

Jump Starting Your Involvement in Local Area Budgets and Tax Rates

September 22, 2022



400 West 15th Street, Suite 400 Austin, Texas 78701 512.472.8838 www.ttara.org All data and information is the property of TTARA and we ask that in sharing this data you credit TTARA as the source of information.

Today's Topics

- Why get involved in budgets and tax rates?
- How to begin the process of getting involved in budgets and rates
- Case Study

What we are not going to do is conduct a mathematical exercise

Mindset Change

- Do <u>NOT</u> think in terms of <u>Value</u> determines tax
- Do <u>NOT</u> think in terms of <u>Tax Rate</u> determines tax

• **DO** think in terms of **Taxing Unit Budget** determines tax

Until the budget and tax rate are adopted your tax is **ZERO**!

Who Sets My Property Tax Bill??

- Not the Appraisal District
 - Appraisal District only determines your proportionate share of the total levy through the valuation process
- Not the Texas Legislature
 - Texas does not have a state property tax
 - The Legislature can put in some limitations and transparency protections for the taxpayer

- Local Governments
 set the tax rates that calculate your property tax bill and collect property taxes through locally elected officials
 - School Trustees
 - City Council Members
 - City Mayor
 - County Commissioners
 - County Judge



Property Tax Equation – Taxing Unit

- Levy = Revenue needed to fund the budget that is adopted each year
- Tax Rate is adopted from year to year and moves based on value or the <u>desired level of revenue</u> of the taxing unit.
- Value and Rates should have an inverse relationship



Dimmit County Example

- Transportation Reinvestment Zones TRZ
- Tax increment financing or TIF allows for increased tax revenue beyond the truth in taxation calculation provided it is used only for improving infrastructure
 - Takes away value growth and allocates it to special purpose, inflating the tax rate
 - Previous tax base remains constant to allow for continued funding of local government
 - The increment or increase provides additional funding for infrastructure

• Issue:

- County turned over the administration of the TRZ entirely to a consultant that was paid on contingency
- Consultant created multiple TRZs spanning entire county
- Consultant grossly understated the base year values and the value growth in the TRZs
- County adopted an illegal tax rate
 - Went to lawsuit but the locally elected judge tossed it out after a 2-year delay
 - Biggest question if it was not tossed out is after a long delay is what to do with what was already collected?

Reeves County Example

Same consultants as Dimmit County created the same issues in Reeves County

- Additional Issues
 - County maintained same tax rate through unprecedented valuation growth
 - Used additional tax revenue to build multi-million-dollar recreation center rather than allow voters to approve a bond for the capital expenditure



City of Amarillo Example

Anticipation Notes and the Debt Rate

- Issue
 - City bond election for civic center failed in November 2020.
 - Votes For 26,376
 - Votes Against 42,596
 - City issues tax anticipation notes for Civic Center.
 - Anticipation Notes do not require voter-approval
 - Seven year pay off
 - Largest anticipation note in the State was for \$60 million in San Antonio
 - Amarillo is asking \$260 million in anticipation notes
 - Overall Amarillo budget \$490.8 million
 - Current outstanding debt principle per Bond Review Board \$404.1 million
 - City plans to refinance notes with a refunding bond for 30 years

Value Creation for Corporation

- Property tax consultants only look at value and not rates
- Taxing unit relationships open the door for early pay discount discussion
- Monitoring budgets and tax rates are not all about tax savings
 - Open doors to being a good corporate neighbor
 - Focus on local government relations
 - Identification of local needs leading to corporate giving opportunities
 - Property tax check presentations
 - Presentations open lines of communication
 - Can be used by taxing units to encourage and remind taxpayers to pay taxes

Internal Partners

- Government Relations
- Communications Departments
- Local Area Management
 - Plant Superintendents
 - Production Superintendents

External Partners

- Chief Appraiser
- Assessor/Collector
- School Superintendent and School Board Members
 - Business Manager
- County Judge and Commissioners Court
 - County Auditor
 - Appointed Budget Officer
- City Mayor and City Council
 - Budget Officer
- Other area taxpayers & companies

Where to Begin



How do you begin the process??

