



**NOTICE OF REGULAR MEETING AGENDA**  
**LANCASTER CITY COUNCIL**  
**MUNICIPAL CENTER CITY COUNCIL CHAMBERS**  
**211 N. HENRY STREET, LANCASTER, TEXAS**  
**Monday, September 12, 2011 – 7:00 P.M.**



**CALL TO ORDER**

**INVOCATION: MINISTERIAL ALLIANCE**

**PLEDGE OF ALLEGIANCE: COUNCILMEMBER WALTER WEAVER**

**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.)

- 1C. Consider approval of minutes from the City Council Regular Meeting held August 22, 2011.
- 2C. Consider Resolution 2011-09-72 of the City Council of the City of Lancaster, Texas, adopting the City of Lancaster Financial Policy providing for prudent financial management of all funds to enable the City to maintain a long term stable and positive financial condition and provide guidelines for the day-to-day planning and operation of the City's financial matters; and providing an effective date.
- 3C. Consider Resolution 2011-09-73 of the City Council of the City of Lancaster, Texas, adopting the City of Lancaster Investment Policy; providing that all funds of the City be managed and invested for safety, liquidity, diversification and yield and that investments be chosen in a manner which promotes diversity by market sector, credit and maturity; providing that this Policy serves to satisfy the requirements of Chapter 2256 "Public Funds Investment Act"; and providing an effective date.
- 4C. Consider an ordinance of the City of Lancaster, Texas, amending the Code of Ordinances, by amending Chapter 13, Article 13.500, Section 13.508 Collection of Water Service Charges, by amending the billing and collection for water and/or sewer bills; providing a repealing clause; providing a severability clause; and providing an effective date.
- 5C. Consider Resolution 2011-09-74 of the City Council of the City of Lancaster, Texas, electing to require the remittance of a Public Educational and Government (PEG) fee by holders (Time Warner Cable) of a state issued Certificate of Franchise Authority; and providing an effective date.

- 6C. Consider Resolution 2011-09-75 of the City Council of the City of Lancaster, Texas, authorizing the Mayor to execute an Assignment of Pipeline License to the Trinity River Authority of Texas for a sewer pipeline running through the Bear Creek Force Main Crossing through the Burlington Northern Santa Fe Railway UP 98 Right-of-way and operated by the Trinity River Authority Red Oak Creek Regional Wastewater System; repealing all resolutions in conflict; providing a severability clause; and providing an effective date.
- 7C. Consider Resolution 2011-09-76 of the City Council of the City of Lancaster, Texas, approving the terms and conditions of the First Amendment to the interlocal agreement by and between the University of Texas Southwestern Medical Center at Dallas and the City of Lancaster for services related to the provision of paramedic continuing education; authorizing the City Manager to execute said amendment; providing a severability clause; and providing an effective date.

### **PUBLIC HEARING**

8. Conduct a Public Hearing on the proposed Fiscal Year 2011-2012 budget and consider an ordinance of the City of Lancaster, Texas, approving and adopting a budget for the fiscal year beginning October 1, 2011 and ending September 30, 2012; 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.
9. Conduct a Public Hearing on the proposed tax rate for Fiscal Year 2011-2012 and consider an ordinance of the City of Lancaster, Texas, levying ad valorem taxes for Fiscal Year 2011-2012 at \$0.8675 per one hundred dollars assessed valuation of all taxable property within the corporate limits to provide additional revenues for maintenance and operations and interest and sinking funds requirements; providing due and delinquent dates, penalties, and interest; providing a homestead exemption and disability exemption; and providing an effective date.

### **ACTION**

10. Discuss and consider Resolution 2011-09-77 of the City Council of the City of Lancaster, Texas, ratifying the budget for the Fiscal Year 2011-2012 that results in a decrease of revenues from property taxes than the previous years; and providing an effective date.
11. Discuss and consider 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 Improvement District; providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and effective date.

12. Discuss and consider an ordinance of the City of Lancaster, Texas, making certain findings in connection with the proposed supplemental services ordered in connection with 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, establishing a method of payment, assessment due, and providing clauses for conflict, severability and effective date.
13. Discuss and consider 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, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.
14. Discuss and consider an ordinance of the City of Lancaster, Texas, establishing Civil Service Classification within the Police and Fire Departments; prescribing the number of positions in each classification; and providing an effective date.
15. Discuss and consider an ordinance of the City of Lancaster, Texas, providing for increased prior and current service annuities under the Act governing the Texas Municipal Retirement System (TMRS) for retirees and beneficiaries of deceased retirees of the City of Lancaster; and establishing an effective date for the ordinance.
16. Discuss and consider Resolution 2011-09-78 of the City Council of the City of Lancaster, Texas, approving a Consumer Price Index (CPI) rate increase request by Allied Waste Services; and providing an effective date.
17. Discuss and consider Resolution 2011-09-79 of the City Council of the City of Lancaster, Texas, amending Section 10.1700 of the Master Fee Schedule for fees and charges assessed for garbage collection; providing a repealing clause; and providing an effective date.
18. Discuss and consider Resolution 2011-09-80 of the City Council of the City of Lancaster, Texas, amending the rate for certain fees and charges assessed and collected by the City for water and wastewater service; providing a repealing clause; and providing an effective date.
19. Discuss and consider Resolution 2011-09-81 of the City Council of the City of Lancaster, Texas, providing for adoption of the new Master Fee Schedule for all fees and charges assessed and collected by the City; providing a repealing clause; and providing an effective date.
20. Receive a presentation and discuss draft redistricting plans from Bickerstaff Heath Delgado Acosta LLP.

21. Discuss and consider designating one or more draft redistricting plans as "Illustrative Plan(s)" to be proposed for public consideration and comment.
22. Discuss and consider scheduling a public hearing date to receive public consideration and comment on Illustrative Plan(s) as designated by City Council.

### **EXECUTIVE SESSION**

23. The City Council shall convene into closed executive session pursuant to Section § 551.071 of the TEXAS GOVERNMENT CODE to consult with and receive legal advice from special legal counsel concerning the Voting Rights Act of 1964 and City Council legal obligations.
24. Reconvene into open session. Consider and take appropriate action(s), if any, on closed/executive session matters.

### **ACTION**

25. Discuss and consider appointment of council liaisons to City Boards and Commissions.

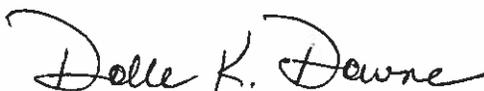
### **ADJOURNMENT**

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

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

### **Certificate**

I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall on September 8, 2011 @ 5:00pm. and copies thereof were hand delivered to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.



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Dolle K. Downe, TRMC  
City Secretary

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**1**

AG11-001

**Consider approval of minutes from the City Council Regular Meeting held August 22, 2011.**

**Background**

Attached for your review and consideration are minutes from the:

- City Council Regular Meeting held August 22, 2011

**Prepared and submitted by:**

Dolle K. Downe, City Secretary  
August 30, 2011

## MINUTES

### LANCASTER CITY COUNCIL MEETING OF AUGUST 22, 2011

The City Council of the City of Lancaster, Texas, met in Regular session in the Council Chambers of City Hall on August 22, 2011 at 7:00 p.m. with a quorum present to-wit:

#### **Councilmembers Present:**

Mayor Marcus E. Knight  
Walter Weaver  
Stanley Jaglowski  
Marco Mejia  
James Daniels  
Deputy Mayor Pro Tem Nina Morris

#### **Councilmember Absent:**

Mayor Pro Tem Clyde Hairston

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

Opal Mauldin Robertson, City Manager  
Alicia Oyedele, Assistant to the City Manager  
Sheree Haynes, Finance Director  
Dori Lee, Human Resources Director  
Clovia English, Public Works Director  
Wes Blair, Interim Police Chief  
Thomas Griffith, Fire Chief  
Cami Loucks, Library Director  
Robert E. Hager, City Attorney  
Dolle Downe, City Secretary

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

Mayor Knight called the meeting to order at 7:00 p.m. on August 22, 2011.

#### **Invocation:**

Reverend Gordon Butler gave the invocation.

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

Deputy Mayor Pro Tem Nina Morris led the Pledge of Allegiance.

#### **Citizens Comments:**

James Adams, 2003 Hash, asked Council to do their homework about the proposed annexation commenting that initially it might have been a good idea to control development around Loop 9, but now there is no activity regarding Loop 9 and the Dallas Inland Port is bankrupt; stated that both TxDOT and the North Central Texas Council of Governments say there are no plans for Loop 9; stated that services in the area to be annexed are already being provided by Dallas County and that Lancaster cannot afford to take on the cost of providing services to the area to be annexed; further commented that if the City has to sale eight million in bonds to pay for a water tower, then they certainly cannot afford services and maintenance to the area proposed for annexation; urged Council to study the matter and be prepared.

#### **Consent Agenda:**

City Secretary Downe read the consent agenda.

- 1C. Consider approval of minutes from the City Council Regular Meeting held August 8, 2011.
- 2C. Consider Resolution 2011-08-70 of the City Council of the City of Lancaster, Texas, awarding Bid No. 2011-58 to Aetna for employee health and dental administration; Discovery Benefits for flexible spending administration; continuation of Cigna for life and long term disability administration; continuation of Conexis for Cobra administration; and continuation of Alliance Work Partners for Employee Assistance Program (EAP) administration; authorizing the City Manager to negotiate and execute a contract upon legal review; providing a repealing clause, providing a severability clause; and providing an effective date.
- 3C. Consider an ordinance of the City of Lancaster, Texas, approving a negotiated resolution between the Atmos Cities Steering Committee ("ACSC" or "Steering Committee") and Atmos Energy Corp., Mid-Tex Division ("Atmos Mid-Tex" or "Company") regarding the Company's Fourth Annual Rate Review Mechanism ("RRM") filing in all cities exercising original jurisdiction; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement and finding the rates to be set by the attached tariffs to be just and reasonable; requiring the Company to reimburse cities' reasonable ratemaking expenses; repealing conflicting resolutions or ordinances; determining that this ordinance as passed in accordance with requirement of the Texas Open Meetings Act; adopting savings clause; declaring an effective date; and requiring delivery of this ordinance to the Company and the Steering Committee's legal counsel.

**MOTION:** Councilmember Daniels made a motion, seconded by Councilmember Mejia, to approve consent items 1C - 3C. The vote was cast 6 for, 0 against [Hairston absent].

4. Conduct a Public Hearing and discuss 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, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.

City Manager Mauldin Robertson stated that this is a public hearing for the Lancaster Boardwalk Public Improvement District with a proposed assessment of \$0.276 per \$100 assessed value.

Mayor Knight opened the public hearing.

There were no requests to speak.

**MOTION:** Councilmember Weaver made a motion, seconded by Deputy Mayor Pro Tem Morris, to close the public hearing. The vote was cast 6 for, 0 against [Hairston absent].

5. **Conduct a Public Hearing and discuss 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, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.**

City Manager Mauldin Robertson stated that this is a public hearing for the Millbrook East Public Improvement District with a proposed assessment of \$0.2653 per \$100 assessed value.

Mayor Knight opened the public hearing.

Richard and Elnita Jones, 1914 Palma Pita Street, did not wish to speak but asked their opposition be noted in the record.

There were no other requests to speak.

**MOTION:** Deputy Mayor Pro Tem Morris made a motion, seconded by Councilmember Mejia, to close the public hearing. The vote was cast 6 for, 0 against [Hairston absent].

6. **Conduct a Public Hearing and discuss 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, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.**

City Manager Mauldin Robertson stated that this is a public hearing for the Meadowview Public Improvement District with a proposed assessment of \$0.10 per \$100 assessed value.

Mayor Knight opened the public hearing.

Speaking regarding the Meadowview Public Improvement District were:

Dura Janneh, 1428 Gentle Rain Drive, stated he had received a letter regarding the PID and had several questions; stated that 5 years is too long of a period and asked what happens if the service was not good; asked if there was contract.

Mayor Knight requested Mr. Janneh speak with the Assistant to the City Manager, Ms. Oyedele, available at the back of the Chambers.

There were no other requests to speak.

**MOTION:** Deputy Mayor Pro Tem Morris made a motion, seconded by Councilmember Jaglowski, to close the public hearing. The vote was cast 6 for, 0 against [Hairston absent].

Mayor Knight announced that consideration of the ordinance adopting the budgets for Lancaster Boardwalk, Millbrook East and Meadowview Public Improvement Districts will be at the September 12, 2011 Council meeting.

7. **Conduct a Public Hearing on the proposed Fiscal Year 2011-2012 budget and discuss an ordinance of the City of Lancaster, Texas, approving and adopting a budget for the fiscal year beginning October 1, 2011 and ending September 30, 2012; 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.**

City Manager Mauldin Robertson noted that Council had met in work sessions on August 1 and 15, 2011 and reviewed the proposed budget and that three Town Hall meetings were conducted to receive citizen input. The proposed budget keeps the tax rate the same at \$0.8675 per \$100 assessed valuation. City Manager Mauldin Robertson stated that the proposed budget will decrease the maintenance and operation apportionment of the tax rate from \$0.6502 to \$0.6002 and will increase the interest and sinking fund requirement from \$0.2173 to \$0.2673.

Mayor Knight opened the public hearing.

There were no requests to speak.

**MOTION:** Councilmember Mejia made a motion, seconded by Deputy Mayor Pro Tem Morris, to close the public hearing. The vote was cast 6 for, 0 against [Hairston absent].

Mayor Knight announced the final public hearing and consideration of the proposed FY 2011-2012 budget will be held on Monday, September 12, 2011 at 7 p.m. in the Council Chambers.

8. **Discuss and consider 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, establishing a method of payment, assessment due, and providing clauses for conflict, severability and effective date.**

City Manager Mauldin Robertson stated a public hearing was conducted on August 8, 2011. Because there are no homes in the PID, the proposed assessment is \$0.00 per \$100 assessed value.

**MOTION:** Deputy Mayor Pro Tem Morris made a motion, seconded by Councilmember Jaglowski, to approve an ordinance 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, and establishing a method of payment and assessment due. The vote was cast 6 for, 0 against [Hairston absent].

9. **Discuss and consider an ordinance of the City of Lancaster, Texas, making certain findings in connection with the proposed supplemental services ordered in connection with 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, establishing a method of payment, assessment due, and providing clauses for conflict, severability and effective date.**

City Manager Mauldin Robertson stated a public hearing was conducted on August 8, 2011. The proposed assessment is \$0.23 per \$100 assessed value.

**MOTION:** Councilmember Daniels made a motion, seconded by Councilmember Mejia, to approve an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with 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, and establishing a method of payment and assessment due. The vote was cast 6 for, 0 against [Hairston absent].

10. **Discuss and consider an ordinance of the City of Lancaster, Texas, making certain findings in connection with the proposed supplemental services ordered in connection with 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, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.**

City Manager Mauldin Robertson stated a public hearing was conducted on August 8, 2011. The proposed assessment is \$0.30 per \$100 assessed value for lots with homes and \$0.80 per \$100 assessed value for lots without homes.

**MOTION:** Councilmember Daniels made a motion, seconded by Councilmember Mejia, to approve an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with 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, and establishing a method of payment and assessment due. The vote was cast 6 for, 0 against [Hairston absent].

11. **Discuss and consider 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, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.**

City Manager Mauldin Robertson stated a public hearing was conducted on August 8, 2011. The proposed assessment is \$0.22 per \$100 assessed value.

**MOTION:** Councilmember Mejia made a motion, seconded by Councilmember Weaver, to approve an ordinance 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, and establishing a method of payment and assessment due. The vote was cast 6 for, 0 against [Hairston absent].

12. **Discuss and consider 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, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.**

City Manager Mauldin Robertson stated a public hearing was conducted on August 8, 2011. The proposed assessment is \$0.15 per \$100 assessed value.

**MOTION:** Councilmember Daniels made a motion, seconded by Councilmember Mejia, to approve an ordinance 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, and establishing a method of payment and assessment due. The vote was cast 6 for, 0 against [Hairston absent].

13. **Receive a presentation from First Southwest Company on funding options; discuss and consider Resolution 2011-08-71 of the City Council of the City of Lancaster, Texas, approving and authorizing publication of a Notice of Intention to Issue Certificates of Obligation in an amount not to exceed \$8,000,000; providing for the repeal of any and all resolutions in conflict; providing for severability clause; and providing an effective date.**

Finance Director Haynes commented on the need for the City to construct an elevated water storage tank in response to a violation cited by the Texas Commission on Environmental Quality (TCEQ). To become compliant, it is necessary for the project to be completed by October, 2013. Finance Director Haynes introduced Nick Bulaich with First Southwest to provide an overview of the funding options available.

Mr. Bulaich made a presentation outlining funding options including Revenue Bonds and Certificates of Obligation, noting that First Southwest recommends Certificates of Obligation since they are the least expensive source of funding, the City can make payments from water and sewer revenues and no debt service reserve fund is required. Mr. Bulaich noted the proposed timeline for sale of the Certificates of Obligation with the required Public Notices to be

published on August 26 and September 2, 2011; Council to approve the sale and adopt the bond ordinance on September 26, 2011; and bond closing scheduled for October 27, 2011.

**MOTION:** Councilmember Daniels made a motion, seconded by Councilmember Jaglowski, to approve Resolution 2011-08-71 approving and authorizing publication of a Notice of Intention to Issue Certificates of Obligation in an amount not to exceed \$8,000,000. The vote was cast 5 for, 1 against [Mejia] [Hairston absent].

