



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



Monday, August 22, 2016 - 7:00 PM

CALL TO ORDER

INVOCATION: Ministerial Alliance

PLEDGE OF ALLEGIANCE: Mayor Pro Tem Carol Strain-Burk

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.

1. Consider approval of minutes from the City Council Special Meeting held on June 14-15, 2016.

ACTION:

2. Discuss and consider a resolution approving a Fire Services Agreement with Dallas County for the provision of fire services to unincorporated areas adjacent to the City of Lancaster.
3. Discuss and consider a resolution approving an EMS services agreement with Dallas County for the provision of EMS services to unincorporated areas adjacent to the City of Lancaster.

PUBLIC HEARING:

4. 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.
5. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Pleasant Run Estates Phase 1-A 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 Meadowview 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 Rolling Meadows 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 Glendover Estates 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 Millbrook East 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 Beltline Ashmoore Public Improvement District.
11. 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.
12. 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.
13. Conduct a public hearing and discuss an ordinance regarding the proposed fiscal year 2016/2017 budget for the fiscal year beginning October 1, 2016 and ending September 30, 2017; providing that expenditures for said fiscal year shall be in accordance with said budget.
14. Conduct a public hearing and discuss an ordinance regarding the proposed revenue increase from levying ad valorem taxes for fiscal year 2016/2017 at \$0.8675 per one hundred dollars assessed valuation of all taxable property within the corporate limits to provide revenues for current maintenance and operation expenses and interest and sinking fund requirements; providing due and delinquent dates; penalties and interest; providing a homestead exemption and disability exemption.

EXECUTIVE SESSION:

15. City Council shall convene into closed executive pursuant to § 551.072 of the Texas Government Code, discuss and deliberate the acquisition, purchase, exchange, lease or value of real property as deliberation in this open meeting would have a detrimental effect of the position of the City of Lancaster in negotiations with third persons.
16. Reconvene into open session. Consider and take appropriate action(s), if any, on closed/executive session matters.

ADJOURNMENT

EXECUTIVE SESSION: The City Council reserve 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.

ACCESSIBILITY STATEMENT: Meetings of the City Council are held in municipal facilities are 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.

PURSUANT TO SECTION 30.06 PENAL CODE (TRESPASS BY HOLDER WITH A CONCEALED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A CONCEALED HANDGUN.

CONFORME A LA SECCION 30.06 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO 411, CODIGO DEL GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO OCULTADA.

PURSUANT TO SECTION 30.07 PENAL CODE (TRESPASS BY HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411, GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

CONFORME A LA SECCION 30.07 DEL CODIGO PENAL (TRASPASAR PORTANDO ARMAS DE FUEGO AL AIRE LIBRE CON LICENCIA) PERSONAS CON LICENCIA BAJO DEL SUB-CAPITULO H, CAPITULO 411, CODIGO DE GOBIERNO (LEY DE PORTAR ARMAS), NO DEBEN ENTRAR A ESTA PROPIEDAD PORTANDO UN ARMA DE FUEGO AL AIRE LIBRE.

Certificate

I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall on August 19, 2016 @ 3:00 p.m. and copies thereof were provided to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.



Sorangel O. Arenas
City Secretary

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 1.

Meeting Date: 08/22/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Consider approval of minutes from the City Council Special Meeting held on June 14-15, 2016.

Background:

Attached for your review and consideration are minutes from the:

- City Council Special Meeting held on June 14-15, 2016.

Attachments

Minutes

MINUTES

LANCASTER CITY COUNCIL MEETING OF JUNE 14 & 15, 2016

The City Council of the City of Lancaster, Texas, met on June 14, 2016 in a special meeting for the first day of strategic planning at the University of North Texas at Dallas, Founders Hall Building Room 241, 7400 University Hills Blvd, Dallas, Texas at 8:00 a.m. with a quorum present to-wit:

Councilmembers Present:

Mayor Marcus E. Knight
Mayor Pro Tem Carol Strain-Burk
Deputy Mayor Pro Tem Stanley Jaglowski
Marco Mejia
Clyde C. Hairston
Nina Morris

City Staff Present:

Opal Mauldin-Robertson, City Manager
Rona Stringfellow, Assistant City Manager
Sorangel O. Arenas, City Secretary
Robert E. Hager, City Attorney
Julia Novak, The Novak Consulting Group, facilitator

Call to Order:

Mayor Knight called the meeting to order at 8:14 a.m. on June 14, 2016.

City Council met on the first day of a two day strategic planning session.

City Attorney Hager reviewed Councils' Rules and Procedures which is the code of conduct for the governing body of the City. Discussions regarding the procedures on managing an approved agenda item and a subsequent motion to reconsider.

City Manager Mauldin-Robertson requested discussion regarding a councilmember's request to place an item on the agenda. Discussion was made to place an item on the agenda by submitting the request in writing to the City Manager's office on the Thursday, one week before the Council meeting. Should discussion occur on that item, it would be noted in the agenda communication regarding that agenda item.

City Attorney Hager was dismissed from session.

Facilitator Novak welcomed everyone and reviewed the agenda for the two day strategic planning session.

Facilitator Novak reviewed norms and expectations for the meeting.

Facilitator Novak asked participants to share their expectations for the planning session.

Facilitator Novak asked participants to share some of their "most successful" projects during their time with the City.

The Councils' pre-treat surveys were discussed and shared regarding governance roles and how the Council can increase their individual and collective effectiveness as a governing body. Council conversed on the different governance roles each member must play.

Facilitator Novak led discussions on the three questions relating to governance:

- Which role do you naturally gravitate towards?
- What role does the Council, as a body, seem to gravitate towards?
- Where should the Council spend more time in order to enhance effectiveness?

The Council provided examples in each of the different governing roles that were discussed, and how they can take a further active role.

City Council recessed for lunch at 11:45 p.m.

Facilitator Novak led conversation and participation by Council regarding changes on the City's Executive Team and the City Council, during the past year. Council shared their recent satisfaction levels with their processes and interactions with the Executive Management Team and with one another. Particularly, Council was asked to discuss and share:

- "What's Working Well for the Council?"
- "Where Council be doing better?"
- "What is going well with the Executive Team?"
- "What could staff do more/better or different to support the Council?"

4:30 p.m. – 6:00 p.m. City Council participated in a team building a quorum of councilmembers was presented. No City business was transacted.

Mayor Knight recessed the meeting at 6:10 p.m.

LANCASTER CITY COUNCIL MEETING OF JUNE 15, 2016

The City Council of the City of Lancaster, Texas, met on June 15, 2016 in a special meeting for the first day of strategic planning at the University of North Texas at Dallas, Founders Hall Building Room 338, 7400 University Hills Blvd, Dallas, Texas at 8:30 a.m. with a quorum present to-wit:

Councilmembers Present:

Mayor Marcus E. Knight
Mayor Pro Tem Carol Strain-Burk
Deputy Mayor Pro Stanley Jaglowski
Marco Mejia
Clyde C. Hairston
Nina Morris

City Staff Present:

Opal Mauldin Robertson, City Manager
Rona Stringfellow, Assistant City Manager
Sorangel O. Arenas, City Secretary
Julia Novak, The Novak Consulting Group, facilitator

Facilitator Novak opened the second day of the planning session and with discussions regarding Council Staff Relations, specifically regarding the reporting of public safety incidents, CSRs, and the quantity of memos.

Facilitator Novak guided Council to revisit and refresh the City's history and vision for the future. Council came up with a theme for each decade in preparation for claiming and visioning the future for the City.

City Manager Mauldin-Robertson provided an overview of the status of the current work plan and shared input from the City's Executive Team. She identified key priority projects that Council had the opportunity to review and discuss the work for the upcoming year.

Facilitator Novak inquired of each councilmember their most important policies and initiatives that they wish to pursue to further the City's vision.

City Council recessed for lunch at 11:35 a.m.

City Manager Mauldin-Robertson shared key priority projects which staff will continue to drive on throughout the next year which include:

- Continue Compensation Policy
- Downtown/TIF/City Hall
- Complete Comprehensive Plan Implementation Strategy
- Review Economic Development Policy
- Complete Golf Course Assessment
- Implement Facility Assessment
- Complete Fleet Maintenance Facility

Facilitator Novak inquired of each Councilmember discussion the most important policies and initiatives they want to pursue.

With additional discussion, City Council prioritized their operational priorities to include:

- Develop a Land Bank Strategy for City Property,
- Develop a Plan to Show Developers the Opportunities for Building Custom Homes;
- Create and implement a retail strategy so we are clear about what types of retail we want to attract,
- Infrastructure Project Pleasant Run Road Phases 1,2,& 3, and
- Lancaster University – establish professional-level training program for all levels of employees

Facilitator Novak led Council in defining problem(s) for each operational priorities mentioned and asked to identify what success looks like.

Council concluded with reflections on this year's planning session and expressed appreciation to Ms. Novak and staff.

The meeting was adjourned at 1:26 p.m.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Marcus E. Knight, Mayor

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 2.

Meeting Date: 08/22/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda.

Goal(s): Healthy, Safe & Vibrant Community

Submitted by: Rob Franklin, Fire Chief

Agenda Caption:

Discuss and consider a resolution approving a Fire Services Agreement with Dallas County for the provision of fire services to unincorporated areas adjacent to the City of Lancaster.

Background:

Since October, 1983 the City of Lancaster has maintained an agreement with Dallas County to provide fire protection services to the portion of the County that is adjacent to the City. This resolution is for an agreement to maintain the continuity of fire protection services.

Operational Considerations:

The Fire Department currently responds into this unincorporated area approximately 24 times per year.

Legal Considerations:

This resolution has been reviewed and approved as to form by the City Attorney.

Public Information Considerations:

This item is being considered at a meeting of the City Council noticed in accordance with the Texas Open Meeting Act.

Fiscal Impact:

This agreement provides for reimbursement of expenses for services provided. The City will invoice Dallas County \$420 per fire response to the identified area.

Options/Alternatives:

1. Council may approve the resolution as presented.
2. Council may reject the resolution.

Recommendation:

Staff recommends approval of the resolution as presented.

Attachments

Resolution

Exhibit A

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING THE FIRE SERVICES AGREEMENT BETWEEN THE CITY OF LANCASTER AND DALLAS COUNTY FOR THE PROVISION OF FIRE SERVICES TO UNINCORPORATED AREAS ADJACENT TO THE CITY OF LANCASTER, FOR ONE YEAR WITH TWO- ONE YEAR EXTENSIONS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lancaster and Dallas County have previously entered into an agreement for the City of Lancaster to provide Fire Services to the residents in the unincorporated areas adjacent to the City of Lancaster; and

WHEREAS, the parties desire to enter into a new agreement for one fiscal year; and

WHEREAS, the Council of the City of Lancaster finds it in the best interest to approve the Agreement as set forth in the attached Exhibit "A".