- This is <u>NOT</u> a once-a-year and done process
 - It takes multiple years to build an effective relationship with external partners to overcome the non-resident/non-voting taxpayer issue
- Coordinate with government relations on the extent to which you can be involved
- Routinely monitor agendas and minutes through out the year to stay informed of topics within the jurisdiction
 - Most agendas and minutes are posted to website
 - Counties typically meet twice a month with budgetary discussion occurring during one of the hearings
 - School districts typically meet once a month
 - Some taxing units will live stream the meetings
 - This does not replace being seen at the meeting
 - Some taxing units provide a video replay

Meeting Agenda Review

- Time of Posting 72 hours prior to meeting
 - Government Code § 551.043(a) The notice of a meeting of a governmental body must be posted in a place readily accessible to the general public at all times for at least 72 hours before the scheduled time of the meeting, except as provided by Sections 551.044-551.046.
 - Internet Posting Requirements Government Code § 551.043(b) If this chapter specifically requires or allows a governmental body to post notice of a meeting on the Internet:
 - 1. the governmental body satisfies the requirement that the notice must be posted in a place readily accessible to the general public at all times by making a good-faith attempt to continuously post the notice on the Internet during the prescribed period;
 - 2. the governmental body must still comply with any duty imposed by this chapter to physically post the notice at a particular location; and
 - 3. if the governmental body makes a good-faith attempt to continuously post the notice on the Internet during the prescribed period, the notice physically posted at the location prescribed by this chapter must be readily accessible to the general public during normal business hours.
- Note: Routine meetings are general scheduled on a recurring day of the month
 - 3rd Monday or 2nd and 4th Tuesday
 - Does not remove the possibility of a special meeting posting

Meeting Agenda Review



Reeves County

Agenda

Regular Commissioners Court Meeting Monday, June 13, 2022 @ 9:00 AM 3rd Floor Courtroom, Reeves County Courthouse

- Invocation:
- Pledge of Allegiance:
- Discuss/Action to Approve Personnel and Salary Changes: RCDC; Sheriff's Office; County Clerk's Office; District Attorney's Office; Road & Bridge, Recreation Center,
- 4. Discuss/Action to Approve Departmental Reports
- Discuss/Action to Approve Budget Amendments and Line-Item Transfers
- Discuss/Action to Approve Semi-Monthly Bills
- Discuss/Action to Approve Minutes from previous Commissioners' Court Meeting(s)
- PRESENTATION by Don Crawford & Associates
 Discuss/Action on purchase of Reeves County 'Employee Assistance Program' (EAP) through 'ComPsych' effective 7-1-2022 per Don Crawford & Associates.

Meeting Minutes Review

REEVES COUNTY COMMISSIONERS' COURT

Third Floor Courtroom "REGULAR MEETING"

Monday June 13, 2022 @ 9:00 A.M.

NOTICE OF MEETING, having been posted as required by law, the Commissioners' Court of Reeves County, Texas, met with the following members and officers present, to-wit: (SEE AGENDA)

Leo Hung

Israel Campos

Paul Hinojos

Tony Trujillo

Jacqueline Aguilar

County Judge

Commissioner, Pct. #2

REEVES COUNTY

Commissioner, Pct. #3

Commissioner, Pct. #4

Deputy County Clerk

Others Present:

Ellen Friar

Angela Harrison

Zulema Rodriguez

Lucero Sandoval

Kellie Nagy

Curtis Wilson

Jerry Bullard

Geff Purdy

Ernesto Lazcano

Dal Watson

Interim Auditor

Assistant Auditor

Treasurer

Purchasing Agent

Elections Administrator

Road & Bridge Engineer

Emergency Management

Director of Recreation Center

Chief Deputy

Don Crawford & Associates

Absent:

Rojelio Alvarado

Commissioner, Pct. #1



Meeting Minutes Review

Tape 1-A/B ITEM #8 (EXHIBIT E)
PRESENTATION BY DON CRAWFORD & ASSOCIATES
DISCUSS/ACTION ON PURCHASE OF REEVES COUNTY 'EMPLOYEE ASSISTANCE PROGRAM'
(EAP) THROUGH 'COMPSYCH' EFFECTIVE 7-1-2022 PER DON CRAWFORD& ASSOCIATES.