**14. Discuss and consider appointment of council liaisons to City Boards and Commissions.**

Mayor Knight commented that with Mayor Pro Tem Hairston absent, Council may desire to table consideration of council liaisons to boards and commissions.

**MOTION:** Deputy Mayor Pro Tem Morris made a motion, seconded by Councilmember Jaglowski, to table consideration of council liaisons to boards and commissions until the September 12, 2011 meeting. The vote was cast 6 for, 0 against [Hairston absent].

**MOTION:** Deputy Mayor Pro Tem Morris made a motion, seconded by Councilmember Mejia, to adjourn. The vote was cast 6 for, 0 against [Hairston absent].

The meeting was adjourned at 7:35 p.m.

**ATTEST:**

**APPROVED:**

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Dolle K. Downe, City Secretary

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Marcus E. Knight, Mayor

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**2**

AG11-002

**Consider a resolution of the City Council of the City of Lancaster, Texas, adopting the City of Lancaster Financial Policy providing for prudent financial management of all funds to enable the City to maintain a long term stable and positive financial condition and provide guidelines for the day-to-day planning and operation of the City's financial matters; and providing an effective date.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 1: Financially Sound City Government**

**Background**

The financial policy statement provides guidelines for the Finance Director in their role as Chief Financial Officer for the City. The broad purpose of the policy statements is to enable the City to achieve and maintain a long-term stable and positive financial position, and provide guidelines for the day to day planning and operations of the City's financial affairs. These policy statements will be reviewed and refined annually as part of the budget preparation process to reflect current laws as well as significant changes in the City which will impact the prevailing policy.

**Considerations**

- **Operational** – Present fairly and with full disclosure the financial position and results of financial operations of the City in conformity to generally accepted accounting principles (GAAP). Demonstrate good fiscal administration of the City's funds and promote accountability to its citizens. Provide precedents for future policy-makers and financial managers on common financial goals and strategies. Maintain an unallocated fund balance at a minimum of ten (10) percent of the general operating budget with a target of fifteen (15%) percent and a maximum of twenty-five (25%) percent.
- **Legal** – Determine and demonstrate compliance with finance-related legal and contractual issues in accordance with provisions of the City Charter, the Texas Local Government Code and other pertinent legal documents and mandates.

**Options/Alternatives**

1. Council may approve the resolution as presented.
2. Council may reject the resolution and direct staff.

**Recommendation**

Staff recommends approval of the resolution as presented.

**Attachments**

- Resolution
- Financial Policy Statement

**Prepared and submitted by:**  
Sheree Haynes, Finance Director

**Date:** September 8, 2011

**RESOLUTION NO. 2011-09-72**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, ADOPTING THE CITY OF LANCASTER FINANCIAL POLICY PROVIDING FOR PRUDENT FINANCIAL MANAGEMENT OF ALL FUNDS TO ENABLE THE CITY TO MAINTAIN A LONG TERM STABLE AND POSITIVE FINANCIAL CONDITION AND PROVIDE GUIDELINES FOR THE DAY-TO-DAY PLANNING AND OPERATION OF THE CITY'S FINANCIAL MATTERS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lancaster Financial Policy is reviewed and refined annually as part of the budget preparation process; and

**WHEREAS**, the City of Lancaster Financial Policy provides for financial management through integrity, prudent stewardship, planning, accountability, full disclosure and communication regarding all City funds;

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

**Section 1.** The City of Lancaster Financial Policy, attached hereto and incorporated herein by reference as Exhibit "A", having been reviewed by the City Council of the City of Lancaster, Texas, and found to be acceptable and in the best interest of the City and its citizens is hereby in all things approved.

**Section 2.** This resolution shall take effect immediately from and after its passage, as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 12<sup>th</sup> day of September, 2011.

**ATTEST:**

**APPROVED:**

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DOLLE K. DOWNE, CITY SECRETARY

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MARCUS E. KNIGHT, MAYOR

**APPROVED AS TO FORM:**

**ROBERT E. HAGER, CITY ATTORNEY**

# **City of Lancaster, Texas Financial Policy Statement**

## **I. Purpose**

The City of Lancaster is committed to financial management through integrity, prudent stewardship, planning, accountability, full disclosure and communication. The broad purpose of the Financial Policies is to enable the City to achieve and maintain a long-term stable and positive financial condition, and provide guidelines for the day-to-day planning and operations of the City's financial affairs.

The financial policy statements provide guidelines for the Finance Director in their role as Chief Financial Officer for the City.

Policy scope generally spans, among other issues, general goals, accounting, auditing, financial reporting, internal controls, operating and capital budgeting, fund balance or operating position concepts, revenue management, cash and investment management, expenditure control, debt management, and planning concepts, in order to:

- (a) Present fairly and with full disclosure the financial position and results of financial operations of the City in conformity to generally accepted accounting principles (GAAP); and
- (b) Determine and demonstrate compliance with finance-related legal and contractual issues in accordance with provisions of the City Charter, the Texas Local Government Code and other pertinent legal documents and mandates; and
- (c) Demonstrate good fiscal administration of the City's funds and promote accountability to its citizens; and
- (d) Provide precedents for future policy-makers and financial managers on common financial goals and strategies.

These fiscal policies will be reviewed and refined annually as part of the budget preparation process to reflect current laws as well as significant changes in the City which will impact the prevailing policy.

The budgeted funds for the City of Lancaster include:

- (a) **General Fund Accounts:** for all financial resources excluding those required to be accounted for in another fund, include basic governmental services such as police, fire, and streets.
- (b) **Special Revenue Fund:** Accounts that are for specific revenues that are legally restricted for a specified purpose.

- (c) Debt Service Fund: Account used for the payment of general long-term debt principal and interest requirements.
- (d) Capital Projects Fund: Account used for the acquisition or construction of major capital facilities other than those financed by enterprise activities.
- (e) Internal Service Fund: An account used for goods and/or services provided by one internal department to another. This system will allow the City to recognize full cost for fleet and technological replacement and maintenance.
- (f) Enterprise Fund: This account includes the City's "business like" activities including all utility funds.

## **II. General**

The City will follow a five-year review and optional rotation of outside (independent) auditors. The auditors must demonstrate that they have the breadth and depth of staff to handle the City's audit in a timely manner. The audited financial statements should be prepared within 120 days of the close of the fiscal year.

Annual reporting will be done within the guidelines set forth in the Governmental Accounting and Auditing Financial Review and under the standards currently being set by the Governmental Accounting Standards Board. Interim activity reports will be made available to council and management.

Full disclosure will be provided in the financial statements and bond representations.

Financial systems will be maintained to monitor expenditures and revenues on a monthly basis with a thorough analysis and adjustment (if required) at mid-year.

The City will strive to maintain accounting policies and practices in the preparation of its annual financial report. The report will be presented to the Governmental Finance Officers Association for review of qualifications that meet those necessary to obtain the Certificate of Achievement for Excellence in Financial Reporting.

## **III. Staffing and Training**

Staffing levels shall be adequate for the fiscal departments of the City to function effectively. Overtime shall be used only to address temporary or seasonal demands that require excessive hours. Possible ways to increase efficiency shall be explored before adding staff. However, the staffing levels shall not be inadequate or marginal such that the internal controls are jeopardized or personnel turnover rates are unacceptable.

The City shall support the continuing education efforts of all financial staff including the investment in time and materials for maintaining a current perspective concerning financial

issues. Staff shall be held accountable for communicating, teaching, and sharing with other staff members all information and training materials acquired from seminars, conferences and related educational efforts.

#### **IV. Revenues**

The City shall strive to keep the revenue system simple which will result in a decrease of compliance costs for the taxpayer or service recipient and a corresponding decrease in avoidance to pay.

A certainty of the revenue source increases the reliability of the revenue system. The City shall try to establish certain revenue sources as well as consistent collection policies so that assurances can be provided that the revenue base will materialize according to budgets and plans.

The revenue system of the City shall strive to maintain equity in its structure. That is, the City shall seek to minimize or eliminate all forms for subsidization between entities, funds, services, utilities, or customers.

The benefits of a revenue shall exceed the cost of producing the revenue.

The City shall require that there be a balance in the revenue system. That is, the revenue base shall have the characteristic of neutrality as it applies to cost of service, willingness to pay and ability to pay issues.

The City shall use due caution in the analysis of any tax incentives that are used to encourage development.

Quarterly reports shall be prepared to compare actual revenues to budgeted and to determine the variances and decide actions to take thereon.

A desirable balance between elastic and inelastic revenue sources shall be attempted. Any changes in revenue structure shall result in the examination of this change.

Any potential grants shall be examined for matching requirements so that the source and availability of these funds may be determined before grant application is made. These revenue sources should be used only for capital improvements that are consistent with the Capital Improvements Plan whose operating and maintenance costs have been included in the operating budget.

One-time revenues shall not be used for on-going operations. Non-recurring revenues shall be used only for non-recurring expenditures. Care shall be taken not to use these revenues for budget balancing purposes.

The cumulative increase of revenue from the levy of property tax will not exceed the preceding fiscal year:

Excluding taxable value gained through annexation or consolidation;

Excluding the taxable value gained through new construction;  
Excluding increases mandated by the voters for debt service;  
Excluding 3% of the effective tax rate.

For services associated with a user fee or charge, the direct and indirect costs of that service shall be offset by a fee.

The fees based on user charges shall be reviewed annually to insure continuing coverage of the cost of services. The City shall revise user fees with review of the City Council to adjust for the costs of inflation and additional recovery increments.

The City shall review and adopt utility rates annually that shall generate revenues required to fully cover operating expenditures, meet the legal restrictions of all applicable bond covenants, and provide for an adequate level of working capital needs.

A method is established whereby the General Fund can impose a charge to the Utility Fund(s) for general and administrative services performed on the Enterprise Fund's behalf. The process shall be documented and disclosed to the City's auditors for review.

Interest earned from investment of available funds, whether pooled or not, shall be distributed to the funds from which monies were provided to be invested.

All revenue collections will be consolidated under Finance and be audited annually.

## **V. Expenditures**

Quarterly reports shall be prepared showing actual expenditures compared to the adopted budget. Modifications within the operating categories (materials, supplies, and services) and/or modifications within the personnel and capital categories may be made with the approval of the City Manager.

Where appropriate, performance measures and productivity indicators shall be used as guidelines and reviewed for efficiency and effectiveness. This information shall be included in the annual budgeting process.

Purchases shall be made in conformation with the States formal bidding process and requirements. Recommendations of bids and contracts in excess of \$50,000 shall be presented to City Council for their formal approval.

## **VI. Operating Budget**

Current operating revenue will be sufficient to support current operating expenditures. Debt or bond financing will not be used to finance current expenditures. Annually recurring revenue will not be less than annually recurring operating budget expenditures (operating budget minus capital outlay).

The City has developed a program to integrate performance measures and productivity indicators within the annual budget.

## **VII. Operating Position**

Current expenditures shall be paid with current revenues. Deferrals, short-term loans, or one-time sources shall be avoided as budget balancing techniques. Reserves shall be used only for emergencies or when balances can be reduced if levels exceed guideline minimums and as long as they are spent for non-recurring items.

The City will maintain an unallocated fund balance to be used for unanticipated emergencies of an amount equal to a minimum of ten (10) percent of the general operating budget, a target of 15% (fifteen percent) of the general operating budget and a maximum of 25% (twenty-five percent) of the operating budget. These funds will be used to avoid cash-flow interruptions, generate interest income, reduce need for short-term borrowing and assist in maintaining an investment-grade bond rating. The unallocated fund balance of other funds should be maintained as follows:

<b><u>Fund</u></b>	<b><u>Minimum</u></b>	<b><u>Target</u></b>	<b><u>Maximum</u></b>
Water/Wastewater Fund	13.00%	18.00%	25.00%
Airport Fund	13.00%	18.00%	25.00%
Golf Fund	13.00%	18.00%	25.00%
Debt Service Funds	10% of Current Year Debt Payment		

Periodic review of cash flow position shall be performed to determine performance of cash management and investment policies. A detailed policy structure shall be followed with respect to Cash/Treasury Management. The underlying theme shall be that idle cash shall be invested with the goals and objectives as identified in the City's Investment Policy.

Procedures shall be taken so as to maximize any discounts offered by creditors. Current liabilities shall be paid within 30 days of receiving the invoice. Accounts receivable procedures shall target for a maximum of 60 days of service.

## **VIII. Debt**

Long Term Debt shall not be used for operating purposes. The life of the bonds shall not exceed the useful life of the projects.

When appropriate, self-supporting revenue bonds shall be issued before general obligation bonds.

Full disclosure of operations and open lines of communication shall be made to bond rating agencies. The City staff, with the assistance of bond counsel/advisors, shall prepare the necessary materials and presentation to the rating agencies.

The Debt Services Fund(s) reserves should equal ten percent (10%) of the current year's debt payment. This minimum does not include the amounts accruing for the next debt payment.

Interest earnings on bond proceeds shall be credited to the appropriate bond/capital fund.

The City shall elect to use a competitive bidding process in the sale of bonds unless the nature of the issue warrants a negotiated bid. In situations where a competitive bidding process is not elected, the bond counsel/advisors shall present the reasons why to the City. Also, the City shall participate in the selection of the underwriter with the assistance of the bond counsel/advisors in the case of a negotiated bid.

The bonds shall have a provision which allows them to be recalled after the tenth year of issue.

The City shall be actively involved in the selection of all bond counsel, advisors, underwriters, and paying agents. The City shall evaluate the merits of rotating professional advisors and consultants and the kinds of services and fee structures available from independent financial advisors, investment banking firms and commercial banks. Also, the City shall carefully itemize and scrutinize all costs associated with the issuance of bonds.

The City shall explore all funding alternatives in addition to long-term debt including leasing, grants, and other aid, developer contributions, capital recovery fees, and current funds.

The City will establish and maintain an equipment replacement fund. If any equipment is secured through a lease/purchase agreement, it will have a useful life of at least seven (7) years.

## **IX. Capital**

A Capital Improvement Program shall be adopted for a period of five (5) years and reviewed annually for prioritization, based on analysis of the City's infrastructure. The replacement and maintenance for capital items shall also be projected for the next five (5) years. Future maintenance shall be fully cost, providing sufficient funding for future maintenance and replacement. The City shall identify the estimated costs and potential funding sources for each capital project proposal before it is submitted to council for approval. The City shall determine the least costly financing method for all new projects.

Where applicable, assessments, pro-rata charges or other user-based fees should be used to fund capital projects which have a limited benefit to the whole City.

Assets shall be maintained to protect the government's investment and minimize the future replacement and maintenance costs.

The annual operating budget shall provide for adequate maintenance and issuance of all capital plant and equipment.

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**3**

AG11-003

**Consider a resolution of the City Council of the City of Lancaster, Texas, adopting the City of Lancaster Investment Policy providing that all funds of the City be managed and invested for safety, liquidity, diversification and yield and that investments be chosen in a manner which promotes diversity by market sector, credit and maturity; providing that this policy serve to satisfy the requirements of Chapter 2256 "Public Funds Investment Act"; and providing an effective date.**

This request supports the City Council 2010-2011 Policy Agenda.

**Goal 1: Financially Sound City Government**

**Background**

Chapter 2256 of the Texas Government Code known as the "Public Funds Investment Act" (PFIA) requires the City Council to annually review and adopt an investment policy.

**Considerations**

- **Operational** - No fundamental changes are proposed in the policy. Specific language was included to be in compliance with the recent legislation of H.B. 2226 requiring the investment officer to attend a training session at least once every fiscal biennium and procedures for monitoring rating changes. No individual investment securities are currently owned by the City. We have funds invested in two pools: the Logic Pool and TexPool.
- **Legal** - The "Public Funds Investment Act", Chapter 2256 of the Texas Government Code requires the City to adopt its investment policy by resolution. The City Attorney has approved the resolution as to form.

**Options/Alternatives**

1. Council may approve the resolution as presented.
2. Council may reject the resolution and direct staff.

**Recommendation**

Staff recommends approval of the resolution as presented.

**Attachments**

- Resolution
- Investment Policy

**Prepared and submitted by:**  
Sheree Haynes, Finance Director

**Date:** September 6, 2011

**RESOLUTION NO. 2011-09-73**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, ADOPTING THE CITY OF LANCASTER INVESTMENT POLICY; PROVIDING THAT ALL FUNDS OF THE CITY BE MANAGED AND INVESTED FOR SAFETY, LIQUIDITY, DIVERSIFICATION AND YIELD AND THAT INVESTMENTS BE CHOSEN IN A MANNER WHICH PROMOTES DIVERSITY BY MARKET SECTOR, CREDIT AND MATURITY; PROVIDING THAT THIS POLICY SERVES TO SATISFY THE REQUIREMENTS OF CHAPTER 2256 "PUBLIC FUNDS INVESTMENT ACT"; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Chapter 2256 of the Government Code, commonly known as the "Public Funds Investment Act" requires the city to adopt an investment policy by rule, order, ordinance, or resolution; and

**WHEREAS**, the "Public Funds Investment Act" requires the treasurer; the chief financial officer, if not the treasurer, and the investment officer of the city to attend investment training; and

**WHEREAS**, the treasurer; the chief financial officer, if not the treasurer; and the investment officer of the city have attended an investment training course as required by the "Public Funds Investment Act"; and

**WHEREAS**, the attached investment policy and incorporated strategy comply with the "Public Funds Investment Act", as amended, and authorize the investment of city funds in safe and prudent investments;

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

**Section 1.** The City of Lancaster has complied with the requirements of the "Public Funds Investment Act", and the Investment Policy, as amended, attached hereto and incorporated herein by reference as Exhibit "A," is hereby adopted as the investment policy of the City effective September 12, 2011.