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

That the City Council hereby approves the Fire Protection Agreement with Dallas County, attached hereto and incorporated herein as Exhibit "A", and authorizes the City Manager to execute the same on behalf of the City.

SECTION 1. That any prior Resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 2. That should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 3. This Resolution shall become effective 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 22nd day of August, 2016.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Marcus E. Knight, Mayor

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

FIRE PROTECTION AGREEMENT

WHEREAS, the City of Lancaster Texas (the "City"), has agreed to provide fire protection services to the unincorporated areas of the County of Dallas, (the "County") adjacent to the City's corporate limits, and

WHEREAS, County has requested the City to provide such services with City owned and City operated fire protection equipment;

NOW THEREFORE, this Agreement (the "Agreement") is entered pursuant to Chapter 791, Texas Government Code and Texas Local Government Code § 352.001, between City and County and the City and County hereby agree as follows:

I.
SERVICES

For the consideration stated herein, the City agrees to (i) furnish fire protection services, (ii) to answer all fire calls in the assigned unincorporated area adjacent or near the corporate limits of said City, as shown on the official fire protection zone map of the County, a copy of which is attached hereto as **Exhibit A** and incorporated herein for all purposes, and (iii) perform Fire Runs and Ambulances Runs in connection with these services. Any deletions due to annexations or any additions due to de-annexations will be furnished to the City by the County Fire Marshal and the official map shall be updated by the City to reflect these changes and **Exhibit A** shall be automatically updated without the requirement of a formal amendment. The City's fire call responses shall continue into any annexed area until official notice is received from the County Fire Marshal. The City's fire call response shall commence into any de-annexed area when official notice is received from the County Fire Marshal.

II.
TERM

This Agreement shall be in effect for the County's fiscal year of October 1, 2016 through September 30, 2017, and shall automatically be extended for two additional one-year fiscal periods (October 1, 2017 through September 30, 2018, and October 1, 2018 through September 30, 2019) (collectively the "Term"). The two one-year extensions to this Agreement are contingent on the County appropriating and budgeting the necessary funds to pay for fire services in each of the succeeding one-year extensions. In the event that funds are not appropriated by County for a succeeding one-year extension, this Agreement shall terminate on the last day of the fiscal year in which funds are appropriated for such fiscal year.

III.
DEFINITIONS & CONDITIONS

1) "Fire Run" shall mean a fire department response with a fire fighting vehicle into the assigned unincorporated area of the County where any type of extinguishing agent is applied to a fire, or where valid reasons can be provided by City as to why there was no need to apply an extinguishing agent to a fire. A Fire Run does not include the routine dispatch of a fire vehicle to the location or address of an "Ambulance Run" (as defined below), when the necessity of the fire vehicle at such location or address does not exist and is not required to meet the requirements of a valid Fire Run or an Ambulance Run.

2) "Ambulance Run" shall mean an ambulance response into the assigned unincorporated area of the County where any type of emergency medical treatment is performed, or when valid reasons are provided by City as to why there was no need to administer treatment.

3) The following three conditions may justify a Fire Run made in conjunction with an Ambulance Run:

- A) an unconscious person is involved where CPR may need to be performed to sustain life; or

B) an individual is experiencing breathing difficulties where additional personnel are needed for patient evaluation and administering life support; or

C) a motor vehicle accident (“MVA”) has occurred where extrication is needed or fuel is leaking and must be washed away from the vehicle to assure safety of responders/patients or other types of rescue, where a fire apparatus or fire skills are required.

IV. REIMBURSEMENT BY COUNTY

A. The County agrees to reimburse the City at the rate of FOUR HUNDRED AND TWENTY 00/100 DOLLARS (\$420.00) for each approved Fire Run that the City makes into the defined unincorporated area made in accordance with this Agreement.

B. In order for the City to be eligible for reimbursement for a Fire Run, the Fire Run must be to a location within the unincorporated area assigned to City in attached Exhibit A. When the City receives an original call for a Fire Run, the City must immediately notify the County Fire Marshal by contacting the Sheriff’s Department by telephone or radio. The City must file with the County Fire Marshal, not later than five (5) days after the end of the calendar month, a certified list of the Fire Runs made into said unincorporated areas during the preceding month. Fire Runs that are not to a location in the assigned unincorporated area, or that have not been approved prior to a mutual aid assistance call, will be disallowed by the County Fire Marshal and no reimbursement will be made to the City for such Fire Runs.

C. The County Fire Marshal will notify the City of any response locations that cannot be located from the information provided on the run sheet, and of Fire Runs which are not eligible for reimbursement within thirty (30) days after the receipt of said City report. If a reply is not received from the City after the second request from the County Fire Marshal, the Fire Run will be disallowed and not reimbursed. City will not be reimbursed for a Fire Run when (i) a fire vehicle is routinely dispatched to the same location/address of an Ambulance Run, (ii) the necessity for a fire vehicle at the location or

address of an Ambulance Run does not exist, or (iii) a fire vehicle is not required to meet the requirements of a valid Fire Run or an Ambulance Run. All duplicate Fire Runs and Ambulance Runs to the same location or address must be verified by the County Fire Marshal for validity and the necessity of such duplicate runs must be established by the City in order to be eligible for reimbursement. County will reimburse the City for all eligible Fire Runs within thirty (30) days after the end of each quarter year during the Agreement Term.

V.
MUTUAL AID ASSISTANCE

City agrees that it will provide mutual aid assistance to the County when requested, provided it may do so without endangering the property and lives of its own citizens.

VI.
TERMINATION

This Agreement may be terminated by either party without cause by giving the other party ninety (90) days prior written notice of the termination.

VII.
LIABILITY

City and County agree to be responsible each for their own negligent acts or omissions, or other tortious conduct in the course of performance of this Agreement without waiving any sovereign immunity, governmental immunity or other defenses available to the parties under federal or State law. Nothing in this paragraph shall be construed to create or grant any rights, contractual or otherwise, in or to any third persons or entities. All parties agree that any such liability or damages occurring during the performance of this Agreement caused by the joint or comparative negligence of the parties, or their employees, agents or officers, shall be determined in accordance with comparative responsibility laws of Texas.

C. Binding Effect. This Agreement and the respective rights and obligations of the parties hereto shall inure to the benefit of and be binding upon the successors and assigns of the parties hereto as well as the parties themselves; provided, however, that County, its successors and assigns shall be obligated to perform County's covenants under this Agreement only during, and in respect of their successive periods as County during the Term of this Agreement.

D. Fiscal Funding. Notwithstanding any provisions contained in this Agreement, the obligations of the County under this Agreement are expressly contingent upon the availability of funding for each item and obligation for the Term of the Agreement and any pertinent extensions. City shall have no right of action against County in the event County is unable to fulfill its obligations under this Agreement as a result of lack of sufficient funding for any item or obligation from any source utilized to fund this Agreement or failure to budget or authorize funding for this Agreement during the current or future fiscal years. In the event that County is unable to fulfill its obligations under this Agreement as a result of lack of sufficient funding, or if funds become unavailable, County, at its sole discretion, may provide funds from a separate source or may terminate this Agreement by written notice to City at the earliest possible time.

E. Severability. If any provision of this Agreement shall be held invalid, void or unenforceable, the remaining provisions hereof shall not be affected or impaired, and such remaining provision shall remain in full force and effect.

F. Number and Gender. Words of any gender used in this Agreement shall be held and construed to include any other gender and words in the singular shall include the plural and vice versa, unless the context clearly requires otherwise.

G. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

H. This Agreement shall not become effective until approved by a City Resolution and a Commissioners' Court Order. A copy of the respective Resolution and Order will be furnished to each signing entity.

By their signatures below, the duly authorized representatives of City and County accept the terms of this Agreement in full.

[Remainder of Page Intentionally Left Blank]

[Signature Page to Follow]

EXECUTED this the _____ day of _____, 2016.

COUNTY:

CITY:

BY: Clay Lewis Jenkins
Dallas County Judge

BY: Opal Mauldin-Robertson
Mayor of Lancaster
CityMUNICIPAL

RECOMMENDED:

BY: Darryl Martin – Dallas County Court Administrator


BY: Robert De Los Santos - Dallas County Fire Marshal

APPROVED AS TO FORM*:

SUSAN HAWK
CRIMINAL DISTRICT ATTORNEY

BY: 
Randall Miller
Assistant District Attorney

** By law, the Dallas County District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).*

EXHIBIT A

FIRE PROTECTION ZONE MAP

STATE OF TEXAS

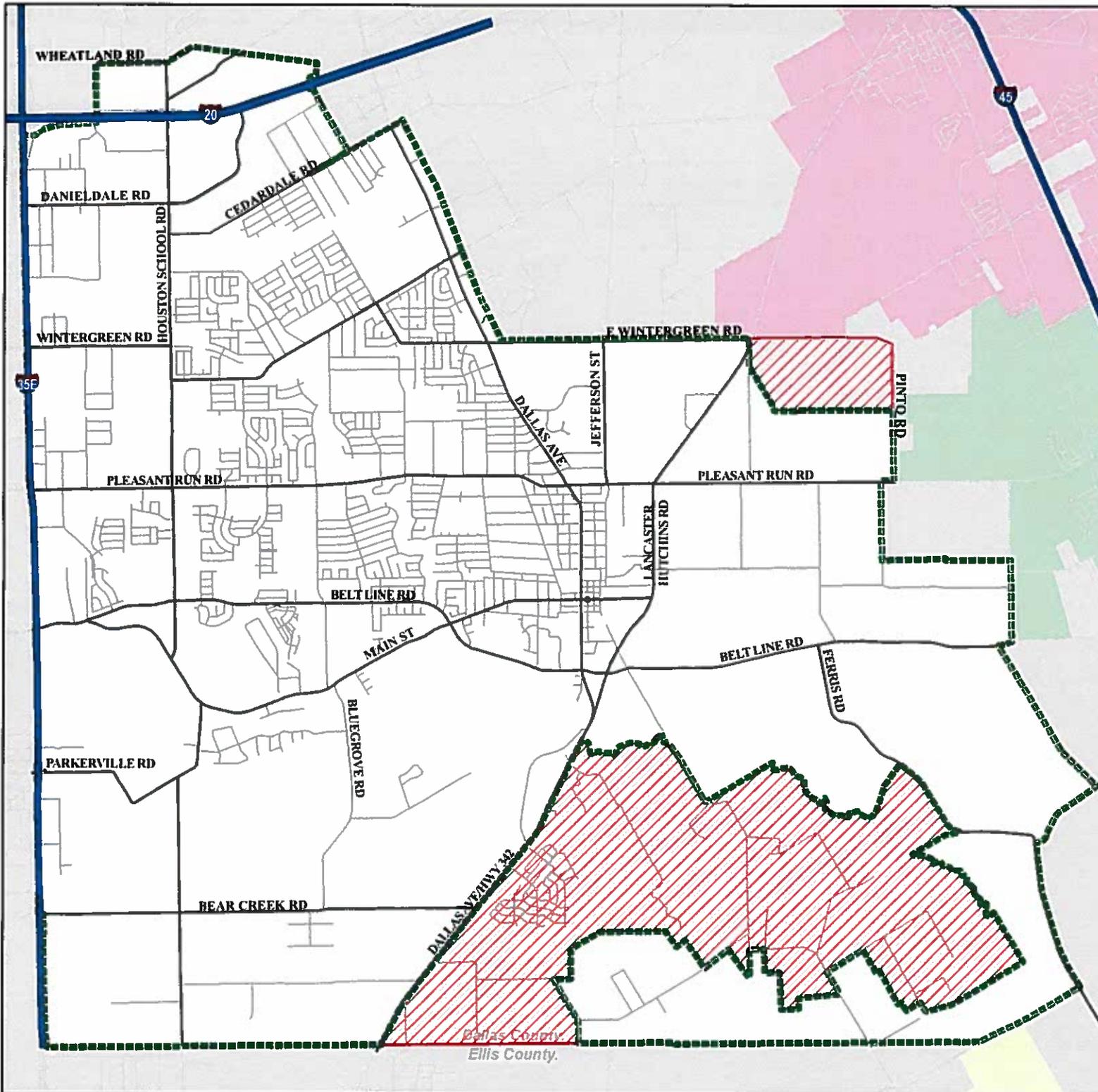
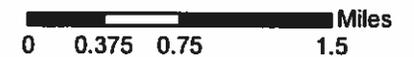
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§**

City of Lancaster
LFD - County
Response Area
ESN #267



Legend

-  Lancaster City Limits
-  County Response Area
-  Ferris
-  Hutchins
-  Wilmer



LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 3.

Meeting Date: 08/22/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda.

Goal(s): Healthy, Safe & Vibrant Community

Submitted by: Rob Franklin, Fire Chief

Agenda Caption:

Discuss and consider a resolution approving an EMS services agreement with Dallas County for the provision of EMS services to unincorporated areas adjacent to the City of Lancaster.

Background:

Since October, 1983 the City of Lancaster has maintained an agreement with Dallas County to provide EMS services to the portion of the County that is adjacent to the City. This resolution is to continue an agreement to maintain the continuity of EMS services.

Operational Considerations:

The Fire Department currently responds into this unincorporated area approximately 24 times per year.

Legal Considerations:

This resolution has been reviewed and approved as to form by the City Attorney.

Public Information Considerations:

This item is being considered at a meeting of the City Council noticed in accordance with the Texas Open Meeting Act.

Fiscal Impact:

This Agreement provides for reimbursement of expenses for services provided. The City will invoice Dallas County \$450 per ambulance response to the area.

Options/Alternatives:

1. Council may approve the resolution as presented.
2. Council may reject the resolution.

Recommendation:

Staff recommends approval of the resolution as presented.

Attachments

Resolution
Exhibit A

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING THE EMS SERVICES AGREEMENT BETWEEN THE CITY OF LANCASTER AND DALLAS COUNTY FOR THE PROVISION OF EMS SERVICES TO UNINCORPORATED AREAS ADJACENT TO THE CITY OF LANCASTER, FOR ONE YEAR WITH TWO- ONE YEAR EXTENSIONS; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT ON BEHALF OF THE CITY; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lancaster and Dallas County have previously entered into an agreement for the City of Lancaster to provide Fire Services to the residents in the unincorporated areas adjacent to the City of Lancaster; and

WHEREAS, the parties desire to enter into a new agreement for one fiscal year; and

WHEREAS, the Council of the City of Lancaster finds it in the best interest to approve the Agreement as set forth in the attached Exhibit "A".

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

That the City Council hereby approves the Fire Protection Agreement with Dallas County, attached hereto and incorporated herein as Exhibit "A", and authorizes the City Manager to execute the same on behalf of the City.

SECTION 1. That any prior Resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 2. That should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 3. This Resolution shall become effective 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 22nd day of August, 2016.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Marcus E. Knight, Mayor

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

COUNTY OF DALLAS §

AMBULANCE SERVICES AGREEMENT

WHEREAS, the City of Lancaster Texas, (the "City"), has agreed to provide ambulance services to the unincorporated areas for the County of Dallas, (the "County") adjacent to the City's corporate limits, and

WHEREAS, County has requested the City to provide such services with City owned and City operated ambulance equipment,

NOW THEREFORE, this Agreement (the "Agreement") is entered pursuant to Chapter 791, Texas Government Code, between City and County and the City and County hereby agree as follows:

I.
SERVICES

For the consideration stated herein, the City agrees to (i) furnish ambulance services, (ii) to answer all ambulance calls in the assigned unincorporated area adjacent or near the corporate limits of said City, as shown on the official ambulance zone map of County, a copy of which is attached hereto as **Exhibit A** and incorporated herein for all purposes, (iii) perform Ambulance Runs and Fire Runs in connection with these services, and (iv) meet Minimum Ambulance Staffing requirements as defined below for all Ambulance Runs. Any deletions due to annexations or any additions due to de-annexations will be furnished the City by the County Fire Marshal and the official map shall be updated by the City to reflect these changes and **Exhibit A** shall be automatically updated without the requirement of a formal amendment. The City's ambulance call responses shall continue into any annexed area until official notice is received from the County Fire Marshal. The City's ambulance call responses shall commence into any de-annexed area when official notice is received from the County Fire Marshal.

II. TERM

This Agreement shall be in effect for the County fiscal year of October 1, 2016 through September 30, 2017 and shall automatically be extended for two (2) additional one-year fiscal periods (October 1, 2017 through September 30, 2018, and October 1, 2018 through September 30, 2019) (collectively the “Term”). The two one-year extensions to this Agreement are contingent on the County appropriating and budgeting the necessary funds to pay for ambulance services in each of the succeeding one-year extensions. In the event that funds are not appropriated by County for a succeeding one-year extension, this Agreement shall terminate on the last day of the fiscal year in which funds are appropriated for such fiscal year.

III. DEFINITIONS

1) “Ambulance Run” shall mean an ambulance response into the assigned unincorporated area of the County where any type of emergency medical treatment is performed, or where valid reasons can be provided by City as to why there was no need to administer treatment. An Ambulance Run does not include the routine dispatch of an ambulance vehicle to the location or address of a “Fire Run” (as defined below), when the necessity of an ambulance vehicle at such location or address does not exist and is not required to meet the requirements of a valid Ambulance Run or a Fire Run.

2) The “Minimum Ambulance Staffing” shall be defined as follows: (i) “Advanced Life Support” (ALS) units shall have a minimum of one EMT-Paramedic and one EMT-Basic (ii) “Basic Life Support” (BLS) units shall have a minimum of two EMT-Basics.

3) A “Fire Run” shall mean a fire department response with a fire protection vehicle into the assigned unincorporated area of the County where any type of extinguishing agent is applied to a fire, or when valid reasons are provided by City as to why there was no need to apply an extinguishing agent to a fire.

IV.
REIMBURSEMENT BY COUNTY

A. The County agrees to reimburse the City at the rate of FOUR HUNDRED AND FIFTY NO/100 DOLLARS (\$450.00) for each approved Ambulance Run that the City makes into the defined unincorporated area made in accordance with this Agreement.

B. In order for the City to be eligible for reimbursement for a Ambulance Run, the Ambulance Run must be to a location within the unincorporated area assigned to the City in attached **Exhibit A.** When the City receives an original call for an Ambulance Run, the City must immediately notify the County Fire Marshal by contacting the Sheriff's Department by telephone or radio. The City must file with the County Fire Marshal, not later than five (5) days after the end of the calendar month, a certified list of the Ambulance Runs made into said unincorporated areas during the preceding month. Ambulance Runs that are not to a location in the assigned unincorporated area or that have not been approved prior to mutual aid assistance call will be disallowed by the County Fire Marshal and no reimbursement will be made to the City for such Ambulance Runs.

C. The County Fire Marshal will notify the City of any response locations that cannot be located from the information provided on the run sheet and of Ambulance Runs which are not eligible for reimbursement within thirty (30) days after the receipt of said City report. If a reply is not received from the City after the second request from the County Fire Marshal, the Ambulance Run will be disallowed and not reimbursed. City will not be reimbursed for an Ambulance Run when (i) an ambulance is routinely dispatched to the same location or address of a Fire Run, (ii) the necessity for an ambulance at the location or address of a Fire Run does not exist, or (iii) an ambulance is not required to meet the requirements of a valid Ambulance Run or a Fire Run. County will reimburse City for all eligible Ambulance Runs within thirty (30) days after the end of each quarter year during the Agreement Term.

V.

FEES CHARGED TO CITIZENS

A. The City may collect from the citizens the same fee for ambulance service in the assigned unincorporated areas that it charges for like services in the City. The City shall not charge the citizens in the assigned unincorporated area more for services than it charges for like services in the City. The County shall not assist in the collection of any fees charged by the City. No reimbursement for uncollected fees shall be made by County.

B. Payment shall be for “per ambulance utilized” not for “per patient transported”. In multi-injury incidents or situations, each ambulance must transport two patients per ambulance, except in those cases where CPR is in progress or where multiple injuries involving a patient in a life-threatening situation must receive extensive personal treatment while being transported.

VI. TERMINATION

This Agreement may be terminated by either party without cause by giving the other party ninety (90) days prior written notice of the termination.

VII. LIABILITY

City and County agree to be responsible each for their own negligent acts or omissions, or other tortious conduct in the course of performance of this Agreement without waiving any sovereign immunity, governmental immunity or other defenses available to the parties under federal or State law. Nothing in this paragraph shall be construed to create or grant any rights, contractual or otherwise, in or to any third persons or entities. All parties agree that any such liability or damages occurring during the performance of this Agreement caused by the joint or comparative negligence of the parties, or their employees, agents or officers, shall be determined in accordance with comparative responsibility laws of Texas.