Motion made by Commissioner Hinojos to approve 'ComPsych' effective 7-1-2022 per Don Crawford & Associates with the 5 session options.

Second: Commissioner Trujillo

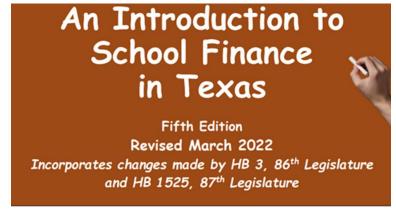
Vote: Carried Unanimously

Budget and Tax Rate Analysis



Budget Adoption Process

- Local Government Code
 - Cities and Municipalities Chapter 102
 - Counties Chapter 111
- Special Districts Information by individual district in Special District Local Laws Code (Due to time constraints, Special Districts will not be discussed)
- School Districts See Sheryl Pace's:
 "An Introduction to School Finance in Texas"
- Please refer to the Budget and Tax Rate Overview Webcast on TTARA website





Real-time Tax Notice Website

Property Tax Transparency in Texas

The budgets adopted by taxing units and the tax rates they set to fund those budgets play a significant role in determining the amount of taxes each property owner pays. In 2019, the Texas Legislature passed legislation to help Texans better understand tax rates in their home county. You can access timely information about how local tax rate decisions affect your tax bill on your county's Truth in Taxation website.

Find your county's website

- Texas.gov/PropertyTaxes
- One website for each county
- Each taxing unit is required to provide the following information:
 - Property value
 - Each taxing unit's no-new-revenue, voter-approval, and proposed tax rates and taxes due at those rates
 - Link for electronic submission of comments/opinions
 - Date, time, and place of hearings

Taxing Unit Websites

- Each taxing unit must have website containing the following information:
 - Taxing unit and governing body contact information
 - Budgets
 - Preceding two years
 - Current year proposed or adopted budget
 - Remember to look for the 1st page for property tax information.
 - Amount and percentage change in current budget
 - Budgeted M&O and I&S property taxes in current and preceding 2 years
 - M&O and I&S tax rates for same 3 years
 - Most recent financial audit

Reeves County 2023 Proposed Budget

Reeves County has debt payments of \$504,500.00 due in 2023.

Reeves County has estimated fund balances in General Fund of \$85,820,270.23 and Road and Bridge an estimated fund balance of \$7,348,861.75.

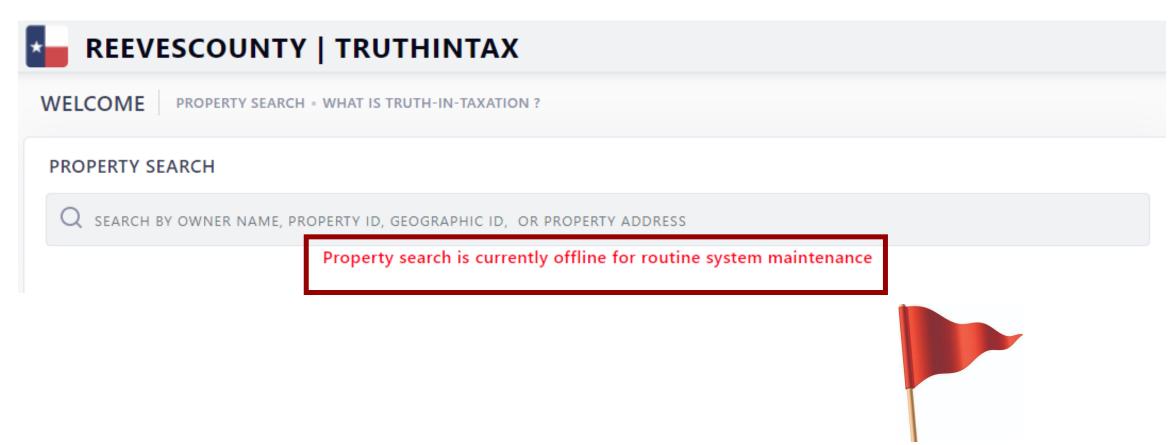
Reeves County is proposing a tax rate of .39000.

This budget will raise more total property taxes than last year's budget by \$51,304,089.89 or 81.25 percent, and of that amount \$22,264.21 is tax revenue to be raised from new property added to the tax roll this year.