**Section 2.** This resolution shall take effect immediately from and after its passage, as the law and charter in such cases provide.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 12<sup>th</sup> day of September, 2011.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

# **City of Lancaster, Texas Investment Policy**

For consideration by the City Council on September 12, 2011

## **Introduction**

The purpose of this document is to set forth specific investment policy and strategy guidelines for the City of Lancaster, Texas, the Lancaster Economic Development Corporation, and the Lancaster Recreation Development Corporation (City) in order to achieve the objectives in order of priority; safety, public trust, liquidity, diversification, and yield for all investment activity. This policy ensures compliance with Chapter 2256, Public Funds Investment Act of the Government Code to define, adopt and annually review the investment policy of the City.

## **I. Policy Statement**

It is the policy of the City of Lancaster that the administration of its funds and the investment of those funds shall be handled as its highest public trust. Investments shall be made in a manner which will provide the maximum security of principal invested through limitations and diversification while meeting the daily cash flow needs of the City and conforming to all applicable state statutes governing the investment of public funds.

The receipt of a market rate of return will be secondary to the requirements for safety and liquidity. It is the intent of the City to be in complete compliance with local law and the Texas Public Funds Investment Act ("The Act"). The earnings from investment will be used in a manner that best serves the interest of the City.

## **II. Scope**

This investment policy applies to all the financial assets and funds of the City. The City commingles its funds into two pooled investment funds for investment purposes for efficiency and maximum investment opportunity. These funds shall be defined in the City's Annual Financial Report and any new funds created by the City unless specifically exempted by the City Council and this policy.

## **III. Objective and Strategy**

The City shall manage and invest with five primary objectives, listed in order of priority: safety, public trust, liquidity, diversification and yield. Investments are to be chosen in a manner which promotes diversity by market sector, credit and maturity. The choice of high-grade government investments and high-grade money market instruments is designed to assure the marketability of those investments should liquidity needs arise. To match anticipated cash

flow requirements the maximum weighted average maturity of the overall portfolio may not exceed six months.

- a) **Safety**  
Safety of principal is the foremost objective of the City. Investments of the City shall be undertaken in a manner that seeks to insure the preservation of capital in the overall portfolio.
- b) **Public Trust**  
All parties of the City's investment process shall seek to act responsibly as custodians of the public trust. Investment advisors and officials shall avoid any transaction that might impair public confidence in the City's ability to govern effectively and maintain a sound, sustainable city government.
- c) **Liquidity**  
The City's investment portfolio will be based on a cash flow analysis of needs and will remain sufficiently liquid to enable it to meet all operating and debt/bond requirements which might be reasonably anticipated.
- d) **Diversification**  
Diversification of the portfolio will include diversification by maturity and market sector and will include the use of a number of broker/dealers for diversification and market coverage. Competitive bidding will be used on each sale and purchase.
- e) **Yield**  
The City's investment portfolio shall be designed with the objective of attaining a market rate of return, taking into account the City's risk constraints and the cash flow needs of the portfolio. "Market rate of return" may be defined as the average yield of the current six month U.S. Treasury Bill.

Effective cash management is recognized as essential to good fiscal management. Cash management is defined as the process of managing monies in order to ensure maximum cash availability. The City shall maintain a comprehensive cash management program which includes collection of accounts receivable, prudent investment of its available cash, disbursement of payments in accordance with invoice terms and the management of banking services.

#### **IV. Legal Limitations, Responsibilities and Authority**

Direct specific investment parameters for the investment of public funds in Texas are found in the Public Funds Investment Act, Chapter 2256, Texas Government Code, (the "Act"). The Public Funds Collateral Act, Chapter 2257, Texas Government Code, specifies collateral requirements for all public funds deposits. All investments will be made in accordance with these statutes.

#### **V. Delegation of Investment Authority**

The Chief Financial Officer, acting on behalf of the City is designated as the Investment Officer of the City and is responsible for investment management decisions and activities. The Director of Finance is designated as the Chief Financial Officer for the City of Lancaster. The Chief Financial Officer is also responsible for considering the quality and capability of staff, investment advisors, and consultants involved in the investment management and procedures. All participants in the investment process shall seek to act as a prudent person as custodian of the public trust.

The Investment Officer shall develop and maintain written administrative procedures for the operation of the investment program which are consistent with this policy. The Procedures will include reference to safekeeping, require and include the "Bond Market Master Repurchase Agreements" (as applicable), wire transfer agreements, banking services contracts, and other investment related activities.

The Investment Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials and staff. The Investment Officer shall designate a staff person as a liaison/deputy in the event circumstances require timely action and the Investment Officer is unavailable.

No officer or designee may engage in an investment transaction except as provided under the terms of this policy.

#### **Authorization Resolution**

A Trading Resolution shall be established authorizing the Investment Officer to engage in investment transactions on behalf of the City. The persons authorized by the Resolution to transact business for the City must also be authorized to approve wire transfers used in the process of investing.

**Prudence**

The standard prudence to be used in the investment function shall be the “prudent person” standard and shall be applied in the context of managing the overall portfolio. This standard states:

“Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the expected income to be derived.”

Limitation of Personal Liability

The Investment Officer and those delegated investment authority under this Policy, when acting in accordance with the written procedures and this Policy and in accord with the Prudent Person Rule, shall be relieved of personal liability in the management of the portfolio provided that deviations from expectations for a specific security’s credit risk or market price change or portfolio shifts are reported in a timely manner and the appropriate action is taken to control adverse market effects.

**VI. Internal Controls**

The Investment Officer shall establish a system of written internal controls which will be reviewed annually with the independent auditor of the City. The controls shall be designed to prevent loss of public funds due to fraud, employee error, misrepresentation by third parties, unanticipated market changes, or imprudent actions by employees of the City.

Cash Flow Forecasting

Cash Flow forecasting is designed to protect and sustain cash flow requirements of the City. Supplemental to the financial and budgetary systems, the Investment Officer will maintain a cash flow forecasting process designed to monitor and forecast cash positions for investment purposes.

**VII. Ethics and Conflicts of Interest**

City employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair the ability to make impartial investment decisions. City staff shall properly disclose to the City Manager and City Secretary any material financial interest in a financial institution that conducts business with the City.

An investment officer or City Council member of the City who has a personal business relationship with an organization seeking to sell an investment to the

City shall file a disclosure statement disclosing that personal business interest. An investment officer who is related within the second degree by affinity or consanguinity to an individual seeking to sell an investment to the City shall file a statement with the Texas Ethics commission and the City Council disclosing that relationship.

### **VIII. Authorized Investments**

Acceptable investments under this policy shall be limited to the instruments listed below and as further described by the Public Funds Investment Act.

- A. Obligations of the United States Government, its agencies and instrumentalities and government sponsoring enterprises, not to exceed two years to stated maturity, excluding collateralized mortgage obligations (CMOs);
- B. Fully insured or collateralized certificates of deposit from a bank doing business in the State of Texas and under the terms of a written depository agreement with the bank, not to exceed one year to stated maturity;
- C. Repurchase agreement and reverse repurchase agreements as defined by the Act, not to exceed 180 days to stated maturity, provided an executed Bond Market Master Repurchase Agreement is on file with the City and the counterparty bank or primary dealer. Flex repurchase agreements used specifically for capital projects may extend beyond two years but only to match the expenditure plan of the projects;
- D. No-load, SEC registered money market funds, each approved specifically before use by the City;
- E. Constant dollar Texas Local Government Investment Pools as defined by the Public Funds Investment Act; and

If additional types of securities are approved for investment by public funds by state statute, they will not be eligible for investment by the City until this policy has been amended and the amended version is approved by the City Council.

#### **Competitive Bidding Requirement**

All securities, including certificates of deposit, will be purchased or sold after three (3) offers/bids are taken to verify that the City is receiving fair market value/price for the investment.

Delivery versus Payment

All security transactions, including collateral for repurchase agreements, entered into by the City, shall be conducted on a delivery versus payment (DVP) basis.

**IX. Authorized Financial Dealer and Institutions**

All investments made by the City will be made through either the City's banking services bank or a primary dealer. The Investment Officer will review the list of authorized broker/dealers annually. A list of at least three broker/dealers will be maintained in order to assure competitive bidding.

Securities broker/dealers must meet certain criteria as determined by the Investment officer. The following criteria must be met by those firms on the list:

- Provision of an audited financial statement each year
- Proof of certification by the National Association of Securities Dealers (NASD) and provision of CRM number
- Proof of current registration with the State Securities Commission

Every broker/dealer and bank with whom the City transacts business will be provided a copy of this Investment Policy to assure that they are familiar with the goals and objectives of the investment program. A representative of the firm will be required to return a signed certification stating that the Policy has been received and reviewed and that controls are in place to assure that only authorized securities are sold to the City.

**X. Diversification and Maturity Limitations**

It is the policy of the City to diversify its investment portfolio. Invested funds shall be diversified to minimize risk or loss resulting from over-concentration of assets in a specific maturity, specific issuer, or specific class of securities. Diversification strategies shall be established and periodically reviewed. At a minimum, diversification standards by security type and issuer shall be:

Security Type	Max % of Portfolio
U.S. Treasury obligations	100%
U.S. Government agencies and instrumentalities	not to exceed 50%
Fully insured or collateralized CDs	not to exceed 30%
Repurchase agreements	100%
Money Market funds	100%
For Bond funds	80%
Local Government Investment Pools	
Liquidity Pools	100%

Maximum percent ownership of pool  
For bond funds

not to exceed 20%  
not authorized

The Investment Officer shall be required to diversify maturities. The Investment Officer, to the extent possible, will attempt to match investment with anticipated cash flow requirements. Matching maturities with cash flow dates will reduce the need to sell securities prior to maturity, thus reducing market risk. Unless matched to a specific requirement, the Investment officer may not invest more than 20% of the portfolio for a period greater than five (5) years. The Investment Officer may not invest any portion of the portfolio for a period greater than ten (10) years.

#### **XI. Safekeeping and Collateralization**

The laws of the State and prudent treasury management require that all purchased securities be bought on a delivery versus payment basis and be held in safekeeping by either the City, an independent third party financial institution, or the City's designated banking services depository.

All safekeeping arrangements shall be designated by the Investment Officer and an agreement of the terms executed in writing. The third party custodian shall be required to issue safekeeping receipts to the City listing each specific security, rate, description, maturity, cusip number, and other pertinent information. Each safekeeping receipt will be clearly marked that the security is held for the City or pledged to the City.

All securities pledged to the City for certificates of deposit or demand deposits shall be held by an independent third party bank doing business in Texas. The safekeeping bank may not be within the same holding company as the bank from which the securities are pledged.

#### **Collateralization**

Collateralization on the time and demand deposits over the FDIC insurance coverage of \$100,000, and repurchase agreements.

In order to anticipate market changes and provide a level of additional security for all funds, the collateralization level required will be 102% of the market value of the principal and accrued interest. Collateral will be held by an independent third party safekeeping agent.

#### **XII. Performance Evaluation and Reporting**

The Investment Officer shall submit monthly to the City Manager and quarterly reports to the City Council containing sufficient information to permit an informed outside reader to evaluate the performance of the investment

program and consistent with statutory requirements. Reports shall include the monitoring of rating changes in the investments acquired with public funds and the liquidation of such investments. Market prices for market evaluations will be obtained from an independent source. All reports shall be in compliance with the Act.

**XIII. Depositories**

The City will designate one banking institution through a competitive process as its central banking services provider at least every three years. This institution will be used for normal banking services including disbursements, collections, and safekeeping of securities. Other banking institutions from which the City may purchase certificates of deposit will also be designated as a depository after they provide their latest audited financial statements to the City.

**XIV. Continuing Education**

The Director of Finance, and Assistant Director of Finance must each complete at least 10 hours of continuing education in subjects or courses of study related to investment practices and products not less than once each fiscal biennium.

**XV. Investment Policy Adoption by City Council**

The City's Investment Policy shall be adopted annually by the City Council. The policy and strategies shall be reviewed on an annual basis prior to adoption. A written resolution approving the review and changes to the policy will be passed and recorded by the City Council.

**APPROVED:**

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**ATTEST:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

**APPROVED AS TO FORM:**

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ROBERT E. HAGER, CITY ATTORNEY

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**4**

AG11-004

**Consider an ordinance of the City of Lancaster, Texas, amending the Code of Ordinances, by amending Chapter 13, Article 13.500, Section 13.508 Collection of Water Service Charges, by amending the billing and collection for water and/or sewer bills; providing a repealing clause; providing a severability clause; and providing an effective date.**

**This request supports the City Council 2011-2012 Policy Agenda.**

**Goal 1: Financially Sound City Government**

**Background**

The current charges for water and/or sewer services are billed and collected monthly as a utility charge payable to the City of Lancaster. All charges not paid within twenty (20) days from the date that the bill is issued are delinquent. A late charge penalty of seven (7) percent is imposed upon delinquency. The current ordinance states that a final invoice/notice will be sent five (5) days after delinquency specifying a cutoff date ten (10) days after such notice. We request removal of the stipulation that an invoice/notice will be sent five (5) days after delinquency specifying a cutoff date ten (10) days after such notice. Our billing software prints a delinquency notification with a possible disconnect warning on the monthly invoice for any and all past due accounts.

**Considerations**

- **Operational** - Currently, all outgoing bills have a warning regarding possible termination of services for non-payment printed on the front of the invoice. For each billing cycle, a cut-off list is automatically produced from the utility billing software. Staff reviews the list for customers with past due balances. Staff provides as much flexibility to the citizens as possible in an effort to assist them during difficult times while still following the Master Fee Schedule.
- **Legal** - The last sentence in Section 13.508 regarding a final notice is deleted from the ordinance. A draft of the ordinance showing the strike-out is attached.

- **Financial** - Removal of this stipulation will provide a cost savings to the City. The average cost per month to send out late notices is \$1,300 for the additional printing of notices, postage, and labor. Total annual savings is approximately \$15,600. In addition, by eliminating the additional notice, the City will experience a quicker turn-around of accounts receivable for utility services by eliminating the 10 day cut off past due payment period.
- **Public Information** - There are no public information requirements.

### **Options/Alternatives**

1. City Council may adopt the ordinance as presented.
2. City Council may reject the ordinance.

### **Recommendation**

Staff recommends adoption of the ordinance as presented.

### **Attachments**

- Ordinance
- Ordinance No. 2007-01-01, as adopted

**Prepared and submitted by:**  
Sheree Haynes, Finance Director

**Date:** August 31, 2011

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, AMENDING THE CODE OF ORDINANCES, BY AMENDING CHAPTER 13, ARTICLE 13.500, SECTION 13.508 COLLECTION OF WATER SERVICE CHARGES, BY AMENDING THE BILLING AND COLLECTION FOR WATER AND/OR SEWER BILLS; PROVIDING FOR A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Lancaster, Texas has determined that utility billing and collection processes need to be streamlined and upgraded; and

**WHEREAS**, the City Council desires to amend the utility billing and collection processes and procedures for increased efficiency and improved customer service;

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

**SECTION 1.** That the City of Lancaster Code of Ordinances, be, and the same is hereby amended by amending Chapter 13, Article 13.500, Section 13.508 Collection of Water Service Charges, which shall read as follow:

**“ARTICLE 13.500 APPLICATION FOR WATER AND SEWER SERVICE; DEPOSITS; RATES; ETC.**

**Sec. 13.508 Collection of Water Service Charges**

The charges for water and/or sewer services shall be billed and collected monthly as a utility charge payable to the City of Lancaster, Texas. All monthly invoices provide information regarding delinquency and subjectivity to disconnection of services. All charges not paid within twenty (20) days from the date that the bill is issued shall be delinquent. A late charge penalty of seven (7) percent will be imposed upon delinquency. ~~A final invoice/notice will be sent five (5) days after delinquency specifying a cutoff date ten (10) days after such notice.”~~

**SECTION 2.** 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 3.** That should any sentence, paragraph, subdivision, clause, phrase 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 unconstitutional, illegal, or invalid.

**SECTION 4.** This ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

**DULY APPROVED AND PASSED** by the City Council of the City of Lancaster, Dallas County, Texas on the 12<sup>th</sup> day of September 2011.

**APPROVED:**

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MARCUS E. KNIGHT, MAYOR

**ATTEST:**

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DOLLE K. DOWNE, CITY SECRETARY

**APPROVED AS TO FORM:**

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ROBERT E. HAGER, CITY ATTORNEY

**ORDINANCE NO. 2007-01-01**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, AMENDING THE CODE OF ORDINANCES, BY AMENDING CHAPTER 13, ARTICLE 13.500, SECTION 13.508 COLLECTION OF WATER SERVICE CHARGES, BY AMENDING THE BILLING AND COLLECTION FOR WATER AND/OR SEWER BILLS; PROVIDING FOR A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the City of Lancaster, Texas has determined that utility billing and collection processes need to be streamlined and upgraded; and

**WHEREAS**, the City Council desires to amend the utility billing and collection processes and procedures for increased efficiency and improved customer service;

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

**SECTION 1.** That the City of Lancaster Code of Ordinances, be, and the same is hereby amended by amending Chapter 13, Article 13.500, Section 13.508 Collection of Water Service Charges, which shall read as follow:

**“ARTICLE 13.500 APPLICATION FOR WATER AND SEWER SERVICE; DEPOSITS; RATES; ETC.**

**Sec. 13.508 Collection of Water Service Charges**

The charges for water and/or sewer services shall be billed and collected monthly as a utility charge payable to the City of Lancaster, Texas. All charges not paid within twenty (20) days from the date that the bill is issued shall be delinquent. A late charge penalty of seven (7) percent will be imposed upon delinquency. A final invoice/notice will be sent five (5) days after delinquency specifying a cutoff date ten (10) days after such notice.”

