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## CITY COUNCIL SPECIAL MEETING AGENDA

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Notice is hereby given that the Rockport City Council will hold a special meeting on Tuesday, September 5, 2023, at 6:30 p.m. The meeting will be held in person at the Training Room of the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas. The live stream link to view the meeting is: <https://www.youtube.com/@rockporttxgov>

Public participation is valued and citizens wishing to express their views on any topic or agenda item can electronically submit a citizen participation form in order to register to speak by going to <https://rockport.seamlessdocs.com/f/CouncilCitizenParticipation> or scanning the QR code to the right, or if attending the meeting in person register before the meeting begins. Using the same form, citizens can also provide written comments to the City Secretary by 4:00 p.m. on the day of the meeting. The comments will be read at the meeting.



The matters to be discussed and acted upon are as follows:

### **Opening Agenda**

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1. Call meeting to order.

2. Citizens to be heard.

At this time, comments limited to three (3) minutes will be taken from the audience from persons who have signed the speaker's card located on the table in the back of the Training Room of the Service Center and delivered to the City Secretary before the meeting begins, or written comments received by 4:00 p.m. on the day of the meeting, on any **Agenda** item or any subject matter, will be read at the meeting. Persons wishing to address the Council and who have registered using the Citizen Participation Form will have up to three minutes to speak. In accordance with the Open Meetings Act, Council may not discuss or take action on any item that has not been posted on the agenda. While civil public criticism is not prohibited; disorderly conduct or disturbance of the peace as prohibited by law shall be cause for the chair to terminate the offender's time to speak.

### **Public Hearing**

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3. Conduct a public hearing on City of Rockport Fiscal Year 2023-2024 budget.
4. Conduct a public hearing for City of Rockport 2023 Property Tax Rate for taxpayers to have an opportunity to express their views on the tax rate; the City of Rockport will adopt the budget and tax rate for Fiscal Year 2023-2024 on September 12, 2023, at 6:30 p.m. at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

### **Regular Agenda**

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5. Deliberate and act on second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities", Article II. "Water Service", Division 3. "Service Charges" by amending water rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date. If substantial changes to the proposed ordinance are made, this will serve as the first reading of said ordinance.
6. Deliberate and act on second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 "Utilities", Article III. "Wastewater Service", Division 4. "Service Charges" by amending wastewater rates for all customers; providing for

the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date. If substantial changes to the proposed ordinance are made, this will serve as the first reading of said ordinance.

7. Deliberate and act on first reading of an Ordinance of the City of Rockport approving the assessment and renditions for the 2023 taxable property as submitted by the Appraisal District; levying a tax rate for \$100.00 valuation for the City of Rockport, Aransas County, Texas, for the Tax Year 2023 of \$0.213583 for the purposes of Maintenance and Operation, \$0.146495 for the payment of Principal and Interest on debt of the City, and that the property tax rate be increased by the adoption of a tax rate of \$0.360078 which is effectively a 11.26% increase in the tax rate; providing for a lien on all real and personal property to secure payment of taxes due thereon; containing a severability clause; repealing all ordinances and parts thereof in conflict herewith; and providing an effective date. 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 12.82% and will raise taxes for maintenance and operations on a \$100,000 home by approximately (negative) \$-6.93.
8. Adjournment.

### **Special Accommodations**

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (361) 729-2213, ext. 225 or FAX (361) 790-5966 or email [citysec@cityofrockport.com](mailto:citysec@cityofrockport.com) for further information. Braille is not available. The City of Rockport reserves the right to convene into executive session under Government Code §§ 551.071-551.074 and 551.086.

In accordance with the requirements of Texas Government Code Section 551.127, a member of the governing body may participate in this meeting from a remote location. A quorum of the governing body as well as the presiding officer shall be physically present at the above posted location, which shall be open to the public. Those participating remotely shall be visible and audible to the public for all open portions of the meeting. A member of a governmental body who participates in a meeting remotely as provided by law, shall be counted as present at the meeting for all purposes.

### **Certification**

I certify that the above notice of meeting was posted on the bulletin board at the Rockport Service Center on Friday, September 1, 2023, by 5:00 p.m. and on the City's website at [www.cityofrockport.com](http://www.cityofrockport.com). I further certify that the following News Media were properly notified of this meeting as stated above: *The Rockport Pilot* and *Corpus Christi Caller Times*.

*Kimberly Henry*

Kimberly Henry, Assistant to City Manager  
on behalf of Teresa Valdez, City Secretary

## CITY COUNCIL AGENDA

### Special Meeting: Tuesday, September 5, 2023

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#### AGENDA ITEM: 3

Conduct a public hearing on the City of Rockport Fiscal Year 2023-2024 Budget.

