



**NOTICE OF REGULAR MEETING AND  
WORK SESSION AGENDA  
LANCASTER CITY COUNCIL  
MUNICIPAL CENTER CITY COUNCIL CHAMBERS  
211 N. HENRY STREET, LANCASTER, TEXAS**

**August 10, 2015 - 7:00 PM**

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**(7:00 P.M.) REGULAR MEETING:**

**CALL TO ORDER**

**INVOCATION:** Ministerial Alliance

**PLEDGE OF ALLEGIANCE:** Councilmember Marco Mejia

**PRESENTATION:** Chief Wilson

**CITIZENS' COMMENTS:**

At this time citizens who have pre-registered before the call to order will be allowed to speak on any matter other than personnel matters or matters under litigation, for a length of time not to exceed three minutes. No Council action or discussion may take place on a matter until such matter has been placed on an agenda and posted in accordance with law.

**CONSENT AGENDA:**

Items listed under the consent agenda are considered routine and are generally enacted in one motion. The exception to this rule is that a Council Member may request one or more items to be removed from the consent agenda for separate discussion and action.

- C1. Consider approval of minutes from the City Council Regular Meeting held July 13, 2015 and July 27, 2015.
- C2. Discuss and consider a resolution approving the terms and conditions of an interlocal agreement by and between The University of Texas Southwestern Medical Center and the City of Lancaster, for services related to the provision of Medical Director services.

**PUBLIC HEARING:**

- 3. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Beltline Ashmoore Public Improvement District.
- 4. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Glendover Estates Public Improvement District.
- 5. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Boardwalk Public Improvement District.
- 6. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Lancaster Mills Public Improvement District.

7. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Meadowview Public Improvement District.
8. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Millbrook East Public Improvement District.
9. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Rolling Meadows Public Improvement District.
10. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Tribute at Mills Branch and Tribute East at Mills Branch Public Improvement District.

Adjourn Regular Meeting

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**(7:30 P.M.) WORK SESSION:**

1. Receive and discuss a presentation regarding the Solid Waste & Recycling Services.
2. Receive and discuss a presentation from SimpleRecycling
3. Receive a presentation and discuss the Fiscal Year 2015-2016 proposed budget.

**ADJOURNMENT**

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**EXECUTIVE SESSION:** The Council reserves the right to convene into executive session on any posted agenda item pursuant to Section 551.071(2) of the TEXAS GOVERNMENT CODE to seek legal advice concerning such subject.

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**ACCESSIBILITY STATEMENT:** The Municipal Center is wheelchair-accessible. For sign interpretive services, call the City Secretary's office, 972-218-1311, or TDD 1-800-735-2989, at least 72 hours prior to the meeting. Reasonable accommodation will be made to assist your needs.

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**Certificate**

**I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall on August 6, 2015 @ 6:40 p.m. and copies thereof were provided to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.**



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Sorangel O. Arenas  
City Secretary

# **LANCASTER CITY COUNCIL**

## **Agenda Communication**

**August 10, 2015**

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**Consider approval of minutes from the City Council Regular Meeting held July 13, 2015 and July 27, 2015.**

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### **Background**

Attached for your review and consideration are minutes from the:

- City Council Regular Meeting held July 13, 2015
- City Council Regular Meeting held July 27, 2015

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**Submitted by:**

Sorangel O. Arenas, City Secretary

## MINUTES

### LANCASTER CITY COUNCIL MEETING OF JULY 13, 2015

The City Council of the City of Lancaster, Texas, met in Regular session in the Council Chambers of City Hall on July 13, 2015 at 7:00 p.m. with a quorum present to-wit:

#### **Councilmembers Present:**

Mayor Marcus E. Knight  
Carol Strain-Burk  
Deputy Mayor Pro Tem Stanley Jaglowski  
Marco Mejia  
Mayor Pro Tem James Daniels  
LaShonjia Harris  
Nina Morris

#### **City Staff Present:**

Opal Mauldin-Robertson, City Manager  
Rona Stringfellow, Assistant City Manager  
Dori Lee, Human Resources Director  
Thomas Griffith, Fire Chief  
Alton Dixon, Purchasing Agent  
Jim Brewer, Director of Public Works  
Jermaine Sapp, Fleet Superintendent  
Baron Sauls, Assistant Finance Director  
Angie Arenas, City Secretary

#### **Call to Order:**

Mayor Knight called the meeting to order at 7:00 p.m. on July 13, 2015.

#### **Invocation:**

Deacon Jones gave the invocation.

#### **Pledge of Allegiance:**

Councilmember Carol Strain-Burk led the pledge of allegiance.

#### **Citizens Comments:**

Jim Chesher, 7395 Dallas Ave, shared that the creek on the Golf Course side by his residence had two big limbs that fell down. Also, he shared that the bridge by the golf course has a big limb that has hit the bridge and is still there.

#### **Consent Agenda:**

City Secretary Arenas read the consent agenda.

- C1. Consider approval of minutes from the City Council Special Meeting held June 9 & 10, 2015 and June 15, 2015.**
- C2. Consider a resolution authorizing Dallas County to resell 534 East 4th Street, tax foreclosed property, by public or private sale, to the highest qualified purchaser, as provided by Section 34.05 of the Texas Property Tax Code.**
- C3. Consider a resolution adopting City Council Goals and Objectives contained in the June 2015 City Council Retreat Report.**

- C4. Consider a resolution approving the terms and conditions of a Project Specific Agreement by and between Dallas County and the City of Lancaster for water system improvements (Phase 1) and Roadway, Drainage and Sewer Improvements (Phase II) on Pleasant Run Road from the intersection of Lancaster-Hutchins Road and Pleasant Run Road to the city's easternmost city limits; authorizing the City Manager to execute the agreement; and providing an effective date.**
- C5. Consider a resolution approving the terms and conditions of a Memorandum of Understanding between the City of Lancaster and the County of Dallas, Texas to provide funds through Dallas County Justice Assistance Grant ("JAG").**
- C6. Discuss and consider a resolution approving the terms and conditions of a Master Interlocal Agreement and Project Specific Agreement with Dallas County for the reconstruction of roadways and/or curb and gutter with funds allocated through the Community Development Block Grant Program.**
- C7. Consider a resolution authorizing the purchase and installation of water meter registers from HydroPro Solutions through an Interlocal agreement with Houston Galveston Area Council (HGAC) in an amount not to exceed \$127,289.50.**
- C8. Consider a resolution approving the terms and conditions of an Interlocal Agreement by and between the City of Lancaster and the City of Wilmer, Texas, for water and wastewater services.**

Councilmember Strain-Burk pulled item C2 from the consent agenda.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Mayor Pro Tem Daniels, to approve consent items excluding item C2. The vote was cast 7 for, 0 against.

- 9. Discuss and consider a resolution accepting the proposed Project Plan and Reinvestment Zone Financing Plan that results in an increase in real property tax revenues ("tax increment") that is generated above what the area's total assessed valuation was when the district was created ("base value").**

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Morris, to approve action item 9. The vote was cast 7 for, 0 against.

**Recognition:**

Mayor Knight made plans to acknowledge Asha Beacham with a Certificate of Appreciation since she has been appointed to West Point Preparatory School Academy. Also, Luke Harvey, from Congresswoman Eddie Bernice Johnson's Office, attended the meeting to extend greetings and congratulations to Asha Beacham.

**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Councilmember Strain-Burk, to adjourn. The vote was cast 7 for, 0 against.

The meeting was adjourned at 7:09 p.m.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

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Marcus E. Knight, Mayor

## MINUTES

### LANCASTER CITY COUNCIL MEETING OF JULY 27, 2015

The City Council of the City of Lancaster, Texas, met in Regular session in the Council Chambers of City Hall on July 27, 2015 at 7:00 p.m. with a quorum present to-wit:

**Councilmembers Present:**

Carol Strain-Burk  
Deputy Mayor Pro Tem Stanley Jaglowski  
Marco Mejia  
Mayor Pro Tem James Daniels

**Councilmembers Absent:**

Mayor Marcus E. Knight  
LaShonjia Harris  
Nina Morris

**City Staff Present:**

Opal Mauldin-Robertson, City Manager  
Rona Stringfellow, Assistant City Manager  
Cheryl Wilson, Police Chief  
Alton Dixon, Purchasing Agent  
Jermaine Sapp, Fleet Superintendent  
Cynthia Pearson, Finance Director  
Angie Arenas, City Secretary

**Call to Order:**

Mayor Pro Tem Daniels called the meeting to order at 7:00 p.m. on July 27, 2015.

**Invocation:**

Pastor Donnell Wilson gave the invocation.

**Pledge of Allegiance:**

Deputy Mayor Pro Tem Stanley Jaglowski led the pledge of allegiance.

**Citizens Comments:**

Earlean Traylor, 1815 Athena, addressed the Council and expressed concern over how high her water bill is. She informed Council that someone had checked her meter and it was not leaking. She inquired as to whether it was connected to the City's water line.

**Consent Agenda:**

Mayor Pro Tem Daniels moved item C4 from the Consent Agenda to an Action Item.

City Secretary Arenas read the consent agenda.

- C1. Consider approval of minutes from the City Council Regular Meeting held June 22, 2015.**
- C2. Consider a resolution authorizing the purchase of five (5) Chevrolet Tahoe's from Freedom Chevrolet through an Interlocal Agreement with the City of Dallas, Texas in an amount not to exceed one hundred fifty nine thousand six hundred eighty dollars (\$159,680.00).**

- C3. Consider a resolution authorizing the purchase of (5) conversion kits from Pursuit Safety through an Interlocal Agreement with City of Dallas in an amount not to exceed \$138,839.75.**
- C4. Discuss and consider an ordinance authorizing the issuance of City of Lancaster, Texas, Tax and Waterworks and Sewer System Surplus Revenue Certificates of Obligation, Series 2015; and containing other matters incident thereto.**
- C5. Discuss and consider a resolution declaring official intent to reimburse expenses incurred for the design and construction of a Fleet Maintenance Facility and for improvements to Lancaster Hutchins Road and Rogers Road; with proceeds of future debt in an amount not to exceed \$4,000,000.**

**MOTION:** Councilmember Mejia made a motion, seconded by Councilmember Strain-Burk, to approve consent items excluding item C4. The vote was cast 4 for, 0 against [Knight, Harris and Morris absent].

- 6. Discuss and consider an ordinance authorizing and ordering the issuance of City of Lancaster, Texas, General Obligation Refunding and Improvement Bonds, Series 2015; and making other provisions regarding such bonds, including use of the proceeds thereof, and matters incident thereto.**

City Manager Mauldin-Robertson advised the Council that Staff was requesting this item to be placed on the agenda for the August 3rd City Council meeting when there would be a full body present.

**MOTION:** Councilmember Strain-Burk made a motion, seconded by Councilmember Jaglowski to table item 6 until the next regular City Council meeting on August 3, 2015. The vote was cast 4 for, 0 against [Knight, Harris and Morris absent].

**MOTION:** Deputy Mayor Pro Tem Jaglowski made a motion, seconded by Councilmember Mejia, to adjourn. The vote was cast 4 for, 0 against [Knight, Harris and Morris absent].

The meeting was adjourned at 7:08 p.m.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

\_\_\_\_\_  
Marcus E. Knight, Mayor

# LANCASTER CITY COUNCIL

## Agenda Communication

August 10, 2015

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**Discuss and consider a resolution approving the terms and conditions of an interlocal agreement by and between The University of Texas Southwestern Medical Center and the City of Lancaster, for services related to the provision of Medical Director services.**

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This request supports the City Council 2015-2016 Policy Agenda.

**Goal: Healthy, Safe & Vibrant Neighborhoods**

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### **Background**

Texas law requires each Mobile Intensive Care Unit (MICU) provider to have a qualified Medical Director and a Quality Improvement System (QI). The University of Texas Southwestern Medical Center provides the Lancaster Fire Department with qualified physicians for medical control. These physicians work through the Biomedical On-line Supervision system known as "Biotel".