Reeves County 2023 Rate Worksheets

Texas.gov/PropertyTaxes



Open Records Request Example

• Texas Public Information Act, Chapter 552 of the Government Code

DELIVERED BY E-MAIL

May 27, 2020

Mr. John Huddleston, Reeves County Chief Appraiser Reeves County Appraisal District P.O. Box 1229 Pecos, TX 79772

Re: Texas Public Information Act (TPIA) Request for Public Information

Dear Mr. Huddleston:

Under the Texas Public Information Act, Chapter 552 of the Government Code, I request the following information:

@txtaxpayers

Rate Adoption Process

- Three major components of property tax system appraisal, assessment and collection
- Assessment encompasses tax rate adoption and tax bill calculation.
- Truth in Taxation Laws
 - Notice of revaluation and protest process
 - Notice of proposed tax increase
 - Opportunity for public comment and limitation
- Texas Constitution, Art. VIII, Sec. 21 Property Tax Code, Chapter 26

2 Key Deadlines Linking Appraisal Process to Rate Adoption

- 1. July 20 ARB approves appraisal records
 - May be extended to August 30 in counties with over 1 million population (Harris, Dallas, Tarrant, Bexar, Travis, Collin)
 - ARB may not approve appraisal records if 5% of appraisal roll remains under protest – 10% for counties of 1 million+
- 2. July 25 Chief Appraiser certifies estimated value
 - If no ARB approval by July 20 Chief Appraiser must prepare and certify an
 <u>estimate</u> of taxing unit taxable value

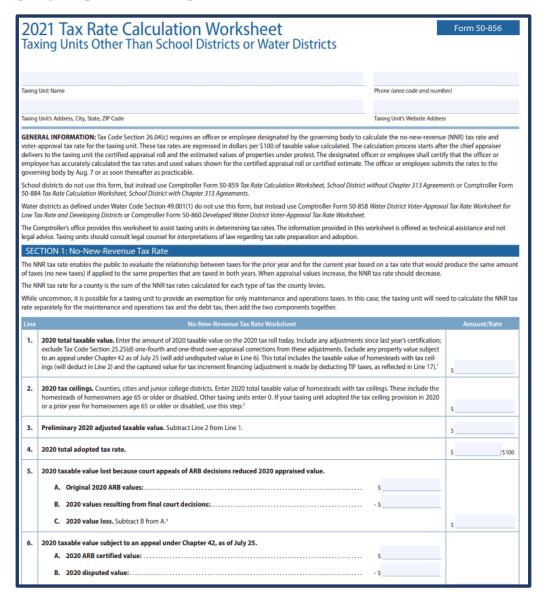
Two Elements of a Tax Rate

- Maintenance & Operations (M&O)
 - Funds general operations
- Interest & Sinking (I&S)
 - Pays debt service obligations
 - Covers both voter-approved and non-voter-approved debt such as Certificates of Obligation



Tax Rate Calculation Form

- Both the No-New-Revenue Rate and the Voter-Approval Rate are calculated on worksheets
- Use of the form is required
- Source of data?
 - Chief Appraiser's certified or estimated tax roll (July 25)
 - Tax roll submitted to governing body by assessor (Aug. 1) showing:
 - Total appraised, assessed, and taxable values
 - Total taxable value of new property
 - Tax collector's certified estimate of anticipated collection rate for I&S purposes and amount of any excess debt service collections in prior year (Aug. 1)



No-New-Revenue Tax Rate

- What is it?
 - Rate that will generate the previous year's revenue when applied to current values of properties on last year's tax roll.
- How is it calculated?
 - NO-NEW-REVENUE TAX RATE = (LAST YEAR 'S LEVY LOST PROPERTY LEVY) / (CURRENT TOTAL VALUE - NEW PROPERTY VALUE)
 - Numerous adjustments made within the calculation to get revenue and value on equal footing with previous year
 - Key adjustment Exclusion of current year new value