**SUBMITTED BY:** Director of Finance Robbie Sorrell

**APPROVED FOR AGENDA:** VRS

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**BACKGROUND:** According to the Texas Local Government Code Title 4 Finances Section 102.006:

#### § 102.006. Public Hearing on Proposed Budget

- (a) The governing body of a municipality shall hold a public hearing on the proposed budget. Any person may attend and may participate in the hearing.
- (b) The governing body shall set the hearing for a date occurring after the 15<sup>th</sup> day after the date the proposed budget is filed with the municipal clerk but before the date the governing body makes its tax levy.
- (c) The governing body shall provide for public notice of the date, time and location of the hearing. The notice must include, in type of a size at least equal to the type used for other items in the notice, any statement required to be included in the proposed budget under Section 102.005(b).

§ 102.005(b) A proposed budget that will require raising more revenue from property taxes than in the previous year must contain a cover page with the following statement in 18-point or larger type: “This budget will raise more total property taxes than last year’s budget by (insert total dollar amount of increase and percentage increase), and of that amount (insert amount computed by multiplying the proposed tax rate by the value of new property added to the roll) is tax revenue to be raised from new property added to the tax roll this year.”

Please see the accompanying public notice. The proposed Fiscal Year 2023-2024 Budget can be viewed on the City’s website at <https://cityofrockport.com/ArchiveCenter/ViewFile/Item/3339>. Upon final reading of utility rate ordinances, a revised proposed budget will be posted.

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**FISCAL ANALYSIS:** The accompanying required notice shows an increase in property tax revenue of \$1,050,240, or 12.91%. The 12.91% required in the public notice includes the additional revenue generated by the tax rate PLUS revenue from new value added to the tax roll during the previous year (e.g., new construction, annexation, new personal property). \$243,085 is tax revenue to be raised from new property added to the roll this year.

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**RECOMMENDATION:** Not an action item, public hearing only.



## Notice of Public Hearing on Proposed Budget

The City of Rockport has scheduled a public hearing on the Proposed Budget on September 5, 2023. The public hearing will be at 6:30 p.m. at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas 78382.

**This budget will raise more total property taxes than last year's budget by \$1,050,240 or 12.91% and of that amount \$243,085 is tax revenue to be raised from new property added to the roll this year.**

Members of the public are encouraged to attend and express their views.

## CITY COUNCIL AGENDA

### Special Meeting: Tuesday, September 5, 2023

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#### AGENDA ITEM: 4

Conduct a public hearing for City of Rockport 2023 Property Tax Rate for taxpayers to have an opportunity to express their views on the tax rate; the City of Rockport will adopt the budget and tax rate for Fiscal Year 2023-2024 on September 12, 2023, at 6:30 p.m. at the Rockport Service Center, 2751 State Highway 35 Bypass, Rockport, Texas.

**SUBMITTED BY:** Director of Finance, Robbie Sorrell

**APPROVED FOR AGENDA:** VRS

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**BACKGROUND:** The State of Texas Truth-in-Taxation requires the City to conduct a public hearing on the proposed *ad valorem* tax rate following published notice of the City's calculated no-new-revenue and voter-approval tax rates. The proposed tax rate of \$0.360078 is \$.036439 higher than the no-new-revenue rate. Senate Bill 2 reduced the requirements to only one public hearing on tax rate increases. The accompanying public notice was published in the August 12, 2023, edition of *The Rockport Pilot*.

According to Texas Tax Code Title 1. Property Tax Code Subtitle D. Appraisal and Assessment Chapter 26. Assessment Section 26.06:

**§ 26.06. Notice, Hearing, and Vote on Tax Increase.**

- (d) At the public hearings, the governing body shall announce the date, time, and place of the meeting at which it will vote on the proposed tax rate.

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**FISCAL ANALYSIS:** The FY 2023-2024 budget has been prepared using the voter approval tax rate of \$0.360078.

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**RECOMMENDATION:** At the close of the Public Hearing Mayor Jayroe shall state the following: **"The Rockport City Council will consider adoption of an Ordinance to adopt the tax rate with the first reading of the Ordinance for the City of Rockport Fiscal Year 2023-2024 tonight and the second and final reading at the September 12, 2023, City Council meeting at 6:30 p.m. at the Rockport Service Center located at 2751 State Highway 35 Bypass, Rockport, Texas, 78382."**

# NOTICE OF PUBLIC HEARING ON TAX INCREASE

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A tax rate of \$0.360078 per \$100 valuation has been proposed by the governing body of City of Rockport.

|                         |                      |
|-------------------------|----------------------|
| PROPOSED TAX RATE       | \$0.360078 per \$100 |
| NO-NEW-REVENUE TAX RATE | \$0.323639 per \$100 |
| VOTER-APPROVAL TAX RATE | \$0.360078 per \$100 |

The no-new-revenue tax rate is the tax rate for the 2023 tax year that will raise the same amount of property tax revenue for City of Rockport from the same properties in both the 2022 tax year and the 2023 tax year.

The voter-approval rate is the highest tax rate that City of Rockport may adopt without holding an election to seek voter approval of the rate.

