

**ORDINANCE NO. 1291-2020**

**AN ORDINANCE OF THE CITY OF RIVER OAKS TEXAS, AFFIXING AND LEVYING MUNICIPAL AD VALOREM TAXES FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING SEPTEMBER 30, 2021, AT A RATE OF \$0.697374 PER \$100.00 OF ASSESSED VALUE ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS FOR THE CITY OF RIVER OAKS, AS OF JANUARY 1, 2020, TO PROVIDE REVENUES FOR THE PAYMENT OF CURRENT EXPENSES; PROVIDING FOR DUE AND DELINQUENT DATES FOR PAYMENT OF TAXES TOGETHER WITH PENALTIES AND INTEREST THEREON; PROVIDING FOR PLACE OF PAYMENT; PROVIDING FOR APPROVAL OF THE TAX ROLLS PRESENTED TO THE CITY COUNCIL; TAKE RECORD VOTE BY NAME OF THE CITY COUNCIL MEMBERS VOTING; REPEALING CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE AND DECLARING AN EFFECTIVE DATE.**

**WHEREAS**, the City of River Oaks 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 Council of the City of River Oaks, Texas (hereinafter referred to as the "City") hereby finds that the tax for the fiscal year beginning October 1, 2020 and ending September 30, 2021, hereinafter levied for current expenses of the City and the general improvements of the City and its property must be levied to provide the revenue requirements of the budget for this fiscal year; and

**WHEREAS**, the City Council on August 25, 2020 has approved the budget for the fiscal year beginning October 1, 2020, and ending September 30, 2021; and

**WHEREAS**, notice of the No New Revenue tax rate calculations for the tax year 2020 for the City of River Oaks, Texas was heretofore published in accordance with law; and,

**WHEREAS**, on August 4, 2020, the city manager submitted the certified tax roll and rate calculations for tax year 2020 to the governing body; and,

**WHEREAS**, following that meeting, the city council voted to hold a public hearing on August 25, 2020 to propose a tax rate of \$0.697375/\$100, which is the same as the voter approval rate, which is the highest tax rate that the city may adopt without holding an election to seek voter approval; and

**WHEREAS**, the City Council of the City of River Oaks, Texas held a public meeting for citizen comments on the proposed 2020 tax rate on August 25, 2020 and followed up with a public hearing in order to comply with the newspaper publication requirements on September 1, 2020; and,

**WHEREAS**, at the aforementioned public meeting on September 1, 2020 the City Council voted to adopt the tax rate for the year 2020 of \$0.697374 upon each one hundred-dollar (\$100) valuation; and

**WHEREAS**, at the aforementioned public meeting the City Council voted to adopt the same tax rate for the year 2020 of \$0.697374 upon each one hundred-dollar (\$100) valuation for maintenance and operations; and

**WHEREAS**, the Notice of the 2020 proposed property tax rate of \$0.697375 for the City of River Oaks was posted on the City's website at [www.riveroakstx.com](http://www.riveroakstx.com) prior to August 7, 2020, on the Tarrant Tax database by August 7, 2020 and was approved for newspaper publication by the Fort Worth Star Telegram on August 26, 2020 in the next available edition; and

**WHEREAS**, public hearings were held on August 25, 2020 and again on September 1, 2020 and following the public hearing on August 25, 2020 the Mayor announced that on **September 1, 2020 at 6:00 P.M. located at 4900 River Oaks Blvd**, the City Council would vote on the proposed 2020 tax rate of \$0.697374/\$100 as recommended by the City Manager during the August 25<sup>th</sup> public hearing; and

**WHEREAS**, the city did post notice of the public hearing prominently on the homepage of the city's website continuously at least 7 days before the public hearing on the proposed tax rate increase, and at least 7 days immediately before the date of the vote proposing the increase in the tax rate and it remained on the city's website until the public hearing was concluded; and,

**WHEREAS**, the City of River Oaks did publish the proposed tax rate in the manner provide in Section 26.04(e) in the Fort Worth Star-Telegram, a newspaper of general circulation, and did publish the same notice on the city's website at [www.riveroakstx.com](http://www.riveroakstx.com) and on the Tarrant Tax database at <https://www.tarranttaxinfo.com/tax> ; and,