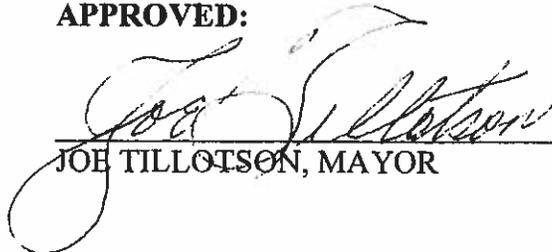
**SECTION 2.** That all provisions of the ordinances of the City of Lancaster in conflict with the provisions of this ordinance be, and the same are hereby, repealed, and all other provisions of the ordinances of the City of Lancaster not in conflict with the provisions of this ordinance shall remain in full force and effect.

**SECTION 3.** That should any sentence, paragraph, subdivision, clause, phrase 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 unconstitutional, illegal, or invalid.

**SECTION 4.** This ordinance shall take effect immediately from and after its passage as the law and charter in such cases provide.

**DULY APPROVED AND PASSED** by the City Council of the City of Lancaster, Dallas County, Texas on the 22<sup>nd</sup> day of January, 2007.

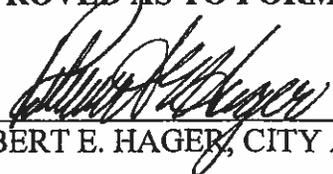
**APPROVED:**

  
\_\_\_\_\_  
JOE TILLOTSON, MAYOR

**ATTEST:**

  
\_\_\_\_\_  
DOLLE K. SHANE, CITY SECRETARY

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**5**

AG11-005

**Consider a resolution of the City Council of the City of Lancaster, Texas, electing to require the remittance of a Public Educational and Government (PEG) Fee by holders (Time Warner Cable) of a State Issued Certificate of Franchise Authority (SICFA); and providing an effective date.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 1: Financially Sound City Government**

**Background**

Time Warner Cable has notified the City of Lancaster of its intent to file its application for a State-Issued Certificate of Franchise Authority (SICFA) with the Texas Public Utility Commission (PUC) on or about November 23, 2011. This designation will allow Time Warner Cable to expand its cable service provision to the Lancaster community. At the present, Time Warner is under a municipal franchise agreement with the City of Lancaster not due to expire until May 22, 2015. As a result of their application, the current franchise will be transitioned to a SICFA effective December 19, 2011.

Under the Public Utility Regulatory Act (PURA), the City of Lancaster will continue to receive 5% of the cable service provider's gross revenues as a franchise fee payment remitted quarterly. Prior to the transition of the Time Warner Cable franchise to an SICFA, the City has the option to declare its right to require the remittance of an additional Public, Educational and Government (PEG) 1% capital fee payment.

Staff has submitted a resolution stating that the City of Lancaster accepts the remittance of the 1% fee payment. The approval of this fee payment afforded in Section 66.006(b) of the Public Utility and Regulatory Act will assist in funding capital expenditures associated with PEG facilities citywide.

**Considerations**

- **Operational** – Time Warner Cable's transition to a State Issued Certificate of Franchise Authority (SICFA) has the following affects on the City of Lancaster: 1) the City will continue to receive franchise fees, although the percentage paid and the revenues on which the fees are paid may be different than in the municipal franchise; 2) the City may receive an additional 1% of gross revenues, labeled "PEG Capital

Fee” on customer bills, to fund capital expenditures associated with Public, Educational and Government programming; and 3) complimentary services to municipal buildings are not required under a SICFA and will be phased out.

- **Legal** - A copy of the resolution has been reviewed and approved as to form by the City Attorney.
- **Financial** – The approval of the 1% PEG capital fee associated with the Time Warner Cable SICFA transition secures the remittance of approximately \$30,000.00 according to estimates taken from franchise fee payments submitted year to date in FY 2010/2011.
- **Public Information** - This meeting was properly noticed and is being held in accordance with the Texas Open Meetings Act.

#### **Options/Alternatives**

1. Approve the resolution as presented.
2. Deny the resolution and direct staff.

#### **Recommendation**

Staff recommends approval of the resolution as presented.

#### **Attachments**

- Resolution

**Prepared and submitted by:**  
Opal Mauldin Robertson, City Manager

**Date:** August 30, 2011

**RESOLUTION NO. 2011-09-74**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, ELECTING TO REQUIRE THE REMITTANCE OF A PUBLIC EDUCATIONAL AND GOVERNMENT (PEG) FEE BY HOLDERS (TIME WARNER CABLE) OF A STATE ISSUED CERTIFICATE OF FRANCHISE AUTHORITY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** Section 66.005 of the Public Utility and Regulatory Act requires the holder of a certificate of franchise authority to pay a franchise fee of five percent of gross revenues; and

**WHEREAS,** Section 66.006(b) of the Public Utility and Regulatory Act provides that, to fund capital expenses associated with Public Educational and Governmental facilities, and in lieu of in-kind contributions and grants, a municipality may elect to receive one percent of a cable service provider's gross revenues or the per subscriber fee that was paid to it under the incumbent cable service provider's agreement;

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

**SECTION 1.** The holder of a state issued certificate of franchise authority shall remit a percentage or per subscriber fee to the City under Section 66.006(b) of the Public Utility and Regulatory Act.

**SECTION 2.** The City Manager shall send a certified copy of this Resolution to the Company.

**SECTION 3.** This Resolution shall take effect immediately upon its adoption.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas on this the 12<sup>th</sup> day of September 2011.

**APPROVED:**

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

**ATTEST:**

---

Dolie K. Downe, City Secretary

**APPROVED AS TO FORM:**

---

Robert Hager, City Attorney

# LANCASTER CITY COUNCIL

Agenda Communication for  
September 12, 2011

# 6

AG11-006

**Consider a resolution of the City Council of the City of Lancaster, Texas, authorizing the Mayor to execute an assignment of Pipeline License to the Trinity River Authority of Texas for a sewer pipeline running through the Bear Creek Force Main Crossing through the Burlington Northern Santa Fe Railway UP 98 Right-of-way and operated by the Trinity River Authority Red Oak Regional Wastewater System; repealing all resolutions in conflict; providing a severability clause; and providing an effective date.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 5: Sound Infrastructure**

## **Background**

In 1983, the City of Lancaster constructed a ten inch sewer line under the Burlington Northern Santa Fe Railway UP 98 Right-of-Way (formerly Missouri-Kansas-Texas Railroad Company). The crossing of this line required the execution of a Pipeline License which was originally executed on June 1, 1983 between the former Missouri-Kansas-Texas Railroad Company and the City of Lancaster. In December 1990, the City of Lancaster entered into an agreement with the Trinity River Authority (TRA) for the TRA to operate and maintain this sewer line for the City of Lancaster. Burlington Northern Santa Fe Railway, owners of the right-of-way, requests the TRA to acquire a new Pipeline License in their name since they operate and maintain the pipeline crossing. The TRA will pay any assignment processing fees and there will be no cost to the City of Lancaster for the new Burlington Northern Santa Fe Railway License.

## **Considerations**

- **Operational** – N/A
- **Legal** – The City Attorney has reviewed all pertinent materials.
- **Financial** – TRA will pay all assignment processing fees and there will be no cost to the City.

- **Public Information** – There are no public information requirements.

**Options/Alternatives**

1. City Council may approve the resolution as presented.
2. City Council may reject the resolution and redirect staff.

**Recommendation**

Staff recommends approval of the resolution as presented.

**Attachments**

- Resolution
- Exhibit A
  - Cover Letter
  - Consent to Assignment Application and Instructions
  - Copy of existing Pipeline License #35424

**Prepared and submitted by:**  
Clovia English, Director of Public Works

**Date:** August 29, 2011

**RESOLUTION NO. 2011-09-75**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN ASSIGNMENT OF PIPELINE LICENSE TO THE TRINITY RIVER AUTHORITY OF TEXAS FOR A SEWER PIPELINE RUNNING THROUGH THE BEAR CREEK FORCE MAIN CROSSING THROUGH THE BURLINGTON NORTHERN SANTA FE RAILWAY UP 98 RIGHT-OF-WAY AND OPERATED BY THE TRINITY RIVER AUTHORITY RED OAK CREEK REGIONAL WASTEWATER SYSTEM AS OUTLINED IN EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lancaster constructed a ten inch sewer line under the Burlington Northern Santa Fe Railway UP 98 Right-Of-Way (formerly Missouri-Kansas-Texas Railroad Company); and

**WHEREAS**, the crossing of this line required the execution of a Pipeline License which was originally executed on June 1, 1983, between the former Missouri-Kansas-Texas Railroad Company and the City of Lancaster; and

**WHEREAS**, the City Council has found that the extension of this line has been in the best interest of the City of Lancaster; and

**WHEREAS**, the City of Lancaster entered into an agreement with the Trinity River Authority (TRA) in December 1990 for the TRA to operate and maintain this sewer line for the City of Lancaster; and

**WHEREAS**, the Pipeline License executed on June 1, 1983 was renewed by Renewal Letter Agreement on June 1, 1993 between the former Missouri-Kansas-Texas Railroad Company and the City of Lancaster; and

**WHEREAS**, Burlington Northern Santa Fe Railway, owners of the right-of-way, requests the Trinity River Authority to acquire a new Pipeline License in their name since they operate and maintain the pipeline crossing; and

**WHEREAS**, The Trinity River Authority will pay any assignment processing fees and there will be no cost to the City of Lancaster for the new Burlington Northern Santa Fe Railway License;

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

**SECTION 1.** The City Council of the City of Lancaster, Texas, hereby grants the Assignment of Pipeline License as provided in the attached Assignment of License

Documents in Exhibit A to Trinity River Authority having been reviewed by the City Council of the City of Lancaster, Texas and found to be acceptable and in the best interest of the City and its citizens, be, and the same is hereby, in all things approved.

**SECTION 2.** That the Mayor of the City of Lancaster, Texas is authorized to execute the appropriate documents to implement this assignment of Pipeline Crossing.

**SECTION 3.** Any prior Resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

**SECTION 4.** 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 5.** This Resolution shall take effect immediately from and after its passage, and it is duly resolved.

**DULY PASSED AND APPROVED** by the City Council of the City of Lancaster, Texas, on this the 12<sup>th</sup> day of September 2011.

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
Dolle K. Downe, City Secretary

**APPROVED AS TO FORM:**

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



BURLINGTON NORTHERN  
SANTA FE R.W.Y. CO.  
CONTRACT NO. UP 98

Form 1872-74  
(Rev. 5-83)

Denison, Texas

OCT 19 1983

Mr. A. M. Albin  
Mr. G. B. Bleakney  
Mr. H. O. Brandt  
Mr. W. G. Campbell  
Mr. H. R. Cantrell, Jr.  
Mr. M. W. Compton  
Mr. R. N. DeLongy  
Mr. H. T. Dimmerman  
Mr. W. L. Dorcy  
Mr. M. L. Eudy  
Mr. W. R. Green  
Mr. H. M. Hacker  
Mr. J. D. Hemperley  
Mr. M. L. Janovec  
Mr. D. C. Joseph  
Mr. J. C. LaGrone  
Mr. L. E. Lumm

Mr. J. F. Masters  
Mr. W. L. Morris  
Mr. A. L. O'Mary  
Mr. B. D. Phillips  
Mr. M. F. Rister  
Mr. C. A. Robertson, Jr.  
Mr. C. L. Seidlitz  
Mr. V. E. Smith  
Mr. J. A. Stein  
Mr. L. C. Sulser  
Mr. D. L. Taylor  
Mr. W. A. Thie  
Mr. T. G. Todd  
Mr. H. R. Williams  
Mr. W. H. Zeidel  
Mr. K. R. Ziebarth

Agent \_\_\_\_\_

Herewith copy of Contract No. 35424 dated 6-1-83

Supersedes Contract No. \_\_\_\_\_ for your information and file.

We have received information that Contract No. \_\_\_\_\_ dated \_\_\_\_\_

has been cancelled effective \_\_\_\_\_ superseded by Contract No. \_\_\_\_\_

With City of Lancaster, TX

Covering Pipe Line License for one 10 inch sewage line at Lancaster, TX.

P. W. Neidert  
Auditor-Disbursements

Copy sent to:

RESOLUTION NO. 13-95

**A RESOLUTION OF THE CITY OF LANCASTER, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE A RENEWAL LETTER AGREEMENT FOR PIPELINE LICENSE WITH THE MISSOURI PACIFIC RAILROAD COMPANY (FORMERLY MISSOURI-KANSAS-TEXAS RAILROAD COMPANY).**

**WHEREAS, the City of Lancaster constructed a ten inch sewer line under the Missouri-Kansas-Texas Railroad Company; and**

**WHEREAS, the extension of this line required the execution of a Pipeline License which was originally executed on June 1, 1983, between Missouri-Kansas-Texas Railroad Company and City of Lancaster; and**

**WHEREAS, the City Council has found that the extension of this line has been in the best interest of the City of Lancaster; and**

**WHEREAS, the Renewal Letter Agreement is supplemental to the Basic Agreement and nothing has been amended or modified, except as specifically provided.**

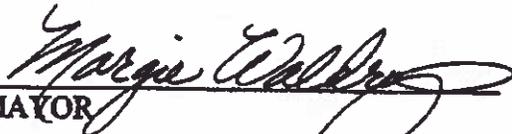
**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, THAT:**

**SECTION 1. The Mayor be authorized to execute a Renewal Letter Agreement with Missouri Pacific Railroad Company.**

**SECTION 2. The City of Lancaster pay to the Missouri Pacific Railroad Company a one time fee of Seven Hundred (\$700.00) dollars.**

**PASSED** by the City Council of the City of Lancaster, Texas, this the 27th day of March, 1995.

APPROVED:

  
MAYOR

ATTEST:

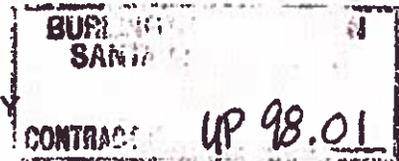
  
CITY SECRETARY

UNION PACIFIC RAILROAD COMPANY  
CONTRACTS & REAL ESTATE DEPARTMENT



R.D. UHRICH  
ASSISTANT VICE PRESIDENT

ROOM 1100, 1418 DODGE STREET  
OMAHA, NEBRASKA 68179  
(402) 271-3753  
FAX (402) 271-5493



J. A. ANTHONY  
DIRECTOR-CONTRACTS &  
JOINT FACILITIES  
D. D. BROWN  
DIRECTOR-REAL ESTATE  
J. L. HAWKINS  
DIRECTOR-OPERATIONS SUPPORT  
D. H. LIGHTWINE  
DIRECTOR-REAL ESTATE  
W. R. ULRICH  
DIRECTOR-BUILDING SERVICES

**RENEWAL LETTER AGREEMENT**

February 27, 1995

Folder No. 688-16

**CITY OF LANCASTER  
PO BOX 548  
LANCASTER TX 75146**

Dear Sirs:

Under date of June 1, 1983, Missouri Pacific Railroad Company ("Licensor") and City of Lancaster ("Licensee"), or their predecessors in interest (if any), entered into an agreement, copy attached hereto, identified in the records of the Licensor as its Audit Number KT35424 (hereinafter "Basic Agreement"), covering a 10" sanitary sewer pipeline crossing at Mile Post 783.9, Lancaster, Texas, which has expired by its own terms on May 31, 1993.

Effective as of February 27, 1995 it is agreed by and between the parties hereto as follows:

Subject to the termination provisions contained in the Basic Agreement, the term of the Basic Agreement is hereby renewed for an indefinite term commencing as of June 1, 1993, and that all the terms and conditions of the Basic Agreement, as heretofore or herein supplemented and/or amended (if applicable), shall remain in full force and effect during the extended term.

The Licensee shall pay to the Licensor a one-time fee of SEVEN HUNDRED DOLLARS (\$700.00) in advance, for administrative handling.

In compliance with the Internal Revenue Services' new policy regarding their Form 1099, I certify that 43-1118635 is the Railroad Company's correct Federal Taxpayer Identification Number and that Missouri Pacific Railroad Company is doing business as a corporation.

The Basic Agreement may be terminated by either party on 30 days' written notice to the other party.

Fiber optic cable systems may be buried on the Licensor's property. Protection of the fiber optic cable systems is of extreme importance since any break could disrupt service to users resulting in business interruption and loss of revenue and profits. Licensee shall telephone the Licensor at 1-800-336-9193 (a 24-hour number) to determine if fiber optic cable is buried anywhere on the Licensor's premises to be used by the Licensee. If it is, Licensee will telephone the telecommunications company(ies) involved, arrange for a cable locator, and make arrangements for relocation or other protection of the fiber optic cable prior to beginning any work on the Licensor's premises.

In addition to other indemnity provisions in this Agreement, the Licensee shall indemnify and hold harmless the Licensor from and against all costs, liability and expense whatsoever (including, without limitation, attorney's fees, court costs and expenses) arising out of any act or omission of the Licensee, its contractor, agents and/or employees, that causes or contributes to (1) any

damage to or destruction of any telecommunications system on Licensor's property, and (2) any injury to or death of any person employed by or on behalf of any telecommunications company, and/or its contractor, agents and/or employees, on Licensor's property. Licensee shall not have or seek recourse against Licensor for any claim or cause of action for alleged loss of profits or revenue or loss of service or other consequential damage to a telecommunication company using Licensor's property or a customer or user of services of the fiber optic cable on Licensor's property.