### **Considerations**

- **Operational** – Without Medical Control, the City of Lancaster will not be able to provide Ambulance Services to the Citizens of Lancaster.
- **Legal** – The City Attorney has reviewed the agreement and approved as to form.
- **Financial** – The cost to the City of Lancaster is an amount not to exceed \$2,671.91 and is included in the department's operational budget.
- **Public Information** – This item is being considered at a meeting of the Council posted in accordance with the Texas Open Meetings Act.

### **Options/Alternatives**

1. Approve the resolution as presented.
2. Reject the resolution and discontinue paramedic ambulance services.

### **Recommendation**

Staff recommends approval of the resolution authorizing the City of Lancaster to continue medical control with The University of Texas Southwestern Medical Center.

**Attachments**

- Resolution
  - Contract
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**Submitted by:**  
Thomas Griffith, Fire Chief

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE INTERLOCAL AGREEMENT BY AND BETWEEN THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AND THE CITY OF LANCASTER, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT A, FOR SERVICES RELATED TO THE PROVISION OF MEDICAL DIRECTOR SERVICES; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the University of Texas Southwestern Medical Center provides qualified physicians to act as Medical Director for the City of Lancaster's Emergency Medical Services; and

**WHEREAS**, the City of Lancaster ("Lancaster") desires to purchase the Medical Direction Services from The University of Texas Southwestern Medical; and

**WHEREAS**, The University of Texas Southwestern Medical Center and Lancaster desire to enter into an Agreement permitting Lancaster to purchase Medical Director services from The University of Texas Southwestern Medical Center, which is attached hereto and incorporated herein as Exhibit A, and authorizing the City Manager to execute said Agreement;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, THAT:**

**SECTION 1.** The City Council hereby authorizes, approves and accepts the terms and conditions of the Contract for Services Agreement by and between the City of Lancaster and University of Texas Southwestern Medical Center for Medical Control services, which is attached hereto and incorporated herein by reference as Attachment A; and, the City Manager is hereby authorized to execute said Agreement.

**SECTION 2.** That this Resolution shall take effect immediately from and after its passage, as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 10th day of August 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

\_\_\_\_\_  
Marcus E. Knight, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Robert E. Hager, City Attorney

**CONTRACT FOR SERVICES**

**I. CONTRACTING PARTIES:**

This agreement is entered into by and between The University of Texas Southwestern Medical Center, 5323 Harry Hines Blvd., Dallas, Texas 75390, hereinafter referred to as "UT Southwestern", and the City of Lancaster, 1650 North Dallas Ave., Lancaster, TX 75134, hereinafter referred to as "Lancaster".

**II. STATEMENT OF SERVICES TO BE PERFORMED:**

A. MEDICAL DIRECTOR SERVICES. UT Southwestern shall provide the services of a qualified physician to act as Medical Director for Lancaster's Emergency Medical Services (hereinafter referred to as "EMS") program. The duties and services to be provided by the Medical Director shall include the following:

1. Comply with and fulfill all existing and future requirements of Chapter 197 of the State Board of Medical Examiners rules pertaining to Medical Director.
2. Work with the Physicians in charge of Emergency Medicine at Parkland Health and Hospital System in the establishment of standard operating procedures for Lancaster's EMS program to see that quality medical service is provided by supervising physicians and registered nurses and paramedics operating the Biotelemetry System at Parkland Health and Hospital System. The Medical Director shall be responsible for reviewing and approving all such standard operating procedures, be they issued as protocols or standing orders.
3. In carrying out the duties and responsibilities under this Agreement, Medical Director shall spend at least two (2) working days per year. If the duties or responsibilities of Medical Director are significantly increased, or made more burdensome by State or Federal laws or regulations during the term of this Agreement, UT Southwestern will notify Lancaster. Should an agreement not be reached on how to handle the increased duties, UT Southwestern or Lancaster may terminate this Agreement in accordance with Article IX.
4. The Chairman of the Department of Emergency Medicine, the Medical Director of the UTSW/BioTel EMS System, and the Chief of the Division of Emergency Medical Services may appoint an Associate Medical Director to assist the Medical Director in carrying out the duties assigned under this contract. This Associate Medical Director must be approved by the Fire Chief of the Lancaster Fire Department.

B. QUALITY IMPROVEMENT SERVICES. UT Southwestern will provide Quality Improvement Services ("QI") as requested and as needed. Such services shall consist of examining patient data from EMS calls, providing quality improvement reports for such calls and identifying continuing education issues to be addressed in future sessions.

**III. BASIS FOR CALCULATING REIMBURSABLE COSTS:**

- A. In consideration of the provision of the services to be performed by Medical Director, as described in II(A) above, Lancaster shall pay to UT Southwestern a total amount not to exceed \$1,102.00 for services actually performed each year. If City requests more than two working days of the Medical Director's time during each annual period, then City will reimburse UT Southwestern for the Medical Director's time at the rate of \$65 per hour.
- B. In consideration of the provision of the QI services to be provided by UT Southwestern as described in II(C) above, Lancaster shall pay UT Southwestern the amount of \$.37 per run for a total of 4,243 runs for a total of \$1,569.91.
- C. Total contract amount as described above is \$2,671.91.

**IV. PAYMENT FOR SERVICES:**

Payment for services performed shall be invoiced by UT Southwestern as follows:

- A. For Medical Director services, UT Southwestern shall invoice upon execution of this Agreement, and on or about October 1 of each year thereafter, and Lancaster shall pay within 45 days after receipt of such invoice. Additional costs for the Medical Director shall be billed monthly.
- B. For QI services, UT Southwestern shall invoice Lancaster on an annual basis and Lancaster shall pay within 45 days after receipt of such invoices.
- C. The amount of this Agreement for succeeding years shall be determined by UT Southwestern and Lancaster shall be notified on or before July 1 of each succeeding year; Lancaster shall have 45 days to accept the new amount or terminate the Agreement.

**V. INDEPENDENT CONTRACTOR:**

The status of UT Southwestern and its employees performing work related to this Agreement shall be that of independent contractors and not agents, servants, employees or representatives of Lancaster in the performance of the services. No term or provision of, or act of UT Southwestern or Lancaster under this Agreement shall be construed as changing that status.

**VI. TERM OF CONTRACT:**

The initial term of this contract shall be October 1, 2015 and shall terminate September 30, 2016, subject to the termination provision set forth herein.

**VII. INDEMNIFICATION:**

- A. Subject to the provisions of Part C below, UT Southwestern, to the extent permitted by the Constitution and laws of the State of Texas, shall indemnify and hold harmless Lancaster and all of its officers, agents, and employees from any suits, actions, or claims whatsoever that might arise on account of any injury or damage received or sustained by any person or property as a result of UT Southwestern's conduct of any activity or operation in connection with UT Southwestern's provision of services required under this Agreement.
- B. Lancaster shall give UT Southwestern prompt notice of any matter covered by Subsection VII(A) above and shall forward to UT Southwestern every demand, notice, summons, or process received in any claim or legal proceeding covered by Subsection VII(A) above.
- C. UT Southwestern shall not be obligated to indemnify or hold harmless Lancaster or any of its officers, agents, or employees when the injury or damage to a person or property is caused by the negligence of Lancaster, its officers, agents, employees, or the negligence of a person or persons not under the supervision or control of UT Southwestern.
- D. No provision of this Agreement shall be interpreted to constitute a waiver of the immunities or limits of liability granted to UT Southwestern or Lancaster under the Constitution and laws of the State of Texas, including the Texas Tort Claims Act.

**VIII. ASSIGNMENT:**

UT Southwestern shall not sell, assign, transfer or convey this Agreement, in whole or in part, without the prior written consent of Lancaster; and as a condition of such consent, UT Southwestern shall still remain liable for completion of the services in the event of default by the successor contractor or assignee.

**XI. TERMINATION:**

Either party may, at its option and without prejudice to any other remedy it may be entitled to at law, in equity or elsewhere under this Agreement, terminate further work under this Agreement, in whole or in part, by giving the other party written notice of termination no later than May 1<sup>st</sup> of any contract year, with the understanding that all services being terminated shall cease on September 30<sup>th</sup> following the written notice. Lancaster shall equitably compensate UT Southwestern in accordance with the terms of this Agreement for the services properly performed prior to the September 30<sup>th</sup> termination date specified in such notice.

UT Southwestern agrees that, should Lancaster's governing body fail to appropriate sufficient funds to make payments due pursuant to this Agreement, Lancaster may cancel this Agreement at the end of the then current fiscal year without cost or penalty to Lancaster. However, it is agreed that for any services provided by UT Southwestern, either directly or through third party vendors, and accepted by Lancaster, Lancaster will reimburse UT Southwestern for the costs of such services in an appropriate proportionate share.



**XV. COUNTERPARTS:**

This Agreement may be executed in any number of counterparts, each of which shall be deemed an original and constitute one and the same instrument.

**XVI. CAPTIONS:**

The captions to the various clauses of this Agreement are for informational purposes only and shall not alter the substance of the terms and conditions of this Agreement.

**XVII. SUCCESSORS AND ASSIGNS:**

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors and, except as otherwise provided in this Agreement, their assigns.

**XVIII. ENTIRE AGREEMENT:**

This Agreement embodies the complete agreement of the parties hereto, superseding all oral or written previous and contemporary agreements between the parties relating to matters herein; and except as otherwise provided herein, cannot be modified without written agreement of the parties.

Executed this the \_\_\_\_\_ day of \_\_\_\_\_, the City of Lancaster signing by and through its Mayor, duly authorized to execute same, and The University of Texas Southwestern Medical Center, signing by and through its duly authorized representative, thereby binding themselves, their successors, assigns and representatives for the faithful and full performance of the terms and provisions of this Agreement.

**THE UNIVERSITY OF TEXAS  
SOUTHWESTERN MEDICAL CENTER**

**CITY OF LANCASTER**

\_\_\_\_\_  
Bruce Meyer, MD, MBA  
Executive VP for Health System Affairs  
Executive Director, Faculty Practice Plan

\_\_\_\_\_  
Name:  
Title:

Date: \_\_\_\_\_

Date: \_\_\_\_\_



# LANCASTER CITY COUNCIL

## Agenda Communication

August 10, 2015

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**Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Beltline Ashmoore Public Improvement District.**

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**This request supports the City Council 2015-2016 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Community**

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### **Background**

Beltline Ashmoore is an established subdivision consisting of approximately 19.42 acres generally located on the north side of Beltline Road between Houston School Road and Blue Grove. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

Annually the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment.

The PID board is required to establish a maintenance budget. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance budget. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City will disperse the income on a reimbursement basis according to the approved budget.

The Beltline Ashmoore PID is proposing an annual assessment of \$0.1500 per \$100 assessed value.

### **Considerations**

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained without assistance or code enforcement action.
- **Legal** - The notice of public hearing was mailed to each property owner of record and posted in publication of record in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed and approved as to form by the City Attorney.

- **Financial** - The PID is not expected to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting fees to maintain the neighborhood open space and common areas. The fiscal year 2015/2016 proposed service plan budget is \$16,884.19 and assessments are proposed at \$0.1500 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 30, 2015 as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Close the public hearing and place the item on the August 24, 2015 regular meeting for consideration.
2. Continue the public hearing to the August 24, 2015 regular meeting.

### **Recommendation**

Staff recommends closing the public hearing and placing the item on the August 24, 2015 regular meeting for consideration.

### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

### **Submitted by:**

Fabrice Kabona, Assistant to the City Manager  
Rona Stringfellow, Assistant City Manager

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED SUPPLEMENTAL SERVICES ORDERED IN CONNECTION WITH THE BELTLINE ASHMOORE PUBLIC IMPROVEMENT DISTRICT, PROVIDING FOR: FINDINGS OF BENEFITS ACCRUED, ACCEPTING FIVE YEAR SERVICE PLAN, RECORDING FINAL ASSESSMENT ONTO TAX ROLL, SETTING THE ASSESSMENT LEVY FOR USE AND SUPPORT OF THE PUBLIC IMPROVEMENT DISTRICT, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 2010-12-96 passed on December 13, 2010, after the conduct of a duly notified public hearing, the City Council established the Beltline Ashmoore Public Improvement District (the "District"); and

**WHEREAS**, on August 10, 2015 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 10<sup>th</sup> day of August, 2015, the City Council closed the public hearing; and on the 24<sup>th</sup> day of August, 2015 levied assessments against property and the owners thereof in the District; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1.** BENEFITS ACCRUED: That the benefits to accrue to the property assessed and to the owners of such property, from the landscape maintenance and other services identified within the Five Year Service Plan, hereby adopted by the City Council, and herewith to be funded from the assessments, exceed the amount which has been assessed.

**SECTION 2.** ADOPTING SERVICE PLAN: That the "*Service and Assessment Plan*", labeled herein as *Exhibit "A"* and attached hereto and made a part hereof is hereby adopted.

**SECTION 3.** RECORD FINAL ASSESSMENT ONTO TAX ROLL: That the City Manager and his designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

**SECTION 4.** PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS: The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

(a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.1500 per \$100 of valuation through the assessment established for fiscal year 2015/2016; and

(b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5.** ASSESSMENT LEVY: That for fiscal year 2015/2016 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

**SECTION 6.** METHOD OF PAYMENT: That the method of payment of the assessment shall be in an annual single lump sum payment which shall be immediately due upon receipt of the assessment notice and shall become delinquent on February 1 of the year after receipt of notice. Delinquent assessments are subject to interest, penalties, attorney’s fees and other charges, at the same rate as for the City of Lancaster delinquent ad valorem property taxes.

**SECTION 7.** ASSESSMENT DUE: That a lien shall be established against each affected property within the district on the date the assessment is due, and shall not be released until the assessment is paid in full. This lien is superior to all other liens and claims except liens or claims for the state, county, school district or city ad valorem taxes.

**SECTION 8.** CONFLICT: That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Lancaster, Texas, and this ordinance shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 9.** SEVERABILITY: That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 10.** EFFECTIVE DATE. This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 24<sup>th</sup> day of August, 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

\_\_\_\_\_  
Marcus E. Knight, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Robert E. Hager, City Attorney

**EXHIBIT "A"**  
**SERVICE AND ASSESSMENT PLAN**

Account	Description	2016 Budget	2017 Budget	2018 Budget	2019 Budget	2020 Budget
60-0201-04-00	SUPPLIES	300.00	300.00	300.00	300.00	300.00
60-0210-04-00	FOOD/BEVERAGES-MTGS/FUNCTIONS	100.00	100.00	100.00	100.00	100.00
60-0211-04-00	MISCELLANEOUS	50.00	50.00	50.00	50.00	50.00
60-0214-04-00	POSTAGE	350.00	350.00	350.00	350.00	350.00
60-0225-04-00	LANDSCAPING	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00
<b>Subtotal:</b>		<b>4,300.00</b>	<b>4,300.00</b>	<b>4,300.00</b>	<b>4,300.00</b>	<b>4,300.00</b>
60-0301-04-00	MAINT-BLDGS & STRUCTURES	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
60-0371-04-00	LANDSCAPING REPAIR & MAINT	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
60-0372-04-00	IRRIGATION SYS REPAIR & MAINT	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
<b>Subtotal:</b>		<b>5,000.00</b>	<b>5,000.00</b>	<b>5,000.00</b>	<b>5,000.00</b>	<b>5,000.00</b>
60-0403-04-00	INSURANCE	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
60-0407-04-00	TAXES	50.00	50.00	50.00	50.00	50.00
60-0408-04-00	ADVERTISING	100.00	100.00	100.00	100.00	100.00
60-0410-04-00	UTILITIES - ELECTRICITY	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
60-0411-04-00	WATER PURCHASE PID	1,800.00	1,800.00	1,800.00	1,800.00	1,800.00
60-0421-04-00	PRINTING	297.19	297.19	297.19	297.19	297.19
60-0423-04-00	CONTRACT MOWING	137.00	137.00	137.00	137.00	137.00
60-0434-04-00	SPECIAL EVENTS	300.00	300.00	300.00	300.00	300.00
60-0437-04-00	AUDIT SERVICES	50.00	50.00	50.00	50.00	50.00
60-0442-04-00	COMPUTER PROFESSIONAL SERVICES	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
60-0446-04-00	LEGAL SERVICES	500.00	500.00	500.00	500.00	500.00
60-0452-04-00	FILING FEES	50.00	50.00	50.00	50.00	50.00
60-0456-04-00	NEWSLETTER	200.00	200.00	200.00	200.00	200.00
<b>Subtotal:</b>		<b>7,484.19</b>	<b>7,484.19</b>	<b>7,484.19</b>	<b>7,484.19</b>	<b>7,484.19</b>
60-0511-04-00	PROPERTY TAXES PAID BY PID	50.00	50.00	50.00	50.00	50.00
60-0537-04-00	DALLAS COUNTY TAX COLL SVCS	50.00	50.00	50.00	50.00	50.00
<b>Subtotal:</b>		<b>100.00</b>	<b>100.00</b>	<b>100.00</b>	<b>100.00</b>	<b>100.00</b>
<b>Program number:</b>		<b>16,884.19</b>	<b>16,884.19</b>	<b>16,884.19</b>	<b>16,884.19</b>	<b>16,884.19</b>
<b>Department number:</b>	<b>OPERATIONS</b>	<b>16,884.19</b>	<b>16,884.19</b>	<b>16,884.19</b>	<b>16,884.19</b>	<b>16,884.19</b>
<b>Fund number:</b>	<b>60 BELTLINE ASHMOORE - PID</b>	<b>16,884.19</b>	<b>16,884.19</b>	<b>16,884.19</b>	<b>16,884.19</b>	<b>16,884.19</b>

\*\*\*\*\* End of Report \*\*\*\*\*

# LANCASTER CITY COUNCIL

## Agenda Communication

August 10, 2015

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**Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Glendover Estates Public Improvement District.**

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**This request supports the City Council 2015-2016 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Community**

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### **Background**

Glendover Estates is an established subdivision of approximately 29.56 acres generally located south of Pleasant Run Road and west of Houston School Road. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

Annually the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment.

The PID board is required to establish a maintenance budget. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance budget. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City will disperse the income on a reimbursement basis according to the approved budget.

The Glendover Estates PID is proposing an annual assessment of \$0.2400 per \$100 assessed value.

### **Considerations**

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained without assistance or code enforcement action.
- **Legal** - The notice of public hearing was posted in the publication of record and notices mailed to each property owner of record in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed and approved as to form by the City Attorney.

- **Financial** - The PID is not expected to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting fees. The fiscal year 2015/2016 proposed service plan budget is \$29,193.00 and assessments are proposed at \$0.2400 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 30, 2015 as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Close the public hearing and place the item on the August 24, 2015 regular meeting for consideration.
2. Continue the public hearing to the August 24, 2015 regular meeting.

### **Recommendation**

Staff recommends closing the public hearing and placing the item on the August 24, 2015 regular meeting for consideration.

### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

### **Submitted by:**

Fabrice Kabona, Assistant to the City Manager  
Rona Stringfellow, Assistant City Manager

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED SUPPLEMENTAL SERVICES ORDERED IN CONNECTION WITH THE GLENDOVER ESTATES PUBLIC IMPROVEMENT DISTRICT, PROVIDING FOR: FINDINGS OF BENEFITS ACCRUED, ACCEPTING FIVE YEAR SERVICE PLAN, RECORDING FINAL ASSESSMENT ONTO TAX ROLL, SETTING THE ASSESSMENT LEVY FOR USE AND SUPPORT OF THE PUBLIC IMPROVEMENT DISTRICT, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 2006-09-76 passed on September 25, 2006, after the conduct of a duly notified public hearing, the City Council established the Glendover Estates Public Improvement District (the "District"); and

**WHEREAS**, on August 10, 2015 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 10<sup>th</sup> day of August, 2015, the City Council closed the public hearing; and on the 24<sup>th</sup> day of August, 2015, levied assessments against property and the owners thereof in the District; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1.** BENEFITS ACCRUED: That the benefits to accrue to the property assessed and to the owners of such property, from the landscape maintenance and other services identified within the Five Year Service Plan, hereby adopted by the City Council, and herewith to be funded from the assessments, exceed the amount which has been assessed.

**SECTION 2.** ADOPTING SERVICE PLAN: That the "*Service and Assessment Plan*", labeled herein as *Exhibit "A"* and attached hereto and made a part hereof is hereby adopted.

**SECTION 3.** RECORD FINAL ASSESSMENT ONTO TAX ROLL: That the City Manager and his designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

**SECTION 4.** PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS: The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.2400 per \$100 of valuation through the assessment established for fiscal year 2015/2016; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5.** ASSESSMENT LEVY: That for fiscal year 2015/2016 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the "*Service and Assessment Plan*", labeled herein as *Exhibit "A"* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

**SECTION 6.** METHOD OF PAYMENT: That the method of payment of the assessment shall be in an annual single lump sum payment which shall be immediately due upon receipt of the assessment notice and shall become delinquent on February 1 of the year after receipt of notice. Delinquent assessments are subject to interest, penalties, attorney's fees and other charges, at the same rate as for the City of Lancaster delinquent ad valorem property taxes.

**SECTION 7.** ASSESSMENT DUE: That a lien shall be established against each affected property within the district on the date the assessment is due, and shall not be released until the assessment is paid in full. This lien is superior to all other liens and claims except liens or claims for the state, county, school district or city ad valorem taxes.

**SECTION 8.** CONFLICT: That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Lancaster, Texas, and this ordinance shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 9.** SEVERABILITY: That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 10.** EFFECTIVE DATE. This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 24<sup>th</sup> day of August, 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

\_\_\_\_\_  
Marcus E. Knight, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Robert E. Hager, City Attorney

**EXHIBIT "A"**  
**SERVICE AND ASSESSMENT PLAN**

Fund: 54 GLENDOVER ESTATES - PID

Department: 4 OPERATIONS

Program:

Period Ending: 7/2015

Account	Description	2016 Budget	2017 Budget	2018 Budget	2019 Budget	2020 Budget
54-0201-04-00	OFFICE SUPPLIES	500.00	500.00	500.00	500.00	500.00
54-0211-04-00	MISCELLANEOUS	200.00	200.00	200.00	200.00	200.00
54-0214-04-00	POSTAGE	150.00	150.00	150.00	150.00	150.00
Subtotal:		850.00	850.00	850.00	850.00	850.00
54-0351-04-00	MISC. MAINTENANCE	500.00	500.00	500.00	500.00	500.00
54-0372-04-00	IRRIGATION SYS REPAIR & MAINT	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
Subtotal:		2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
54-0403-04-00	CASUALTY INSURANCE	2,150.00	2,150.00	2,150.00	2,150.00	2,150.00
54-0410-04-00	UTILITIES - ELECTRICITY	750.00	750.00	750.00	750.00	750.00
54-0411-04-00	WATER PURCHASE PID	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00
54-0421-04-00	PRINTING	38.00	38.00	38.00	38.00	38.00
54-0423-04-00	CONTRACT MOWING	11,775.00	11,775.00	11,775.00	11,775.00	11,775.00
54-0434-04-00	SPECIAL EVENTS	250.00	250.00	250.00	250.00	250.00
54-0437-04-00	AUDIT SERVICES	300.00	300.00	300.00	300.00	300.00
54-0450-04-00	ADMINISTRATIVE MANAGEMENT FEE	6,900.00	6,900.00	6,900.00	6,900.00	6,900.00
54-0469-04-00	STORAGE	180.00	180.00	180.00	180.00	180.00
Subtotal:		25,843.00	25,843.00	25,843.00	25,843.00	25,843.00
Program number:		29,193.00	29,193.00	29,193.00	29,193.00	29,193.00
Department number: OPERATIONS		29,193.00	29,193.00	29,193.00	29,193.00	29,193.00
Fund number: 54 GLENDOVER ESTATES - PID		29,193.00	29,193.00	29,193.00	29,193.00	29,193.00

\*\*\*\*\* End of Report \*\*\*\*\*

# LANCASTER CITY COUNCIL

## Agenda Communication

August 10, 2015

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**Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Boardwalk Public Improvement District.**

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This request supports the City Council 2015-2016 Policy Agenda.