The proposed tax rate is greater than the no-new-revenue tax rate. This means that City of Rockport is proposing to increase property taxes for the 2023 tax year.

A PUBLIC HEARING ON THE PROPOSED TAX RATE WILL BE HELD ON September 5, 2023 AT 6:30 PM AT Rockport Service Center Training Room, 2751 SH 35 Bypass, Rockport, TX 78382.

The proposed tax rate is not greater than the voter-approval tax rate. As a result, City of Rockport is not required to hold an election at which voters may accept or reject the proposed tax rate. However, you may express your support for or opposition to the proposed tax rate by contacting the members of the City Council of City of Rockport at their offices or by attending the public hearing mentioned above.

YOUR TAXES OWED UNDER ANY OF THE RATES MENTIONED ABOVE CAN BE CALCULATED  
AS FOLLOWS:

Property tax amount= (tax rate) x (taxable value of your property)/100

|                          |                            |                          |
|--------------------------|----------------------------|--------------------------|
| <b>FOR the proposal:</b> | Mayor Timothy "Tim" Jayroe | Stephanie Rangel, Ward 1 |
|                          | Danielle Hale, Ward 2      | Brad Brundrett, Ward 3   |
|                          | Andrea Hattman, Ward 4     |                          |

**AGAINST the proposal:**

**PRESENT** and not voting:

**ABSENT:**

Visit [Texas.gov/PropertyTaxes](https://www.texas.gov/PropertyTaxes) to find a link to your local property tax database on which you can easily access information regarding your property taxes, including information about proposed tax rates and scheduled public hearings of each entity that taxes your property.

The 86th Texas Legislature modified the manner in which the voter-approval tax rate is calculated to limit the rate of growth of property taxes in the state.

The following table compares the taxes imposed on the average residence homestead by City of Rockport last year to the taxes proposed to be imposed on the average residence homestead by City of Rockport this year.

|  | 2022 | 2023 | Change |
|--|------|------|--------|
|--|------|------|--------|

|                                            |             |             |                                               |
|--------------------------------------------|-------------|-------------|-----------------------------------------------|
| <b>Total tax rate (per \$100 of value)</b> | \$0.378149  | \$0.360078  | decrease of -0.018071, or <sup>7</sup> -4.78% |
| <b>Average homestead taxable value</b>     | \$290,864   | \$355,351   | increase of 64,487, or 22.17%                 |
| <b>Tax on average homestead</b>            | \$1,099.90  | \$1,279.54  | increase of 179.64, or 16.33%                 |
| <b>Total tax levy on all properties</b>    | \$6,938,639 | \$7,938,228 | increase of 999,589, or 14.41%                |

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For assistance with tax calculations, please contact the tax assessor for City of Rockport at 361/790-0160 or [taxac@aransascounty.org](mailto:taxac@aransascounty.org), or visit [www.aransascountytx.gov](http://www.aransascountytx.gov) for more information.

**CITY COUNCIL AGENDA**  
**Special Meeting: Wednesday, September 5, 2023**

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**AGENDA ITEM: 5**

Deliberate and act on second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 “Utilities”, Article II. “Water Service”, Division 3. “Service Charges” by amending water rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date.

**SUBMITTED BY:** Robbie Sorrell, Director of Finance

**APPROVED FOR AGENDA:** VRS

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**BACKGROUND:** Chapter 102 of the Code of Ordinances covers the Utilities provided by the City of Rockport. The proposed schedule increases water rates in conjunction with the FY 2023-2024 budget.

Council approved first reading on August 8, 2022, and postponed second and final reading at the August 22, 2023, Council meeting.

Council approved the first reading of the Ordinance with Amendments to the rates at the August 30, 2023 Special Council Meeting.

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**FISCAL ANALYSIS:** The proposed rate increase will generate the revenue needed to fund the FY 2023-2024 budget.

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**STAFF RECOMMENDATION:** Staff recommends approval of the second and final reading the Ordinance amending the City of Rockport Code of Ordinances Chapter 102 “Utilities”, Article II. “Water Service”, Division 3. “Service Charges” by amending water rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date, as presented.

## ORDINANCE NO.

**AN ORDINANCE AMENDING THE CITY OF ROCKPORT CODE OF ORDINANCES CHAPTER 102 “UTILITIES,” ARTICLE II. “WATER SERVICE,” DIVISION 3. “SERVICE CHARGES” BY AMENDING WATER RATES FOR ALL CUSTOMERS; PROVIDING FOR THE VALIDITY OF SAID ORDINANCE; REPEALING ALL PRIOR ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

### SECTION 1. AMENDMENT

That Chapter 102 “Utilities,” Article II. “Water Service,” Division 3 “Service Charges” is hereby amended to wit:

Sec. 102-56. - Water rates inside city limits.