This Letter Agreement, is supplemental to the Basic Agreement, and nothing herein contained shall be construed as amending or modifying the same, except as herein specifically provided. Please execute this letter indicating your acceptance and return one copy to me.

Fees are due and payable upon your execution of the Letter Agreement. Please include your payment with the return of a fully executed copy. This Letter Agreement will not be considered effective by the Licensor until we receive both the fully executed duplicate original of this Letter Agreement and the payment. If you require formal billing, you may consider this Letter Agreement as a formal bill.

Please return a fully executed copy of this Letter Agreement.

**MISSOURI PACIFIC RAILROAD COMPANY**

By James L. Crothers  
DIRECTOR - CONTRACTS

The foregoing Letter Agreement is accepted, approved and executed on this 27th day of March, 1995.

WITNESS:

**CITY OF LANCASTER**

x Jackie Denman  
Jackie Denman, City Secretary

By Margie Walberg  
Title: Mayor, City of Lancaster

If you have any questions regarding this letter please contact Joan M. Preble at (402) 271-2336.

RESOLUTION NO. 19-83

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A PIPELINE LICENSE WITH THE MISSOURI-KANSAS-TEXAS RAILROAD.

WHEREAS, The City of Lancaster has requested to construct a ten inch sewer line under the Missouri-Kansas-Texas Railroad line, and

WHEREAS, The extension of this line requires the execution of a Pipeline License, and

WHEREAS, The City Council has found that the extension of this line is in the best interest of the City of Lancaster

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lancaster, Texas:

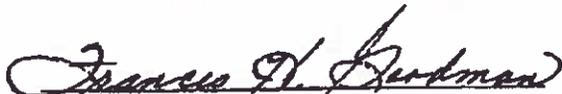
Section 1. That the Mayor be authorized to execute the Pipeline License with the Missouri-Kansas-Texas Railroad.

Section 2. That the payment of \$595.00 be made for said License.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, on this 21st day of June, 1983.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Secretary

SANTA FE R.WY. CO.  
CONTRACT NO. UP 98

Form 179  
FILE T-654  
CONTRACT No. 35424  
CANCELLED.....  
VAR

PIPE LINE LICENSE

THIS AGREEMENT No. 35424 made this 1st day of June 19 83

between the MISSOURI-KANSAS-TEXAS RAILROAD COMPANY, hereinafter called "Licensor", and  
CITY OF LANCASTER, TEXAS

hereinafter called "Licensee".

WITNESSETH:

ARTICLE I

1. Term: This agreement shall take effect the date hereof, and unless sooner terminated as provided herein, shall continue in force so long as used for the purpose herein set out for a period of ten (10) years, or until terminated by either party giving the other party not less than thirty (30) days' advance notice in writing of an intention to terminate the same, the agreement to terminate upon the expiration of such term or notice, whichever occurs first. Licensee is hereby given a renewal option at a price and term to be negotiated no sooner than 120 days or less than 30 days prior to the expiration of this term. In the event the amount of renegotiated rental is not agreed to in writing by both parties, prior to the expiration of the term of this license, this license shall automatically terminate without notice, effective the last day of the expiring term.

2. Consideration and Description: In consideration of FIVE HUNDRED NINETY FIVE AND NO/100-----

( \$ 595.00 ) DOLLARS

receipt of which is hereby acknowledged, and of the covenants of Licensee as hereinafter set forth, Licensor hereby grants a license and permission to Licensee to construct, reconstruct, use, maintain, operate, repair and install by boring method, one pipe line(s) encased in a carrier pipe not exceeding ten (10) inches in diameter, to be used for carrying sewage across or along Licensor's property at or near Lancaster in the County of Dallas and State of Texas. For convenience, the said pipe line is hereinafter referred to as "Crossing". The location of said Crossing is more particularly described as follows:

Said ten (10") inch sanitary sewer pipe line crosses said Railroad Company's premises at an angle of 90 degrees 00 minutes, more or less, measured tangent to curve from the centerline of said Railroad Company's Hillsboro Subdivision main track at Mile Post D-783.9, being main track valuation chaining station 6487 plus 13, distant 61 feet, more or less, measured southerly along the centerline of said main track from the centerline of a 24" vit. pipe at 6486 + 52. Said pipe line is not within the limits of a public crossing.

## ARTICLE II.

Licensee undertakes and agrees:

1. **Specifications:** To install said Crossing according to the specifications of the American Railway Engineering Association Part 5, Pipelines. The Crossing shall be laid and maintained at the sole cost of Licensee, and in a manner and with material satisfactory to Licensor's Chief Engineer, with its top at least five and one-half (5½) feet beneath the base of the rail under the track, and at least three (3) feet below the surface of the ground elsewhere, so it will not interfere with the safe operation of said railroad or cause damage to Licensor's property. Said pipe line shall be encased in a larger pipe where it passes under any railroad track, and for at least twenty-five (25) feet on each side of the center line of any such track.

2. **Present Occupants:** To make appropriate arrangements with any person or legal entity occupying the premises affected hereby pursuant to a lease or other permission granted by Licensor, so that Licensee's said Crossing will not unreasonably interfere with the use of the subject property, or create undue hardship on the person or legal entity occupying the premises.

3. **Liability:** Licensor shall not be liable for any damage to said Crossing or the contents thereof, howsoever such damage shall be caused, whether by the negligence of Licensor, its agents, employees, or otherwise.

Licensee assumes the risk of, and shall protect, indemnify and hold harmless Licensor from and against all liability for or on account of injury to or death of any and all persons or damage to property, including livestock killed or injured, resulting from or incident to the construction, maintenance, use, operation, relocation, reconstruction or existence of said Crossing on Licensor's premises, or the removal thereof from said premises, or to the restoration of or failure to restore said premises to their prior or other condition as herein provided, whether such injury, death or damage shall be caused or contributed to by the negligence of Licensor, its agents, employees or otherwise, and Licensee will protect, indemnify and hold harmless Licensor and any others legally using its right of way, from all claims, demands, suits or actions growing out of any such loss, injury or demands, including investigation costs, court costs, and attorneys' fees resulting or in any manner arising from the risks herein assumed by Licensee. Licensee further agrees to immediately investigate any such claims, demands, or suits and shall defend, settle, and/or otherwise dispose of the same at its sole cost and expense. In the event Licensee settles any such claims, demands, or suits, it shall obtain a release which includes Licensor.

Licensee shall not have or make against Licensor any claim or demand for or on account of any damage Licensee may suffer or sustain because of any failure of Licensor's title to the right of way and lands occupied by said Crossing or any part thereof.

4. **Waiver:** To waive all right to question the validity of this License or any of the terms or provisions hereof, or the right or power of Licensor to execute and enforce the same.

## ARTICLE III.

It is mutually agreed by and between the parties, as follows:

1.(a) **Repairs and Relocation:** Licensee will at all times maintain the Crossing in a safe and secure manner, and in a condition satisfactory to Licensor. Licensor may request Licensee to change the location of the Crossing, or any part thereof, or to make reasonable repairs as in the judgement of Licensor shall be deemed necessary to avoid interference with or danger in the use or operation of Licensor's railroad, or any of its present or future appurtenances, or telegraph, telephone, signal or other lines on Licensor's right of way, and in the event it is found necessary for Licensor to use its entire right of way, or any portion of it occupied by the Crossing, Licensee shall at its sole expense, and within thirty (30) days after notice so to do, (or upon shorter notice in case of emergency), remove said Crossing, or as much of the Crossing as is located upon that portion of the right of way so required by Licensor.

(b) If Licensee shall fail to perform any of its obligations contained in this agreement to the maintenance of safe conditions in and about said Crossing or as to the protection of wires from electrical interference on Licensor's property or to make any necessary repairs, or to relocate said Crossing, then Licensor may cause such condition to be made safe, or change of location to be made, or repairs to be made, or Crossing to be removed from Licensor's property, Licensor acting as the agent of Licensee, and may perform such work as is necessary in the judgement of Licensor, and Licensee shall, on demand, promptly reimburse Licensor the whole cost thereof, plus ten (10%) per cent thereon as a charge for supervision, accounting, and use of tools; or Licensor may terminate this License by giving to Licensee not less than ten (10) days' advance written notice of its intention so to do.

2. **Termination:** Licensor may terminate this License upon ten (10) days' written notice if Licensee fails to keep any of Licensee's covenants herein contained, or if the right of way is required for other purposes by Licensor, and no reimbursement shall be made for Licensee's expenses incurred in the removal of this crossing or the consideration paid for this License. No termination or expiration shall affect the rights and liabilities, if any, of the parties hereto then existing.

3. **Restoration:** Upon the termination of this agreement, whether in accordance with the provisions of Paragraph 1 of Article I, or Paragraph 2 or 4 of Article III, or otherwise, Licensee shall promptly remove said Crossing from Licensor's right of way, and restore said right of way to its prior condition, or to a condition satisfactory to Licensor. If Licensee shall fail to remove said Crossing within thirty (30) days after the termination of this agreement, Licensor may remove the same, and charge the expense therefor to the Licensee on the basis provided in Paragraph 1(b) of Article III.

4. Miscellaneous: (a) This License and all of the provisions herein contained shall be binding upon the parties hereto, their heirs, executors, administrators, successors and assigns, and Licensee agrees to supply notice in writing to Licensor of any name changes. Licensee agrees not to assign this license or any interest therein, without the consent of Licensor in writing, and any and every such attempted assignment without such prior written consent shall be void and of no effect. In the event of any assignment, Licensee shall at all times remain fully responsible and liable for the payment of the rental, if any, herein specified and for the compliance of all of its other obligations under the terms, provisions, and covenants of this License.

(b) In the event rent is paid annually, Licensor expressly reserves the right to increase the above rental rate on any yearly anniversary date of this license by giving Licensee thirty (30) days' written notice. Licensor may increase the rental by the percentage that the Consumer Price Index has increased, published by the Department of Labor, since the last rental increase period, or the last anniversary date hereof.

(c) The personal pronouns used herein as referring to Licensee shall be understood so to refer to Licensee whether Licensee be a natural person, a partnership, or a corporation, or any combination thereof.

(d) Any notice herein required to be given by Licensor to Licensee shall be deemed properly given if served upon or delivered to Licensee or his authorized agent, or if posted on or if mailed, postpaid, addressed to Licensee at his last known place of business.

(e) No oral promises, oral agreements, or oral warranties shall be deemed a part of this License, nor shall any alteration, amendment, supplement, or waiver of any of the provisions of this license be binding upon either party hereto unless the same be supplemented, altered, changed, or amended by an instrument in writing, signed by Licensor and Licensee.

(f) This License does not become binding upon Licensor until executed by Licensor's vice-president.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above written.

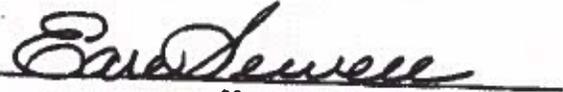
MISSOURI-KANSAS-TEXAS RAILROAD COMPANY

By

  
Vice-President

CITY OF LANCASTER, TEXAS

By

  
Mayor

Address: P. O. Box 548  
Lancaster, TX 75146

**9999 00870004314**

**CCMS COVERSHEET**

<b>AUDIT NUMBER</b>	<b>KT35424</b>
<b>DATE OF AGREEMENT</b>	
<b>PARTY NAME</b>	<b>LANCASTER, CITY OF</b>
<b>TYPE OF AGREEMENT</b>	<b>408</b>
<b>LOCATION</b>	<b>LANCASTER TX</b>
<b>CIRC7 FROM</b>	<b>TF781</b>
<b>MILEPOST FROM</b>	<b>783.90</b>
<b>BOX NUMBER</b>	<b>870 - 0043</b>
<b>BATCH NUMBER</b>	<b>3</b>

ATTN: SUPERVISOR OF CONTRACTS -- ONLINE CONTRACT EXECUTION REPORT

AUDIT NBR : KT35424 SEQUENCE NBR: 64309  
FOLDER NBR: 68816 VERSION NBR : 1  
CUSTOMER NBR: 83961  
OLD PARTY NAME: LANCASTER, CITY OF  
OLD CITY : LANCASTER OLD STATE: TX  
NEW PARTY NAME: LANCASTER, CITY OF  
NEW CITY : LANCASTER NEW STATE: TX

AGRM DESCRIPTION: CROSSING - PIPE LINE

CONTRACT TYPE:

SUPPLEMENT DATE: 1995-02-27

EFFECTIVE DATE OLD: NEW: 1993-06-01

TERMINATION DATE OLD: 1993-06-01 NEW: 9999-99-99

BILL AMOUNT OLD: \$595.00 NEW: \$700.00

BILL FREQUENCY OLD: VA NEW: VA

EXECUTION COMMENTS:

RENEWED FOR AN INDEFINITE TERM EFFECTIVE 6-1-1993.

ONE TIME FEE OF 700.00 IS COVERED BY CK. #7530 FOR 700.00.

R.L.W.

APR 17 1995

CONTRACT COMMENTS:

APR 17 1995



**Donald S. Rowe**  
Senior Real Estate Specialist

Trinity River Authority of Texas

5300 South Collins  
Arlington, TX 78018-1710  
P.O. Box 60  
Arlington, TX 76004-0060  
Direct (817) 493-5141  
Metro (817) 467-4343 x 141  
Fax (817) 417-0367  
E-mail: rowed@trinityra.org

exas



**Mr. Jim Brewer**  
Building Inspections  
City of Lancaster  
700 East Main P.O. Box 940  
Lancaster, Texas 75146

**Re: Assignment of License #35424 Burlington Northern Santa Fe Railway UP 98  
Sanitary Sewer Pipeline Crossing at Mile Post 783.9  
TRA Bear Creek Lift Station / Red Oak Creek Regional Wastewater System**

Dear Mr. Brewer:

Thank you for taking my call and providing direction for completion of the Assignment of Pipe Line License #35424. This License was originally issued to the City of Lancaster in 1983 and remains in force for operation of this BNSF ROW / TRA Pipeline Crossing for the Bear Creek Force Main operated by the TRA Red Oak Creek Regional Wastewater System. Since TRA operates and maintains this pipeline crossing BNSF has asked that TRA apply for a new Pipeline License for the crossing and as part of our new Pipeline License Application have asked us to complete their Assignment of License Form. License #35424 will be cancelled upon the issuing of the new License to TRA. There will be no charges or cost to the City of Lancaster for the new TRA Pipeline License or processing the Consent for Assignment of License #35424.

If would please fill in your contact information for BNSF contact for the Consent for Assignment Application and return to my attention in the envelope provided. If you have any questions please contact me at 817-493-5141 or [rowed@trinityra.org](mailto:rowed@trinityra.org).

Thank you for your interest and attention.

Sincerely,

Donald S. Rowe  
Senior Real Estate Specialist

PLEASE  
RETURN  
ONE COPY  
TO TRA.  
THANK YOU

P.O. Box 60  
Arlington, Texas 76004  
Metro: (817) 467-4343  
Fax: (817) 465-0970



**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**7**

AG11-007

**Consider a resolution of the City Council of the City of Lancaster, Texas, approving the terms and conditions of the First Amendment to the interlocal agreement by and between the University of Texas Southwestern Medical Center at Dallas and the City of Lancaster for services related to the provision of paramedic continuing education; authorizing the City Manager to execute said amendment; providing a severability clause; and providing an effective date.**

**This request supports the City Council 2011 - 2012 Policy Agenda.**

**Goal 4: Professional & Committed Workforce**

**Background**

The State of Texas requires that each Paramedic obtain 40 hours of Continuing Education every year. This education is broken down into various content areas required by the state and Lancaster Fire Department Medical Control. To meet these requirements the University of Texas Southwestern Medical Center at Dallas (UT Southwestern) has provided Continuing Education to the Cities of Cedar Hill, Desoto, Duncanville and Lancaster for many years. These Cities currently have an agreement with UT Southwestern for the provision of Continuing Education for our Paramedics. In October 2010 Council approved the original agreement. This amendment extends that agreement for one year and will reflect a \$285 cost savings due to our reduced number of paramedics on staff. Section 1 of the original agreement indicates that the agreement can be amended each year to renew and reflect any changes that may be needed.

**Considerations**

- **Operational** – The amendment extends our agreement to provide for a Continuing Education Instructor to be dedicated to the four cities. The agreement provides for “one-on-one” instruction; thus improving the care delivered to the Citizens of Lancaster.

- **Legal** – This continuing education is mandated by the State of Texas for Paramedics to practice in the field. The City Attorney has reviewed and approved as to form the amendment and resolution.
- **Financial** – The City of Lancaster will see a cost savings of \$285 with this amendment.
- **Public Information** – There are no public information requirements.

### **Options/Alternatives**

1. Council may approve the resolution as presented.
2. Council may deny the resolution and direct staff.

### **Recommendation**

Staff recommends approval of the resolution as presented.

### **Attachments**

- Resolution and First Amendment
- Original Agreement

**Prepared and submitted by:**  
Thomas Griffith, Fire Chief

**Date:** August 26, 2011

**RESOLUTION NO. 2011-09-76**

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

**WHEREAS**, the City of Lancaster desires to continue the agreement with The University of Texas Southwestern Medical Center at Dallas to perform continuing education services for the paramedics in the City of Lancaster; respective emergency medical services programs;

**WHEREAS**, The University of Texas Southwestern Medical Center at Dallas desires to continue our agreement and provide said continuing education services to the City of Lancaster;

**WHEREAS**, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code authorizes units of local government to contract with one or more units of local government to perform governmental functions and services;

**WHEREAS**, this Agreement has been authorized by the governing bodies of the City of Lancaster and UT Southwestern;

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

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

**SECTION 2.** 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.** That this Resolution shall take effect October 1, 2011 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 12<sup>th</sup> day of September 2011.