Voter-Approval Tax Rate

- What is it?
 - Rate that triggers an automatic ratification election to obtain voter permission to exceed voter-approval rate
- How is it calculated (for jurisdiction other than school districts)?
 - VOTER-APPROVAL TAX RATE = (NO-NEW-REVENUE MAINTENANCE AND OPERATIONS RATE x 1.035) + (CURRENT DEBT RATE + UNUSED INCREMENT RATE)
 - Baseline is the No-New-Revenue Tax Rate
 - Certain special districts use 8% in place of 3.5% <u>revenue</u> increase
 - Debt rate excluded from revenue limitation because must be paid regardless of value total
 - Unused Increment Rate Difference between actual tax rate and voter-approval rate for previous 3 years
 - Designed to give taxing units a safety net if needed to address additional future spending needs.
 - De minimis Rate revenue increase threshold \$500,000

I&S or Debt Rate Calculation

- Every bond election is a vote for or against a TAX INCREASE
- Disclaimer: Not all bond elections are wasteful tax increases, some capital projects financed by the bond election are very much needed in the community
- Debt Service is the cumulative annual payment of all approved bond elections plus some nonvoter-approved debt

Debt Rate = Debt Service / Tax Roll

- As debt service decreases, the debt rate decreases
- As taxable value increases, the debt rate decreases
- DON'T BE FOOLED by a taxing unit saying a bond election will not increase your taxes

What to Look for on the Rate Worksheet

- Look for large spreads between NNR and VAR
- Compare prior year valuation data to previous years worksheets
 - Was there a significant difference if a certified estimate was used in prior year
- Is current year tax roll valuation reasonable and what was anticipated
- Were significant adjustments made in the calculation that were out of line from previous years
 - Or lack of adjustments made
- Is the debt collection rate reasonable
- Are adjustments for over-collection of debt service made
- Are additional payments for debt service inflating debt rate

Texas Bond Review Board

• brb.state.tx.us



Visit the Texas Bond Review Board Data Center

Texas Bond Review Board - Montgomery

BRB Local Government Debt Database Search Results Texas County FY: 2021

Mty. Date: Indicates when this issue will be paid off.

Grand Totals:

Principal, Interest, Total Payment: Total amount outstanding at a point in time as indicated on the main Database Search page (based on a fiscal year end of 8/31). Results exclude Commercial Paper and Conduit Debt.

11 records found. Displaying records 1 through 11.

Click a column header to sort.								
1								
<u>Issuer</u>	Issue Name		<u>Pledge</u>	Mty D				
Montgomery County	CO Ser 2012A	(GO	03/01/				
Montgomery County	CO Txbl Ser 2010B (Direct Subsidy Build America Bonds) Mental Health Trm	nt Facil	GO	03/01/				
Montgomery County	Ltd Tax Ref Bonds Ser 2014A	(GO	03/01/				
Montgomery County	Ltd Tax Ref Bonds Ser 2016	(GO	03/01/				
Montgomery County	Ltd Tax Ref Bonds Ser 2016A	(GO	03/01/				
Montgomery County	Ltd Tax Ref Bonds Ser 2020	(GO	03/01/				
Montgomery County	Unl Tax Ref Bonds Ser 2018	(GO	03/01/				
Montgomery County	Uni Tax Road Bonds Ser 2016	(GO	03/01/				
Montgomery County	Uni Tax Road Bonds Ser 2016A	(GO	03/01/				
Montgomery County	Uni Tax Road Bonds Ser 2018	(GO	03/01/				
Montgomery County	Unl Tax Road Bonds Ser 2018B	(GO	03/01/				
	S	ubtotal:						
1								
→								

 Principal
 Interest
 Total Payment

 \$486,675,000
 \$231,963,956
 \$718,638,956

Debt in Budget - Montgomery

Montgomery County, Texas Schedule of Debt Payments For Fiscal Year Ending 9/30/2023