(a) There shall be charged and collected by the city from all residential customers of water supplied by the city inside its city limits, as now or hereafter established, the amount of money based upon the size of the customers tap and the customers usage (in gallons of water), as set forth in the following schedule of rates and charges:

(1) For the first 1,500 gallons, or fractional part thereof, used in any one regular billing cycle by any one user, the following sum per cycle:

| <b>Tap Size (In Inches)</b> | <b>MINIMUM CHARGES</b> | <b>NEW CHARGES</b> |
|-----------------------------|------------------------|--------------------|
| $\frac{3}{4}$               | \$21.74                | <b>\$22.52</b>     |
| 1                           | \$26.26                | <b>\$27.21</b>     |
| 1½                          | \$48.64                | <b>\$50.39</b>     |
| 2                           | \$75.52                | <b>\$78.24</b>     |
| 3                           | \$147.21               | <b>\$152.51</b>    |
| 4                           | \$227.87               | <b>\$236.07</b>    |
| 6                           | \$227.87               | <b>\$236.07</b>    |

(2) If applicable, for all additional gallons used over 1,501 to 10,000, the sum of ~~\$5.83~~ **\$6.04** per month for each 1,000 gallons, or fractional part thereof, used in any one regular billing cycle.

(3) Conservation billing. If applicable for all gallons used over 10,001 to 15,000, the sum of ~~\$6.83~~ **\$7.08** each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

(4) Conservation billing. If applicable for all gallons used over 15,001 and up, the sum of ~~\$7.76~~ **\$8.04** for each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

(b) There shall be charged and collected by the city from all commercial customers of water supplied by the city inside its city limits, as now or hereafter established, the amount of money based upon the size of the customers tap and the customer’s usage (in gallons of water), as set forth in the following schedule of rates and charges, used in any one regular billing cycle by any one user, the following sum per cycle.

(1) For the first 1,500 gallons, or fractional part thereof, used in any one regular billing cycle by

any one user, the following sum per cycle:

| Tap Size (In Inches) | MINIMUM CHARGES     | NEW CHARGES     |
|----------------------|---------------------|-----------------|
| $\frac{3}{4}$        | \$21.74             | <b>\$23.91</b>  |
| 1                    | <del>\$26.26</del>  | <b>\$28.89</b>  |
| 1½                   | \$48.64             | <b>\$53.50</b>  |
| 2                    | <del>\$75.52</del>  | <b>\$83.07</b>  |
| 3                    | <del>\$147.21</del> | <b>\$161.93</b> |
| 4                    | <del>\$227.87</del> | <b>\$250.66</b> |
| 6                    | <del>\$227.87</del> | <b>\$250.66</b> |

(2) If applicable, for all additional gallons used over 1,501 to 10,000, the sum of ~~\$5.83~~ **\$6.41** per month for each 1,000 gallons, or fractional part thereof, used in any one regular billing cycle.

(3) Conservation billing. If applicable for all gallons used over 10,001 to 15,000, the sum of ~~\$6.83~~ **\$7.51** each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

(4) Conservation billing. If applicable for all gallons used over 15,001 and up, the sum of ~~\$7.76~~ **\$8.54** for each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

Sec. 102-57. - Wholesale water rates.

There shall be charged and collected by the city from all contracted resale customers, the sum of ~~\$6.30~~ **\$6.93** per month for each 1,000 gallons, or fractional part thereof, used in any one regular billing cycle.

Sec. 102-58. - Water rates outside city limits.

(a) There shall be charged and collected by the city from all customers of water supplied by the city outside its city limits, including customers residing within the Town of Fulton city limits, the amount of money based upon the size of the customer's tap and the customer's usage (in gallons of water), as set forth in the following schedule of rates and charges:

(1) For the first 1,500 gallons, or fractional part thereof, used in any one regular billing cycle by any one user, the following sum per cycle:

| Tap Size (In Inches) | MINIMUM CHARGES     | NEW CHARGES     |
|----------------------|---------------------|-----------------|
| $\frac{3}{4}$        | <del>\$29.95</del>  | <b>\$33.06</b>  |
| 1                    | <del>\$36.21</del>  | <b>\$39.84</b>  |
| 1½                   | <del>\$67.62</del>  | <b>\$73.41</b>  |
| 2                    | <del>\$104.68</del> | <b>\$113.73</b> |
| 3                    | <del>\$204.36</del> | <b>\$221.27</b> |
| 4                    | <del>\$316.45</del> | <b>\$342.26</b> |
| 6                    | <del>\$316.45</del> | <b>\$342.26</b> |

(2) If applicable, for all additional gallons used over 1,501 to 10,000 gallons, the sum of ~~\$8.16~~ **\$9.05** per month for each 1,000 gallons, or fractional part thereof, used in any one regular billing cycle.

