

RESOLUTION NO. _____

WHEREAS, the City of Austin full-purpose city limits include certain lands located adjacent to Lake Austin which were included within the boundaries of the City when it was incorporated by act of the Texas Legislature in 1891, and reaffirmed by the City in its 1928 City Charter, and have remained within the City limits for all the intervening time; and

WHEREAS, these lands are comprised of the area located between the normal conservation pool level of Lake Austin, which is the 492.8 foot mean sea level contour, and the 504.9 foot mean sea level contour line, and the land described in Exhibit "1", attached to this resolution, is included within that area; and

WHEREAS, residents of this area are eligible to vote in city elections and have received the benefit of certain city services, however, have not been assessed property tax or provided all city services that would otherwise be funded by property taxes; and

WHEREAS, in 1986 the Austin City Council adopted Ordinance No. 860130-A, attached as Exhibit “2”, in response to questions raised about the status of the area located along Lake Austin and below the 504.9 foot mean sea level contour and the levying of property taxes there, again reaffirming the longstanding full purpose jurisdictional status of these properties, and the City’s policy with regard property taxes and city service availability in the area; and

WHEREAS, under the Ordinance, tracts listed in Exhibit “A” to the Ordinance shall become subject to City property tax when city services are made available, and the City Council passes a resolution ordering taxes to be collected on the value of the property; and

WHEREAS, on January 29, 2009, the City will commence providing full municipal services to the property described in Exhibit “1” when the abutting “Peninsula Annexation Area” is annexed for full purposes and full municipal services are also provided to the Peninsula area; **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. The Council accepts the above recitals as findings.

2. The Council hereby declares that the property located within the area described in Exhibit “1” will receive full municipal services as of January 29, 2009, at 11:59 p.m. and as provided in City Ordinance No. 860130-A, and orders that City property taxes shall apply and shall be collected on all such property, subject to any exemptions that apply to property in the full-purposes City limits.

3. The City Manager is directed and authorized to do all things necessary to implement this resolution, and to notify the Travis Central Appraisal District and the Travis County Tax Assessor-Collector of the adoption of this resolution to commence collection of City property taxes in the area.

ADOPTED: _____, 2009

ATTEST: _____

Shirley A. Gentry
City Clerk