**Goal: Healthy, Safe, and Vibrant Community**

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### **Background**

Boardwalk is an established subdivision consisting of approximately 38.002 acres in Phase 1 and 43.237 acres in Phase 2 totaling 80.239 acres generally located on the (North, South, East or West) side of Cedardale Road and on the east side of Dallas Avenue. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

Annually the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment.

The PID board is required to establish a maintenance budget. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance budget. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City will disperse the income on a reimbursement basis according to the approved budget.

The Boardwalk PID is proposing an annual assessment of \$0.2400 per \$100 assessed value.

### **Considerations**

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained without assistance or code enforcement action.
- **Legal** - The notice of public hearing was posted in the publication of record and notices mailed to each owner of record in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed and approved as to form by the City Attorney.

- **Financial** - The PID is not expected to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting fees. The fiscal year 2015/2016 proposed service plan budget is \$71,954.16 and assessments are proposed at \$0.2400 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 30, 2015 as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Close the public hearing and place the item on the August 24, 2015 regular meeting for consideration.
2. Continue the public hearing to the August 24, 2015 regular meeting.

### **Recommendation**

Staff recommends closing the public hearing and placing the item on the August 24, 2015 regular meeting for consideration.

### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

### **Submitted by:**

Fabrice Kabona, Assistant to the City Manager  
Rona Stringfellow, Assistant City Manager

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED SUPPLEMENTAL SERVICES ORDERED IN CONNECTION WITH THE LANCASTER BOARDWALK PUBLIC IMPROVEMENT DISTRICT, PROVIDING FOR: FINDINGS OF BENEFITS ACCRUED, ACCEPTING FIVE YEAR SERVICE PLAN, RECORDING FINAL ASSESSMENT ONTO TAX ROLL, SETTING THE ASSESSMENT LEVY FOR USE AND SUPPORT OF THE PUBLIC IMPROVEMENT DISTRICT, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 2011-08-68 passed on August 8, 2011, after the conduct of a duly notified public hearing, the City Council established the Lancaster Boardwalk Public Improvement District (the "District"); and

**WHEREAS**, on August 10, 2015 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 10<sup>th</sup> day of August, 2015, the City Council closed the public hearing; and on the 24<sup>th</sup> day of August, 2015, levied assessments against property and the owners thereof in the District; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1.** BENEFITS ACCRUED: That the benefits to accrue to the property assessed and to the owners of such property, from the landscape maintenance and other services identified within the Five Year Service Plan, hereby adopted by the City Council, and herewith to be funded from the assessments, exceed the amount which has been assessed.

**SECTION 2.** ADOPTING SERVICE PLAN: That the "*Service and Assessment Plan*", labeled herein as *Exhibit "A"* and attached hereto and made a part hereof is hereby adopted.

**SECTION 3.** RECORD FINAL ASSESSMENT ONTO TAX ROLL: That the City Manager and his designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

**SECTION 4.** PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS: The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

- (a) **All residential lots**, for these lots the assessment shall not exceed \$0.2400 per \$100 of valuation through the assessment established for fiscal year 2015/2016; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5.** ASSESSMENT LEVY: That for fiscal year 2015/2016 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

**SECTION 6.** METHOD OF PAYMENT: That the method of payment of the assessment shall be in an annual single lump sum payment which shall be immediately due upon receipt of the assessment notice and shall become delinquent on February 1 of the year after receipt of notice. Delinquent assessments are subject to interest, penalties, attorney’s fees and other charges, at the same rate as for the City of Lancaster delinquent ad valorem property taxes.

**SECTION 7.** ASSESSMENT DUE: That a lien shall be established against each affected property within the district on the date the assessment is due, and shall not be released until the assessment is paid in full. This lien is superior to all other liens and claims except liens or claims for the state, county, school district or city ad valorem taxes.

**SECTION 8.** CONFLICT: That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Lancaster, Texas, and this ordinance shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 9.** SEVERABILITY: That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 10. EFFECTIVE DATE:** This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 24<sup>th</sup> day of August, 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

\_\_\_\_\_  
Marcus E. Knight, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Robert E. Hager, City Attorney

**EXHIBIT "A"**  
**SERVICE AND ASSESSMENT PLAN**

Account	Description	2016 Budget	2017 Budget	2018 Budget	2019 Budget	2020 Budget
64-0201-04-00	SUPPLIES	600.00	600.00	600.00	600.00	600.00
64-0210-04-00	FOOD/BEVERAGE-MTGS/FUNCTIONS	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
64-0211-04-00	MISCELLANEOUS	4,500.00	4,500.00	4,500.00	4,500.00	4,500.00
64-0214-04-00	POSTAGE	500.00	500.00	500.00	500.00	500.00
64-0225-04-00	LANDSCAPING	17,000.00	17,000.00	17,000.00	17,000.00	17,000.00
<b>Subtotal:</b>		<b>24,600.00</b>	<b>24,600.00</b>	<b>24,600.00</b>	<b>24,600.00</b>	<b>24,600.00</b>
64-0301-04-00	MAINT-BLDGS & STRUCTURES	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
64-0303-04-00	MAINTENANCE-MISCELLANEOUS	1,724.16	1,724.16	1,724.16	1,724.16	1,724.16
64-0305-04-00	MAINT-CLEANOUT	500.00	500.00	500.00	500.00	500.00
64-0351-04-00	MISC. MAINTENANCE	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
64-0371-04-00	LANDSCAPING REPAIR & MAINT	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00
64-0372-04-00	IRRIGATION SYS REPAIR & MAINT	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00
<b>Subtotal:</b>		<b>16,724.16</b>	<b>16,724.16</b>	<b>16,724.16</b>	<b>16,724.16</b>	<b>16,724.16</b>
64-0403-04-00	INSURANCE	3,800.00	3,800.00	3,800.00	3,800.00	3,800.00
64-0410-04-00	UTILITIES - ELECTRICITY	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00
64-0411-04-00	WATER PURCHASES PID	10,500.00	10,500.00	10,500.00	10,500.00	10,500.00
64-0416-04-00	OTHER PROFESSIONAL SERVICES	500.00	500.00	500.00	500.00	500.00
64-0421-04-00	PRINTING	900.00	900.00	900.00	900.00	900.00
64-0423-04-00	CONTRACT MOWING	250.00	250.00	250.00	250.00	250.00
64-0437-04-00	AUDIT SERVICES	750.00	750.00	750.00	750.00	750.00
64-0446-04-00	LEGAL SERVICES	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
64-0450-04-00	ADMINISTRATIVE MANAGMENT FEE	7,000.00	7,000.00	7,000.00	7,000.00	7,000.00
64-0452-04-00	FILING FEES	250.00	250.00	250.00	250.00	250.00
64-0456-04-00	NEWLETTER	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
64-0469-04-00	STORAGE	180.00	180.00	180.00	180.00	180.00
<b>Subtotal:</b>		<b>29,630.00</b>	<b>29,630.00</b>	<b>29,630.00</b>	<b>29,630.00</b>	<b>29,630.00</b>
64-0537-04-00	DALLAS COUNTY TAX COLL SVCS	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
<b>Subtotal:</b>		<b>1,000.00</b>	<b>1,000.00</b>	<b>1,000.00</b>	<b>1,000.00</b>	<b>1,000.00</b>
<b>Program number:</b>		<b>71,954.16</b>	<b>71,954.16</b>	<b>71,954.16</b>	<b>71,954.16</b>	<b>71,954.16</b>
<b>Department number: OPERATIONS</b>		<b>71,954.16</b>	<b>71,954.16</b>	<b>71,954.16</b>	<b>71,954.16</b>	<b>71,954.16</b>
<b>Fund number: 64 BOARDWALK PID</b>		<b>71,954.16</b>	<b>71,954.16</b>	<b>71,954.16</b>	<b>71,954.16</b>	<b>71,954.16</b>

\*\*\*\*\* End of Report \*\*\*\*\*

# LANCASTER CITY COUNCIL

## Agenda Communication

August 10, 2015

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**Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Lancaster Mills Public Improvement District.**

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This request supports the City Council 2015-2016 Policy Agenda.

**Goal: Healthy, Safe, and Vibrant Community**

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### **Background**

Lancaster Mills is a subdivision of approximately 60.59 acres located north of Beltline Road and east of the Homestead Addition, south of Redbud Drive and west of the Pecan Hollow Estates Addition. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

Annually the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment.

The PID board is required to establish a maintenance budget. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance budget. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City will disperse the income on a reimbursement basis according to the approved service plan.

As this district is currently undeveloped, the proposed assessment rate of \$0.0000 per \$100 assessed valuation as there are no budgeted expenses for the 2015/2016 fiscal year.

### **Considerations**

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained.
- **Legal** - The notice of public hearing was posted the publication of record and notices mailed to the property owner of record in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed and approved as to form by the City Attorney.

- **Financial** - The PID is not expected to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The fiscal year 2015/2016 proposed service plan budget is \$0.0000 and assessments are proposed to be \$0.0000 per \$100 assessed valuation. There are currently no homes constructed at this time.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record, Focus Daily News and notices mailed to the property owner as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Close the public hearing and place the item on the August 24, 2015 regular meeting for consideration.
2. Continue the public hearing to the August 24, 2015 regular meeting.

### **Recommendation**

Staff recommends closing the public hearing and placing the item on the August 24, 2015 regular meeting for consideration.

### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

### **Submitted by:**

Fabrice Kabona, Assistant to the City Manager  
Rona Stringfellow, Assistant City Manager

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED SUPPLEMENTAL SERVICES ORDERED IN CONNECTION WITH THE LANCASTER MILLS PUBLIC IMPROVEMENT DISTRICT, PROVIDING FOR: FINDINGS OF BENEFITS ACCRUED, ACCEPTING FIVE YEAR SERVICE PLAN, RECORDING FINAL ASSESSMENT ONTO TAX ROLL, SETTING THE ASSESSMENT LEVY FOR USE AND SUPPORT OF THE PUBLIC IMPROVEMENT DISTRICT, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 2007-02-17 passed on February 12, 2007, after the conduct of a duly notified public hearing, the City Council established the Lancaster Mills Public Improvement District (the "District"); and

**WHEREAS**, on August 10, 2015 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 10<sup>th</sup> day of August, 2015, the City Council closed the public hearing; and on the 24<sup>th</sup> day of August, 2015, levied assessments against property and the owners thereof in the District; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1.** BENEFITS ACCRUED: That the benefits to accrue to the property assessed and to the owners of such property, from the landscape maintenance and other services identified within the Five Year Service Plan, hereby adopted by the City Council, and herewith to be funded from the assessments, exceed the amount which has been assessed.

**SECTION 2.** ADOPTING SERVICE PLAN: That the "*Service and Assessment Plan*", labeled herein as *Exhibit "A"* and attached hereto and made a part hereof is hereby adopted.

**SECTION 3.** RECORD FINAL ASSESSMENT ONTO TAX ROLL: That the City Manager and his designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

**SECTION 4.** PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS: The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.0000 per \$100 of valuation through the assessment established for fiscal year 2015/2016; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.0000 per \$100 of valuation.

