

**CITY OF SEGUIN
STATE OF TEXAS**

RESOLUTION NO:

RESOLUTION OF THE CITY COUNCIL OF SEGUIN, TEXAS DIRECTING THE DIRECTOR OF FINANCE OF THE CITY OF SEGUIN TO CALCULATE THE VOTER-APPROVED TAX RATE OF THE CITY OF SEGUIN IN THE MANNER PROVIDED FOR A SPECIAL TAXING UNIT BY USING AN 8% THRESHOLD FOR THE NEW REVENUE INSTEAD OF THE 3.5% AS AUTHORIZED BY THE TEXAS TAX CODE SECTION 26.04(C-1) DUE TO THE GOVERNOR'S STATE-WIDE DECLARATION OF DISASTER IN RESPONSE TO THE NOVEL COVID-19 PANDEMIC; AND DECLARING AN EFFECTIVE DATE

WHEREAS, on March 13, 2020, the President of the United States issued a proclamation declaring that the novel COVID-19 pandemic in the United States constitutes a national emergency; and

WHEREAS, on March 13, 2020, the Governor of the State of Texas declared a disaster in every Texas county due to the novel COVID-19 pandemic (the "Pandemic"); and

WHEREAS, the Pandemic has impacted the City of Seguin and the City Council foresees that an increased expenditure of money by the City will be necessary to respond to the disaster; and

WHEREAS, as a result of the disaster declaration an election is not required under Section 26.07 of the Texas Tax Code to approve the tax rate adopted by the Seguin City Council for the year following the year in which the disaster occurred; and

WHEREAS, the City of Seguin impose the "additional sales and use tax" to which Section 26.041 of the Texas Tax Code refers; and

WHEREAS, as a result of the foregoing Section 26.041(c-1) of the Texas Tax Code authorizes the City Council to direct the designated officer or employee to calculate the voter-approval tax rate for the City in the manner provide for a special taxing unit; and

WHEREAS, Section 26.041(c-1) of the Texas Tax Code provides that the officer or employee continue calculating the voter approval tax rate in the same manner until the earlier of (1) the second tax year in which the total taxable value of property taxable by the City of Seguin as show on the appraisal roll submitted by the tax assessor exceeds the total taxable value of property taxable by the City on January 1 o f the tax year in which the disaster occurred, or (2) the third tax year after the tax year in which the disaster occurred.

NOT THEREFORE BE IT RESOLVED BY THE City Council of Seguin, Texas:

PART 1. The above recitals are hereby adopted, in full, as an integral part of this resolution. The recitals shall become a part of the legislative history pertaining to the adoption of this resolution and shall serve to document the extraordinary circumstances existing at the time of its approval.

PART 2. Susan Caddell, the director of finance, is directed to calculate the voter-approval tax rate for the City of Seguin in the manner provided for a special taxing unit as provided in chapter 26 of the Texas Tax Code.

Part 3. As set forth in the Texas Tax Code Section 26.04(c)(2)(A) the voter-approval rate for a special taxing unit is the city's maintenance and operations rate times 1.08 plus the current debt rate.

PART 4. The director of finance shall continue calculating the voter-approval tax rate in the manner provided by this resolution until the earlier of:

(1) the second tax year in which the total taxable value of property taxable by the City as shown on the appraisal roll for submitted by the tax assessor exceeds the total taxable value of property taxable by the City on January 1 or the current tax year; or

(b) the third tax year after the current tax year.

PART 5. This Resolution shall be in full force and effect from and after the date of its passage.

PASSED AND ADOPTED on this 16th day of June 2020.

DON KEIL, MAYOR

ATTEST:

Naomi Manski, City Secretary