$100.00 valuation of property, said tax being so levied and apportioned to the specific purposes here set forth:

1. For the maintenance and support of the general government (General Fund),
\$0.2959 per \$100.00 valuation of property; and
2. For the interest and sinking fund, \$0.1324 per \$100.00 valuation of property.

The following statements are included as required by Section 26.05, Texas Tax Code:

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

THE TAX RATE WILL EFFECTIVELY BE DECREASED BY (25.6720%) PERCENT AND WILL DECREASE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$102.20.

Section 2. That taxes levied under this ordinance shall be due October 1, 2022, and if not paid on or before January 31, 2023 shall immediately become delinquent.

Section 3. All taxes shall become a lien upon the property against which assessed, and the Travis County Tax Appraisal District as the assessor and collector of the City is hereby authorized and empowered to enforce the collection of such taxes according to the Constitution and laws of the State of Texas and ordinances of the City, and shall, by virtue of the tax rolls, fix and establish a lien by levying upon such property, whether real or personal, for the payment of said taxes, penalty and interest, and, the interest and penalty collected from such delinquent taxes shall be apportioned to the general fund of the City. All delinquent taxes shall bear interest from date of delinquency at the rate as prescribed by state law.

Section 4. Severability: Should any paragraph, sentence, provision, 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 or parts adjudged to be invalid, illegal, or unconstitutional.

Section 5. Repealer: All other ordinances and provisions in conflict herewith are hereby repealed, but only to the extent of any such conflict or inconsistency and all other provisions of the Code of Ordinances not in conflict herewith shall remain in full force and effect. The repeal of any ordinance or parts thereof by the enactment of this Ordinance, shall not be construed as abandoning any action now pending under or by virtue of such ordinance; nor shall it have the effect of discontinuing, abating, modifying or altering any penalty accruing or to accrue, nor as affecting any rights of the City of Lago Vista under any section or provision of any ordinances at the time of passage of this Ordinance.

Section 6. Effective Date: That this ordinance shall take effect and be in force from and after its passage.

Section 7. Open Meeting: It is hereby officially found and determined that the meeting at which this Ordinance was passed was conducted in compliance with the Open Meetings Act, Texas Government Code, Chapter 551.

DULY PASSED AND APPROVED THIS THE 15th DAY OF SEPTEMBER 2022.

ATTEST:


Lucy Aldrich, City Secretary

THE CITY OF LAGO VISTA, TEXAS


Ed Tidwell, Mayor

On a motion by Councilor Sullivan, seconded by Councilor Roberts, the Council voted Seven (7) ayes to Zero (0) nays to approve Ordinance No. 22-09-15-02.

Mayor Tidwell:

Aye ; Nay _____; Abstain _____; Absent _____

Councilmember Hunt:

Aye ; Nay _____; Abstain _____; Absent _____

Mayor Pro-Tem Sullivan:

Aye ; Nay _____; Abstain _____; Absent _____

Councilmember Durbin:

Aye ; Nay _____; Abstain _____; Absent _____

Councilmember Marion:

Aye ; Nay _____; Abstain _____; Absent _____

Councilmember Roberts:

Aye ; Nay _____; Abstain _____; Absent _____

Councilmember Prince:

Aye ; Nay _____; Abstain _____; Absent _____