



## ORDINANCE NO. 3395

**AN ORDINANCE OF THE CITY OF FARMERS BRANCH LEVYING THE AD VALOREM TAXES FOR THE YEAR 2016 (FISCAL YEAR 2016-17) AT A RATE OF \$ [REDACTED] PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION ON ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS OF THE CITY OF FARMERS BRANCH AS OF JANUARY 1, 2016, TO PROVIDE REVENUE FOR THE PAYMENT OF CURRENT EXPENSES; PROVIDING FOR AN INTEREST AND SINKING FUND FOR ALL OUTSTANDING DEBT OF THE CITY OF FARMERS BRANCH; 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.**

**WHEREAS**, assessments and renditions of all taxable property in the City of Farmers Branch have been made for the year 2016 by the Dallas Central Appraisal District; and,

**WHEREAS**, the total tax rate of \$ [REDACTED] per \$100.00 of assessed value represents a rate change of \$ [REDACTED] from the tax rate adopted for the prior fiscal year and is effectively a [REDACTED] % increase in the effective tax rate calculated under Tax Code – Chapter 26; and

**WHEREAS**, the City Council of the City of Farmers Branch, Texas, upon full consideration of the matter, is of the opinion that the tax rate hereinafter set forth is proper and should be approved and adopted.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:**

**SECTION 1.** There be and is hereby levied for the tax year 2016 on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Farmers Branch, Texas, and not exempt by the Constitution of the State and valid State laws, a tax of \$ [REDACTED] on each one hundred dollars (\$100) assessed valuation of taxable property, which shall be apportioned and distributed as follows:

- (a) For the purpose of defraying the current expenditures of the municipal government of the City of Farmers Branch, a tax of \$ [REDACTED] 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 City of Farmers Branch, not otherwise provided for, a tax of \$ [REDACTED] on each one hundred dollars (\$100) assessed value of taxable property within the City of Farmers Branch, and shall be applied to the payment of interest and maturities of all such outstanding debt.

**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 [REDACTED] % AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$ [REDACTED].

**SECTION 3.** 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 percent 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 percent 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 4.** The City shall have available all the rights and remedies provided by law for the enforcement of the collection of taxes levied under this ordinance.

**SECTION 5.** All Ordinances of the City of Farmers Branch in conflict with the provisions of this Ordinance be, and the same are hereby, repealed and all other provisions of the Ordinances of the City of Farmers Branch 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 and City Charter in such cases provide.

**UPON CALLING FOR A VOTE FOR APPROVAL OF THIS ORDINANCE, THE MEMBERS OF THE CITY COUNCIL VOTED AS FOLLOWS:**

	<b>Aye</b>	<b>Nay</b>
<b>Ana Reyes, Councilmember - District 1</b>		
<b>Harold Froehlich, Councilmember-District 2</b>		
<b>John Norwood, Councilmember – District 3</b>		
<b>Terry Lynne, Councilmember – District 4</b>		
<b>Mike Bomgardner, Councilmember –District 5</b>		

**WITH \_\_\_ VOTING “AYE” AND \_\_\_ VOTING “NAY”, AND AT LEAST 60% OF THE MEMBERS OF THE GOVERNING BODY VOTING IN FAVOR OF THE ORDINANCE, THIS ORDINANCE NO. 3395 IS DULY PASSED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, ON THE 20<sup>TH</sup> DAY OF SEPTEMBER, 2016.**

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Amy Piukana, City Secretary

\_\_\_\_\_  
Bob Phelps, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Peter G. Smith, City Attorney  
(kbl:9/15/16:79203)

Not Part of Ordinance: Notes for City Secretary:

**1. To adopt a tax rate of \$0.602267:**

**CAPTION:** AN ORDINANCE OF THE CITY OF FARMERS BRANCH LEVYING THE AD VALOREM TAXES FOR THE YEAR 2016 (FISCAL YEAR 2016-17) AT A RATE OF \$0.602267 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION

**WHEREAS**, the total tax rate of \$0.602267 per \$100.00 of assessed value represents a rate change of \$0.00 from the tax rate adopted for the prior fiscal year and is effectively a 1.93% increase in the effective tax rate calculated under Tax Code – Chapter 26; and

**SECTION 1:** \$0.602267

**SECTION 1a:** \$0.515267

**SECTION 1b:** \$0.087000

**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 2.47% AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$1.37.

**2. To adopt a tax rate of \$0.6056 with all of the increase to be used to support debt service:**

**CAPTION:** AN ORDINANCE OF THE CITY OF FARMERS BRANCH LEVYING THE AD VALOREM TAXES FOR THE YEAR 2016 (FISCAL YEAR 2016-17) AT A RATE OF \$0.6056 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION

**WHEREAS**, the total tax rate of \$0.6056 per \$100.00 of assessed value represents a rate change of \$0.003333 from the tax rate adopted for the prior fiscal year and is effectively a 2.50% increase in the effective tax rate calculated under Tax Code – Chapter 26; and

**SECTION 1:** \$0.6056

**SECTION 1a:** \$0.513897

**SECTION 1b:** \$0.091703

**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 2.20% AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$0.00.