**SECTION 5.** ASSESSMENT LEVY: That for fiscal year 2015/2016 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the "*Service and Assessment Plan*", labeled herein as *Exhibit "A"* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

**SECTION 6.** METHOD OF PAYMENT: That the method of payment of the assessment shall be in an annual single lump sum payment which shall be immediately due upon receipt of the assessment notice and shall become delinquent on February 1 of the year after receipt of notice. Delinquent assessments are subject to interest, penalties, attorney's fees and other charges, at the same rate as for the City of Lancaster delinquent ad valorem property taxes.

**SECTION 7.** ASSESSMENT DUE: That a lien shall be established against each affected property within the district on the date the assessment is due, and shall not be released until the assessment is paid in full. This lien is superior to all other liens and claims except liens or claims for the state, county, school district or city ad valorem taxes.

**SECTION 8.** CONFLICT: That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Lancaster, Texas, and this ordinance shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 9.** SEVERABILITY: That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 10. EFFECTIVE DATE.** This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 24<sup>th</sup> day of August, 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

\_\_\_\_\_  
Marcus E. Knight, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Robert E. Hager, City Attorney

**EXHIBIT "A"**  
**SERVICE AND ASSESSMENT PLAN**

Account	Description	2016 Budget	2017 Budget	2018 Budget	2019 Budget	2020 Budget
56-0201-04-00	SUPPLIES		1,100.00	1,133.00	1,133.00	1,133.00
56-0211-04-00	MISCELLANEOUS		1,500.00	1,545.00	1,545.00	1,545.00
56-0225-04-00	LANDSCAPING		27,000.00	27,810.00	27,810.00	27,810.00
Subtotal:			29,600.00	30,488.00	30,488.00	30,488.00
56-0372-04-00	IRRIGATION SYS MAINT & REPAIR		700.00	721.00	721.00	721.00
Subtotal:			700.00	721.00	721.00	721.00
56-0403-04-00	INSURANCE		3,600.00	206.00	206.00	206.00
56-0410-04-00	UTILITIES- ELECTRICITY		9,500.00	9,785.00	9,785.00	9,785.00
56-0413-04-00	SANITARY LANDFILL		9,500.00	9,785.00	9,785.00	9,785.00
56-0416-04-00	OTHER PROFESSIONAL SERVICE		3,500.00	3,605.00	3,605.00	3,605.00
56-0450-04-00	ADMINISTRATIVE MANAGEMENT FEE		15,000.00	15,965.00	15,965.00	15,965.00
Subtotal:			41,100.00	39,346.00	39,346.00	39,346.00
56-0511-04-00	PROPERTY TAXES PAID BY PID		200.00	206.00	206.00	206.00
Subtotal:			200.00	206.00	206.00	206.00
Program number:			71,600.00	70,761.00	70,761.00	70,761.00
Department number: OPERATIONS			71,600.00	70,761.00	70,761.00	70,761.00
Fund number: 56 LANCASTER MILLS - PID			71,600.00	70,761.00	70,761.00	70,761.00
***** End of Report *****						

# LANCASTER CITY COUNCIL

## Agenda Communication

August 10, 2015

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**Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Meadowview Public Improvement District.**

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This request supports the City Council 2015-2016 Policy Agenda.

**Goal: Healthy, Safe, and Vibrant Community**

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### **Background**

Meadowview is an established subdivision consisting of approximately 215.262 total acreage including 50.614 acres in Phase 1, 36.907 acres in Phase 2, 36.493 in Phase 3, 2.864 acres in Phase 4 and 88.384 acres in Phase 5. This subdivision is generally located east of Ames Road, west of Dizzy Dean Drive and north of Wintergreen Road. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

Annually the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment.

The PID board is required to establish a maintenance budget. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance budget. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City will disperse the income on a reimbursement basis according to the approved budget.

The Meadowview PID is proposing an annual assessment of \$0.1000 per \$100 assessed value.

### **Considerations**

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained without assistance or code enforcement action.

- **Legal** - The notice of public hearing was posted in the publication of record and notices mailed to the property owner of record in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expected to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting fees. The fiscal year 2015/2016 proposed service plan budget is \$85,385.88 and assessments are proposed at \$0.1000 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 30, 2015 as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Close the public hearing and place the item on the August 24, 2015 regular meeting for consideration.
2. Continue the public hearing to the August 24, 2015 regular meeting.

### **Recommendation**

Staff recommends closing the public hearing and placing the item on the August 24, 2015 regular meeting for consideration.

### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

### **Submitted by:**

Fabrice Kabona, Assistant to the City Manager  
Rona Stringfellow, Assistant City Manager

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED SUPPLEMENTAL SERVICES ORDERED IN CONNECTION WITH THE MEADOWVIEW PUBLIC IMPROVEMENT DISTRICT, PROVIDING FOR: FINDINGS OF BENEFITS ACCRUED, ACCEPTING FIVE YEAR SERVICE PLAN, RECORDING FINAL ASSESSMENT ONTO TAX ROLL, SETTING THE ASSESSMENT LEVY FOR USE AND SUPPORT OF THE PUBLIC IMPROVEMENT DISTRICT, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 2011-08-67 passed on August 8, 2011, after the conduct of a duly notified public hearing, the City Council established the Meadowview Public Improvement District (the "District"); and

**WHEREAS**, on August 10, 2015 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 10<sup>th</sup> day of August, 2015, the City Council closed the public hearing; and on the 24<sup>th</sup> day of August, 2015, levied assessments against property and the owners thereof in the District; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1.** BENEFITS ACCRUED: That the benefits to accrue to the property assessed and to the owners of such property, from the landscape maintenance and other services identified within the Five Year Service Plan, hereby adopted by the City Council, and herewith to be funded from the assessments, exceed the amount which has been assessed.

**SECTION 2.** ADOPTING SERVICE PLAN: That the "*Service and Assessment Plan*", labeled herein as *Exhibit "A"* and attached hereto and made a part hereof is hereby adopted.

**SECTION 3.** RECORD FINAL ASSESSMENT ONTO TAX ROLL: That the City Manager and his designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

**SECTION 4.** PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS: The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

- (a) **Residential lots**, for these lots the assessment shall not exceed \$0.1000 per \$100 of valuation through the assessment established for fiscal year 2015/2016; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5.** ASSESSMENT LEVY: That for fiscal year 2015/2016 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

**SECTION 6.** METHOD OF PAYMENT: That the method of payment of the assessment shall be in an annual single lump sum payment which shall be immediately due upon receipt of the assessment notice and shall become delinquent on February 1 of the year after receipt of notice. Delinquent assessments are subject to interest, penalties, attorney’s fees and other charges, at the same rate as for the City of Lancaster delinquent ad valorem property taxes.

**SECTION 7.** ASSESSMENT DUE: That a lien shall be established against each affected property within the district on the date the assessment is due, and shall not be released until the assessment is paid in full. This lien is superior to all other liens and claims except liens or claims for the state, county, school district or city ad valorem taxes.

**SECTION 8.** CONFLICT: That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Lancaster, Texas, and this ordinance shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 9.** SEVERABILITY: That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 10. EFFECTIVE DATE.** This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 24<sup>th</sup> day of August, 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

\_\_\_\_\_  
Marcus E. Knight, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Robert E. Hager, City Attorney

**EXHIBIT "A"**  
**SERVICE AND ASSESSMENT PLAN**

Account	Description	2016 Budget	2017 Budget	2018 Budget	2019 Budget	2020 Budget
62-0201-04-00	SUPPLIES	250.00	250.00	250.00	250.00	250.00
62-0210-04-00	FOOD/BEVERAGE-MTGS/FUNCTIONS	500.00	500.00	500.00	500.00	500.00
62-0211-04-00	MISCELLANEOUS	600.00	600.00	600.00	600.00	600.00
62-0214-04-00	POSTAGE	600.00	600.00	600.00	600.00	600.00
62-0225-04-00	LANDSCAPING	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00
Subtotal:		9,950.00	9,950.00	9,950.00	9,950.00	9,950.00
62-0305-04-00	MAINTENANCE - CLEANOUT	3,700.00	3,700.00	3,700.00	3,700.00	3,700.00
62-0351-04-00	MISC. MAINTENANCE	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
62-0371-04-00	LANDSCAPING REPAIR & MAINT	175.00	175.00	175.00	175.00	175.00
62-0372-04-00	IRRIGATIONS SYS REPAIR & MAINT	4,500.00	4,500.00	4,500.00	4,500.00	4,500.00
Subtotal:		10,875.00	10,875.00	10,875.00	10,875.00	10,875.00
62-0403-04-00	INSURANCE	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00
62-0410-04-00	UTILITIES - ELECTRICITY	400.00	400.00	400.00	400.00	400.00
62-0411-04-00	WATER PURCHASES PID	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00
62-0413-04-00	UTILITIES TRASH DISPOSAL	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
62-0421-04-00	PRINTING	1,413.00	1,413.00	1,413.00	1,413.00	1,413.00
62-0422-04-00	COMPUTER PROFESSIONAL SERVICES	362.88	362.88	362.88	362.88	362.88
62-0423-04-00	CONTRACT MOWING	17,500.00	17,500.00	17,500.00	17,500.00	17,500.00
62-0434-04-00	SPECIAL EVENTS	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
62-0436-04-00	IMPROVEMENTS BY CONTRACTORS	20,000.00	20,000.00	20,000.00	20,000.00	20,000.00
62-0446-04-00	LEGAL SERVICES	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
62-0456-04-00	NEWSLETTER	250.00	250.00	250.00	250.00	250.00
62-0469-04-00	STORAGE	720.00	720.00	720.00	720.00	720.00
Subtotal:		62,145.88	62,145.88	62,145.88	62,145.88	62,145.88
62-0511-04-00	PROPERTY TAXES PAID BY PID	15.00	15.00	15.00	15.00	15.00
62-0537-04-00	DALLAS COUNTY TAX COLL SVCS	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00
Subtotal:		2,415.00	2,415.00	2,415.00	2,415.00	2,415.00
Program number:		85,385.88	85,385.88	85,385.88	85,385.88	85,385.88
Department number:	OPERATIONS	85,385.88	85,385.88	85,385.88	85,385.88	85,385.88
Fund number:	62 MEADOWVIEW - PID	85,385.88	85,385.88	85,385.88	85,385.88	85,385.88

\*\*\*\*\* End of Report \*\*\*\*\*

# LANCASTER CITY COUNCIL

## Agenda Communication

August 10, 2015

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**Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Millbrook East Public Improvement District.**

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**This request supports the City Council 2015-2016 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Community**

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### **Background**

Millbrook East is an established subdivision consisting of approximately 46.265 acres in Phase 1 and 17.572 acres Phase 2A and 13.540 acres Phase 2B for a total of 77.377 acres generally located on the south side of Pleasant Run Road east of Houston School Road and west of Bluegrove Road. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

Annually the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment.

The PID board is required to establish a maintenance budget. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance budget. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City will disperse the income on a reimbursement basis according to the approved budget.

The Millbrook East PID is proposing an annual assessment of \$0.1800 per \$100 assessed value.

### **Considerations**

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained without assistance or code enforcement action.
- **Legal** - The notice of public hearing was posted in the publication of record and notices mailed to the property owner of record in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed and approved as to form by the City Attorney.

- **Financial** - The PID is not expected to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting fees. The fiscal year 2015/2016 proposed service plan budget is \$39,917.00 and assessments are proposed at \$0.1800 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 30, 2015 as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Close the public hearing and place the item on the August 24, 2015 regular meeting for consideration.
2. Continue the public hearing to the August 24, 2015 regular meeting.

### **Recommendation**

Staff recommends closing the public hearing and placing the item on the August 24, 2015 regular meeting for consideration.

### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

### **Submitted by:**

Fabrice Kabona, Assistant to the City Manager  
Rona Stringfellow, Assistant City Manager

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED SUPPLEMENTAL SERVICES ORDERED IN CONNECTION WITH THE MILLBROOK EAST PUBLIC IMPROVEMENT DISTRICT, PROVIDING FOR: FINDINGS OF BENEFITS ACCRUED, ACCEPTING FIVE YEAR SERVICE PLAN, RECORDING FINAL ASSESSMENT ONTO TAX ROLL, SETTING THE ASSESSMENT LEVY FOR USE AND SUPPORT OF THE PUBLIC IMPROVEMENT DISTRICT, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 2011-08-69 passed on August 8, 2011, after the conduct of a duly notified public hearing, the City Council established the Millbrook East Public Improvement District (the "District"); and

**WHEREAS**, on August 10, 2015 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 10<sup>th</sup> day of August 2015, the City Council closed the public hearing; and on the 24<sup>th</sup> day of August, 2015 levied assessments against property and the owners thereof in the District; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1.** BENEFITS ACCRUED: That the benefits to accrue to the property assessed and to the owners of such property, from the landscape maintenance and other services identified within the Five Year Service Plan, hereby adopted by the City Council, and herewith to be funded from the assessments, exceed the amount which has been assessed.

**SECTION 2.** ADOPTING SERVICE PLAN: That the "*Service and Assessment Plan*", labeled herein as *Exhibit "A"* and attached hereto and made a part hereof is hereby adopted.

**SECTION 3.** RECORD FINAL ASSESSMENT ONTO TAX ROLL: That the City Manager and his designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

**SECTION 4.** PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS: The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

(a) **All residential lots**, for these lots the assessment shall not exceed \$0.18 per \$100 of assessed valuation through the assessment established for fiscal year 2015/2016; and

(b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5.** ASSESSMENT LEVY: That for fiscal year 2015/2016 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

**SECTION 6.** METHOD OF PAYMENT: That the method of payment of the assessment shall be in an annual single lump sum payment which shall be immediately due upon receipt of the assessment notice and shall become delinquent on February 1 of the year after receipt of notice. Delinquent assessments are subject to interest, penalties, attorney’s fees and other charges, at the same rate as for the City of Lancaster delinquent ad valorem property taxes.

**SECTION 7.** ASSESSMENT DUE: That a lien shall be established against each affected property within the district on the date the assessment is due, and shall not be released until the assessment is paid in full. This lien is superior to all other liens and claims except liens or claims for the state, county, school district or city ad valorem taxes.

**SECTION 8.** CONFLICT: That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Lancaster, Texas, and this ordinance shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 9.** SEVERABILITY: That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 10. EFFECTIVE DATE.** This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 24<sup>th</sup> day of August 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

\_\_\_\_\_  
Marcus E. Knight, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Robert E. Hager, City Attorney

**EXHIBIT "A"**  
**SERVICE AND ASSESSMENT PLAN**

10:28 07/22/15

Five Year YTD

Fund: 63 MILLBROOK EAST PID

Department: 4 OPERATIONS

Program:

Period Ending: 7/2015

Account	Description	2016 Budget	2017 Budget	2018 Budget	2019 Budget	2020 Budget
63-0201-04-00	SUPPLIES	600.00	600.00	600.00	600.00	600.00
63-0211-04-00	MISCELLANEOUS	250.00	250.00	250.00	250.00	250.00
63-0214-04-00	POSTAGE	600.00	600.00	600.00	600.00	600.00
Subtotal:		1,450.00	1,450.00	1,450.00	1,450.00	1,450.00
63-0351-04-00	MISC. MAINTENANCE	500.00				
63-0303-04-00	MAINTENANCE-MISCELLANEOUS	1,650.00	1,650.00	1,650.00	1,650.00	1,650.00
63-0351-04-00	MISC. MAINTENANCE		500.00	500.00	500.00	500.00
63-0371-04-00	LANDSCAPING REPAIR & MAINT	500.00	500.00	500.00	500.00	500.00
63-0372-04-00	IRRIGATIONS SYS REPAIR & MAINT	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
Subtotal:		3,650.00	3,650.00	3,650.00	3,650.00	3,650.00
63-0403-04-00	INSURANCE	3,825.00	3,825.00	3,825.00	3,825.00	3,825.00
63-0410-04-00	UTILITIES - ELECTRICITY	350.00	350.00	350.00	350.00	350.00
63-0411-04-00	WATER PURCHASES PID	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00
63-0416-04-00	OTHER PROFESSIONAL SERVICES	720.00	720.00	720.00	720.00	720.00
63-0421-04-00	PRINTING	150.00	150.00	150.00	150.00	150.00
63-0423-04-00	CONTRACT MOWING	16,032.00	16,032.00	16,032.00	16,032.00	16,032.00
63-0437-04-00	AUDIT SERVICES	300.00	300.00	300.00	300.00	300.00
63-0446-04-00	LEGAL SERVICES	500.00	500.00	500.00	500.00	500.00
63-0450-04-00	ADMINISTRATIVE MANAGEMENT FEE	9,600.00	9,600.00	9,600.00	9,600.00	9,600.00
63-0452-04-00	FILING FEES	100.00	100.00	100.00	100.00	100.00
63-0469-04-00	STORAGE	240.00	240.00	240.00	240.00	240.00
Subtotal:		34,817.00	34,817.00	34,817.00	34,817.00	34,817.00
Program number:		39,917.00	39,917.00	39,917.00	39,917.00	39,917.00
Department number: OPERATIONS		39,917.00	39,917.00	39,917.00	39,917.00	39,917.00
Fund number: 63 MILLBROOK EAST PID		39,917.00	39,917.00	39,917.00	39,917.00	39,917.00
***** End of Report *****						

# LANCASTER CITY COUNCIL

## Agenda Communication

August 10, 2015

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**Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Rolling Meadows Public Improvement District.**

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**This request supports the City Council 2015-2016 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Community**

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### **Background**

Rolling Meadows is an established subdivision consisting of approximately 38.8 acres generally located on the east and west side of Rolling Hills Place and on the North side of Beltline. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

Annually the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment.

The PID board is required to establish a maintenance budget. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance budget. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City will disperse the income on a reimbursement basis according to the approved budget.

The Rolling Meadows PID is proposing an annual assessment of \$0.2500 per \$100 assessed value.

### **Considerations**

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained without assistance or code enforcement action.
- **Legal** - The notice of public hearing was posted in the publication of record and notices mailed to the property owner of record in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed and approved as to form by the City Attorney.

- **Financial** - The PID is not expected to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting fees. The fiscal year 2015/2016 proposed service plan budget is \$37,133.00 and assessments are proposed at \$0.2500 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 30, 2015 as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Close the public hearing and place the item on the August 24, 2015 regular meeting for consideration.
2. Continue the public hearing to the August 24, 2015 regular meeting.

### **Recommendation**

Staff recommends closing the public hearing and placing the item on the August 24, 2015 regular meeting for consideration.

### **Attachments**

- Ordinance
- Service and Assessment Plan

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### **Submitted by:**

Fabrice Kabona, Assistant to the City Manager  
Rona Stringfellow, Assistant City Manager

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED SUPPLEMENTAL SERVICES ORDERED IN CONNECTION WITH THE ROLLING MEADOWS PUBLIC IMPROVEMENT DISTRICT, PROVIDING FOR: FINDINGS OF BENEFITS ACCRUED, ACCEPTING FIVE YEAR SERVICE PLAN, RECORDING FINAL ASSESSMENT ONTO TAX ROLL, SETTING THE ASSESSMENT LEVY FOR USE AND SUPPORT OF THE PUBLIC IMPROVEMENT DISTRICT, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 2008-08-77 passed on August 25, 2008, after the conduct of a duly notified public hearing, the City Council established the Rolling Meadows Public Improvement District (the "District"); and

**WHEREAS**, on August 10, 2015 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 10<sup>th</sup> day of August, 2015, the City Council closed the public hearing; and on the 24<sup>th</sup> day of August, 2015, levied assessments against property and the owners thereof in the District; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1. BENEFITS ACCRUED:** That the benefits to accrue to the property assessed and to the owners of such property, from the landscape maintenance and other services identified within the Five Year Service Plan, hereby adopted by the City Council, and herewith to be funded from the assessments, exceed the amount which has been assessed.

**SECTION 2. ADOPTING SERVICE PLAN:** That the "*Service and Assessment Plan*", labeled herein as *Exhibit "A"* and attached hereto and made a part hereof is hereby adopted.

**SECTION 3. RECORD FINAL ASSESSMENT ONTO TAX ROLL:** That the City Manager and his designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

**SECTION 4.** PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS: The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

(a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.2500 per \$100 of valuation through the assessment established for fiscal year 2015/2016; and

(b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5.** ASSESSMENT LEVY: That for fiscal year 2015/2016 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

**SECTION 6.** METHOD OF PAYMENT: That the method of payment of the assessment shall be in an annual single lump sum payment which shall be immediately due upon receipt of the assessment notice and shall become delinquent on February 1 of the year after receipt of notice. Delinquent assessments are subject to interest, penalties, attorney’s fees and other charges, at the same rate as for the City of Lancaster delinquent ad valorem property taxes.

**SECTION 7.** ASSESSMENT DUE: That a lien shall be established against each affected property within the district on the date the assessment is due, and shall not be released until the assessment is paid in full. This lien is superior to all other liens and claims except liens or claims for the state, county, school district or city ad valorem taxes.

**SECTION 8.** CONFLICT: That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Lancaster, Texas, and this ordinance shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 9.** SEVERABILITY: That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 10. EFFECTIVE DATE.** This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 24<sup>th</sup> day of August, 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

\_\_\_\_\_  
Marcus E. Knight, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Robert E. Hager, City Attorney

**EXHIBIT "A"**  
**SERVICE AND ASSESSMENT PLAN**

Account	Description	2016 Budget	2017 Budget	2018 Budget	2019 Budget	2020 Budget
57-0211-04-00	MISCELLANEOUS	320.00	320.00	320.00	320.00	320.00
Subtotal:		320.00	320.00	320.00	320.00	320.00
57-0301-04-00	MAINT-BLDGS & STRUCTURES	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
57-0351-04-00	MISC. MAINTENANCE	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
57-0371-04-00	LANDSCAPING REPAIR & MAINT	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
57-0372-04-00	IRRIGATION MAINT & REPAIRS	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
Subtotal:		8,000.00	8,000.00	8,000.00	8,000.00	8,000.00
57-0403-04-00	CASUALTY INSURANCE	3,450.00	3,450.00	3,450.00	3,450.00	3,450.00
57-0407-04-00	TAXES	300.00	300.00	300.00	300.00	300.00
57-0410-04-00	UTILITIES - ELECTRICITY	1,250.00	1,250.00	1,250.00	1,250.00	1,250.00
57-0411-04-00	WATER PURCHASE PID	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
57-0421-04-00	PRINTING	100.00	100.00	100.00	100.00	100.00
57-0423-04-00	CONTRACT MOWING	8,304.00	8,304.00	8,304.00	8,304.00	8,304.00
57-0434-04-00	SPECIAL EVENTS	500.00	500.00	500.00	500.00	500.00
57-0436-04-00	IMPROVEMENTS BY CONTRACTORS	3,259.00	3,259.00	3,259.00	3,259.00	3,259.00
57-0446-04-00	ATTORNEY SERVICES	750.00	750.00	750.00	750.00	750.00
57-0450-04-00	ADMINISTRATIVE MGMT FEE	7,800.00	7,800.00	7,800.00	7,800.00	7,800.00
57-0456-04-00	NEWSLETTER	500.00	500.00	500.00	500.00	500.00
57-0469-04-00	STORAGE FEES	600.00	600.00	600.00	600.00	600.00
Subtotal:		28,313.00	28,313.00	28,313.00	28,313.00	28,313.00
57-0537-04-00	DALLAS COUNTY TAX COLL SVCS	500.00	500.00	500.00	500.00	500.00
Subtotal:		500.00	500.00	500.00	500.00	500.00
Program number:		37,133.00	37,133.00	37,133.00	37,133.00	37,133.00
Department number: OPERATIONS		37,133.00	37,133.00	37,133.00	37,133.00	37,133.00
Fund number: 57 ROLLING MEADOWS - PID		37,133.00	37,133.00	37,133.00	37,133.00	37,133.00
***** End of Report *****						

# **LANCASTER CITY COUNCIL**

## **Agenda Communication**

**August 10, 2015**

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**Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Tribute at Mills Branch and Tribute East at Mills Branch Public Improvement District.**

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**This request supports the City Council 2015-2016 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Community**

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### **Background**

Tribute at Mills Branch is a subdivision of approximately 42.7 acres located south of Beltline Road and east of Southwood Drive and platted as the Tribute at Mills Branch, Phases 1A and 1B, recorded in Volume 2005097, Page 37 and Volume 2005163, Page 183, Deed Records of Dallas County, Texas; and Tribute East at Mills Branch (291 North Blue Grove Road); of approximately 4.64 acres from John M. Rawlins Abstract 1209, pg 245, Tract 8, located south of Beltline Road on the west side of North Bluegrove Road, conveyed to Wilbow Homestead Development Corporation, Volume 2005097, Page 3594 Deed Records of Dallas County, Texas. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

Annually the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to present an updated five (5) year service and assessment plan. Under the Act, the City is required to hold a public hearing on the proposed assessment and service plan details related to the district and the levy of the assessment.