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
Dolle K. Downe, City Secretary

**APPROVED AS TO FORM:**

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

**FIRST AMENDMENT TO AGREEMENT FOR CONTINUING EDUCATION SERVICES  
BETWEEN UT SOUTHWESTERN MEDICAL CENTER  
AND THE CITIES OF CEDAR HILL, DESOTO, DUNCANVILLE AND LANCASTER**

This **First Amendment to the InterLocal Agreement for Continuing Education Services** ("Amendment") is dated effective as of October 1, 2011 ("Effective Date"), and is entered into by and between **The University of Texas Southwestern Medical Center** ("University"), an agency and institution of higher education organized under the laws of the State of Texas, and the cities of Cedar Hill, DeSoto, Duncanville and Lancaster, all Texas home-rule cities ("Cities").

University and Cities entered into that certain Agreement for Continuing Education Services dated effective October 1, 2010 (the "Agreement").

University and Cities now desire to amend the terms of the Agreement as more particularly set forth below:

1. The parties hereby exercise the first option to renew the Agreement as set forth in Section 1 of the agreement, for an additional twelve-month period from October 1, 2011 through September 30, 2012.
2. **Section 3.B.iii of the Agreement** is hereby amended to reflect the number of paramedics for the renewal term. For the renewal term, the total number of paramedics shall be two hundred and eighteen (218). Fees for Section 3.B.iii for the renewal term shall be a total of \$12,426, with the Cities' respective shares as follows:

City	Number of Paramedics Enrolled	Amount Due for Term
Cedar Hill	75	\$4,275.00
DeSoto	59	\$3,363.00
Duncanville	42	\$2,394.00
Lancaster	42	\$2,394.00
<b>Total</b>	<b>218</b>	<b>\$12,426.00</b>

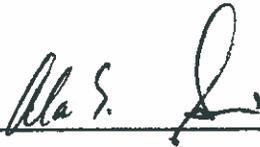
3. The total amount due for services rendered by University during the renewal term as set forth in Section 3.B.iv. shall be \$100,659.00.
4. Except as provided in this Amendment, all terms used in this Amendment that are not otherwise defined shall have the respective meanings ascribed to such terms in the Agreement.
5. This Amendment embodies the entire agreement between University and Cities with respect to the amendment of the Agreement. In the event of any conflict or inconsistency between the provisions of the Agreement and this Amendment, the provisions of this Amendment shall control and govern.
6. Except as specifically modified and amended herein, all of the terms, provisions, requirements and specifications contained in the Agreement remain in full force and effect. Except as otherwise expressly provided herein, the parties do not intend to, and the

execution of this Amendment shall not, in any manner impair the Agreement, the purpose of this Amendment being simply to amend and ratify the Agreement, as hereby amended and ratified, and to confirm and carry forward the Agreement, as hereby amended, in full force and effect.

7. THIS AMENDMENT SHALL BE CONSTRUED AND GOVERNED BY THE LAWS OF THE STATE OF TEXAS.

IN WITNESS WHEREOF, University and Cities have executed and delivered this Amendment effective as of the Effective Date.

**CITY OF CEDAR HILL, TEXAS**

By: 

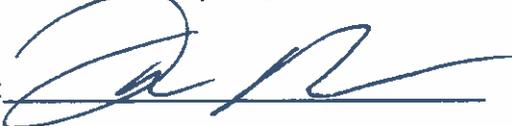
Date: 7/27/11

**THE UNIVERSITY OF TEXAS  
SOUTHWESTERN MEDICAL CENTER**

By:   
JOHN A. ROAN  
EXECUTIVE V.P. FOR BUSINESS AFFAIRS

Date: 6-10-11

**CITY OF DESOTO, TEXAS**

By: 

Date: 7/29/11

**CITY OF DUNCANVILLE, TEXAS**

By: \_\_\_\_\_

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

**CITY OF LANCASTER, TEXAS**

By: \_\_\_\_\_

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

STATE OF TEXAS

§

COUNTY OF DALLAS

§

§

**INTERLOCAL AGREEMENT FOR CONTINUING EDUCATION SERVICES**

This Interlocal Agreement for Continuing Education Services (hereinafter, "Agreement") is entered into by and between The University of Texas Southwestern Medical Center at Dallas, 5323 Harry Hines Blvd., Dallas, Texas 75390, hereinafter referred to as "UT Southwestern," and the City of Cedar Hill, Texas, City of DeSoto, Texas, City of Duncanville, Texas, and the City of Lancaster, Texas, all Texas home-rule cities, hereinafter referred to as "Cities".

**WITNESSETH:**

**WHEREAS,** the Cities desire to hire UT Southwestern to perform continuing education services for the paramedics in the Cities' respective emergency medical services programs;

**WHEREAS,** UT Southwestern desires to provide said continuing education services to the Cities;

**WHEREAS,** the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code authorizes units of local government to contract with one or more units of local government to perform governmental functions and services;

**WHEREAS,** this Agreement has been authorized by the governing bodies of the Cities and UT Southwestern;

**NOW THEREFORE,** in consideration of the foregoing, and on the terms and conditions hereinafter set forth, and other valuable consideration the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. Term. The initial term of this contract shall begin October 1, 2010 and shall terminate September 30, 2011 ("Initial Term"). Cities and UT Southwestern shall have the option to renew this Agreement for three (3) successive twelve-month periods upon the same terms and conditions as set forth herein, subject to Cities approval of the amounts to be established by UT Southwestern for each successive year after the Initial Term, as set forth in Section 4 below, and subject to the termination provisions set forth in Section 6 below.

2. Scope of Services.

A. Continuing Education Services.

i. UT Southwestern will provide continuing education services, including the services of a Continuing Education Instructor ("Instructor") for the equivalent of 100% of a person's time to perform continuing education ("CE"), evaluation and record keeping of all paramedic CE related activities, personalized instruction and evaluation, complete all reporting requirements of the Texas Department of State Health Services ("DSHS") and respond to requested data base queries. Such requirements will include the required DSHS category specific CE and NREMT re-registration CE requirements.

ii. CE services do not include copying CE materials or equipment for skills labs.

iii. Status of CE hours of each paramedic will be made available to the respective Cities' Fire Departments on a quarterly basis.

iv. It is understood that UT Southwestern will provide the Instructor with a minimum of eleven different CE topics to be taught throughout the contract year.

v. Additionally, the instructor will conduct an Annual Re-verification Exam (ARE) process for each city. Scheduling of the CE and ARE will be agreed upon between the City representative and the CE instructor.

vi. The instructor shall coordinate tasks and general time issues with the Cedar Hill Fire Dept, EMS Division, or his designee and UT Southwestern Assistant Program Director for Continuing Education.

vii. It is specifically understood that the Instructor will be required to participate in various UT Southwestern staff meetings and departmental events, as well as vacation and/or sick time, during which time he or she will be unavailable to Cities. UT Southwestern will be responsible for the costs of all activities unrelated to the services being provided hereunder, including Instructor's own continuing education requirements and Instructor's travel to UT Southwestern required meetings. The anticipated periods of unavailability of Instructor to City are as follows:

- Ten (10) staff meeting days per year;
- Two (2) retreat days per year, when applicable;
- Average vacation time: Sixteen (16) days per year;
- Sick time: Twelve (12) days per year (UT Southwestern will provide an interim instructor in the event that the Instructor is absent for a period of longer than four (4) weeks); and
- Holidays: Ten (10) days per year

B. UT Southwestern shall be responsible for reimbursing Instructor for all mileage related to performing the continuing education services.

### 3. Invoicing and Fees.

A. Invoicing. UT Southwestern shall invoice each City for fees due for services rendered during Initial Term upon execution of this Agreement, and on or about September 1st of each year thereafter, and Cities shall each pay the fees due according to their respective invoices within forty-five (45) days after receipt of its respective invoice.

**B. Fees.**

i. UT Southwestern shall recommend applicable fees for each successive year of this Agreement following the Initial Term and agrees to individually notify Cities of said recommendation on or before April 1<sup>st</sup> of each succeeding year. Cities shall have forty-five (45) days to accept the new amount or terminate the Agreement.

ii. In consideration of the provision of the services as described in Section 2(A) above, Cities shall pay to UT Southwestern a total annual amount not to exceed \$88,233.00 for the Initial Term of this Agreement. The Cities' respective shares of the total amount stated above are as follows:

Cedar Hill	\$22,058.25
DeSoto	\$22,058.25
Duncanville	\$22,058.25
Lancaster	\$22,058.25
<b>Total</b>	<b>\$88,233.00</b>

iii. In consideration of the services as described in Section 2(A) above, Cities shall also pay UT Southwestern the amount of \$57.00 for each of its respective paramedics' enrollment in the El Centro Paramedic Continuing Education Class. The total amount for two hundred and twenty-one (221) paramedics is a total of \$12,597.00. The Cities' respective shares of the total amount stated above are as follows:

City	Number of Paramedics Enrolled	Amount Due for Initial Term
Cedar Hill	72	\$4,104.00
DeSoto	59	\$3,363.00
Duncanville	43	\$2,451.00
Lancaster	47	\$2,679.00
<b>Total</b>	<b>221</b>	<b>\$12,597.00</b>

iv. The total amount due for services rendered by UT Southwestern during the Initial Term shall be \$100,830.00.

4. **Independent Contractor.** It is understood and agreed by and between the parties that in satisfying the conditions of this Agreement UT Southwestern, including its employees and agents, is acting independently, and that the Cities assume no responsibility or liabilities to any third party in connection with these actions. All services to be performed by UT Southwestern pursuant to this Agreement will be in the capacity of an independent contractor, and not as an agent or employee of the Cities. UT Southwestern agrees to supervise the performance of its services and shall be entitled to control the manner and means by which its services are to be performed, subject to the terms of this Agreement. Cities and UT Southwestern agree that UT Southwestern will be liable for any income taxes or FICA due to the Federal or State

Government. No term, provision, or act of UT Southwestern or Cities under this Agreement shall be construed as changing that status.

5. Indemnification.

**A. UT SOUTHWESTERN, TO THE EXTENT PERMITTED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, AGREES TO INDEMNIFY AND HOLD HARMLESS CITIES AND ALL OF THEIR RESPECTIVE OFFICERS, AGENTS, AND EMPLOYEES FROM ANY AND ALL SUITS, ACTIONS, OR CLAIMS WHATSOEVER THAT MIGHT ARISE ON ACCOUNT OF ANY INJURY OR DAMAGE RECEIVED OR SUSTAINED BY ANY PERSON OR PROPERTY AS A RESULT OF UT SOUTHWESTERN'S CONDUCT OF ANY ACTIVITY OR OPERATION IN CONNECTION WITH UT SOUTHWESTERN'S PROVISION OF SERVICES REQUIRED UNDER THIS AGREEMENT. UT SOUTHWESTERN WILL NOT BE OBLIGATED TO INDEMNIFY OR HOLD HARMLESS CITIES OR ANY OF THEIR RESPECTIVE OFFICERS, AGENTS, OR EMPLOYEES WHEN THE INJURY OR DAMAGE TO A PERSON OR PROPERTY IS CAUSED BY THE GROSS NEGLIGENCE OF CITIES, THEIR OFFICERS, AGENTS, OR EMPLOYEES.**

B. Each City shall give UT Southwestern prompt notice of any matter covered by Subsection 5(A) above and shall forward to UT Southwestern every demand, notice, summons, or process received in any claim or legal proceeding covered by Subsection 5(A) above.

C. No provision of this Agreement shall be interpreted to constitute a waiver of the immunities or limits of liability granted to UT Southwestern or Cities under the Constitution and laws of the State of Texas, including the Texas Tort Claims Act.

6. Termination.

A. This Agreement shall terminate upon the occurrence of any one of the following:

i. the execution by all parties of a written agreement terminating this Agreement;

ii. the Expiration Date;

iii. by any party in the event the another party breaches any of the terms or conditions of this Agreement and such breach is not cured within thirty (30) days after written notice thereof;

iv. if any subsequent Federal or State legislation or any final, non-appealable decision of a court of competent jurisdiction declares or renders this Agreement invalid, illegal or unenforceable; or

v. by any party, by giving the other party written notice of termination no later than June 30th of any year under this Agreement, with the understanding that all services being terminated will cease on September 30th following the written notice. Cities shall equitably compensate UT Southwestern in accordance with the terms of this Agreement for the services properly performed prior to the September 30<sup>th</sup> termination date specified in such notice.

B. UT Southwestern agrees that, should any of the Cities' respective governing bodies fail to appropriate sufficient funds to make payments due pursuant to this Agreement, such City may cancel its participation in this Agreement at the end of the then current fiscal year without cost or penalty to Cities. However, any such City not appropriating sufficient funds agrees to reimburse UT Southwestern in an appropriate proportionate share for the costs of any services provided by UT Southwestern, either directly or through third party vendors, and accepted by such City.

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

8. Notice. Any notice, payment, statement or demand required or permitted to be given hereunder by either party to the other may be effected by personal delivery in writing or by mail, postage prepaid. Mailed notices shall be addressed to the parties at the addresses appearing below, but each party may change its address by written notice in accordance with this section. Mailed notices shall be deemed communicated as of three days after mailing.

If intended for Cities:

City of Cedar Hill, Texas  
Attn: Fire Chief  
1212 W. Belt Line  
Cedar Hill, TX 75104

City of DeSoto, Texas  
Attn: Fire Chief  
211 E. Pleasant Run Rd.  
DeSoto, TX 75115

City of Duncanville, Texas  
Attn: Fire Chief  
203 E. Wheatland Rd.  
P.O. BOX 380280  
Duncanville, TX 75138

City of Lancaster, Texas  
Attn: Fire Chief  
1650 N. Dallas Ave.  
Lancaster, TX 75134

If intended for UT Southwestern:

The University of Texas Southwestern  
Medical Center at Dallas  
5323 Harry Hines Blvd.  
Dallas, TX 75390-9013

9. Applicable Laws. This Agreement is entered into subject to the Charter and ordinances of Cities, as amended, the Rules and Regulations of the Board of Regents of The University of Texas System, and all applicable State of Texas and Federal laws.

10. Venue. The obligations of the parties to this Agreement shall be performable in Dallas County, Texas.

11. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas.

12. Legal Construction. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be considered as if such invalid, illegal, or unenforceable provision had never been contained in this Agreement.

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

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

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

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

**[Signature Page to Follow]**

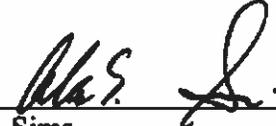
IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the last date written below:

THE UNIVERSITY OF TEXAS  
SOUTHWESTERN MEDICAL CENTER  
AT DALLAS

  
\_\_\_\_\_  
GEORGE S. KOKORUDA  
ASSISTANT VICE PRESIDENT FOR  
ACCOUNTING & FISCAL SERVICES

Date: 10/5/10

CITY OF CEDAR HILL, TEXAS

  
\_\_\_\_\_  
Alan E. Sims,  
City Manager

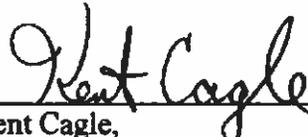
Date: 10/11/10

CITY OF DESOTO, TEXAS

  
\_\_\_\_\_  
Jim Baugh,  
City Manager

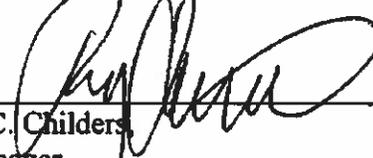
Date: 10/18/10

CITY OF DUNCANVILLE, TEXAS

  
\_\_\_\_\_  
Kent Cagle,  
City Manager

Date: 10/14/10

CITY OF LANCASTER, TEXAS

  
\_\_\_\_\_  
Rickey C. Childers,  
City Manager

Date: 10-26-10

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**8**

AG11-008

**Conduct a public hearing on the proposed Fiscal Year 2011-2012 budget and consider an ordinance of the City of Lancaster, Texas, approving and adopting a budget for the fiscal year beginning October 1, 2011 and ending September 30, 2012; 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.**

This request supports the City Council 2010-2011 Policy Agenda.

**Goal 1: Financially Sound City Government**

**Background**

The City Charter requires the City to conduct a public hearing on the proposed annual budget for FY 2011-2012. The proposed total tax rate required to provide revenue for maintenance and operations and interest and sinking fund requirements is \$0.8675 per \$100 assessed valuation. The approval of the proposed ordinance will adopt the FY 2011-2012 budget and appropriate necessary funds for the City's operation, maintenance and debt service requirements.

The proposed budget was presented to City Council at work sessions held Monday August 1, 2011 and August 15, 2011. A public hearing was conducted at the August 22, 2011 regular meeting of the City Council.

**Considerations**

- **Operational** - The proposed tax rate is \$0.8675 per \$100 assessed valuation to be assessed on taxable property to generate revenues for the maintenance, operations and interest and sinking fund requirements. Approval of the budget as presented will decrease the maintenance and operations apportionment of the tax rate from \$0.6502 to \$0.6012 and will increase the interest and sinking fund requirements from \$0.2173 to \$0.2663.

- **Legal** - Notice regarding the public hearing was published in accordance with state law in the *Focus Daily News*, the City's newspaper of record on August 7, 2011 and on the City website. The ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The proposed budget is a plan for revenues and expenditures related to the operations of the City.

The proposed tax rate of \$0.8675 is less than the effective tax rate of \$0.8719 per \$100 assessed valuation.