		780100	780200	780200	780200	
				Paying	Total Interest +	
Issue**	Dept	Principal	Interest	Agents	paying agents +	Total
Certificates of Obligation (BABS), Series 2010B	3290	1,045,000	1,194,705	@ 1,615	1,196,320	2,241,320 *
Refunding 2014A	3290	7,620,000	2,126,500	1,500	2,128,000	9,748,000
Refunding 2016	3290	-	2,943,850	1,500	2,945,350	2,945,350
Unlimited Tax Road Bonds, Series 2016	3290	1,260,000	2,303,500	1,500	2,305,000	3,565,000
Limited Tax Refunding Bonds, Series 2016A	3290	7,100,000	1,215,587	1,500	1,217,087	8,317,087
Unlimited Tax Road Bonds, Series 2016A	3290	2,085,000	3,182,275	1,500	3,183,775	5,268,775
Unlimited Tax Road Bonds, Series 2018	3290	880,000	1,910,375	1,500	1,911,875	2,791,875
Limited Tax Refunding Bonds, Series 2018	3290	660,000	3,792,300	1,500	3,793,800	4,453,800
Unlimited Tax Road Bonds, Series 2018B	3290	-	1,078,600	1,500	1,080,100	1,080,100
Limited Tax Refunding Bonds, Series 2020	3290	1,220,000	1,028,950	1,500	1,030,450	2,250,450
Limited Tax Refunding Bonds, Series 2021	3290	665,000	394,275	1,500	395,775	1,060,775
		22,535,000	21,170,917	16,615	21,187,532	43,722,532
		22,535,000	21,170,917			

^{*} Mental Health Treatment Facility interest only. @ Interest amount is NOT net of the BAB Subsidy



^{**}Source: Montgomery County Debt Book

^{1.300.90.3290.780100 -} Principal

^{1.300.90.3290.780200 -} Interest and Fiscal Charges

Debt in Rate Calc. - Montgomery

42.	Total 2022 debt to be paid with property taxes and additional sales tax revenue. Debt means the interest and principal that will be paid on debts that:	
	(1) are paid by property taxes,	
	(2) are secured by property taxes,	
	(3) are scheduled for payment over a period longer than one year, and	
	(4) are not classified in the taxing unit's budget as M&O expenses.	
	A. Debt also includes contractual payments to other taxing units that have incurred debts on behalf of this taxing unit, if those debts meet the four conditions above. Include only amounts that will be paid from property tax revenue. Do not include appraisal district budget payments. If the governing body of a taxing unit authorized or agreed to authorize a bond, warrant, certificate of obligation, or other evidence of indebtedness on or after Sept. 1, 2021, verify if it meets the amended definition of debt before including it here. 28	
	Enter debt amount	
	B. Subtract unencumbered fund amount used to reduce total debt	
	C. Subtract certified amount spent from sales tax to reduce debt (enter zero if none)	
	D. Subtract amount paid from other resources	
	E. Adjusted debt. Subtract B, C and D from A.	40,833,515

Case Study – City of Dallas

- The City of Dallas touted a lower property tax rate in 2022
 - City Council Members called the proposed tax rate "generous" and "aggressive"
 - 2022 Proposed Tax Rate \$0.7458
 - \$0.0275 lower than 2021
 - Proposed budget raises "more total property taxes than last year's budget by \$132,244,336 or 10.97%, and of that amount \$24,861,667 is tax revenue to be raised from new property added to the tax roll this year."
 - Remember City only allowed a 3.5% revenue increase

Case Study – City of Dallas

- 1. Follow the news articles
 - Does the reporting make sense \$0.0275 rate reduction
- 2. Find the proposed budget and look to the front page for revenue increase
- 3. Go to the real-time tax website for rate information
 - Do the various rates make sense spread between NNR vs VAR
- 4. Pull 2022 TNT worksheet
 - Page 8, Line 66 2022 unused increment of \$0.11093 from 2020
- 5. Pull 2020 TNT worksheet
 - Page 3, Line 25 2020 adjusted taxable value of \$115.5B
- 6. Pull 2019 TNT worksheet
 - Page 3, Line 23 2019 adjusted taxable value of \$125.3B
 - 2020 had a 7.77% decrease in value??
- 7. Pull 2021 TNT worksheet
 - Page 2, Line 14 2020 ad taxable value of \$126.0B
 - \$10B swing in 2020 values from 2020 TNT to 2021 TNT Adj taxable value loss to a gain
- 8. Recalculate 2020 TNT worksheet to estimate effect
 - 2020 unused increment decreased from \$.110094 to estimated \$0.02396

Final Thought - Be Curious!!



Thank you!

If you have any questions or comments, please feel free to contact TTARA staff.

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