(3) Conservation billing. If applicable, for all gallons used over 10,001 to 15,000 the sum of ~~\$9.59~~ **\$10.55** per 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

(4) Conservation billing. If applicable for all gallons used over 15,001 and up, the sum of ~~\$10.90~~ **\$11.94** for each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

(b) There shall be charged and collected by the city, for all commercial customers of water supplied ~~by~~ the city outside its city limits, as now or hereafter established, the amount of money based upon the size of the customers tap and the customer's usage (in gallons of water), as set forth in the following schedule of rates and charges, used in any one regular billing cycle by any one user, the following sum per cycle:

(1) For the first 1,500 gallons, or fractional part thereof, used in any one regular billing cycle by any one user, the following sum per cycle:

| Tap Size (In Inches) | MINIMUM CHARGES     | NEW CHARGES     |
|----------------------|---------------------|-----------------|
| $\frac{3}{4}$        | <del>\$29.95</del>  | <b>\$33.06</b>  |
| 1                    | <del>\$36.21</del>  | <b>\$39.84</b>  |
| 1½                   | <del>\$67.62</del>  | <b>\$73.41</b>  |
| 2                    | <del>\$104.68</del> | <b>\$113.73</b> |
| 3                    | <del>\$204.36</del> | <b>\$221.27</b> |
| 4                    | <del>\$316.45</del> | <b>\$342.26</b> |
| 6                    | <del>\$316.45</del> | <b>\$342.26</b> |

(2) If applicable, for all additional gallons used over 1,501 to 10,000 gallons, the sum of ~~\$8.16~~ **\$9.05** per month for each 1,000 gallons, or fractional part thereof, used in any one regular billing cycle.

(3) Conservation billing. If applicable, for all gallons used over 10,001 to 15,000 the sum of ~~\$9.59~~ **\$10.55** per 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

(4) Conservation billing. If applicable for all gallons used over 15,001 and up, the sum of ~~\$10.90~~ **\$11.94** for each 1,000 gallons or fractional part thereof, used in any one regular billing cycle.

Secs. 102-59—102-70. - Reserved.

## SECTION 2. REPEALER.

Any previously adopted ordinances, and any subsequent amendments to them, which are in conflict with this Ordinance, are all hereby repealed.

## SECTION 3. SEVERABILITY.

If any provision, section, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is, for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof, or provisions or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this Ordinance are declared severable for that purpose.

## SECTION 4. EFFECTIVE DATE.

This ordinance shall become effective upon adoption on second reading by the Rockport City Council and publication of the Ordinance caption in the official newspaper of the City of Rockport. Rates will become effective on September 15, 2023 and reflected on the November 1, 2023 billing.

**APPROVED** on first reading the 30<sup>th</sup> day of August 2023.

**CITY OF ROCKPORT, TEXAS**

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Tim Jayroe, Mayor

**ATTEST:**

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Teresa Valdez, City Secretary

**APPROVED, PASSED and ADOPTED** on second and final reading the 5<sup>th</sup> day of September 2023.

**CITY OF ROCKPORT, TEXAS**

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Tim Jayroe, Mayor

**ATTEST:**

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Teresa Valdez, City Secretary

**CITY COUNCIL AGENDA**  
**Special Meeting: Wednesday, September 5, 2023**

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**AGENDA ITEM: 6**

Deliberate and act on second and final reading of an Ordinance amending the City of Rockport Code of Ordinances Chapter 102 “Utilities”, Article III. “Wastewater Service”, Division 4. “Service Charges” by amending wastewater rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date.

**SUBMITTED BY:** Robbie Sorrell, Director of Finance

**APPROVED FOR AGENDA:** VRS

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**BACKGROUND:** Chapter 102 of the Code of Ordinances covers the Utilities provided by the City of Rockport. The proposed schedule increases wastewater rates in conjunction with the FY 2023-2024 budget.

Council approved first reading on August 8, 2022, and postponed second and final reading at the August 22, 2023, Council meeting.

Council approved the first reading of the Ordinance with Amendments to the rates at the August 30, 2023 Special Council Meeting.

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**FISCAL ANALYSIS:** The proposed rate increase will generate the revenue required to fund the FY 2023-2024.

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**STAFF RECOMMENDATION:** Staff recommends Council approve on second and final reading the Ordinance amending City of Rockport Code of Ordinances Chapter 102 “Utilities”, Article III. “Wastewater Service”, Division 4. “Service Charges” by amending wastewater rates for all customers; providing for the validity of said Ordinance; repealing all prior ordinances in conflict herewith; and providing for an effective date, as presented.