City acknowledges and agrees that County is prohibited by Article XI, Section 7 of the Texas Constitution from indemnifying City or any other third party for damages arising under this Agreement.

**VIII.
NOTICE**

Any notice or certification provided for in this Agreement to be given by either party to the other shall be required to be in writing and shall be deemed given when personally delivered or within three (3) business days after being deposited in the United States mail, postage prepaid, certified, return receipt requested or registered addressed as follows:

To County: Dallas County Fire Marshal
George Allen Building
600 Commerce Street RM B-15
Dallas, Texas 75202

To City: Fire Chief Rob Franklin
Lancaster Fire & Rescue
1650 N. Dallas Ave
Lancaster, Texas 75134

**IX.
MISCELLANEOUS**

A. **Applicable Law.** This Agreement is expressly made subject to County's Sovereign Immunity, Title 5 of the Texas Civil Remedies Code and all applicable laws. This Agreement and all matters pertinent thereto shall be construed and enforced in accordance with the laws of the State of Texas and venue shall lie exclusively in Dallas County, Texas.

B. **Entire Agreement.** This Agreement including all Exhibits, and Addendum, constitutes the entire agreement between the parties hereto and may only be modified or amended by an instrument in writing executed by the parties hereto, except for changes to **Exhibit A** as discussed in Section I above.

C. **Binding Effect.** This Agreement and the respective rights and obligations of the parties hereto shall insure to the benefit of and be binding upon the successors and assigns of the parties hereto as

well as the parties themselves, provided, however, that County, its successors and assigns shall be obligated to perform County's covenants under this Agreement only during, and in respect of their successive periods as County during the Term of this Agreement.

D. Fiscal Funding. Notwithstanding any provisions contained in this Agreement, the obligations of the County under this Agreement are expressly contingent upon the availability of funding for each item and obligation for the Term of the Agreement and any pertinent extensions. City shall have no right of action against County in the event County is unable to fulfill its obligations under this Agreement as a result of lack of sufficient funding for any item or obligation from any source utilized to fund this Agreement or failure to budget or authorize funding for this Agreement during the current or future fiscal years. In the event that County is unable to fulfill its obligations under this Agreement as a result of lack of sufficient funding, or if funds become unavailable, County, at its sole discretion, may provide funds from a separate source or may terminate this Agreement by written notice to City at the earliest possible time.

E. Severability. If any provision of this Agreement shall be held invalid, void or unenforceable, the remaining provisions hereof shall not be affected or impaired, and such remaining provisions shall remain in full force and effect.

F. Number and Gender. Words of any gender used in this Agreement shall be held and construed to include any other gender and words in the singular shall include the plural and vice versa, unless the context clearly requires otherwise.

G. Counterparts. This Agreement may be executed in multiple counterparts, each of which shall be deemed an original, but all of which shall constitute one and the same instrument.

H. This Agreement shall not become effective until approved by a City Resolution and a Commissioners Court Order. A Copy of the respective Resolution and Order will be furnished to each signing entity.

By their signatures below, the duly authorized representatives of City and County accept the terms of this Agreement in full.

EXECUTED this the _____ day of _____, 2016.

COUNTY:

CITY:

BY: _____
Clay Lewis Jenkins
Dallas County Judge

BY: _____
Opal Mauldin-Robertson
Mayor of Lancaster
City Manager

RECOMMENDED:

BY: _____
Darryl Martin – Dallas County Court Administrator

BY: _____

Robert De Los Santos - Dallas County Fire Marshal

APPROVED AS TO FORM*:

SUSAN HAWK
CRIMINAL DISTRICT ATTORNEY

BY: _____

Randall Miller
Assistant District Attorney

** By law, the Dallas County District Attorney's Office may only advise or approve contracts or legal documents on behalf of its clients. It may not advise or approve a contract or legal document of other parties. Our review of this document was conducted solely from the legal perspective of our client. Our approval of this document was offered solely for the benefit of our client. Other parties should not rely on this approval, and should seek review and approval by their own respective attorney(s).*

EXHIBIT A

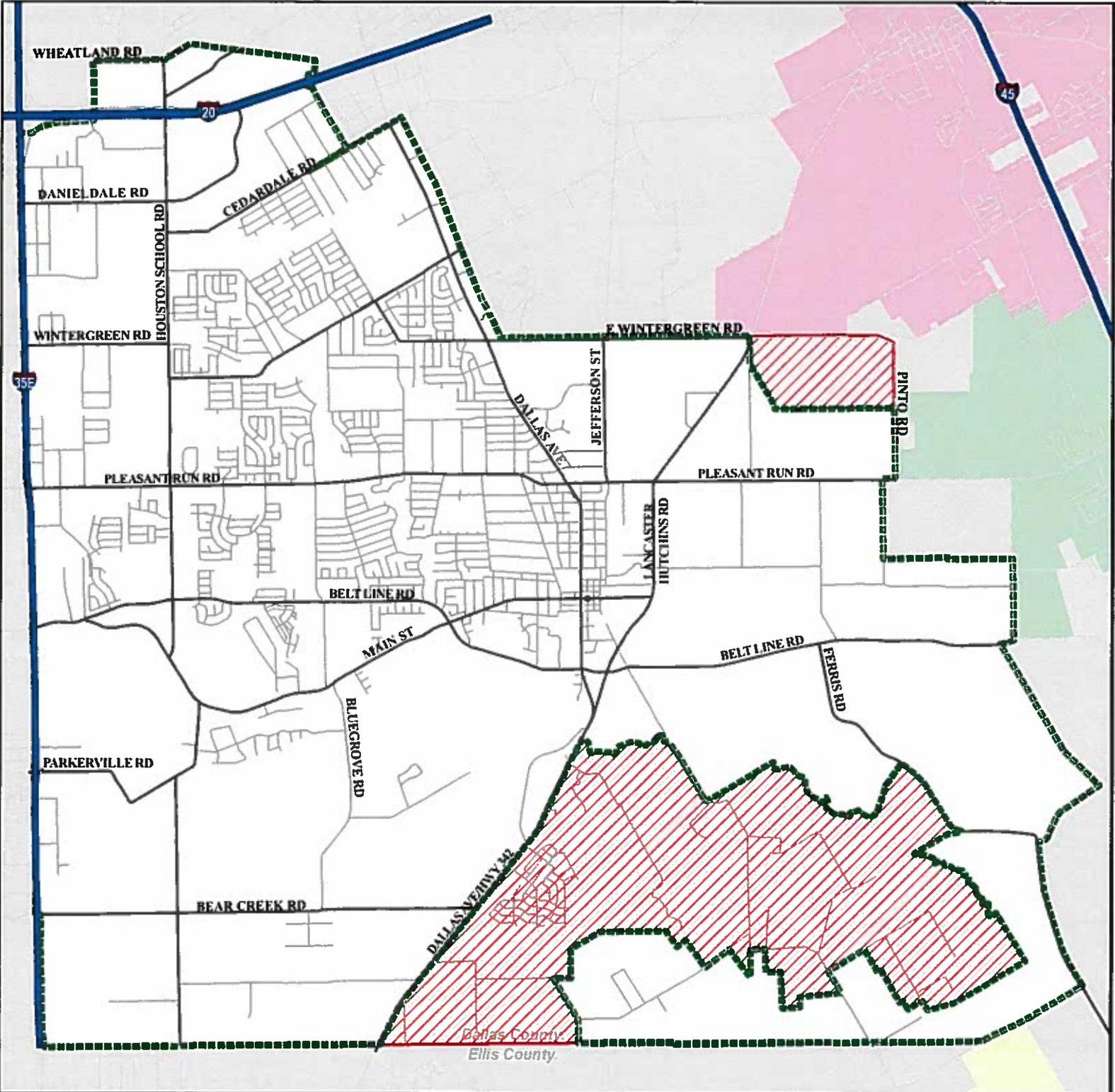
AMBULANCE RESPONSE ZONE MAP

City of Lancaster
 LFD - County
 Response Area
 ESN #267



Legend

-  Lancaster City Limits
-  County Response Area
-  Ferris
-  Hutchins
-  Wilmer



LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 4.

Meeting Date: 08/22/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda

Goal(s): Financially Sound Government
Healthy, Safe & Vibrant Community

Submitted by: Rona Stringfellow, Assistant City Manager

Agenda Caption:

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.

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 South side of Cedardale Road and on the east side 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 Boardwalk PID is proposing a decrease in their annual assessment from \$0.2400 to \$0.2000.

Operational Considerations:

All PID's require the Finance Department to 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 Considerations:

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.

Public Information Considerations:

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 August 7, 2016 and notices mailed to property owner of record on August 10, 2016 as required by Local Government Code Chapter 372.

Fiscal Impact:

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 2016/2017 proposed service plan budget is \$154,108.03 and assessments are proposed at \$0.2000 per one hundred dollars assessed valuation.

Options/Alternatives:

1. Close the public hearing and place the item on the August 29, 2016 regular meeting for consideration.
2. Continue the public hearing to the August 29, 2016 regular meeting.

Recommendation:

Staff recommends closing the public hearing and placing the item on the August 29, 2016 regular meeting for consideration.

Attachments

Ordinance

Exhibit A

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 22, 2016 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 22nd day of August, 2016, the City Council closed the public hearing; and on the 29th day of August, 2016, 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 her 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 \$0.2000 per \$100 of valuation through the assessment established for fiscal year 2016/2017; 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 2016/2017 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 this the 29th day of August, 2016.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Marcus E. Knight, Mayor

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

Account	Description	2017 Budget	2018 Budget	2019 Budget	2020 Budget	2021 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	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
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
Subtotal:		21,100.00	21,100.00	21,100.00	21,100.00	21,100.00
64-0301-04-00	MAINT-BLDGS & STRUCTURES	3,330.80	3,330.80	3,330.80	3,330.80	3,330.80
64-0303-04-00	MAINTENANCE-MISCELLANEOUS	11,000.00	11,000.00	11,000.00	11,000.00	11,000.00
64-0305-04-00	MAINT-CLEANOUT	500.00	500.00	500.00	500.00	500.00
64-0351-04-00	MISC. MAINTENANCE	20,000.00	20,000.00	20,000.00	20,000.00	20,000.00
64-0371-04-00	LANDSCAPING REPAIR & MAINT	22,000.00	22,000.00	22,000.00	22,000.00	22,000.00
64-0372-04-00	IRRIGATION SYS REPAIR & MAINT	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00
Subtotal:		71,830.80	71,830.80	71,830.80	71,830.80	71,830.80
64-0403-04-00	INSURANCE	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00
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	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
64-0421-04-00	PRINTING	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
64-0423-04-00	CONTRACT MOWING	250.00	250.00	250.00	250.00	250.00
64-0434-04-00	SPECIAL EVENTS	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
64-0436-04-00	IMPROVEMENTS BY CONTRACTORS	27,247.23	27,247.23	27,247.23	27,247.23	27,247.23
64-0437-04-00	AUDIT SERVICES	750.00	750.00	750.00	750.00	750.00
64-0446-04-00	LEGAL SERVICES	500.00	500.00	500.00	500.00	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
Subtotal:		60,177.23	60,177.23	60,177.23	60,177.23	60,177.23
64-0537-04-00	DALLAS COUNTY TAX COLL SVCS	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
Subtotal:		1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
Program number:		154,108.03	154,108.03	154,108.03	154,108.03	154,108.03
Department number:	OPERATIONS	154,108.03	154,108.03	154,108.03	154,108.03	154,108.03
Fund number:	64 BOARDWALK PID	154,108.03	154,108.03	154,108.03	154,108.03	154,108.03

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

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 5.

