

**ORDER ADOPTING 2019 EFFECTIVE TAX RATE**

**THE STATE OF TEXAS            )**  
  )  
**COUNTY OF EL PASO            )**

**Lower Valley Water District**

**WHEREAS**, the Lower Valley Water District (the District) has been created by the Legislature of the State of Texas pursuant to Article 16, Section 59 of the Texas Constitution by enactment of Chapter 780, Acts of the 69<sup>th</sup> Legislature;

**WHEREAS**, the District was confirmed by a majority of the qualified voters of the District voting at a confirmation election held on November 15, 1986;

**WHEREAS**, an election was called by order of the Board of Directors (the Board) of the District, dated February 18, 1987, for the purpose, among other things, of authorizing the District to levy and collect ad valorem taxes for maintenance of the District and its improvements and for administrative expenses of the District and establishment and approval of a maximum tax rate for such taxes;

**WHEREAS**, it was, on April 7, 1987, ordered and declared by the Board of the District that the resident, qualified voters voting in the April 4, 1987 election voted in favor of authorizing the District to levy property taxes at a rate of 12 cents (00.12) per one hundred dollars (\$100.00) of assessed valuation for administrative expenses of the District and for the maintenance of the District and its improvements;

**WHEREAS**, the District has been converted to a municipal utility district by the legislature of the State of Texas pursuant to Article 16, Section 59 of the Texas Constitution by enactment of Chapter 528, Acts of the 71<sup>st</sup> Legislature (hereafter the Act);

**WHEREAS**, the Act authorized the levy and collection of ad valorem taxes for the maintenance of the District and its improvements and for administrative expenses of the District, or for both purposes, in such amounts as are deemed necessary in accordance with the Act;

**WHEREAS**, the District was required to incur expenses up to \$14,020,000 as authorized by the Texas Water Development Board to be paid with Tax and Revenue bonds;

**WHEREAS**, in the June 8, 1996, election qualified voters voted in favor of authorizing the District to levy Debt Service taxes for the payment of the above Tax and Revenue bonds;

**WHEREAS**, the District is required to implement a tax of \$0.033469 per one hundred dollars (\$100.00) of assessed valuation, during the Fiscal Year 2019-2020, for the principal and interest payment of issued Tax and Revenue bonds;

**WHEREAS**, the Board reviewed data prepared by the General Manager setting forth the estimated administrative budgetary requirements of the District;

**WHEREAS**, the Board found that the estimated administrative and capital budgetary requirements of the District for Fiscal Year 2019-2020 would be \$33,417,657

**WHEREAS**, the Board of the District deemed it necessary and advisable on September 24, 2019 to adopt an annual budget for Fiscal Year 2019-2020;

**WHEREAS**, Section 26.05 of the Texas Property Tax Code Annotated, authorized the establishment of a tax rate in each year;

**WHEREAS**, the Notice of Regular Meeting of the Board of Directors of the Lower Valley Water District at which the adoption of a tax rate for the administrative and maintenance tax was duly noted as an agenda item was duly and properly posted and provided pursuant to Chapter 551 of Texas Government Code;

**THEREFORE, THE BOARD OF DIRECTORS OF THE LOWER VALLEY WATER DISTRICT AFFIRMATIVELY FINDS THAT:**

1. The total certified net taxable value of property within the boundaries of the Lower Valley Water District is \$2,050,237,398.
2. For the period October 1, 2019 through September 30, 2020, the estimated total receipts to the District from the authorized administrative and maintenance tax, established at an ad valorem tax rate of \$0.120000 cents per hundred dollars (\$100.00) of the total certified net taxable valuation, is \$2,050,237,398.
3. The Lower Valley Water District is scheduled to make debt service payments of \$686,213.00 during the Fiscal Year 2019-2020. The Lower Valley Water District is required to implement a debt service tax.
4. These receipts are reasonably necessary for the expenses related to the administration and maintenance and the debt service of the District.

**IT IS THEREFORE, ORDERED BY THE BOARD OF DIRECTORS OF THE LOWER VALLEY WATER DISTRICT THAT:**


Section 1. The tax rate for the authorized administrative and maintenance tax for Fiscal Year 2019-2020 is adopted and established at \$0.120000 per one hundred dollars (\$100.00) of assessed valuation.

Section 2. The tax rate for the authorized debt service tax for Fiscal Year 2019-2020 is adopted and established at \$0.033469 cents per hundred dollars (\$100.00) of the total certified net taxable valuation which is \$2,050,237,398.

Section 3. If any provisions, section, sentence, clause or phrase of this order is held for any reason to be invalid, such invalid portion shall not affect the validity of the remaining portions of this order.

**THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.**


SIGNED AND SEALED THIS 24th day of September 2019,

  
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Rosalinda Vigil, President  
Lower Valley Water District

ATTEST:

 David Carrasco  
\_\_\_\_\_  
Henry Trujillo, Secretary/Treasurer  
Lower Valley Water District

APPROVED AS TO FORM:

  
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Steve Blanco, General Counsel  
Lower Valley Water District