**3. To adopt a tax rate of \$0.6056 with all of the increase to be used for maintenance and operations:**

**CAPTION:** AN ORDINANCE OF THE CITY OF FARMERS BRANCH LEVYING THE AD VALOREM TAXES FOR THE YEAR 2016 (FISCAL YEAR 2016-17) AT A RATE OF \$0.6056 PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION

**WHEREAS**, the total tax rate of \$0.6056 per \$100.00 of assessed value represents a rate change of \$0.003333 from the tax rate adopted for the prior fiscal year and is effectively a 2.50% increase in the effective tax rate calculated under Tax Code – Chapter 26; and

SECTION 1: **\$0.6056**  
SECTION 1a: **\$0.518600**  
SECTION 1b: **\$0.087000**

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 **3.14%** AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY **\$4.70**.

**4. To adopt a tax rate of **\$0.592267 (1 cent reduction)**:**

**CAPTION:** AN ORDINANCE OF THE CITY OF FARMERS BRANCH LEVYING THE AD VALOREM TAXES FOR THE YEAR 2016 (FISCAL YEAR 2016-17) AT A RATE OF **\$0.592267** PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION

**WHEREAS**, the total tax rate of **\$0.592267** per \$100.00 of assessed value represents a rate change of **\$0.010000** from the tax rate adopted for the prior fiscal year and is effectively a **0.24%** increase in the effective tax rate calculated under Tax Code – Chapter 26; and

SECTION 1: **\$0.592267**  
SECTION 1a: **\$0.505267**  
SECTION 1b: **\$0.087000**

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 **0.49%** AND WILL **RAISE LOWER** TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY **\$8.63**.

**5. To adopt A RATE LOWER THAN \$0.6056 (can't adopt higher than this amount as it was not advertised), BUT ABOVE THE EFFECTIVE RATE OF \$0.590846:**

**CAPTION:** AN ORDINANCE OF THE CITY OF FARMERS BRANCH LEVYING THE AD VALOREM TAXES FOR THE YEAR 2016 (FISCAL YEAR 2016-17) AT A RATE OF **(insert proposed rate)** PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION

**WHEREAS**, the total tax rate of **\$(insert rate)** per \$100.00 of assessed value represents a rate change of **\$(subtract \$0.602267 from proposed rate to get rate dollar change)** from the tax rate adopted for the prior fiscal year and is effectively a **[subtract effective rate of \$0.590846 from the proposed rate, then divide the difference by \$0.590846, then multiply by 100 to get the percent increase or decrease]** **%** **increase or decrease** in the effective tax rate calculated under Tax Code – Chapter 26; and

SECTION 1: **\$(insert rate from caption)**  
SECTION 1a: **\$(subtract \$0.087000 from rate in caption)**  
SECTION 1b: **\$0.087000**

SECTION 2. THIS TAX RATE WILL RAISE **MORE, LESS OR THE SAME** TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY **[subtract effective M&O rate of \$0.502822 from amount in Section 1a, then divide result by \$0.502822, then multiply by 100 to get percentage more, less or the same]** AND WILL **RAISE / LOWER** TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME

BY APPROXIMATELY  $\$(\text{subtract PY's M\&O rate of } \$0.513897 \text{ from Section 1a and multiply by } 1,000 \text{ to get amount raised or lower})$ .

6. **To adopt A RATE BELOW \$0.590846 and above \$0.589822 (below \$0.589822 does not require Section 2 :**

**CAPTION:** AN ORDINANCE OF THE CITY OF FARMERS BRANCH LEVYING THE AD VALOREM TAXES FOR THE YEAR 2016 (FISCAL YEAR 2016-17) AT A RATE OF (insert rate) PER ONE HUNDRED DOLLARS (\$100) ASSESSED VALUATION

**WHEREAS,** the total tax rate of  $\$(\text{insert rate})$  per \$100.00 of assessed value represents a rate change of  $\$(\text{subtract } 0.602267 \text{ from proposed rate to get rate dollar change})$  from the tax rate adopted for the prior fiscal year and is effectively a  $[\text{subtract } \$0.590846 \text{ from the proposed rate, then divide the difference by } \$0.590846, \text{ then multiply by } 100 \text{ to get the percent increase or decrease}]$  % **increase or decrease** in the effective tax rate calculated under Tax Code—Chapter 26; and

**SECTION 1:**  $\$(\text{insert rate from caption})$

**SECTION 1a:**  $\$(\text{subtract } \$0.087000 \text{ from rate in caption})$

**SECTION 1b:**  $\$0.087000$

**SECTION 2.** THIS TAX RATE WILL RAISE **MORE, LESS OR THE SAME** TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY  $[\text{subtract } \$0.502822 \text{ from amount in Section 1a, then divide result by } \$0.502822, \text{ then multiply by } 100 \text{ to get percentage more, less or the same}]$  AND WILL **RAISE / LOWER** TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY  $\$(\text{subtract } \$0.513897 \text{ from Section 1a and multiply by } 1,000 \text{ to get amount raised or lower})$ .