- **Public Information** - Notice regarding the public hearings was posted in accordance with state law, in the *Focus Daily News*, the City's newspaper of record on August 7, 2011, and posted on the City's website.

### **Options/Alternatives**

1. Close the public hearing and approve the ordinance as presented.
2. Close the public hearing and place the item on the September 26, 2011 meeting for action.
3. Close the public hearing and direct staff.

### **Recommendation**

Staff recommends closing the public hearing and approving the budget as presented

### **Attachments**

- Ordinance
- Proposed Budget (fund summaries)

**Prepared and submitted by:**  
Opal Mauldin Robertson, City Manager

**Date:** September 7, 2011

**ORDINANCE NO. 2011-09-**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2011 AND ENDING SEPTEMBER 30, 2012; 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 2011-2012; 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;

**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, 2011 and ending September 30, 2012, 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, 2011 and ending September 30, 2012.

**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, 2011, and ending September 30, 2012, 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:

<b>Fund</b>	<b>2011-2012 Budget Expenditures</b>
General	\$19,415,522
G.O. Debt Service	\$4,066,241
Water/Wastewater	\$12,922,146
Airport	\$396,082
Hotel Motel Tax	\$54,619
LEDC (Type A)	\$904,117
LRDC (Type B)	\$2,626,639
Golf Course	\$47,550
Sanitation	\$1,562,433
Housing	\$8,310,829
E911	\$142,727
Stormwater	<u>\$952,810</u>
<b>Total</b>	<b>\$51,401,715</b>

**SECTION 3.** That 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 12<sup>th</sup> day of September 2011.

**APPROVED:**

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**ATTEST:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

## CITY-WIDE OPERATING FUND TOTALS

TOTAL REVENUES		2009	2010	2011		2012
Fund Number	Fund	Actual	Actual	Year to Date	Budget	Proposed
1	General Fund	20,977,477	21,082,672	18,049,480	20,162,526	19,447,368
2	G.O. Debt Service	3,392,644	3,701,576	3,238,590	3,254,063	4,005,537
5	Water/Wastewater	11,783,208	12,569,330	9,723,588	11,716,343	13,971,763
9	Airport	302,983	701,432	306,553	336,670	380,127
14	Hotel/Motel	115,251	88,506	57,511	88,677	77,137
16	LEDC/4A	778,804	909,484	670,662	901,000	874,000
17	LRDC/4B	2,006,358	2,292,815	2,334,694	2,817,308	2,732,769
18	Golf Course	80,974	72,743	76,965	76,431	78,164
19	Sanitation	1,511,867	1,886,125	1,833,995	1,564,999	1,739,999
20	HAP	8,241,019	8,814,631	8,119,560	8,392,270	8,392,270
21	E911	517,257	305,193	271,671	256,984	256,984
30	DHAP	215,647	1,726	-	-	-
53	Stormwater	924,929	1,379,096	1,775,994	1,250,000	1,260,000
<b>Total</b>		<b>\$ 50,848,418</b>	<b>\$ 53,805,330</b>	<b>\$ 46,459,264</b>	<b>\$ 50,817,271</b>	<b>\$ 53,216,118</b>

TOTAL EXPENDITURES		2009	2010	2011		2012
Fund Number	Fund	Actual	Actual	Year to Date	Budget	Proposed
1	General Fund	19,745,935	21,203,289	16,282,794	20,161,881	19,415,522
2	G.O. Debt Service	3,101,865	3,332,364	3,729,140	3,903,782	4,066,241
5	Water/Wastewater	11,298,457	12,647,843	8,573,379	11,765,550	12,922,146
9	Airport	632,993	527,685	364,320	431,101	396,082
14	Hotel/Motel	47,800	93,499	48,363	54,619	54,619
16	LEDC/4A	1,828,528	521,632	447,740	996,650	904,117
17	LRDC/4B	2,827,931	2,713,966	2,190,783	2,648,487	2,626,639
18	Golf Course	138,276	152,855	10,139	52,000	47,550
19	Sanitation	1,293,727	1,856,423	1,824,287	1,661,588	1,562,433
20	HAP	8,285,804	8,588,582	7,888,239	8,416,901	8,310,829
21	E911	1,015,407	640,181	88,253	133,565	142,727
30	DHAP	272,631	151,588	-	-	-
53	Stormwater	918,629	1,356,590	1,423,889	1,501,993	952,810
<b>Total</b>		<b>\$ 51,407,983</b>	<b>\$ 53,786,497</b>	<b>\$ 42,871,326</b>	<b>\$ 51,728,117</b>	<b>\$ 51,401,715</b>

<b>Net Gain (Loss)</b>		<b>\$ (559,564)</b>	<b>\$ 18,833</b>	<b>\$ 3,587,938</b>	<b>\$ (910,846)</b>	<b>\$ 1,814,403</b>
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# GENERAL FUND

REVENUES		2009	2010	2011		2012
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	PROPERTY TAX	10,904,885	9,706,144	9,762,958	9,788,992	9,048,294
	SALES TAX	3,881,711	4,564,501	3,338,810	4,500,000	4,500,000
	FRANCHISE TAX	1,822,233	1,722,967	1,226,180	1,890,628	1,890,628
	OTHER TAXES	34,080	37,893	40,625	39,835	40,000
	LICENSES AND PERMITS	651,514	618,563	497,160	548,882	571,934
	INTERGOVERNMENTAL	168,715	204,679	31,837	212,000	212,000
	CHARGES FOR SERVICES	655,234	634,834	490,987	628,592	650,339
	FINES AND FORFEITURES	855,979	721,503	655,999	682,058	702,089
	INTEREST	15,629	7,073	4,442	6,000	6,000
	MISCELLANEOUS	525,993	316,279	242,007	273,623	227,848
	OPERATING TRANSFERS IN	1,461,504	2,548,236	1,598,236	1,591,916	1,598,236
	GRANT & Other Income	-	-	160,240	-	-
	<b>Total</b>	<b>\$ 20,977,477</b>	<b>\$ 21,082,672</b>	<b>\$ 18,049,480</b>	<b>\$ 20,162,526</b>	<b>\$ 19,447,368</b>

EXPENDITURES		2009	2010	2011		2012
Department No		Actual	Actual	Year to Date	Budget	Proposed
1	City Council	23,739	59,874	66,920	86,890	71,095
2	City Manager's Office	763,999	626,932	576,606	584,956	562,886
5	Legal	238,846	149,172	86,765	175,000	150,000
6	Building Services	1,007,885	1,037,407	716,355	1,000,036	892,891
8	Municipal Court	512,763	359,029	380,364	362,754	426,774
9	Building Inspections	351,702	310,122	233,500	332,313	333,045
10	Fleet Maintenance	257,322	50,931	212,270	257,024	245,540
12	Streets Operations	823,692	2,119,957	616,559	883,786	813,684
13	Parks	662,550	750,195	450,728	463,157	552,173
14	Police	5,498,708	5,946,511	4,628,703	5,678,277	5,710,604
15	Fire	5,405,257	6,049,028	4,709,641	5,432,060	5,435,800
16	Non-Departmental	576,346	745,467	701,326	1,040,215	735,717
17	Planning	257,985	129,201	77,893	92,156	80,146
18	City Secretary	170,494	173,505	141,854	182,583	176,726
19	Finance	688,410	762,198	426,312	604,699	496,646
24	Animal Services	117,628	132,096	119,831	152,185	142,532
29	Purchasing	96,575	112,920	90,599	109,427	109,059
31	Human Resources	390,591	318,630	275,136	356,654	328,541
32	Civil Service	7,031	6,117	5,563	6,050	5,850
34	Emergency Communications	700,681	333,873	547,441	745,909	803,526
35	Code Compliance	372,451	281,881	210,465	373,809	281,981
36	Development Services	304,401	153,686	129,278	161,036	155,023
37	Information Technology	356,201	434,419	290,878	393,681	382,300
38	Fire Marshal	159,024	159,494	87,566	87,224	72,983
80	Transfers Out	-	-	500,000	600,000	450,000
	<b>Total</b>	<b>\$ 19,745,935</b>	<b>\$ 21,203,289</b>	<b>\$ 16,282,794</b>	<b>\$ 20,161,881</b>	<b>\$ 19,415,522</b>

BALANCES		2009	2010	2011		2012
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	1,231,542	(120,617)	1,766,687	645	31,846
	Beginning Balance	2,536,841	3,717,084	3,596,467	3,596,467	3,597,112
	Ending Balance	3,768,384	3,596,467	5,363,154	3,597,112	3,628,958
	Ending Balance as % of Expenditures	19.08%	16.96%	32.94%	17.84%	18.69%

## DEBT SERVICE FUND

REVENUES		2009	2010	2011		2012
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	Property Taxes	2,255,817	2,555,547	3,237,225	3,251,477	4,002,951
	Interest	2,931	2,061	1,365	2,550	2,550
	Transfers In	1,133,508	1,143,968	-	-	-
	Other Revenue	388	-	-	36	36
	Bond Proceeds	-	-	-	-	-
	<b>Total</b>	<b>\$ 3,392,644</b>	<b>\$ 3,701,576</b>	<b>\$ 3,238,590</b>	<b>\$ 3,254,063</b>	<b>\$ 4,005,537</b>

EXPENDITURES		2009	2010	2011		2012
Department No		Actual	Actual	Year to Date	Budget	Proposed
	50 Debt Service	3,101,865	3,332,364	3,729,140	3,903,782	4,066,241
	80 Transfers Out	-	-	-	-	-
	<b>Total</b>	<b>\$ 3,101,865</b>	<b>\$ 3,332,364</b>	<b>\$ 3,729,140</b>	<b>\$ 3,903,782</b>	<b>\$ 4,066,241</b>

BALANCES		2009	2010	2011		2012
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	290,778	369,212	(490,550)	(649,719)	(60,704)
	Beginning Balance	295,933	586,712	955,923	955,923	306,204
	Ending Balance	586,712	955,923	465,373	306,204	245,500
	<b>Ending Balance as % of Expenditures</b>	<b>18.91%</b>	<b>28.69%</b>	<b>12.48%</b>	<b>7.84%</b>	<b>6.04%</b>

## WATER AND WASTEWATER FUND

REVENUES		2009	2010	2011		2012
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	Water	4,921,300	5,099,428	4,331,204	5,487,000	6,485,731
	Wastewater	5,737,835	5,424,205	4,695,358	5,645,000	6,897,295
	Fees	147,827	167,620	313,486	173,985	180,307
	Impact Fees	116,736	107,631	94,155	93,463	93,463
	Other Revenue	829,692	1,754,840	276,278	297,413	295,485
	Interest	29,819	15,607	13,106	19,482	19,482
	Transfers In	-	-	-	-	-
	<b>Total</b>	<b>\$ 11,783,208</b>	<b>\$ 12,569,330</b>	<b>\$ 9,723,588</b>	<b>\$ 11,716,343</b>	<b>\$ 13,971,763</b>

EXPENDITURES		2009	2010	2011		2012
Department No		Actual	Actual	Year to Date	Budget	Proposed
2	Public Works Administration	749,807	742,982	625,585	836,415	782,131
20	Utility Billing	405,513	435,510	385,364	506,046	472,540
21	Water Operations	559,041	586,405	544,182	863,217	802,455
22	Non-Departmental	1,697,228	1,562,036	7,057	175,200	178,540
27	Meter Reading	197,395	369,731	104,720	184,994	178,481
30	Wastewater Operations	499,897	446,449	417,431	635,104	643,219
42	Wholesale Costs	5,390,833	5,718,055	4,703,892	5,960,000	6,308,448
50	Debt Service	474,507	412,248	360,912	1,180,338	2,132,096
80	Transfers Out	1,324,236	2,374,236	1,424,236	1,424,236	1,424,236
	<b>Total</b>	<b>\$ 11,298,457</b>	<b>\$ 12,647,843</b>	<b>\$ 8,573,379</b>	<b>\$ 11,765,550</b>	<b>\$ 12,922,146</b>

BALANCES		2009	2010	2011		2012
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	484,751	(78,514)	1,150,210	(49,207)	1,049,617
	Beginning Balance	10,063,512	10,989,149	11,533,607	11,533,607	11,484,400
	Ending Balance	10,548,263	10,910,635	12,683,816	11,484,400	12,534,017
	<b>Ending Balance as % of Expenditures</b>	<b>93.36%</b>	<b>86.26%</b>	<b>147.94%</b>	<b>97.61%</b>	<b>97.00%</b>

## AIRPORT FUND

REVENUES		2009	2010	2011		2012
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	Airport Operations	210,699	219,775	194,312	266,161	228,281
	Net Fuel Sale	10,050	47,750	63,108	23,813	100,710
	Other Revenue	51,529	433,908	49,133	46,696	51,136
	<b>Total</b>	<b>\$ 302,983</b>	<b>\$ 701,432</b>	<b>\$ 306,553</b>	<b>\$ 336,670</b>	<b>\$ 380,127</b>

EXPENDITURES		2009	2010	2011		2012
Departments No		Actual	Actual	Year to Date	Budget	Proposed
40	AIRPORT	602,273	504,202	351,099	394,955	359,936
50	DEBT SERVICE	30,720	23,417	12,993	36,146	36,146
	<b>Total</b>	<b>\$ 632,993</b>	<b>\$ 527,685</b>	<b>\$ 364,320</b>	<b>\$ 431,101</b>	<b>\$ 396,082</b>

BALANCES		2009	2010	2011		2012
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	(330,010)	173,748	(57,766)	(94,431)	(15,955)
	Beginning Balance	32,954	(300,450)	(505,910)	(505,910)	(600,341)
	Ending Balance	(297,056)	(126,702)	(563,676)	(600,341)	(616,296)
	Ending Balance as % of Expenditures	-46.93%	-24.01%	-154.72%	-139.26%	-155.60%

## HOTEL/MOTEL TAX FUND

REVENUES		2009	2010	2011		2012
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	HOTEL/MOTEL TAX	112,890	78,641	42,967	72,802	61,262
	RENTAL INCOME	-	9,190	14,300	15,600	15,600
	INTEREST	367	276	244	275	275
<b>Total</b>		<b>\$ 115,251</b>	<b>\$ 88,506</b>	<b>\$ 57,511</b>	<b>\$ 88,677</b>	<b>\$ 77,137</b>

EXPENDITURES		2009	2010	2011		2012
Department No		Actual	Actual	Year to Date	Budget	Proposed
34	HISTORIC PRESERVATION	7,800	-	-	-	-
46	HOTEL/MOTEL	40,000	43,035	33,707	40,000	40,000
52	Visitor Center	-	50,464	14,655	14,619	14,619
80	TRANSFERS OUT	-	-	-	-	-
<b>Total</b>		<b>\$ 47,800</b>	<b>\$ 93,499</b>	<b>\$ 48,363</b>	<b>\$ 54,619</b>	<b>\$ 54,619</b>

BALANCES		2009	2010	2011		2012
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	67,451	(4,992)	9,148	34,058	22,518
	Beginning Balance	158,085	225,535	220,543	220,543	254,601
	Ending Balance	225,535	220,543	229,691	254,601	277,119
<b>Ending Balance as % of Expenditures</b>		<b>471.83%</b>	<b>235.88%</b>	<b>474.94%</b>	<b>466.14%</b>	<b>507.37%</b>

## SALES TAX 4A-ECONOMIC DEVELOPMENT

REVENUES		2009	2010	2011		2012
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	SALES TAXES	776,342	906,511	667,762	900,000	873,000
	INTEREST	2,462	2,973	2,900	1,000	1,000
	<b>Total</b>	<b>\$ 778,804</b>	<b>\$ 909,484</b>	<b>\$ 670,662</b>	<b>\$ 901,000</b>	<b>\$ 874,000</b>

EXPENDITURES		2009	2010	2011		2012
Department No		Actual	Actual	Year to Date	Budget	Proposed
	2 ECON DEV ADMINISTRATION	213,903	226,215	154,165	248,800	188,382
	50 4A DEBT SERVICE	226,650	227,350	227,750	227,750	455,800
	60 MARKETING AND ADVERTISING	7,975	8,066	5,825	40,100	35,100
	63 INCENTIVE PROGRAMS	1,365,000	10,000	10,000	430,000	170,000
	80 TRANSFERS OUT	15,000	50,000	50,000	50,000	54,835
	<b>Total</b>	<b>\$ 1,828,528</b>	<b>\$ 521,632</b>	<b>\$ 447,740</b>	<b>\$ 996,650</b>	<b>\$ 904,117</b>

BALANCES		2009	2010	2011		2012
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	(1,049,723)	387,852	222,922	(95,650)	(30,117)
	Beginning Balance	3,139,408	2,083,875	2,477,535	2,477,535	2,381,885
	Ending Balance	2,089,684	2,471,727	2,700,457	2,381,885	2,351,768
	Ending Balance as % of Expenditures	114.28%	473.85%	603.13%	238.99%	260.12%

## SALES TAX 4B-CULTURAL/RECREATIONAL

REVENUES		2009	2010	2011		2012
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	0 SALES TAXES	1,552,684	1,814,922	1,335,524	1,800,000	1,746,000
	56 RECREATION	387,546	410,491	428,033	402,965	527,000
	54 LIFE CENTER	13,499	13,734	15,440	8,343	7,769
	7 LIBRARY	49,424	53,169	55,414	4,000	-
	0 OTHER	1,592	491	283	-	-
	0 TRANSFERS IN	-	-	500,000	600,000	450,000
	0 INTEREST	1,612	7	-	2,000	2,000
<b>Total</b>		<b>\$ 2,006,358</b>	<b>\$ 2,292,815</b>	<b>\$ 2,334,694</b>	<b>\$ 2,817,308</b>	<b>\$ 2,732,769</b>