Meeting Date: 08/22/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda

Goal(s): Healthy, Safe & Vibrant Community

Submitted by: Rona Stringfellow, Assistant City Manager

Agenda Caption:

Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Pleasant Run Estates Phase 1-A Public Improvement District.

Background:

Pleasant Run Estates, Phase 1-A is an established subdivision consisting of approximately 30.44 acres generally located on the north side of Pleasant Run 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 Pleasant Run Estates, Phase 1-A PID is proposing an annual assessment of \$0.1800 per \$100 assessed value.

Operational Considerations:

All PID's require the Finance Department to 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 Considerations:

The notice of public hearing was posted 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 by the City Attorney.

Public Information Considerations:

City Council is required to conduct 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 August 7, 2016 and notices mailed to the property owner of record on July 21, 2016 as required by Local Government Code Chapter 372.

Fiscal Impact:

The PID is not expecting 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 open space and common areas. The 2016/2017 proposed service plan budget is \$25,880.00 and assessments are proposed at \$0.1800 per one hundred dollars assessed valuation.

Options/Alternatives:

1. Close the public hearing and place the item on the August 29, 2016 regular meeting for consideration.
2. Continue the public hearing to the August 29, 2016 regular meeting.

Attachments

Ordinance

Exhibit A

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 PLEASANT RUN ESTATES PHASE 1-A 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. 2016-08-63 passed on August 8, 2016, after the conduct of a duly notified public hearing, the City Council established the Pleasant Run Estates Phase 1-A Public Improvement District (the "District"); and

WHEREAS, on August 8, 2016 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 22nd day of August, 2016, the City Council closed the public hearing; and 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 her 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 \$0.1800 per \$100 of valuation through the assessment established for 2016/2017; 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 2016/2017 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 this the 22nd day of August, 2016.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Marcus E. Knight, Mayor

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

Fund: 61 PLEASANT RUN ESTATES - PID

Department: 4 OPERATIONS

Program:

Period Ending: 8/2016

Account	Description	2017 Budget	2018 Budget	2019 Budget	2020 Budget	2021 Budget
61-0201-04-00	SUPPLIES	150.00	150.00	150.00	200.00	200.00
61-0211-04-00	MISCELLANEOUS	150.00	250.00	150.00	200.00	200.00
61-0214-04-00	POSTAGE	200.00	250.00	300.00	250.00	250.00
61-0225-04-00	LANDSCAPING	600.00	900.00	900.00	900.00	900.00
Subtotal:		1,100.00	1,550.00	1,500.00	1,550.00	1,550.00
61-0303-04-00	MAINTENANCE-MISCELLANEOUS	100.00	200.00	200.00	250.00	250.00
61-0305-04-00	MAINTENANCE-CLEANOUT	100.00	150.00	150.00	200.00	200.00
61-0351-04-00	MISC. MAINTENANCE	100.00	100.00	100.00	200.00	200.00
61-0371-04-00	LANDSCAPING REPAIR & MAINT	6,000.00	6,000.00	6,000.00	6,100.00	6,100.00
61-0372-04-00	IRRIGATION SYS REPAIR & MAINT	500.00	500.00	500.00	900.00	900.00
Subtotal:		6,800.00	6,950.00	6,950.00	7,650.00	7,650.00
61-0403-04-00	INSURANCE	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00
61-0410-04-00	UTILITIES - ELECTRICITY	500.00	800.00	800.00	900.00	900.00
61-0411-04-00	WATER PURCHASES PID	4,500.00	4,500.00	4,500.00	5,000.00	5,000.00
61-0423-04-00	CONTRACT MOWING	150.00	150.00	150.00	200.00	200.00
61-0434-04-00	SPECIAL EVENTS	750.00	750.00	750.00	800.00	800.00
61-0437-04-00	AUDIT SERVICES	300.00	300.00	300.00	200.00	200.00
61-0446-04-00	LEGAL SERVICES	500.00	500.00	500.00	500.00	500.00
61-0450-04-00	Administrative Management Fee	7,200.00	7,200.00	7,300.00	7,300.00	7,300.00
61-0452-04-00	FILING FEES	80.00	80.00	80.00	80.00	80.00
Subtotal:		17,980.00	18,280.00	18,380.00	18,980.00	18,980.00
Program number:		25,880.00	26,780.00	26,830.00	28,180.00	28,180.00
Department number: OPERATIONS		25,880.00	26,780.00	26,830.00	28,180.00	28,180.00
Fund number: 61 PLEASANT RUN ESTATES - PID		25,880.00	26,780.00	26,830.00	28,180.00	28,180.00
***** End of Report *****						

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 6.

Meeting Date: 08/22/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda

Goal(s): Financially Sound Government
Healthy, Safe & Vibrant Community

Submitted by: Rona Stringfellow, Assistant City Manager

Agenda Caption:

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.

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.

Operational Considerations:

All PID's require the Finance Department to 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 Considerations:

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.

Public Information Considerations:

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 August 7, 2016 and notices mailed to property owner of record on August 10, 2016 as required by Local Government Code Chapter 372.

Fiscal Impact:

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 2016/2017 proposed service plan budget is \$182,219.36 and assessments are proposed at \$.1000 per one hundred dollars assessed valuation.

Options/Alternatives:

1. Close the public hearing and place the item on the August 29, 2016 regular meeting for consideration.
2. Continue the public hearing to the August 29, 2016 regular meeting.

Recommendation:

Staff recommends closing the public hearing and placing the item on the August 29, 2016 regular meeting for consideration.

Attachments

Ordinance

Exhibit A

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 22, 2016 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 22nd day of August, 2016, the City Council closed the public hearing; and on the 29th day of August, 2016, 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 her 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 2016/2017; 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 2016/2017 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 this the 29th day of August, 2016.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Marcus E. Knight, Mayor

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

Account	Description	2017 Budget	2018 Budget	2019 Budget	2020 Budget	2021 Budget
62-0201-04-00	SUPPLIES	250.00	250.00	250.00	250.00	250.00
62-0210-04-00	FOOD/BEVERAGE-MTGS/FUNCTIONS	3,600.00	3,600.00	3,600.00	3,600.00	3,600.00
62-0211-04-00	MISCELLANEOUS	1,906.49	4,240.07	4,240.07	4,240.07	4,240.07
62-0214-04-00	POSTAGE	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
62-0225-04-00	LANDSCAPING	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00
Subtotal:		14,756.49	17,090.07	17,090.07	17,090.07	17,090.07
62-0305-04-00	MAINTENANCE - CLEANOUT	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00
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	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
Subtotal:		10,175.00	10,175.00	10,175.00	10,175.00	10,175.00
62-0403-04-00	INSURANCE	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00
62-0410-04-00	UTILITIES - ELECTRICITY	800.00	800.00	800.00	800.00	800.00
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	1,600.00	1,600.00	1,600.00	1,600.00	1,600.00
62-0422-04-00	COMPUTER PROFESSIONAL SERVICES	362.88	362.88	362.88	362.88	362.88
62-0423-04-00	CONTRACT MOWING	20,000.00	20,000.00	20,000.00	20,000.00	20,000.00
62-0434-04-00	SPECIAL EVENTS	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
62-0436-04-00	IMPROVEMENTS BY CONTRACTORS	105,000.00	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
62-0450-04-00	ADMINISTRATIVE MANAGEMENT FEE	600.00	600.00	600.00	600.00	600.00
62-0456-04-00	NEWSLETTER	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
62-0469-04-00	STORAGE	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
Subtotal:		154,862.88	69,862.88	69,862.88	69,862.88	69,862.88
62-0511-04-00	PROPERTY TAXES PAID BY PID	25.00	25.00	25.00	25.00	25.00
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:		2,425.00	2,425.00	2,425.00	2,425.00	2,425.00
Program number:		182,219.37	99,552.95	99,552.95	99,552.95	99,552.95
Department number:	OPERATIONS	182,219.37	99,552.95	99,552.95	99,552.95	99,552.95
Fund number:	62 MEADOWVIEW - PID	182,219.37	99,552.95	99,552.95	99,552.95	99,552.95
***** End of Report *****						

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 7.

Meeting Date: 08/22/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda

Goal(s): Financially Sound Government
Healthy, Safe & Vibrant Community

Submitted by: Rona Stringfellow, Assistant City Manager

Agenda Caption:

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.

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.

Operational Considerations:

All PID's require the Finance Department to 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 Considerations:

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.

Public Information Considerations:

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 August 7, 2016 and notices mailed to the property owner of record on August 10, 2016 as required by Local Government Code Chapter 372.

Fiscal Impact:

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 2016/2017 proposed service plan budget is \$34,378.47 and assessments are proposed at \$0.2500 per one hundred dollars assessed valuation.

Options/Alternatives:

1. Close the public hearing and place the item on the August 29, 2016 regular meeting for consideration.
2. Continue the public hearing to the August 29, 2016 regular meeting.

Recommendation:

Staff recommends closing the public hearing and placing the item on the August 29, 2016 regular meeting for consideration.