The PID board is required to establish a maintenance budget. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance budget. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City will disperse the income on a reimbursement basis according to the approved budget.

As this district is not completed, the PID board has proposed an assessment plan for lots with completed homes at a rate of \$0.3600 per \$100 assessed valuation and lots without completed homes at \$0.8000 per \$100 assessed valuation.

### **Considerations**

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained without assistance or code enforcement action.
- **Legal** - The notice of public hearing was posted in the publication of record and notices mailed to the property owner of record in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expected to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting fees. The fiscal year 2015/2016 proposed service plan budget is \$29,423.00 and assessments are proposed at \$0.3600 (lots with homes) per one hundred dollars assessed valuation and \$0.8000 (lots without homes) per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 30, 2015 as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Close the public hearing and place the item on the August 24, 2015 regular meeting for consideration.
2. Continue the public hearing to the August 24, 2015 regular meeting.

### **Recommendation**

Staff recommends closing the public hearing and placing the item on the August 24, 2015 regular meeting for consideration.

### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

### **Submitted by:**

Fabrice Kabona, Assistant to the City Manager  
Rona Stringfellow, Assistant City Manager

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED SUPPLEMENTAL SERVICES ORDERED IN CONNECTION WITH THE TRIBUTE AT MILLS BRANCH AND TRIBUTE EAST AT MILLS BRANCH PUBLIC IMPROVEMENT DISTRICT, PROVIDING FOR: FINDINGS OF BENEFITS ACCRUED, ACCEPTING FIVE YEAR SERVICE PLAN, RECORDING FINAL ASSESSMENT ONTO TAX ROLL, SETTING THE ASSESSMENT LEVY FOR USE AND SUPPORT OF THE PUBLIC IMPROVEMENT DISTRICT, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, by Resolution No. 2006-03-28 passed on March 27, 2006, after the conduct of a duly notified public hearing, the City Council established the Tribute at Mills Branch and Tribute East at Mills Branch Public Improvement District (the "District"); and

**WHEREAS**, on August 10, 2015 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 10<sup>th</sup> day of August, 2015, the City Council closed the public hearing; and on the 24<sup>th</sup> day of August, 2015, levied assessments against property and the owners thereof in the District; and

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS:**

**SECTION 1.** BENEFITS ACCRUED: That the benefits to accrue to the property assessed and to the owners of such property, from the landscape maintenance and other services identified within the Five Year Service Plan, hereby adopted by the City Council, and herewith to be funded from the assessments, exceed the amount which has been assessed.

**SECTION 2.** ADOPTING SERVICE PLAN: That the "*Service and Assessment Plan*", labeled herein as *Exhibit "A"* and attached hereto and made a part hereof is hereby adopted.

**SECTION 3.** RECORD FINAL ASSESSMENT ONTO TAX ROLL: That the City Manager and his designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

**SECTION 4.** PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS: The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

(a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.3600 (lots with homes) per \$100 of assessed valuation and \$0.8000 (lots without homes) per \$100 assessed valuation through the assessment established for 2015/2016; and

(b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5.** ASSESSMENT LEVY: That for fiscal year 2015/2016 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

**SECTION 6 -** METHOD OF PAYMENT: That the method of payment of the assessment shall be in an annual single lump sum payment which shall be immediately due upon receipt of the assessment notice and shall become delinquent on February 1 of the year after receipt of notice. Delinquent assessments are subject to interest, penalties, attorney’s fees and other charges, at the same rate as for the City of Lancaster delinquent ad valorem property taxes.

**SECTION 7.** ASSESSMENT DUE: That a lien shall be established against each affected property within the district on the date the assessment is due, and shall not be released until the assessment is paid in full. This lien is superior to all other liens and claims except liens or claims for the state, county, school district or city ad valorem taxes.

**SECTION 8.** CONFLICT: That this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Lancaster, Texas, and this ordinance shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

**SECTION 9.** SEVERABILITY: That if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

**SECTION 10.** EFFECTIVE DATE. This ordinance shall take effect immediately from and after its passage and the publication of the caption as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 24<sup>th</sup> day of August, 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

\_\_\_\_\_  
Marcus E. Knight, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Robert E. Hager, City Attorney

**EXHIBIT "A"**  
**SERVICE AND ASSESSMENT PLAN**

Fund: 55 TRIBUTE MILLS - PID

Department: 4 OPERATIONS

Program:

Period Ending: 7/2015

Account	Description	2016 Budget	2017 Budget	2018 Budget	2019 Budget	2020 Budget
55-0201-04-00	SUPPLIES	300.00	300.00	300.00	300.00	300.00
55-0211-04-00	MISCELLANEOUS EXPENSE	100.00	100.00	100.00	100.00	100.00
55-0214-04-00	POSTAGE	580.00	580.00	580.00	580.00	580.00
Subtotal:		980.00	980.00	980.00	980.00	980.00
55-0371-04-00	LANDSCAPING	591.00	591.00	591.00	591.00	591.00
55-0372-04-00	IRRIGATION SYS MAINT & REPAIR	500.00	500.00	500.00	500.00	500.00
Subtotal:		1,091.00	1,091.00	1,091.00	1,091.00	1,091.00
55-0403-04-00	INSURANCE	2,769.00	2,769.00	2,769.00	2,769.00	2,769.00
55-0410-04-00	UTILITIES - ELECTRICITY	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
55-0421-04-00	PRINTING	39.00	39.00	39.00	39.00	39.00
55-0423-04-00	CONTRACT MOWING	16,044.00	16,044.00	16,044.00	16,044.00	16,044.00
55-0437-04-00	AUDIT SERVICES	300.00	300.00	300.00	300.00	300.00
55-0450-04-00	ADMINISTRATIVE MANAGEMENT FEE	7,200.00	7,200.00	7,200.00	7,200.00	7,200.00
Subtotal:		27,352.00	27,352.00	27,352.00	27,352.00	27,352.00
Program number:		29,423.00	29,423.00	29,423.00	29,423.00	29,423.00
Department number: OPERATIONS		29,423.00	29,423.00	29,423.00	29,423.00	29,423.00
Fund number: 55 TRIBUTE MILLS - PID		29,423.00	29,423.00	29,423.00	29,423.00	29,423.00

\*\*\*\*\* End of Report \*\*\*\*\*

# **LANCASTER CITY COUNCIL**

## **Work Session Communication**

August 10, 2015

---

**Receive and discuss a presentation regarding the Solid Waste & Recycling Services.**

---

**This request supports the City Council 2015-2016 Policy Agenda.**

**Goal: Financially Sound City Government**

---

### **Background**

The existing solid waste contract is scheduled to expire December 2015. The City provided notification that we would not exercise our renewal option. The Bid notice was published in the Focus Daily Newspaper on June 1<sup>st</sup> and June 8<sup>th</sup>, 2015. On June 05, 2015 a Request for Proposal (RFP) was posted on the city procurement system with a deadline for submitting responses to the City set for July 24, 2015. The City received a total of five (5) proposals for the solid waste & recycling contract from the following companies:

- Republic Services
- Waste Management
- Progressive Waste Solutions
- Community Waste Disposal
- FCC Environmental

The proposals were received and reviewed by an employee committee. Council will receive a presentation regarding the proposals for solid waste and recycle services.

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### **Submitted by:**

Fabrice Kabona, Assistant to the City Manager  
Opal Mauldin-Robertson, City Manager

# **LANCASTER CITY COUNCIL**

## **Work Session Communication**

August 10, 2015

---

### **Receive and discuss a presentation regarding SimpleRecycling**

---

**This request supports the City Council 2015-2016 Policy Agenda.**

**Goal: Financially Sound City Government**

---

#### **Background**

Textiles and small household items such as, clothing, shoes, purses, hats, toys, pictures, mirrors and other soft recyclable materials make up 85% of the materials in the landfill. These are items that are not collected through our current recycle program. SimpleRecycling offers a residential-based “free” curbside recycling solution that would supplement the services offered through the traditional solid waste and recycling program. This program would be operated by the SimpleRecycling team at no cost to the community.

Council will receive a presentation regarding this supplemental program.

#### **Attachments**

- SimpleRecycling brochure
  - Reference responses
- 

#### **Submitted by:**

Fabrice Kabona, Assistant to the City Manager  
Opal Mauldin-Robertson, City Manager



**FREE CURBSIDE  
CLOTHING & HOME GOODS  
RECYCLING PROGRAM**

**FREE**

**TURN  
KEY**

**SIMPLE  
& EASY**

**SAVE \$  
MAKE \$**

# Who is Simple Recycling?

We have over 50 years of experience in clothing & household discard collection

Our sister company manages clothing & household discard donation programs in partnership with non-profit organizations<sup>1</sup>

# Environmental Impact Facts

Clothing, Appliances, Durables, & Furniture account for 15% of local waste stream



