

RESOLUTION NO. 2018-868

RESOLUTION OPPOSING SAN PATRICIO COUNTY APPRAISAL DISTRICT'S (CAD) PROPOSAL TO AMEND ITS 2018 BUDGET BY RETAINING SURPLUS FUNDS FROM 2017 SAN PATRICIO CAD OPERATIONS AND THE COMMITTING THOSE FUNDS TO THE DISTRICT'S 2018 LITIGATION RESERVE ACCOUNT.

WHEREAS, the CITY OF ARANSAS PASS, TEXAS (the "*City*") is a duly created political subdivision of the State of Texas (the "*State*") operating as a Home Rule Municipality in San Patricio, County;

WHEREAS, the San Patricio CAD operations are funded by the constituent taxing entities in the County, which includes the City;

WHEREAS, on or about July 19, 2018, the City received notice from the San Patricio CAD that they propose to amend their 2018 San Patricio CAD budget by retaining a \$225,429 surplus (not including interest and fees) generated as a result of its 2017 operations and adding that amount to the total 2018 budgeted Litigation Reserve Fund;

WHEREAS, pursuant to Chapter 6 of the Texas Property Tax Code, each taxing entity has the right to adopt a Resolution disapproving the San Patricio CAD proposed budget amendment;

WHEREAS, the City hereby adopts a Resolution disapproving the San Patricio CAD proposed budget amendment; and

WHEREAS, the City requests compliance with Section 6.06(j) of the Texas Property Tax Code, which states:

"If the total amount of the payments made or due to be made by the taxing units participating in an appraisal district exceeds the amount actually spent or obligated to be spent during the fiscal year, the chief appraiser shall credit the excess amount against each taxing unit's allocated payments for the following year in proportion to the amount of each unit's budget allocation for the fiscal year for which the payments were made."

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARANSAS PASS, TEXAS:

SECTION 1. INCORPORATION OF RECITALS. The City hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and hereby incorporates such recitals as a part of this Resolution.

SECTION 2. DISAPPROVAL OF SAN PATRICIO CAD PROPOSED BUDGET AMENDMENT TO RETAIN SURPLUS. Pursuant to the authority granted in Chapter 6 of the Texas Property Tax Code, the City hereby adopts this Resolution to disapprove San Patricio CAD's proposal to amend its 2018 San Patricio CAD budget by retaining a \$225,429 surplus (not including interest fees) generated as a result of its 2017 operations and adding that amount to the total 2018 budgeted Litigation Reserve Fund.

SECTION 3. EFFECTIVE DATE. This Resolution shall become effective immediately upon on the passage hereof.

FINALLY ENACTED THIS 6TH day of August, 2018, at a regular meeting of the Elective City Council of Aransas Pass, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, TITLE 5, SUBTITLE A, CHAPTER 551.

Ramiro Gomez, Mayor

ATTEST:

Mary Juarez, City Secretary