Attachments

Ordinance

Exhibit A

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 22, 2016 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 22nd day of August, 2016, the City Council closed the public hearing; and on the 29th day of August, 2016, 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 her 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 2016/2017; 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 2016/2017 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 this the 29th day of August, 2016.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Marcus E. Knight, Mayor

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

glbase_pid kb4103

City of Lancaster

Five Year Budget

12:37 08/08/16

Fund: 57 ROLLING MEADOWS - PID

Department: 4 OPERATIONS

Program:

Period Ending: 8/2016

Account	Description	2017 Budget	2018 Budget	2019 Budget	2020 Budget	2021 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	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00
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	1,350.00	1,350.00	1,350.00	1,350.00	1,350.00
57-0372-04-00	IRRIGATION MAINT & REPAIRS	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
Subtotal:		6,550.00	6,550.00	6,550.00	6,550.00	6,550.00
57-0403-04-00	CASUALTY INSURANCE	2,300.00	2,300.00	2,300.00	2,300.00	2,300.00
57-0407-04-00	TAXES	300.00	300.00	300.00	300.00	300.00
57-0410-04-00	UTILITIES - ELECTRICITY	1,400.00	1,400.00	1,400.00	1,400.00	1,400.00
57-0411-04-00	WATER PURCHASE PID	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00
57-0421-04-00	PRINTING	100.00	100.00	100.00	100.00	100.00
57-0423-04-00	CONTRACT MOWING	9,450.23	9,450.00	9,450.00	9,450.00	9,450.00
57-0434-04-00	SPECIAL EVENTS	1,558.24	1,558.00	1,558.00	1,558.00	1,558.00
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:		27,008.47	27,008.00	27,008.00	27,008.00	27,008.00
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:		34,378.47	34,378.00	34,378.00	34,378.00	34,378.00
Department number: OPERATIONS		34,378.47	34,378.00	34,378.00	34,378.00	34,378.00
Fund number: 57 ROLLING MEADOWS - PID		34,378.47	34,378.00	34,378.00	34,378.00	34,378.00
***** End of Report *****						

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 8.

Meeting Date: 08/22/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda

Goal(s): Financially Sound Government
Healthy, Safe & Vibrant Community

Submitted by: Rona Stringfellow, Assistant City Manager

Agenda Caption:

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.

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.

Operational Considerations:

All PID's require the Finance Department to 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 Considerations:

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.

Public Information Considerations:

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 August 7, 2016 and notices mailed to property owner of record on August 10, 2016 as required by Local Government Code Chapter 372.

Fiscal Impact:

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 2016/2017 proposed service plan budget is \$29,193.00 and assessments are proposed at \$0.2400 per one hundred dollars assessed valuation.

Options/Alternatives:

1. Close the public hearing and place the item on the August 29, 2016 regular meeting for consideration.
2. Continue the public hearing to the August 29, 2016 regular meeting.

Recommendation:

Staff recommends closing the public hearing and placing the item on the August 29, 2016 regular meeting for consideration.

Attachments

Ordinance

Exhibit A

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 22, 2016 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 22nd day of August, 2016, the City Council closed the public hearing; and on the 29th day of August, 2016, 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 her 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 2016/2017; 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 2016/2017 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 this the 29th day of August, 2016

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Marcus E. Knight, Mayor

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

Fund: 54 GLENDOVER ESTATES - PID

Department: 4 OPERATIONS

Program:

Period Ending: 8/2016

Account	Description	2017 Budget	2018 Budget	2019 Budget	2020 Budget	2021 Budget
54-0201-04-00	OFFICE SUPPLIES	500.00	500.00	500.00	500.00	500.00
54-0210-04-00	FOOD/BEVERAGE-MTGS/FUNCTIONS	100.00	100.00	100.00	100.00	100.00
54-0211-04-00	MISCELLANEOUS	100.00	100.00	100.00	100.00	100.00
54-0214-04-00	POSTAGE	75.00	75.00	75.00	75.00	75.00
54-0225-04-00	LANDSCAPING	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
Subtotal:		2,775.00	2,775.00	2,775.00	2,775.00	2,775.00
54-0301-04-00	MAINT-BLDGS & STRUCTURES	500.00	500.00	500.00	500.00	500.00
54-0351-04-00	MISC. MAINTENANCE	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
54-0372-04-00	IRRIGATION SYS REPAIR & MAINT	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
Subtotal:		4,000.00	4,000.00	4,000.00	4,000.00	4,000.00
54-0403-04-00	CASUALTY INSURANCE	1,550.00	1,550.00	1,550.00	1,550.00	1,550.00
54-0410-04-00	UTILITIES - ELECTRICITY	750.00	750.00	750.00	750.00	750.00
54-0411-04-00	WATER PURCHASE PID	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00
54-0421-04-00	PRINTING	38.00	38.00	38.00	38.00	38.00
54-0423-04-00	CONTRACT MOWING	9,310.00	9,310.00	9,310.00	9,310.00	9,310.00
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:		23,278.00	23,278.00	23,278.00	23,278.00	23,278.00
54-0537-04-00	DALLAS COUNTY TAX COLL SVCS		300.00	300.00	300.00	300.00
Subtotal:			300.00	300.00	300.00	300.00
Program number:		30,053.00	30,353.00	30,353.00	30,353.00	30,353.00
Department number: OPERATIONS		30,053.00	30,353.00	30,353.00	30,353.00	30,353.00
Fund number: 54 GLENDOVER ESTATES - PID		30,053.00	30,353.00	30,353.00	30,353.00	30,353.00
***** End of Report *****						

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 9.

Meeting Date: 08/22/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda

Goal(s): Financially Sound Government
Healthy, Safe & Vibrant Community

Submitted by: Rona Stringfellow, Assistant City Manager

Agenda Caption:

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.

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.

Operational Considerations:

All PID's require the Finance Department to 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 Considerations:

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.

Public Information Considerations:

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 August 7, 2016 and notices mailed to the property owner of record on August 10, 2016 as required by Local Government Code Chapter 372.

Fiscal Impact:

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 2016/2017 proposed service plan budget is \$41,263.00 and assessments are proposed at \$0.1500 per one hundred dollars assessed valuation.

There was a reduction in the assessment rate from \$0.18 to \$0.15.

Options/Alternatives:

1. Close the public hearing and place the item on the August 29, 2019 regular meeting for consideration.
2. Continue the public hearing to the August 29, 2019 regular meeting.

Recommendation:

Staff recommends closing the public hearing and placing the item on the August 29, 2016 regular meeting for consideration.

Attachments

Ordinance

Exhibit A

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 22, 2016 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 22nd day of August 2016, the City Council closed the public hearing; and on the 29th day of August, 2016 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 her 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 \$0.15 per \$100 of assessed valuation through the assessment established for fiscal year 2016/2017; 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 2016/2017 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 this the 29th day of August, 2016.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Marcus E. Knight, Mayor

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

Account	Description	2017 Budget	2018 Budget	2019 Budget	2020 Budget	2021 Budget
63-0201-04-00	SUPPLIES	600.00	600.00	300.00	600.00	600.00
63-0211-04-00	MISCELLANEOUS	250.00	250.00	250.00	250.00	250.00
63-0214-04-00	POSTAGE	300.00	300.00	600.00	300.00	300.00
Subtotal:		1,150.00	1,150.00	1,150.00	1,150.00	1,150.00
63-0351-04-00	MISC. MAINTENANCE	2,671.00	2,671.00	2,671.00	2,671.00	2,671.00
63-0371-04-00	LANDSCAPING REPAIR & MAINT	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
63-0372-04-00	IRRIGATIONS SYS REPAIR & MAINT	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
Subtotal:		5,171.00	5,171.00	5,171.00	5,171.00	5,171.00
63-0403-04-00	INSURANCE	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00
63-0411-04-00	WATER PURCHASES PID	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00
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
63-0434-04-00	SPECIAL EVENTS	300.00	300.00	300.00	300.00	300.00
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:		34,442.00	34,442.00	34,442.00	34,442.00	34,442.00
63-0537-04-00	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:		41,263.00	41,263.00	41,263.00	41,263.00	41,263.00
Department number: OPERATIONS		41,263.00	41,263.00	41,263.00	41,263.00	41,263.00
Fund number: 63 MILLBROOK EAST PID		41,263.00	41,263.00	41,263.00	41,263.00	41,263.00
***** End of Report *****						

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 10.

Meeting Date: 08/22/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda

Goal(s): Financially Sound Government
Healthy, Safe & Vibrant Community
Sound Infrastructure

Submitted by: Rona Stringfellow, Assistant City Manager

Agenda Caption:

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.

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.

Operational Considerations:

All PID's require the Finance Department to 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 Considerations:

The notice of public hearing was mailed to each property owner of record and posted in a 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.

Public Information Considerations:

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 August 7, 2016 and notices mailed to property owner of record on August 10, 2016 as required by Local Government Code Chapter 372.

Fiscal Impact:

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 2016/2017 proposed service plan budget is \$32,750.00 and assessments are proposed at \$0.1500 per one hundred dollars assessed valuation.

Options/Alternatives:

1. Close the public hearing and place the item on the August 29, 2016 regular meeting for consideration.
2. Continue the public hearing to the August 29, 2016 regular meeting.

Recommendation:

Staff recommends closing the public hearing and placing the item on the August 29, 2016 regular meeting for consideration.

Attachments

Ordinance

Exhibit A

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 22, 2016 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 22nd day of August, 2016, the City Council closed the public hearing; and on the 29th day of August, 2016 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 her 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 2016/2017; 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 2016/2017 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 this the 29th day of August, 2016.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Marcus E. Knight, Mayor

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

Account	Description	2017 Budget	2018 Budget	2019 Budget	2020 Budget	2021 Budget
60-0201-04-00	SUPPLIES	400.00	400.00	400.00	400.00	400.00
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
Subtotal:		4,400.00	4,400.00	4,400.00	4,400.00	4,400.00
60-0301-04-00	MAINT-BLDGS & STRUCTURES	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
60-0371-04-00	LANDSCAPING REPAIR & MAINT	16,163.00	16,163.00	16,163.00	16,163.00	16,163.00
60-0372-04-00	IRRIGATION SYS REPAIR & MAINT	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
Subtotal:		20,163.00	20,163.00	20,163.00	20,163.00	20,163.00
60-0403-04-00	INSURANCE	1,200.00	1,200.00	1,200.00	1,200.00	1,200.00
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	600.00	600.00	600.00	600.00	600.00
60-0423-04-00	CONTRACT MOWING	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
60-0434-04-00	SPECIAL EVENTS	137.00	137.00	137.00	137.00	137.00
60-0436-04-00	IMPROVEMENTS BY CONTRACTORS	500.00	500.00	500.00	500.00	500.00
60-0437-04-00	AUDIT SERVICES	50.00	50.00	50.00	50.00	50.00
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
Subtotal:		8,187.00	8,187.00	8,187.00	8,187.00	8,187.00
Program number:		32,750.00	32,750.00	32,750.00	32,750.00	32,750.00
Department number:	OPERATIONS	32,750.00	32,750.00	32,750.00	32,750.00	32,750.00
Fund number:	60 BELTLINE ASHMOORE - PID	32,750.00	32,750.00	32,750.00	32,750.00	32,750.00
***** End of Report *****						

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 11.