## ORDINANCE NO.

**AN ORDINANCE AMENDING THE CITY OF ROCKPORT CODE OF ORDINANCES CHAPTER 102 “UTILITIES”, ARTICLE III. “WASTEWATER SERVICE”, DIVISION 4. “SERVICE CHARGES” BY AMENDING WASTEWATER RATES FOR ALL CUSTOMERS; PROVIDING FOR THE VALIDITY OF SAID ORDINANCE; REPEALING ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

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

### SECTION 1. AMENDMENT

That Chapter 102 “Utilities”, Article II. “Wastewater Service”, Division 4 “Service Charges” is hereby amended to wit:

**Sec. 102-266. Wastewater rates inside city limits.**

a) *Residential/single-family.* There shall be charged and collected by the city from all residential/single-family customers connected to wastewater utility system inside its city limits, as now or hereafter established, the amount of money based upon the customer's water tap and the customer's usage (in gallons of water, as set forth in the following schedule of rates and charges:

1. For the first 0 to 1,500 gallons, or fractional part thereof, used in any one billing calendar month by any one user, the following sum per month:

**TABLE INSET:**

| Wastewater Tap Size (Inches) | Minimum Charge   | New Rate       |
|------------------------------|------------------|----------------|
| 3/4                          | <del>23.06</del> | <b>\$25.79</b> |
| 1 or larger                  | <del>26.27</del> | <b>\$29.42</b> |

2. For all additional gallons used over 1,500 gallons the sum of ~~\$4.28—\$4.79~~ for each 1,000 gallons up to 5,000 gallons or fractional part thereof, used in any one billing cycle.
3. For all additional gallons used over 5,000 gallons the sum of ~~\$5.02~~ **\$5.62** for each 1,000 gallons up to 15,000 gallons or fractional part thereof, used in any one calendar month.

b) *Nonresidential/non-single-family.* There shall be charged and collected by the city from all nonresidential/non-single-family customers connected to wastewater utility system inside its city limits, as now or hereafter established, the amount of money based upon the customer's water tap and the customer's water usage (in gallons of water), as set forth in the following schedule or rates and charges:

1. For the first 1,500 gallons, or fractional part thereof, used in any one billing calendar month by any one user, the following sum per month, to wit:

**TABLE INSET:**

| Water Tap Size (Inches) | Minimum Charge      | New Charges     |
|-------------------------|---------------------|-----------------|
| 3/4                     | <del>\$23.34</del>  | <b>\$29.64</b>  |
| 1                       | <del>\$29.16</del>  | <b>\$37.03</b>  |
| 1 -1/2                  | <del>\$35.01</del>  | <b>\$44.46</b>  |
| 2                       | <del>\$46.68</del>  | <b>\$59.28</b>  |
| 3                       | <del>\$93.36</del>  | <b>\$118.57</b> |
| 4 and larger            | <del>\$145.87</del> | <b>\$185.25</b> |

2. For all additional gallons used over 1,500 the sum of ~~\$4.28~~ **\$5.44** for each 1,000 gallons up to 5,000 or fractional part thereof.
3. For all additional gallons used over 5,000 the sum of ~~\$5.02~~ **\$6.38** for each 1,000 gallons or fractional part thereof.

**Sec. 102-267. Wastewater rates outside city limits.**

a) *Residential/single-family*. There shall be charged and collected by the city from all residential/single-family customers connected to wastewater utility system outside its city limits, as now or hereafter established, the amount of money based upon the customer's water tap and the customer's water usage (in gallons of water), set forth in the following schedule of rates and charges:

1. For the first 0 to 1,500 gallons, or fractional part thereof, used in any one billing calendar month by any one user the following sum per month:

**TABLE INSET:**

| Water Tap Size (Inches) | Minimum Charge     | New Charges    |
|-------------------------|--------------------|----------------|
| 3/4                     | <del>\$32.70</del> | <b>\$36.62</b> |
| 1 or larger             | <del>\$40.84</del> | <b>\$45.74</b> |

2. For all additional gallons used over 1,500 gallons the sum of ~~\$5.97~~ **\$6.69** for each 1,000 gallons up to 5,000 gallons or fractional part thereof, used in any one billing cycle.
3. For all additional gallons used over 5,000 gallons the sum of ~~\$7.05~~ **\$7.90** for each 1,000 gallons up to 15,000 gallons or fractional part thereof, used in any one calendar month.

b) *Nonresidential/non-single-family*. There shall be charged and collected by the city from all nonresidential/non-single-family customers connected to wastewater utility system outside its city limits, as now or hereafter established, the amount of money based upon the customer's water tap and the customer's water usage (in gallons of water), as set forth in the following schedule of rates and charges:

1. For the first 0 to 1,500 gallons, or fractional part thereof, used in any one billing calendar month by any one user, the following sum per month:

**TABLE INSET:**

| Water Tap Size (Inches) | Minimum Charge      | New Charges     |
|-------------------------|---------------------|-----------------|
| 3/4                     | <del>\$32.69</del>  | <b>\$41.52</b>  |
| 1                       | <del>\$40.84</del>  | <b>\$51.87</b>  |
| 1 1/2                   | <del>\$49.03</del>  | <b>\$62.27</b>  |
| 2                       | <del>\$65.35</del>  | <b>\$82.99</b>  |
| 3                       | <del>\$130.70</del> | <b>\$165.99</b> |
| 4 or larger             | <del>\$204.22</del> | <b>\$259.36</b> |

2. For all additional gallons used over 1,500 the sum of ~~\$5.95~~ **\$7.56** for each 1,000 gallons up to 5,000 or fractional part thereof.
3. For all additional gallons used over 5,000 the sum of ~~\$7.05~~ **\$8.95** for each 1,000 gallons or fractional part thereof.