**85% OF TEXTILES  
ARE NOT RECYCLED  
OR DONATED**

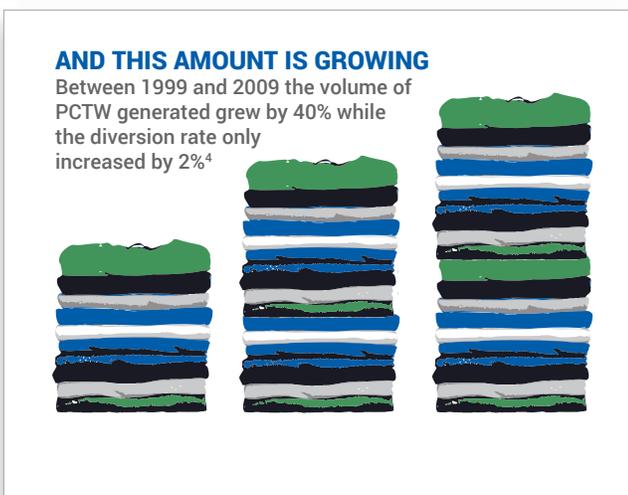
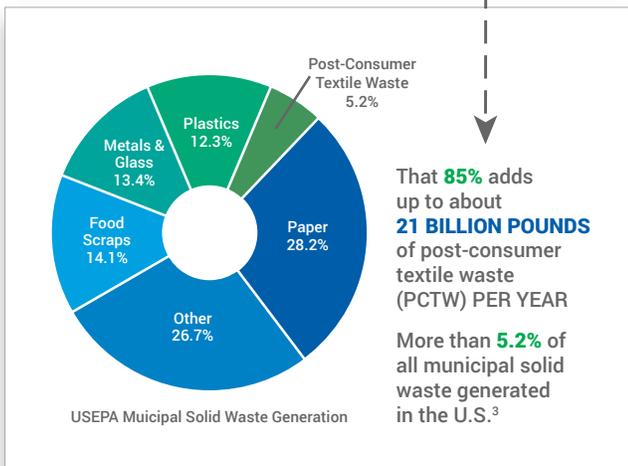
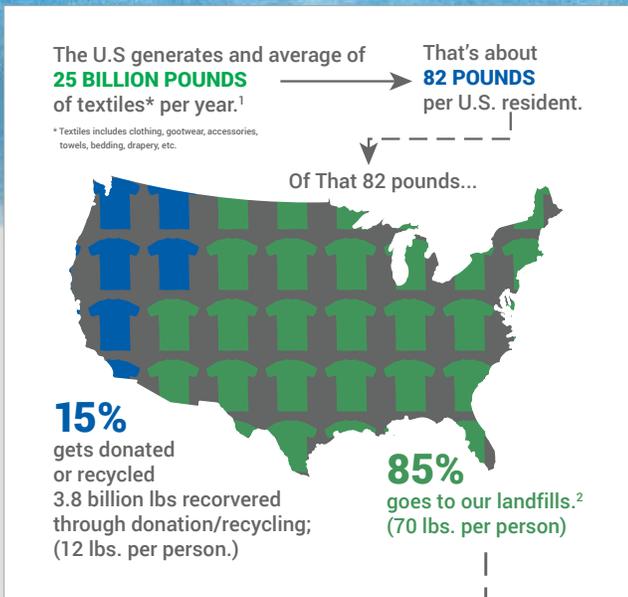


**EPA ESTIMATES  
70 LBS./PERSON OF CLOTHING  
ARE THROWN AWAY EACH YEAR**

**(YOUR CITY'S POPULATION X 70LBS = MILLIONS OF LBS./YEAR)**

Source:  
1. <http://www.weardonaterecycle.org>

# THE FACTS ABOUT TEXTILE WASTE



## This Model has been Tested & Proven

Excerpt from USA Today, April 23, 2013 -

“Clothes recycling is going curbside in more U.S. towns as global prices rise for the used apparel, shoes and linens that Americans often toss in the trash.

Since September, more than a dozen local governments -- in Arizona, Massachusetts, New Jersey, Pennsylvania and Washington State -- have begun curbside pickup of textiles, often in special bags next to bins containing paper and cans.”<sup>2</sup>



Source:  
2. <http://www.usatoday.com/story/news/nation/2013/04/20/recycling-clothes-expands-curbside/2092351/>



**COST TO YOUR RESIDENTS = \$0**  
**COST TO YOUR CITY = \$0**



### Details & Logistics

#### **Simple Recycling provides:**

- Free residential curbside pickup service
- Specially designed recycling collection bags
- All informational materials
- All trucking, pickup expenses & program management
- Local jobs
- All related insurance coverage
- Drop boxes in locations of city's choosing (if desired)

#### **Your city provides:**

- Supplemental notification & information to residents



# THE LIFE CYCLE OF SECONDHAND CLOTHING



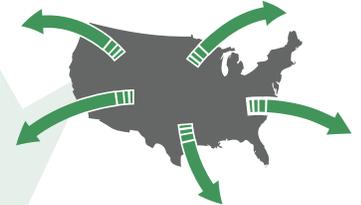
## WHAT HAPPENS TO YOUR RECYCLED USED CLOTHING?

Once a resident determines that their clothing, shoes, handbags, or household textiles have reached the end of their useful life, materials are collected by Simple Recycling and collected clothing is sorted and graded for condition.



**45%**

Reused and Repurposed  
Majority exported as secondhand clothing.



**10-20%**

Top quality materials are sold to local thrift stores where they create access to low cost clothing and jobs for local residents.



**30%**

Recycled and Converted  
Reclaimed wiping rags are used in various ways as industrial and residential absorbents.



**80%**

The vast majority of clothing collected is not resaleable in the U.S. so it is further sorted for international export or broken down for raw materials.



**20%**

Recycled into Fiber  
Post-consumer fiber is used to make home insulation, carpet padding, and raw material for the automotive industry.



Only **5%** ends up as waste.

Thrift industry employs nearly 100,000 workers in the U.S. with over \$1 billion wages paid. In addition, private sector recyclers create an additional 15,000 to 20,000 jobs nationally.<sup>1</sup>

# WE MAKE IT SIMPLE TO DRAMATICALLY REDUCE TEXTILE WASTE.

Source:  
1. "Textile Recycling in the U.S." Report submitted to SMART by Dr. Jana Hawley PhD, Univ. of Missouri 2009

August 3, 2015

SimpleRecycling Survey from the City of LANCASTER, TX

**City of Lansing, MICHIGAN**

- **How long has the program been in place?**
  - Since Dec. 2014
- **What % of residents are participating in the program?**
  - We do not track this
- **What % of reduction are you seeing in your waste stream?**
  - We haven't tracked this either
- **Have you seen an increase in scavengers with these green bags at the curb?**
  - No
- **Have you noticed green bags flying around and littering your city?**
  - No
- **Have you had many inquiries?**
  - Most calls came in when we first announced program. We get very few direct calls, as our phone system automatically sends calls to Simple Recycling now.
- **Have you had many complaints?**
  - Very few
- **What type of calls and complaints have you received?**
  - How to get replacement bags
- **Are you satisfied with the customer service team from Simple Recycling?**
  - Yes
- **Are the routes normally run during morning and early afternoon or do they tend to run later in the day?**
  - It varies
- **How are the replacement bags set out?**
  - Near the front door in most cases
- **Do you have any comments or recommendations –**

- This has been a great service for our community, residents like the convenience, it's been very well received. We recently completed a waste audit though and found that 5-6% of the waste stream consisted of clothing and textiles, so we realized that continued education about this program is needed to increase participation.

August 3, 2015

SimpleRecycling Survey from the City of LANCASTER, TX

**City of Highland Hills, Ohio**

- **How long has the program been in place?**
  - Under a year.
- **What % of residents are participating in the program?**
- **What % of reduction are you seeing in your waste stream?**
- **Have you seen an increase in scavengers with these green bags at the curb? None.**
- **Have you noticed green bags flying around and littering your city? Never**
- **Have you had many inquiries?**
  - Yes, asking if we are still having the green bags collected, because most don't have items to put out weekly.
- **Have you had many complaints?**
  - No
- **What type of calls and complaints have you received?**
  - Need a bag, or wanted to know/reminder when green bags are picked up.
- **Are you satisfied with the customer service team from Simple Recycling?**
  - Yes, I call my local contact directly.
- **Are the routes normally run during morning and early afternoon or do they tend to run later in the day?**
  - We are smaller in size. A Village. They come once on the same day as trash day and they come sometime after trash is picked up.
- **How are the replacement bags set out?**
  - Yes
- **Do you have any comments or recommendations**
  - So far we see this as a great benefit for our residents, making it convenient.

August 3, 2015

SimpleRecycling Survey from the City of LANCASTER, TX

**OAKLAND COUNTY, MICHIGAN**

- **How long has the program been in place?**
  - Since February of 2014.
- **What % of residents are participating in the program?**
  - We don't track participation.
- **What % of reduction are you seeing in your waste stream?**
  - Approximately 0.4%.
- **Have you seen an increase in scavengers with these green bags at the curb?**
  - No
- **Have you noticed green bags flying around and littering your city?**
  - No
- **Have you had many inquiries? Only from interested communities.**
  - The rest of the inquiries are directed to the Simple Recycling telephone number.
- **Have you had many complaints?**
  - No
- **What type of calls and complaints have you received?**
  - NA
- **Are you satisfied with the customer service team from Simple Recycling?**
  - Yes
- **Are the routes normally run during morning and early afternoon or do they tend to run later in the day?**
  - It varies
- **How are the replacement bags set out?**
  - On the mailbox or in the front door
- **Do you have any comments or recommendations?**
  - Good turnkey program.

August 3, 2015

SimpleRecycling Survey from the City of LANCASTER, TX

**Fairview Park, Ohio**

- **How long has the program been in place?**
  - Since April of 2015.
- **What % of residents are participating in the program?**
  - I do not have data to provide a percentage. However, we are currently averaging a weekly collection of 84 homes and 1,600+ lbs.
- **What % of reduction are you seeing in your waste stream?**
  - I won't know this until year's end.
- **Have you seen an increase in scavengers with these green bags at the curb?**
  - No.
- **Have you noticed green bags flying around and littering your city?**
  - No.
- **Have you had many inquiries?**
  - Inquiries and questions from residents, yes, but not unmanageable. Simple Recycling likes to handle their own matters so we refer most of our residents to our local salesperson. Inquiries from other cities, a few. I think this is the third I've received.
- **Have you had many complaints?**
  - We received complaints initially because there was a scavenger taking bags off the tree lawn. That has since subsided. We get complaints every so often that Simple Recycling missed picking up at a home. Simple Recycling takes missed houses very seriously and will rectify the situation within 12-24 hours.
- **What type of calls and complaints have you received?**
  - See above.
- **Are you satisfied with the customer service team from Simple Recycling?**
  - Very much so. Simple Recycling is incredibly responsive.
- **Are the routes normally run during morning and early afternoon or do they tend to run later in the day?**

- My entire city is collected in one day so collection lasts the entire work day.
- **How are the replacement bags set out?**
  - We have automated trash and recycling collection using large carts. The replacement bags are tied to the handles of the carts.
- **Do you have any comments or recommendations**
  - Simple Recycling offers a great program that is low maintenance for municipalities and a great asset to residents.

**Comments provided by Mayor Goncy of Village of Boston Heights, OH**

Ms. Kabona,

The Village of Boston Heights has about 475 households. We began with Simple Recycling almost a year ago. Pickup is the same day and similar time to our trash and recycle bin pickup. Their green bags are placed next to the 64 gallon recycle and 96 gallon trash bins and the Simple Recycling truck picks up loaded textile bags and leaves empty bags. The process is neat and the village makes a small sum of money but mainly saves the landfill from more material which can be repurposed. I have had no complaints and positive reaction to the free service to residents.

Please contact me if you have further questions.

Mayor Bill Goncy

Sent from my iPad

# **LANCASTER CITY COUNCIL**

## **Work Session Agenda Communication**

August 10, 2015

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**Receive a presentation and discuss the Fiscal Year 2015-2016 proposed budget.**

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**This request supports the City Council 2015-2016 Policy Agenda.**

**Goal: Financially Sound City Government**

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### **Background**

The City Manager will present an overview of the proposed FY 2015-2016 municipal budget for all funds. A detailed budget notebook will be provided to Council at the meeting.

The following is the remaining budget and tax rate meeting schedule:

- August 10, 2015: Work Session and Regular Meeting – PID Public Hearings
  - August 17, 2015: Special Meeting and Work Session
  - August 20, 2015: Budget Town Hall Meeting, 6:30 p.m. at the Recreation Center
  - August 24, 2015: Work Session (if needed) and Regular Meeting ( 1<sup>st</sup> Public Hearing) – Tax Rate, Budget, PIDs
  - August 29, 2015: Budget Town Hall Meeting, 9:00 a.m. at the Recreation Center
  - August 31, 2015: Special Meeting (2<sup>nd</sup> Public Hearing) –Tax Rate, Budget
  - September 14, 2015: Regular Meeting – Budget Adoption, Tax Rate Adoption
- 

### **Submitted by:**

Rona Stringfellow, Assistant City Manager