Meeting Date: 08/22/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda

Goal(s): Financially Sound Government
Healthy, Safe & Vibrant Community

Submitted by: Rona Stringfellow, Assistant City Manager

Agenda Caption:

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.

Background:

Tribute at Mills Branch and Tribute East 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.

Operational Considerations:

All PID's require the Finance Department to 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 Considerations:

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.

Public Information Considerations:

City Council is required to conduct 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 August 7, 2016 and notices mailed to the property owner of record August 10, 2016 as required by Local Government Code Chapter 372.

Fiscal Impact:

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 2016/2017 proposed service plan budget is \$21,271 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.

Options/Alternatives:

1. Close the public hearing and place the item on the August 29, 2016 regular meeting for consideration.
2. Continue the public hearing to the August 29, 2016 regular meeting.

Recommendation:

Staff recommends closing the public hearing and placing the item on the August 29, 2016 regular meeting for consideration.

Attachments

Ordinance

Exhibit A

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 22, 2016 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 22nd day of August, 2016, the City Council closed the public hearing; and on the 29th day of August, 2016, 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 her 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 2016/2017; 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 2016/2017 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 this the 29th day of August, 2016

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Marcus E. Knight, Mayor

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

Fund: 55 TRIBUTE MILLS - PID

Department: 4 OPERATIONS

Program:

Period Ending: 8/2016

Account	Description	2017 Budget	2018 Budget	2019 Budget	2020 Budget	2021 Budget
55-0201-04-00	SUPPLIES	300.00	300.00	300.00	300.00	300.00
55-0214-04-00	POSTAGE	580.00	580.00	580.00	580.00	580.00
Subtotal:		880.00	880.00	880.00	880.00	880.00
55-0403-04-00	INSURANCE	1,400.00	1,400.00	1,400.00	1,400.00	1,400.00
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	17,652.00	17,652.00	17,652.00	17,652.00	17,652.00
55-0437-04-00	AUDIT SERVICES	300.00	300.00	300.00	300.00	300.00
Subtotal:		20,391.00	20,391.00	20,391.00	20,391.00	20,391.00
Program number:		21,271.00	21,271.00	21,271.00	21,271.00	21,271.00
Department number: OPERATIONS		21,271.00	21,271.00	21,271.00	21,271.00	21,271.00
Fund number: 55 TRIBUTE MILLS - PID		21,271.00	21,271.00	21,271.00	21,271.00	21,271.00
***** End of Report *****						

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 12.

Meeting Date: 08/22/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Rona Stringfellow, Assistant City Manager

Agenda Caption:

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.

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 2016/2017 fiscal year.

Operational Considerations:

All PID's require the Finance Department to 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 Considerations:

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.

Public Information Considerations:

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 August 7, 2016 and notices mailed to property owner of record on August 10, 2016 as required by Local Government Code Chapter 372.

Fiscal Impact:

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 2016/2017 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.

Options/Alternatives:

1. Close the public hearing and place the item on the August 29, 2016 regular meeting for consideration.
2. Continue the public hearing to the August 29, 2016 regular meeting.

Recommendation:

Staff recommends closing the public hearing and placing the item on the August 29, 2016 regular meeting for consideration.

Attachments

Ordinance

Exhibit A

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 22, 2016 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 22nd day of August, 2016, the City Council closed the public hearing; and on the 29th day of August, 2016, 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 her 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 2016/2017; 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 2016/2017 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 this the 29th day of August, 2016.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Marcus E. Knight, Mayor

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

 **City of Lancaster --LANCASTER MILLS-- Five Year Service Plan - FY 16/17**



		2017	2018	2019	2020	2021
Accnt	Description					
	PROPERTY ASSESSED VALUES	\$ 1,085,580.00	\$ 1,085,580.00	\$ 1,085,580.00	\$ 1,085,580.00	\$ 1,085,580.00
	# OF LOTS	2	2	2	2	2
	ASSESSMENT RATE (PER \$100 VALUATION)	\$ -	\$ -	\$ -	\$ -	\$ -
	Total Association Assessments	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	CARRIED OVER (FUND BALANCE)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Total PID Income	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
201	OFFICE SUPPLIES	\$ -	\$ -	\$ -	\$ -	\$ -
210	FOOD/BEVERAGE-MTGS					
211	MISCELLANEOUS					
214	POSTAGE					
225	LANDSCAPING					
	Supplies Expense Sub Total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
301	MAINT-BLDGS & STRUCTURES					
303	MAINTENANCE - MISCELLANEOUS					
305	MAINTENANCE - CLEANOUT					
351	MISC. MAINTENANCE					
371	LANDSCAPING REPAIR & MAINT					
372	IRRIGATIONS SYS REPAIR & MAINT					
	Maintenance Expense Sub Total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
401	TELEPHONE & COMMUNICATIONS					
407	TAXES					
408	ADVERTISING					
409	TRAVEL & EDUCATION					
413	TRASH DISPOSAL					
416	OTHER PROFESSIONAL SERVICES					
421	PRINTING					
423	CONTRACT MOWING					
434	SPECIAL EVENTS					
436	IMPROVEMENTS BY CONTRACTORS					
437	AUDIT SERVICES					
442	COMPUTER PROFESSIONAL SERVICES					
446	LEGAL SERVICES					
450	ADMISTRATIVE MANAGEMENT FEE					
452	FILING FEES					
456	NEWSLETTER					
460	SETTLEMENT					
469	STORAGE					
493	MOVING EXPENSE					
	Services Expense Sub Total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
410	ELECTRICITY					
411	WATER					
	Utility Expense Sub Total	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
403	PROPERTY/ LIABILITY					
	D & O					
	Total Insurance Expense	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
511	PROPERTY TAXES PAID BY PID					
537	DALLAS COUNTY TAX COLL SVCS					
	Total Tax Expenses	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Department Total Expenses	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	Total Net Income/(Loss)	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 13.

Meeting Date: 08/22/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Opal Mauldin-Robertson, City Manager

Agenda Caption:

Conduct a public hearing and discuss an ordinance regarding the proposed fiscal year 2016/2017 budget for the fiscal year beginning October 1, 2016 and ending September 30, 2017; providing that expenditures for said fiscal year shall be in accordance with said budget.

Background:

State Truth-in-Taxation and the City Charter require the City of Lancaster to conduct a public hearing on the proposed annual budget. The proposed total tax rate required to provide revenue for maintenance and operations and interest and sinking fund requirements is \$0.8675 cents per \$100 assessed valuation. The approval of the proposed ordinance will adopt the FY 2016/2017 budget and appropriate necessary funds for the City's operation, maintenance and debt service requirements.

The proposed budget was presented to the Lancaster City Council at work sessions held on Monday, August 1 and August 15, 2016.

This is the first of two public hearings on the proposed budget. The second and final public hearing is scheduled for August 29, 2016 and consideration for adoption of the proposed budget is scheduled on Monday, September 12, 2016 at the Lancaster City Council Regular Meeting. A copy of the proposed budget is available for public review in the City Secretary's office.

Operational Considerations:

The proposed tax rate is \$0.8675 per \$100 assessed valuation to be assessed on taxable property to generate revenues for the maintenance, operations, interest and sinking fund requirements. The proposed maintenance and operations fund requirements (\$0.6012) and the interest and sinking fund requirements (\$0.2663) will remain the same.

Legal Considerations:

The ordinance has been reviewed and approved as to form by the City Attorney.

Public Information Considerations:

Notice regarding the public hearings was posted in accordance with state law in the City's newspaper of record, Focus Daily News on Wednesday, August 10, 2016 and on the City of Lancaster website.

Fiscal Impact:

The proposed budget is a plan for revenues and expenditures related to the operations of the City.

Options/Alternatives:

Close the public hearing and announce date, time, and location of the final public hearing set for Monday, August 29, 2016 and vote on the proposed FY 2016-2017 budget Monday, September 12, 2016 at 7:00 p.m. at Lancaster Municipal Center, Council Chambers 211 North Henry Street, Lancaster, Texas.

Recommendation:

Staff recommends closing the public hearings and announcing the final public hearing to be held on Monday, August 29, 2016 at 7:00 p.m. at Lancaster Municipal Center Council Chambers located at 211 North Henry Street, Lancaster, Texas.

Attachments

Ordinance

Fund Summary

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2016 AND ENDING SEPTEMBER 30, 2017; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE IN ACCORDANCE WITH SAID BUDGET; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, , the City Manager of the City of Lancaster has submitted to the City Council a proposed budget of the revenues and expenditures for conducting the affairs of the City and providing a complete financial plan for fiscal year 2016-2017; and

WHEREAS, , the City Council has received the City Manager's proposed budget, a copy of which proposed budget has been filed with the City Secretary of the City of Lancaster;

WHEREAS, THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$2,448,103 OR 15.75%, AND OF THAT AMOUNT, \$550,980 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.

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

SECTION 1. That the Budget of the revenues and expenditures necessary for conducting the affairs of the City of Lancaster and providing a financial plan for the ensuing fiscal year beginning October 1, 2016 and ending September 30, 2017, as submitted by the City Manager, be and the same is hereby adopted as the Budget of the City of Lancaster for the fiscal year beginning October 1, 2016 and ending September 30, 2017.

SECTION 2. That the appropriation for the fiscal year including the budgets of the Lancaster Economic Development Corporation (Type A) and Lancaster Recreational Development Corporation (Type B), which are hereby approved beginning October 1, 2016, and ending September 30, 2017, for the various funds and purposes of the City of Lancaster, which is attached hereto and incorporated herein as Exhibit A and is summarized as follows:

<u>FY 2016-2017</u>	
<u>Fund</u>	<u>Budget Expenditures</u>
General Fund	\$24,183,595
G.O. Debt Service	\$4,718,311
Water/Wastewater	\$13,166,329
Airport	\$503,403
Hotel/Motel	\$61,345
LEDC/4A	\$1,267,399
LRDC/4B	\$2,919,057
Golf Course	\$83,075
Sanitation	\$1,792,542
E911	\$185,762
Stormwater	\$1,256,203
Total	\$50,173,022

SECTION 3. Those expenditures during the fiscal year shall be made in accordance with the budget approved by this ordinance and made part hereof for all purposes unless otherwise authorized by a duly enacted ordinance of the City.