**Sec. 102-268. Contracted wastewater rates.**

Wastewater rates charged to contracted wastewater customers shall not be affected by this division.

**Sec. 102-269. Rates if not on city water.**

Any person using the city wastewater utility system, and not connected full-time to its municipal water system shall pay the following monthly charges:

**TABLE INSET:**

| Account Type                                         | Inside the City Limits | NEW – Inside City Limits | Outside the City Limits | NEW – Outside City Limits |
|------------------------------------------------------|------------------------|--------------------------|-------------------------|---------------------------|
| Residential/Single-family                            | <del>\$41.41</del>     | <b>\$46.38</b>           | <del>\$55.89</del>      | <b>\$70.98</b>            |
| Nonresidential/non-single family                     | <del>\$47.13</del>     | <b>\$52.79</b>           | <del>\$63.58</del>      | <b>\$80.75</b>            |
| Commercial operations (car washes/laundry), minimum* | <del>\$205.23</del>    | <b>\$229.86</b>          | <del>\$272.96</del>     | <b>\$346.66</b>           |

\*Rate will be determined by the director of public works or his designee by comparing like services to other nonresidential users.

**Secs. 102-270--102-290 Reserved for future use.****SECTION 2. REPEALER.**

Any previously adopted ordinances, and any subsequent amendments to them, which are in conflict with this Ordinance, are all hereby repealed.

### **SECTION 3. SEVERABILITY.**

If any provision, section, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is, for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof, or provisions or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this Ordinance are declared severable for that purpose.

### **SECTION 4. EFFECTIVE DATE.**

This ordinance shall become effective upon adoption on second reading by the Rockport City Council and publication of the Ordinance caption in the official newspaper of the City of Rockport. Rates would become effective on September 15, 2023 and reflected on the November 1, 2023 billing.

**APPROVED** on first reading the 30<sup>th</sup> day of August 2023.

**CITY OF ROCKPORT, TEXAS**

\_\_\_\_\_  
Tim Jayroe, Mayor

**ATTEST:**

\_\_\_\_\_  
Teresa Valdez, City Secretary

**APPROVED, PASSED and ADOPTED** on second and final reading the \_\_\_\_\_ day of September 2023.

**CITY OF ROCKPORT, TEXAS**

\_\_\_\_\_  
Tim Jayroe, Mayor

**ATTEST:**

\_\_\_\_\_  
Teresa Valdez, City Secretary

## CITY COUNCIL AGENDA

### Special Meeting: Tuesday, September 5, 2023

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#### AGENDA ITEM: 7

Deliberate and act on first reading of an Ordinance of the City of Rockport approving the assessment and renditions for the 2023 taxable property as submitted by the Appraisal District; levying a tax rate for \$100.00 valuation for the City of Rockport, Aransas County, Texas, for the Tax Year 2023 of \$0.213583 for the purposes of Maintenance and Operation, \$0.146495 for the payment of Principal and Interest on debt of the City, and that the property tax rate be increased by the adoption of a tax rate of \$0.360078 which is effectively a 11.26% increase in the tax rate; providing for a lien on all real and personal property to secure payment of taxes due thereon; containing a severability clause; repealing all ordinances and parts thereof in conflict herewith; and providing an effective date.

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 12.82% and will raise taxes for maintenance and operations on a \$100,000 home by approximately (negative) \$-6.93.

**SUBMITTED BY:** Director of Finance Robbie Sorrell

**APPROVED FOR AGENDA:** VRS

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**BACKGROUND:** The Rockport City Council adopts the appropriate *ad valorem* tax rate annual in order for the City to maintain operations and support debt service.

The FY 2023-2024 proposed *ad valorem* tax rate is the Voter Approval Tax Rate and is sufficient to maintain operations and support debt service.

State law requires a taxing unit's governing body to vote on a tax rate by a record vote, even if the rate is the No-New-Revenue Tax rate or below the No-New-Revenue Tax Rate. Additionally, the governing body is required by Senate Bill 2 to host one public hearing on the proposed tax rate. The public hearing was conducted tonight.

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**FISCAL ANALYSIS:** The presented 2023 *ad valorem* tax rate is sufficient to maintain maintenance and operations and fund debt service principal and interest payments in FY 2023-2024.

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**STAFF RECOMMENDATION:** Staff recommends Council approve the first reading of the Ordinance approving the assessment and renditions for the 2023 taxable property as submitted by the Appraisal District; levying a tax rate for \$100.00 valuation for the City of Rockport, Aransas County, Texas, for the Tax Year 2023 of \$0.213583 for the purposes of Maintenance

and Operation, \$0.146495 for the payment of Principal and Interest on debt of the City, and that the property tax rate be increased by the adoption of a tax rate of \$0.360078 which is effectively a 11.26% increase in the tax rate; and providing an effective date. The second and final reading of the Ordinance is scheduled for Tuesday, September 12, 2023.

