

LEWISVILLE CITY COUNCIL

CALLED-SPECIAL SESSION

SEPTEMBER 24, 2007

Present:

Gene Carey, Mayor

Council Members:

Dean Ueckert, Mayor Pro Tem
David Thornhill, Deputy Mayor Pro Tem
Lathan Watts
Greg Tierney

Absent:

Rudy Durham

City Staff:

Donna Barron, Assistant City Manager
Steve Bacchus, Assistant City Manager
Julie Heinze, City Secretary
Lizbeth Plaster, Assistant City Attorney

REGULAR SESSION - 7:00 P.M.

With a quorum of the Council Members present, the regular session of the Lewisville City Council was called to order by Mayor Carey at 7:00 p.m. on Monday, September 24, 2007, in the Council Chambers of the Lewisville City Hall, 151 West Church Street, Lewisville, Texas.

Invocation

(Agenda Item A)

At the request of Mayor Carey, Mayor Pro Tem Ueckert gave the invocation.

Pledge to the Flag

(Agenda Item B)

At the request of Mayor Carey, Deputy Mayor Pro Tem Thornhill gave the pledge to the flag.

CONSENT AGENDA

(Agenda Item C)

MOTION: Upon a motion made by Mayor Pro Tem Ueckert and seconded by Councilman Watts, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt all remaining items on the Consent Agenda, as recommended and as follows:

1. Approval of Revisions to Administrative Policy 3.1.12, Utility Fund - Accounts Receivable Policy.
2. Approval of Revisions to Administrative Policy 3.1.13, Governmental Fund Types - Accounts Receivable Policy.

The motion carried.

END OF CONSENT AGENDA

Consideration of Ordinance No. 3497-09-2007 Adopting the FY 2007-2008 Operating Budget

(Agenda Item D-3)

Mayor Carey advised that the proposed operating budget for all funds has been prepared by staff and reviewed by the City Council. Approval of this ordinance adopts an operating budget for all funds beginning October 1, 2007 and ending September 30, 2008. A draft document is available for public review at the City Secretary’s Office, the Library, and on the City website.

Mayor Carey stated the City staff’s recommendation was that the City Council approve the proposed ordinance adopting the FY 2007-2008 Operating Budget.

Assistant City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

“An Ordinance of the City Council of the City of Lewisville, Texas, Adopting and Approving a Budget for the City of Lewisville, Texas for the Year Beginning October 1, 2007, and Ending September 30, 2008; Providing for an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Mayor Pro Tem Ueckert and seconded by Councilman Tierney, the Council voted four (4) “ayes” and no (0) “nays” to approve and adopt **Ordinance No. 3497-09-2007**, as previously captioned. The motion carried.

**Consideration of Ordinance No. 3498-09-
2007 Adopting the FY 2007-2008 Tax Rate**

(Agenda Item D-4)

Mayor Carey advised that this action will adopt the City's annual ad valorem tax rate for all taxable property at \$0.44050 per \$100 of assessed valuation. The rate combines the following: Maintenance and Operations \$0.32184 and Principal and Interest on Debt \$0.11866 for a total tax rate of \$0.44050. While the proposed tax rate for FY 2007-2008 is less than the 2006-2007 tax rate of \$0.45679, and the effective maintenance and operations rate remains unchanged, the proposed tax rate exceeds the effective tax rate of \$0.42831. Therefore, specific language is required in the ordinance, the vote on this ordinance must be a record vote, and the motion to adopt the ordinance must be made in the following form: "I move that property taxes be increased by the adoption of a tax rate of \$0.44050 per \$100 of assessed valuation."

Mayor Carey stated the City staff's recommendation was that the City Council approve the proposed ordinance adopting the FY 2007-2008 tax rate with the following motion: "I move that property taxes be increased by adoption of a tax rate of \$0.44050 per \$100 of assessed valuation through approval of the proposed ordinance."

Assistant City Attorney Lizbeth Plaster read the ordinance caption into the record as follows:

“An Ordinance of the City Council of the City of Lewisville, Texas, Establishing the Tax Rate and Tax Levy for the City of Lewisville, Texas for the Year 2007-2008, Upon all Taxable Property in Said City in Conformity With the Laws of the State of Texas, and the Charter Provisions and all Ordinances of Said City; Providing a Repealer; Providing for Severability; Providing for an Effective Date; and Declaring an Emergency.”

MOTION: Upon a motion made by Councilman Tierney and seconded by Deputy Mayor Pro Tem Thornhill, the Council voted four (4) “ayes” and no (0) “nays” to move that property taxes be increased by the adoption of a tax rate of \$0.44050 per \$100 of assessed valuation and approved **Ordinance No. 3498-09-2007**, as previously captioned. The motion carried.

**Consideration of a Vote to Ratify the
Property Tax Revenue Increase Reflected in
the FY 2007-2008 Operating Budget**

(Agenda Item D-5)

Mayor Carey advised that State law now requires that the adoption of a budget that will raise more revenue from property taxes than in the previous year also requires a separate vote of the governing body to ratify the property tax increase reflected in the budget. The FY 2007-08 budget will raise more total property taxes than last year's budget by \$2,459,539 (\$2,294,196 in the General Fund, \$75,473 in the TIF Fund, and \$89,370 in the Debt Service Fund).

Mayor Carey stated the City staff's recommendation was that the City Council ratify the property tax revenue increase reflected in the 2007-2008 Operating Budget.

MOTION: Upon a motion made by Councilman Watts and seconded by Councilman Tierney, the Council voted four (4) "ayes" and no (0) "nays" to ratify the property tax revenue increase reflected in the 2007-2008 Operating Budget. The motion carried.

Reports

(Agenda Item E)

- Councilman Watts pointed out that the City Council had reduced the effective tax rate for the City even though the required language is somewhat confusing
- Assistant City Manager Donna Barron advised of Councilman Tierney's birthday on September 25th.

There were no additional reports at this time.

Adjournment

(Agenda Item H)

MOTION: Upon a motion made by Councilman Tierney and seconded by Councilman Watts, the Council voted five (5) "ayes" and no (0) "nays" to adjourn the Regular Session of the Lewisville City Council at 7:10 p.m. on Monday, September 24, 2007. The motion carried.

These minutes approved by the Lewisville City Council on the 1st day of October, 2007.

APPROVED

Gene Carey, MAYOR

ATTEST:

Julie Heinze, CITY SECRETARY