SECTION 4. That all notices and public hearings required by law have been duly completed.

SECTION 5. That all provisions of the ordinances of the City of Lancaster in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other provisions of the ordinances of the City of Lancaster not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 6. That should any sentence, paragraph, subdivision, clause, phase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 12th day of September, 2016.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Marcus E. Knight, Mayor

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

CITY-WIDE OPERATING FUND TOTALS

Fund Summary as of: 7/30/2016

TOTAL REVENUES		2014	2015	2016		2017
Fund Number	Fund	Actual	Actual	Year to Date	Budget	Proposed
	1 General Fund	20,138,619	23,044,626	20,976,121	21,313,275	23,441,407
	2 G.O. Debt Service	5,135,587	24,171,833	4,827,473	4,971,115	5,834,673
	5 WaterWastewater	15,022,936	17,088,652	13,798,712	14,280,548	14,404,548
	9 Airport	459,379	355,996	349,378	467,090	463,190
	14 HotelMotel	109,760	145,711	78,757	75,525	58,844
	16 LEDC/4A	1,046,950	1,111,038	904,250	900,190	966,625
	17 LRDC/4B	2,824,608	2,990,730	2,302,306	2,365,700	2,406,650
	18 Golf Course	83,154	72,115	56,734	106,282	65,200
	19 Sanitation	2,231,290	2,306,871	1,923,526	1,925,379	2,158,880
	20 HAP	247	35,952	-	-	-
	21 E911	294,178	307,317	243,061	229,984	215,984
	53 Stormwater	1,463,130	1,482,502	1,230,214	1,460,000	1,260,000
Total		\$ 48,809,839	\$ 73,113,343	\$ 46,690,531	\$ 48,095,088	\$ 51,276,002
TOTAL EXPENDITURES		2014	2015	2016		2017
Fund Number	Fund	Actual	Actual	Year to Date	Budget	Proposed
	1 General Fund	19,963,428	22,008,984	19,751,252	22,160,564	24,183,595
	2 G.O. Debt Service	5,090,139	23,967,095	3,586,534	4,402,227	4,718,311
	5 WaterWastewater	12,986,441	13,936,806	11,706,817	13,169,541	13,166,329
	9 Airport	446,587	470,916	352,892	503,796	503,403
	14 HotelMotel	43,812	43,861	37,981	50,739	61,345
	16 LEDC/4A	699,423	679,729	550,601	1,009,443	1,267,399
	17 LRDC/4B	2,725,492	2,860,689	2,287,325	2,793,666	2,919,057
	18 Golf Course	149,605	141,399	49,917	120,526	83,075
	19 Sanitation	2,345,027	2,310,593	1,391,252	1,744,850	1,792,542
	20 HAP	3,626	234,221	-	-	-
	21 E911	486,727	139,993	118,121	216,973	185,762
	30 DHAP	-	(27)	-	-	-
	53 Stormwater	1,153,419	1,169,437	998,982	1,370,254	1,256,203
Total		\$ 46,093,685	\$ 67,963,694	\$ 40,831,673	\$ 47,542,579	\$ 50,137,022
Net Gain (Loss)		\$ 2,716,154	\$ 5,149,649	\$ 5,858,858	\$ 552,509	\$ 1,138,980

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 14.

Meeting Date: 08/22/2016

Policy Statement: This request supports the City Council 2016-2017 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Opal Mauldin-Robertson, City Manager

Agenda Caption:

Conduct a public hearing and discuss an ordinance regarding the proposed revenue increase from levying ad valorem taxes for fiscal year 2016/2017 at \$0.8675 per one hundred dollars assessed valuation of all taxable property within the corporate limits to provide revenues for current maintenance and operation expenses and interest and sinking fund requirements; providing due and delinquent dates; penalties and interest; providing a homestead exemption and disability exemption.

Background:

State Truth-in-Taxation law, Local Government Code and the City Charter require that an ordinance levying the ad valorem taxes be read and a public hearing held at a regular or special meeting of the Lancaster City Council.

The current tax rate for fiscal year 2016/2017 is proposed at \$0.8675 per one hundred dollars assessed valuation on taxable property within the corporate limits. These tax dollars provide revenue for current operating and maintenance expenses and interest and sinking fund requirements. The total tax revenue will increase from properties on the tax roll in the preceding tax year by \$2,448,103 or 15.75% (percentage by which the tax rate will be higher than effective tax rate calculated under Chapter 26, Tax Code.) Individual taxes may increase or decrease at a rate greater or lesser depending on the change in the taxable value of each property.

This is the first of two public hearings regarding the proposed tax rate. The second public hearing of the tax rate is scheduled for the August 29, 2016 regular Council Meeting at Lancaster Municipal Center, City Council Chambers located at 211 North Henry Street. The governing body may not adopt the tax rate at either of the public hearings.

The governing body must announce the date, time and place of the meeting at which it will officially vote on the tax rate. The vote on the tax rate is scheduled for Monday, September 12, 2016 at 7:00 p.m. at Lancaster Municipal Center, City Council Chambers located at 211 North Henry Street.

Operational Considerations:

The proposed tax rate of eighty-six seventy-five one thousandths cents (\$0.8675) on each one hundred dollars (\$100.00) assessed value of taxable property to be apportioned and distributed as follows: \$0.6012 for the purpose of maintenance and operations, and \$0.2663 for interest and sinking fund requirements.

Legal Considerations:

The required notice and vote are being held in accordance with state law and the City Charter. The ordinance has been reviewed and approved as to form by the City Attorney.

Public Information Considerations:

Public notices were published in the official City publication of record, Focus Daily News and on the City of Lancaster website. Information regarding the proposed tax rate is being made available in accordance with state law and the City Charter.

Fiscal Impact:

The proposed tax rate is to cover the cost of the maintenance and operations and interest and sinking fund requirements.

Options/Alternatives:

Announce date, time, and location of second public hearing and final vote.

Recommendation:

Staff recommends Council close the public hearing, and announce the date, time and location of the second public hearing and final vote.

The second public hearing is Monday, August 29, 2016 7:00 p.m. at the Lancaster Municipal Center, Council Chambers, 211 North Henry Street, Lancaster, Texas.

The vote is scheduled for Monday, September 12, 2016, 7:00 p.m. at the Lancaster Municipal Center, Council Chambers, 211 North Henry, Lancaster, Texas.

Attachments

Ordinance

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS LEVYING AD VALOREM TAXES FOR FISCAL YEAR 2016/2017 AT \$0.8675 PER ONE HUNDRED DOLLARS ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS TO PROVIDE REVENUES FOR CURRENT MAINTENANCE AND OPERATIONAL EXPENSES AND INTEREST AND SINKING FUND REQUIREMENTS; PROVIDING DUE AND DELINQUENT DATES; PENALTIES AND INTEREST; PROVIDING A HOMESTEAD EXEMPTION AND DISABILITY EXEMPTION; AND PROVIDING AN EFFECTIVE DATE.

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

RECITALS: On Monday, August 22, 2016 and August 29, 2016 City Council read the ordinance and conducted a public hearing to receive comment regarding the proposed ad valorem tax rate of \$0.8675 per one hundred dollars assessed valuation. # of comments was received on August 22, 2016 and # of comments was received on August 29, 2016. The public hearing and meetings were noticed in accordance with the Texas Open Meetings Act, Tax Code, Truth-In-Taxation and Lancaster Home Rule Charter.

SECTION 1. There be and is hereby levied for the fiscal year 2016/2017 on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Lancaster, Texas, and not exempt by the Constitution of the State and valid State laws, a tax of eighty-six and seventy-five one thousandths cents (\$0.8675) on each one hundred dollars (\$100.00) assessed value of taxable property, and shall be apportioned and distributed as follows: \$0.6012 for the purpose of paying maintenance and operation, and, defraying the expenses of current operations, and \$0.2663 for interest and sinking fund requirements of the municipal government of the City.

SECTION 2. THAT THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

SECTION 3. THAT THE TAX RATE WILL EFFECTIVELY BE RAISED BY 11.98 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$0.00.

SECTION 4. All ad valorem taxes shall become due and payable on October 1, 2016, and all ad valorem taxes for fiscal year 2015/2016 shall become delinquent after January 31, 2017. If any person fails to pay the ad valorem taxes on or before the 31st day of January 2017, the penalties and interest as set forth under Section 33.01 of the Texas State Property Tax Code shall apply.

SECTION 5. Taxes are payable to the Dallas County Tax Assessor-Collector, Records Building, Dallas, Texas, by contract dated November 12, 2001 and amended April 2014. The City shall have available all the rights and remedies provided by law for the enforcement of the collection of taxes levied under this ordinance.

SECTION 6. The tax rolls as presented to the City Council, together with any supplement thereto, be and the same are hereby approved.

SECTION 7. All delinquent taxes shall accrue interest at the rate of one percent (1%) per month, in addition to the penalties provided for herein. All taxes that remain delinquent on July 1st of the year in which they become delinquent shall incur an additional penalty to defray costs of collection, of an amount not to exceed 20% of the amount of taxes, penalty and interest due.

SECTION 8. In accordance with the Texas State Property Tax Code, and effective with the passage of the ordinance, there is hereby provided an exemption of \$30,000 on homestead property for those head-of-household persons who have attained the age of 65 years prior to January 1, 2017 and an exemption of \$30,000 on disability designations in accordance with State law.

SECTION 9. This Ordinance shall become effective upon its adoption as the law in such cases provides.

SECTION 10. All recitals are incorporated herein by reference as if fully written.

12th day of September, 2016.

ATTEST:

Sorangel O. Arenas, City Secretary

APPROVED:

Marcus E. Knight, Mayor

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 15.

Meeting Date: 08/22/2016

Policy Statement: This request supports the City Council 2015-2016 Policy Agenda

Goal(s): Professional & Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

City Council shall convene into closed executive pursuant to § 551.072 of the Texas Government Code, discuss and deliberate the acquisition, purchase, exchange, lease or value of real property as deliberation in this open meeting would have a detrimental effect of the position of the City of Lancaster in negotiations with third persons.

Background:

Executive Session matters.

LANCASTER CITY COUNCIL

City Council Regular Meeting

Item 16.

Meeting Date: 08/22/2016

Policy Statement: This request supports the City Council 2015-2016 Policy Agenda

Goal(s): Professional & Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Reconvene into open session. Consider and take appropriate action(s), if any, on closed/executive session matters.

Background:

This agenda item allows City Council to take action necessary, if any, on item(s) discussed in Executive Session.