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE APPROVING THE ASSESSMENT AND RENDITIONS FOR THE 2023 TAXABLE PROPERTY AS SUBMITTED BY THE APPRAISAL DISTRICT; LEVYING A TAX RATE FOR \$100.00 VALUATION FOR THE CITY OF ROCKPORT, ARANSAS COUNTY, TEXAS FOR THE TAX YEAR 2023 OF \$0.213583 FOR THE PURPOSE OF MAINTENANCE AND OPERATION, \$0.146495 FOR THE PAYMENT OF PRINCIPAL AND INTEREST ON DEBT OF THE CITY, AND THAT THE PROPERTY TAX RATE BE INCREASED BY THE ADOPTION OF A TAX RATE OF \$0.360078 WHICH IS EFFECTIVELY A 11.26% INCREASE IN THE TAX RATE; PROVIDING FOR A LIEN ON ALL REAL AND PERSONAL PROPERTY TO SECURE PAYMENT OF TAXES DUE THEREON; CONTAINING A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING AN EFFECTIVE DATE.**

**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 12.82 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY (NEGATIVE) \$-6.93.**

**WHEREAS**, the City Council of Rockport, Texas has on this date by way of separate Ordinance, duly approved and adopted a Budget for the operation for the City for Fiscal Year 2023-2024); and

**WHEREAS**, the aforesaid Ordinance anticipates the required levy of an *ad valorem tax* on all taxable property in the City of Rockport; and

**WHEREAS**, the Chief Appraiser of Aransas County Tax Appraisal District has prepared and certified the appraisal roll for the City of Rockport, Texas, that roll being that portion of the approved appraisal roll of the Aransas County Tax Appraisal District which lists property taxable by the City of Rockport, Texas; 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 2023-2024; and

**WHEREAS**, the City has fully and timely complied with all notice and other requirements relative to the adoption of a tax rate for FY 2023-2024.

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

**Section 1:** There is hereby levied for the FY 2023-2024 upon all real property situated within the corporate limits of the City of Rockport, Texas, and upon all personal property which was owned within the corporate limits of the City of Rockport, Texas, on January 1, 2023, except so much thereof as may be exempt by the Constitution or laws of the State of Texas, a total tax of \$0.360078 on each \$100 of assessed valuation on all taxable property, which total tax herein so levied shall consist and be comprised of the following components:

a) An *ad valorem* tax rate of \$0.213583 on each \$100 of assessed valuation of all taxable property is hereby levied for general City purposes and to pay the current operating expenses of the City of Rockport, Texas, for the fiscal year ending September 30, 2024, which tax, when collected shall be appropriated to and for the credit of the General Fund of the City of Rockport, Texas.

b) An *ad valorem* tax rate of \$0.146495 on each \$100 of assessed valuation of taxable property is hereby levied for the purpose of creating an Interest and Sinking Fund with which to pay the interest and principal of the valid bonded indebtedness, and related fees of the City of Rockport, now outstanding and such tax, when collected, shall be appropriated and deposited in and to the credit of the general Debt Service Fund of the City of Rockport, Texas, for the fiscal year ending September 30, 2024.

**Section 2:** The City of Rockport shall have lien on all taxable property located in the City of Rockport to secure the payment of taxes, penalty, and interest, and all costs of collection, assessed and levied hereby.

**Section 3:** Taxes are payable in Rockport, Texas at the Office of the Tax Assessor Collector of Aransas County, Texas. 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 4:** The tax roll presented to the City Council, together with any supplements thereto, are hereby accepted and approved.

**Section 5:** 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 6:** This Ordinance shall be in full force and effect from and after its adoption by the City Council and publication of its caption as the law and the City Charter provide in such cases.

**Section 7:** All other ordinances and Code provisions in conflict herewith are hereby repealed, but only to the extent of any such conflict or inconsistency and all other provisions of the Rockport City Code not in conflict herewith shall remain in full force and effect.

**Section 8:** 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 under any section or provision of any ordinances at the time of passage of this Ordinance.

**APPROVED** on first reading on the 5<sup>th</sup> day of September 2023, by roll call vote as follows:

**FOR MOTION:**

**AGAINST MOTION:**

## CITY OF ROCKPORT, TEXAS

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Tim Jayroe, Mayor

ATTEST:

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Teresa Valdez, City Secretary

**APPROVED, PASSED and ADOPTED** on second and final reading the \_\_\_\_ day of  
September 2023 by roll call vote as follows:

**FOR MOTION:****AGAINST MOTION:**

## CITY OF ROCKPORT, TEXAS

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Tim Jayroe, Mayor

ATTEST:

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Teresa Valdez, City Secretary