**WHEREAS**, the tax rate of **\$0.697374** exceeds the no-new-revenue maintenance and operations rate of \$0.673793/\$100. 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 3.4997% AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$23.58; and

**WHEREAS**, on September 1, 2020, the City Council of the City of River Oaks, Texas, by a majority vote adopted a property tax rate for the year 2020 of **\$0.697374** upon each one hundred dollar (\$100) valuation of all taxable real and personal property within the City of River Oaks, Texas.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RIVER OAKS, TEXAS:**

**Section 1.**

All of the above premises are found to be true and correct and are incorporated into the body of this ordinance as if copied in their entirety.

**Section 2.**

The real and personal property tax appraisal rolls as certified by the Chief Appraiser of the Tarrant Appraisal District to the City Council for the 2020 property tax year, be and are hereby accepted.

**Section 3.**

There is hereby levied and ordered to be assessed and collected for the fiscal year beginning October 1, 2020, and ending September 30, 2021 on all taxable property, real, personal, and mixed, situated within the corporate limits of the City of River Oaks, Texas, and not exempt from taxation by the constitution of the State of Texas and valid state laws, an ad valorem tax rate of **\$0.697374** on each One Hundred Dollars (\$100) assessed value of taxable property, for the purpose of defraying the current maintenance and operation expenses of the City.

THIS 2020 TAX RATE IS EFFECTIVELY A 3.39 % INCREASE IN THE TOTAL TAX RATE. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE 2020 ADOPTED TAX RATE OF \$0.697374/\$100 WILL EFFECTIVELY BE RAISED BY 3.4997% FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$23.58.

**Section 4.**

All monies collected and hereby appropriated are set apart for the specific purposes indicated and the funds shall be accounted for in such a manner as to readily show balance at any time.

#### **Section 5.**

All ad valorem taxes shall become due and payable October 1, 2020 and ad valorem taxes for the year shall become delinquent after January 31, 2021. There shall be no discount for payment of taxes prior to January 31, 2021. Payment of such taxes shall be due in one full installment except as otherwise required by law. A delinquent tax shall incur all penalty and interest authorized by state law, Section 33.01 of the Property Tax Code.

#### **Section 6.**

Taxes herein levied and uncollected as of January 31, 2020 shall be a first and prior lien against the property, which lien shall be superior and prior to all other liens.

#### **Section 7.**

In the event the taxes become delinquent and in the event such delinquent taxes are referred to an attorney for collection, an additional amount of twenty percent (20%) penalties to defray the costs of collection of delinquent taxes as authorized by Texas Tax Code, Sections 33.07 and 33.08.

#### **Section 8.**

The tax assessor/collector for Tarrant County is hereby authorized to assess and collect the Ad Valorem taxes of the City of River Oaks, Texas.

#### **Section 9.**

Any and all ordinances, resolutions, rules, regulations, policies or provisions inconsistent or in conflict with the provisions of this Ordinance are hereby expressly repealed and rescinded to the extent of the inconsistency or conflict.

#### **Section 10.**

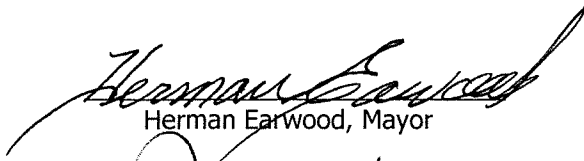
It is hereby declared to be the intention of the City Council that if the phrases, clauses, sentences, paragraphs, and sections of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of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

#### **Section 11.**

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

**PASSED AND APPROVED BY RECORD VOTE OF THE CITY COUNCIL ON THIS THE 1<sup>ST</sup> DAY OF SEPTEMBER 2020 AS FOLLOWS:**

Councilman John Claridge, Place 1, voted *Aye*  
Mayor Pro-Tem Joe Ashton, Place 4, voted *Aye*  
Councilman Steve Holland, Place 2, voted *Aye*  
Councilman Darren Houk, Place 3, voted *Aye*  
Councilman Dan Chisholm, Place 5 voted *Aye*

  
Herman Earwood, Mayor

**Attest:**

  
Paula Luck, City Secretary