

RESOLUTION 025

**AUTHORIZING AGREEMENT WITH BURNET COUNTY APPRAISAL DISTRICT FOR
COLLECTION OF TAXES**

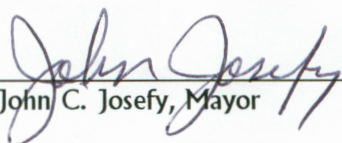
WHEREAS, the City of Highland Haven desires to levy an ad valorem tax beginning in fiscal year 1996;
and

WHEREAS, the Burnet County Appraisal District provides ad valorem tax collection service as well as its
statutory services of appraisal; and

WHEREAS, the Board of Aldermen of the City of Highland haven finds it to be in the public interest to
authorize a contract with the Burnet county Appraisal District in the form and according to the terms in the
attached Exhibit A.

BE IT RESOLVED that the Board of Aldermen authorize and direct the Mayor of the City of Highland
Haven to enter into a contract on the behalf of the City of Highland Haven with the Burnet County
Appraisal District in the form and according to the terms in the attached Exhibit A. This resolution
abolishes and replaces Resolution No. 017 wherein the Burnet County Appraisal District was incorrect
shown as Hemphill Tax Service.

**Passed and Approved by the Board of Aldermen of the City of Highland Haven on this the 15th day of
February , 1996.**



John C. Josefy, Mayor

ATTEST:

/s/



City Secretary

(A:\)or(B:\)RESOL-02.96

THE STATE OF TEXAS §
BURNET COUNTY §

COLLECTION AGREEMENT

WHEREAS, the Property Tax Code of the State of Texas, by its overall provisions of §6.01, establishes in each county in Texas, including Burnet County, an "appraisal district", and whereas heretofore a Board of Directors for such appraisal district in Burnet County has been elected and qualified in accordance with the law, and whereas the Board of Directors has chosen as a convenience the name "Burnet County Appraisal District of Burnet County, Texas": and,

WHEREAS, the City of Highland Haven and the Burnet County Appraisal District of Burnet County have the power and authority with reference to the terms of TEX. GOV'T. CODE ANN. §§ 791.001 et seq., as amended, to authorize the Burnet County Appraisal District through its duly appointed chief appraiser to act as the Tax Collector for the above named Jurisdiction.

NOW, THEREFORE, for the consideration hereinafter expressed and the mutual condition hereof, it is mutually agreed by and between the City of Highland Haven, a political subdivision duly organized and existing under the laws of the State of Texas, hereinafter referred to as the Jurisdiction, and the Burnet County Appraisal District of Burnet County, duly organized under the provisions of Chapter 6 of the Property Tax Code, hereinafter referred to as the BCAD, Burnet County Appraisal District, as follows:

1. Under the provisions of TEX. GOV'T. CODE ANN. §§ 791.001 et seq., as amended, BCAD, through its duly appointed chief appraiser, shall serve as Tax Collector for Jurisdiction for ad valorem tax purposes in 1996 and subsequent years pursuant to the terms herein provided. BCAD agrees to perform for Jurisdiction all necessary duties as authorized by said statute, and the Jurisdiction does hereby expressly authorize BCAD, through its duly appointed chief appraiser, to do and perform all acts necessary and proper to collect taxes for Jurisdiction.

2. A. BCAD agrees to prepare and mail all tax statements, provide monthly collection reports to Jurisdiction, prepare tax certificates, develop and maintain both current and delinquent tax rolls for Jurisdiction, provide information necessary to keep property records up to date and furnish a copy of the tax roll, meet the requirements of the Property Tax Code, as amended (with regard to the calculation and publication of maximum tax rates for Jurisdiction), and to develop and maintain such other records and forms as are necessary or required by law or State Rules and regulations.

The Burnet County Appraisal District undertakes and agrees to develop and maintain written policies and procedures of its operation, to make available to Jurisdiction full information about the operation of the BCAD, and to promptly furnish written reports reasonably necessary to keep the Jurisdiction advised of all financial information affecting Jurisdiction.

B. To enable BCAD to effectively serve all parties who contract with it for the collection of taxes, all such parties must set their tax rates not later than the 1st day of September of each year. In the absence of this requirement being met, such parties as do not meet this requirement shall bear all expenses of the BCAD and its agents of expenditures made by such for the purpose of sending the tax statements in a separate notice or billing. By executing this Agreement, the Jurisdiction does accept such provisions and expressly agrees to meet solely any and all expenses that might be incurred as the result of not timely getting to the BCAD its tax rate and any and all collateral or related information or documentation to allow the BCAD to meet its required obligations and duties to all other parties on whose behalf it also collects tax funds.

3. Jurisdiction hereby agrees and expressly authorizes BCAD and its Board of Directors to contract on Jurisdiction's behalf with private legal counsel for the collection of delinquent taxes. Jurisdiction further agrees that such fee as is allowed by law and provided in the contract with private legal counsel will be paid from the delinquent taxes, penalty and interest collected for Jurisdiction by such private legal counsel.

4. A. For the 1996 tax year, Jurisdiction shall pay to the BCAD for collection services the total sum as calculated pursuant to TEX. PROP. TAX CODE ANN. § 6.06(a), payable in a lump sum in December, 1996, for services provided by BCAD pursuant to this contract. Payments will be delivered or mailed to the BCAD.

The cost of collections for subsequent years will be set forth by the BCAD budget for that year and will be approved by all taxing jurisdictions at such time. Payment by Jurisdiction for collection services for any subsequent years shall be in equal quarterly installments, beginning January 1 of such year, with like payments on or before April 1, July 1, and October 1 of such year.

B. A copy of the approved budget for the most recent tax year has been furnished to Jurisdiction. Prior to the adoption of the budget for each subsequent tax year, BCAD shall submit a copy of the proposed budget to the presiding officer of the Jurisdiction and no sooner than 20 days later, BCAD shall hold a public hearing on the adoption of the budget. The presiding officer of the Jurisdiction shall be notified at least ten (10) days in advance of the hearing of the date, time, and location of the hearing.

5. BCAD agrees to secure an annual audit by an independent certified public accountant of all the BCAD's expenditures and of taxes collected each year as provided by this contract. Such accountant shall be authorized and directed to report directly to the governing body of the Jurisdiction.

6. BCAD agrees to obtain a surety bond for the BCAD's chief appraiser to assure proper performance of the tax collecting function provided in this contract. Such bond shall be payable to the BCAD in the sum of \$75,000.00, unless state statutes require a larger sum, and shall be executed by a solvent surety company.

7. BCAD agrees to make payments of taxes collected into such depositories as are selected by the Jurisdiction. Such payments shall be made on a weekly basis or more often if deemed prudent or necessary by BCAD or Jurisdiction.

8. This contract shall continue until terminated by the parties. Either party may terminate this contract by giving written notice of its intent to the other party on or before January 1, to be effective the following July 1 of the same calendar year. Upon such a termination, the Jurisdiction shall assume all its tax collection responsibilities for all tax years.

9. If this contract should terminate for any reason other than commencement of mandatory county-wide tax operations, including but not limited to termination because of agreement of both parties and termination by judicial decree, the records shall be returned to Jurisdiction.

10. This agreement supercedes any and all agreements and contracts by and between Jurisdiction relative to collection of taxes.

IN WITNESS WHEREOF, these presents are executed by authority of the governing bodies of the respective parties hereto.

Chairman, Board of Directors
Burnet County Appraisal District



Mayor, City of Highland Haven



ATTEST: City Secretary