EXPENDITURES		2009	2010	2011		2012
Department No		Actual	Actual	Year to Date	Budget	Proposed
	2 REC ADMINISTRATION	288,850	220,795	157,036	201,358	201,534
	7 LIBRARY	503,602	475,514	386,109	579,010	539,116
	50 4B DEBT SERVICE	906,958	906,616	909,299	909,299	906,140
	54 SENIOR LIFE CENTER	155,079	142,170	75,381	112,347	109,430
	56 RECREATION CENTER	929,445	907,601	648,757	818,473	842,419
	57 COMMUNITY PARK	33,499	47,937	387	15,000	15,000
	80 TRANSFERS OUT	10,500	13,000	13,000	13,000	13,000
<b>Total</b>		<b>\$ 2,827,931</b>	<b>\$ 2,713,966</b>	<b>\$ 2,190,783</b>	<b>\$ 2,648,487</b>	<b>\$ 2,626,639</b>

BALANCES		2009	2010	2011		2012
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	(821,574)	(421,151)	143,911	168,821	106,130
	Beginning Balance	928,057	94,864	(314,670)	(314,670)	(145,849)
	Ending Balance	106,483	(326,287)	(170,759)	(145,849)	(39,719)
<b>Ending Balance as % of Expenditures</b>		<b>3.77%</b>	<b>-12.02%</b>	<b>-7.79%</b>	<b>-5.51%</b>	<b>-1.51%</b>

## GOLF COURSE FUND

REVENUES		2009	2010	2011		2012
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	GOLF COURSE REVENUE	80,974	72,743	76,965	76,431	78,164
	<b>Total</b>	<b>\$ 80,974</b>	<b>\$ 72,743</b>	<b>\$ 76,965</b>	<b>\$ 76,431</b>	<b>\$ 78,164</b>

EXPENDITURES		2009	2010	2011		2012
Department No		Actual	Actual	Year to Date	Budget	Proposed
39	GOLF COURSE	135,276	145,855	3,139	45,000	40,550
80	TRANSFERS OUT	3,000	7,000	7,000	7,000	7,000
	<b>Total</b>	<b>\$ 138,276</b>	<b>\$ 152,855</b>	<b>\$ 10,139</b>	<b>\$ 52,000</b>	<b>\$ 47,550</b>

BALANCES		2009	2010	2011		2012
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	(57,302)	(80,112)	66,826	24,431	30,614
	Beginning Balance	94,505	37,204	(42,896)	(42,896)	(18,465)
	Ending Balance	37,204	(42,908)	23,929	(18,465)	12,149
	<b>Ending Balance as % of Expenditures</b>	<b>26.91%</b>	<b>-28.07%</b>	<b>236.01%</b>	<b>-35.51%</b>	<b>25.55%</b>

## SANITATION FUND

REVENUES		2009	2010	2011		2012
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	Garbage Collection	1,511,231	1,884,439	1,832,638	1,561,158	1,736,158
	Other	603	1,523	1,230	3,841	3,841
	Interest	32	163	126	-	-
	<b>Total</b>	<b>\$ 1,511,867</b>	<b>\$ 1,886,125</b>	<b>\$ 1,833,995</b>	<b>\$ 1,564,999</b>	<b>\$ 1,739,999</b>

EXPENDITURES		2009	2010	2011		2012
Department No		Actual	Actual	Year to Date	Budget	Proposed
2	ADMINISTRATION	6,200	68,557	35,470	51,588	42,433
11	REFUSE SERVICE	1,229,759	1,717,361	1,548,401	1,250,000	1,250,000
12	STREET MAINTENANCE	-	-	146,253	300,000	200,000
43	NON-DEPARTMENTAL	57,769	70,504	94,163	60,000	70,000
	<b>Total</b>	<b>\$ 1,293,727</b>	<b>\$ 1,856,423</b>	<b>\$ 1,824,287</b>	<b>\$ 1,661,588</b>	<b>\$ 1,562,433</b>

BALANCES		2009	2010	2011		2012
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	218,140	29,702	9,708	(96,589)	177,566
	Beginning Balance	(130,160)	87,980	117,682	117,682	21,093
	Ending Balance	87,980	117,682	127,390	21,093	198,659
	Ending Balance as % of Expenditures	6.80%	6.34%	6.98%	1.27%	12.71%

## E-911 FUND

REVENUES		2009	2010	2011		2012
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
	E911 INCOME	250,181	305,005	271,645	256,000	256,000
	INTEREST	1,086	188	26	984	984
	LEASE REVENUE	265,987	-	-	-	-
	<b>Total</b>	<b>\$ 517,257</b>	<b>\$ 305,193</b>	<b>\$ 271,671</b>	<b>\$ 256,984</b>	<b>\$ 256,984</b>

EXPENDITURES		2009	2010	2011		2012
Department No		Actual	Actual	Year to Date	Budget	Proposed
47	9-1-1-E	1,015,407	640,181	88,253	133,565	142,727
50	DEBT SERVICE	-	-	-	-	-
80	TRANSFERS OUT	-	-	-	-	-
	<b>Total</b>	<b>\$ 1,015,407</b>	<b>\$ 640,181</b>	<b>\$ 88,253</b>	<b>\$ 133,565</b>	<b>\$ 142,727</b>

BALANCES		2009	2010	2011		2012
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	(498,151)	(334,987)	183,417	123,419	114,257
	Beginning Balance	862,966	364,815	29,828	29,828	153,247
	Ending Balance	364,815	29,828	213,245	153,247	267,504
	<b>Ending Balance as % of Expenditures</b>	<b>35.93%</b>	<b>4.66%</b>	<b>241.63%</b>	<b>114.74%</b>	<b>187.42%</b>

## LANCASTER HOUSING AGENCY-HUD

REVENUES		2009	2010	2011		2012
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
0	ADMINISTRATIVE REVENUE	992,143	871,533	760,549	892,270	892,270
25	ADMINISTRATIVE REVENUE	-	-	33,300	-	-
71	HAP PAYMENT REVENUE	7,248,876	7,943,098	7,325,711	7,500,000	7,500,000
<b>Total</b>		<b>\$ 8,241,019</b>	<b>\$ 8,814,631</b>	<b>\$ 8,119,560</b>	<b>\$ 8,392,270</b>	<b>\$ 8,392,270</b>

EXPENDITURES		2009	2010	2011		2012
Department No		Actual	Actual	Year to Date	Budget	Proposed
25	HOUSING ADMINISTRATION	766,301	805,338	589,855	854,901	748,829
71	HOUSING ASSISTANCE PAYMENTS	7,458,536	7,721,244	7,236,384	7,500,000	7,500,000
80	TRANSFERS OUT	60,967	62,000	62,000	62,000	62,000
<b>Total</b>		<b>\$ 8,285,804</b>	<b>\$ 8,588,582</b>	<b>\$ 7,888,239</b>	<b>\$ 8,416,901</b>	<b>\$ 8,310,829</b>

BALANCES		2009	2010	2011		2012
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	(44,784)	226,049	231,321	(24,631)	81,441
	Beginning Balance	662,587	609,454	960,292	960,292	935,661
	Ending Balance	617,802	835,503	1,191,613	935,661	1,017,102
	Ending Balance as % of Expenditures	7.46%	9.73%	15.11%	11.12%	12.24%

## LANCASTER HOUSING AGENCY-DHAP

REVENUES		2009	2010	2011		2012
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
0	Administrative Revenue	54,047	1,726	-	-	-
71	HAP Payment Revenue	161,600	-	-	-	-
<b>Total</b>		<b>\$ 215,647</b>	<b>\$ 1,726</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

EXPENDITURES		2009	2010	2011		2012
Department No		Actual	Actual	Year to Date	Budget	Proposed
25	DHAP ADMINISTRATION	119,646	94,091	-	-	-
71	DHAP HOUSING ASSISTANCE PMTS	146,785	57,497	-	-	-
80	TRANSFERS OUT	6,200	-	-	-	-
<b>Total</b>		<b>\$ 272,631</b>	<b>\$ 151,588</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>

BALANCES		2009	2010	2011		2012
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	(56,984)	(149,862)	-	-	-
	Beginning Balance	339,409	282,425	(27)	(27)	(27)
	Ending Balance	282,425	132,563	(27)	(27)	(27)
<b>Ending Balance as % of Expenditures</b>		<b>103.59%</b>	<b>87.45%</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>	<b>#DIV/0!</b>

## STORM WATER DRAINAGE

REVENUES		2009	2010	2011		2012
Department No	Revenue Source	Actual	Actual	Year to Date	Budget	Proposed
0	Drainage Fee	923,124	1,079,539	1,091,856	1,250,000	1,260,000
4	Grant Income	-	299,500	684,138	-	-
<b>Total</b>		<b>\$ 924,929</b>	<b>\$ 1,379,096</b>	<b>\$ 1,775,994</b>	<b>\$ 1,250,000</b>	<b>\$ 1,260,000</b>

EXPENDITURES		2009	2010	2011		2012
Department No		Actual	Actual	Year to Date	Budget	Proposed
2	ADMINISTRATION	-	3,440	59,528	-	-
4	STORMWATER OPERATIONS	798,426	1,073,855	1,273,348	1,409,980	862,797
22	NON-DEPARTMENTAL	29,485	187,257	-	-	-
50	STORM WATER DEBT SERVICE	51,038	50,038	49,013	50,013	48,013
80	TRANSFERS OUT	39,680	42,000	42,000	42,000	42,000
<b>Total</b>		<b>\$ 918,629</b>	<b>\$ 1,356,590</b>	<b>\$ 1,423,889</b>	<b>\$ 1,501,993</b>	<b>\$ 952,810</b>

BALANCES		2009	2010	2011		2012
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	6,300	22,506	352,106	(251,993)	307,190
	Beginning Balance	238,224	244,525	267,031	267,031	15,038
	Ending Balance	244,525	267,031	619,136	15,038	322,228
<b>Ending Balance as % of Expenditures</b>		<b>26.62%</b>	<b>19.68%</b>	<b>43.48%</b>	<b>1.00%</b>	<b>33.82%</b>

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**9**

AG11-009

**Conduct a public hearing and consider an ordinance of the City of Lancaster, Texas levying ad valorem taxes for fiscal year 2011/2012 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; and providing an effective date.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 1: Financially Sound City Government**

**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 City Council.

The total tax revenue will decrease from properties on the tax roll in the preceding tax year by 0.7% (percentage by which the tax rate will be lower than effective tax rate calculated under Chapter 26, Tax Code.) Individual taxes may decrease at a rate greater or lesser or even increase depending on the change in the taxable value of each property.

**Considerations**

- **Operational** - A tax of eighty-six seventy-five one thousandths cents (\$0.8675) on each one hundred dollars (\$100.) 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** - The required notice and vote are being held in accordance with state law and the City Charter. The ordinance was reviewed and approved as to form by the City Attorney.

- **Financial** - The proposed tax rate is to cover the cost of the maintenance and operations and interest and sinking fund requirements.
- **Public Information** - Public notices were published in the official City publication of record and information regarding the proposed tax rate is being made available in accordance with state law and the City Charter.

**Options/Alternatives**

1. Close the public hearing and approve the ordinance levying the ad valorem taxes.

**Recommendation**

Staff recommends approval of the ordinance as presented.

**Attachments**

- Ordinance

**Prepared By and Submitted By:**  
Opal Mauldin Robertson, City Manager

**Date:** September 7, 2011

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS LEVYING AD VALOREM TAXES FOR FISCAL YEAR 2011/2012 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; AND PROVIDING AN EFFECTIVE DATE.**

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

**SECTION 1.** There be and is hereby levied for the fiscal year 2011/2012 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 LESS TAXES FOR MAINTENANCE AND OPERATIONS AND INTEREST AND SINKING FUND REQUIREMENTS THAN LAST YEAR'S TAX RATE.**

**SECTION 3. THAT THE TAX REVENUE WILL DECREASE FROM PROPERTIES ON THE TAX ROLL IN THE PRECEDING TAX YEAR BY 0.7% (PERCENTAGE BY WHICH TAX RATE WILL BE LOWER THAN EFFECTIVE TAX RATE CALCULATED UNDER CHAPTER 26, TAX CODE.)**

**SECTION 4.** All ad valorem taxes shall become due and payable on October 1, 2011, and all ad valorem taxes for fiscal year 2011/2012 shall become delinquent after January 31, 2012. If any person fails to pay the ad valorem taxes on or before the 31st day of January 2012, 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. 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, 2011 and an exemption of \$30,000 on disability designations.

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

**DULY PASSED** by the City Council of the City of Lancaster, Texas, on this the 12<sup>th</sup> day of September 2011.

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
Dolle K. Downe, City Secretary

**APPROVED AS TO FORM:**

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

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**10**  
AG11-010

**Discuss and consider a resolution of the City Council of the City of Lancaster, Texas, ratifying the budget for the fiscal year 2011-2012 that results in a decrease of revenues from property taxes than previous years; and providing an effective date.**

This request supports the City Council 2010-2011 Policy Agenda

**Goal 1: Financially Sound City Government**

**Background**

As of September 1, 2007 several laws went into effect, including House Bill 3195 as passed by the 80th Legislature. This bill requires cities to post both their preliminary and adopted budgets on their website.

It also requires cities and counties that will be raising more revenue from property taxes than in the previous year, to have a separate vote of the governing body to ratify the tax increase reflected in the budget. The FY 2011/2012 budget and tax rate results in a decrease in revenues from property taxes compared to the previous year.

The legislation is specific and requires separate action by the City Council.

**Considerations**

- **Operational** - Resolution and action must be approved for adoption of the fiscal year 2011/2012 budget.
- **Legal** - The motion and resolution have been prepared by the City Attorney.
- **Financial** - Not approving this resolution will have direct impact on staff's ability to implement the proposed budget.
- **Public Information** - All public notices and hearings were provided and published in accordance with state law.

**Options/Alternatives**

1. Approve the resolution.

**Recommendation**

Staff recommends approval of the resolution with the following motion that is required by state law: *"Motion to approve a budget that will result in a decrease of revenue from property taxes than the previous year and to ratify a property tax revenue decrease reflected in said budget."*

**Attachments**

- Resolution

**Prepared and submitted by:**  
Opal Mauldin Robertson, City Manager

**Date:** September 7, 2011

**RESOLUTION NO. 2011-09-77**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, RATIFYING THE BUDGET FOR THE FISCAL YEAR 2011-2012 THAT RESULTS IN A DECREASE OF REVENUES FROM PROPERTY TAXES THAN THE PREVIOUS YEARS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, following public notice duly posted and published in all things as required by law, a public hearing was held, by and before the City Council of the City of Lancaster, the subject of which was the proposed budget for the City of Lancaster for Fiscal Year 2011-2012; and

**WHEREAS**, House Bill 3195, as adopted at the Regular Session of the 80<sup>th</sup> Legislature requires a separate vote on a budget that will require raising more revenue from property taxes than previous years.

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

Section 1. The City Council hereby ratifies, by a record vote, the adoption of a budget for Fiscal Year 2011-2012 which results in a decrease of revenues from property taxes than the previous years.

Section 2. This Resolution shall become effective immediately from and after its passage, as the law and charter in such cases provides.

**DULY PASSED** by the City Council of the City of Lancaster, Texas, on the 12<sup>th</sup> day of September 2011.

**APPROVED:**

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**ATTEST:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**11**

AG11-011

**Discuss and consider 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, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 2: Quality Development**

**Goal 3: Healthy, Safe & Vibrant Neighborhoods**

**Goal 6: Civic Engagement**

**Background**

Lancaster Boardwalk is an established subdivision consisting of approximately 38.002 acres in Phase 1 and 43.237 acres in Phase 2 totaling 80.239 acres generally located on the (North, South, East or West) side of Cedardale Road and on the east side of Dallas Avenue. This subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features approved by Council at its August 8, 2011 regular meeting.

Annually, the PID board in accordance with the provisions of Chapter 372 of the Texas Local Government Code (the "Act") is required to present a 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. Council conducted the required public hearing at its August 22, 2011 regular meeting.

The attached service plan was prepared by the PID petitioners and developers. 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 maintain these funds in accordance with the "Act" and will disperse the income on a reimbursement basis according to the approved budget.

The Lancaster Boardwalk subdivision is proposing an annual assessment of \$0.276 per \$100 assessed value.

### **Considerations**

- **Operational** - All PID's require the Finance Department to maintain a separate account where the funds will be dispersed following invoice submittals. The PID should also help ensure that common areas will be maintained without assistance or code compliance action.

Local Government Code Section 372.008 states the governing body of the municipality appoints an advisory body with the responsibility of developing and recommending a service plan. Five property owners from the Lancaster Boardwalk subdivision have exhibited interest in serving as the advisory body to be referred to as the Lancaster Boardwalk PID Board. In previous communities, the initial PID board has been the petition organizers, which has typically been the homeowners' association board. With respect to this practice, the property owners requesting consideration are as follows: Pete Flowers, Dean Flowers, Khadijah Jannah, Venita Harris, and Nahsechay Dipo. Following this initial appointment the PID shall conduct at minimum an annual meeting to update a service plan and elect a board for council approval.

- **Legal** - The public hearing was noticed and conducted 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. The ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for neighborhoods. They are considered to be a more equitable means of collecting dues. The 2011/2012 proposed service plan is \$81,617.55 and assessments are proposed at \$0.276 per one hundred dollars assessed valuation.
- **Public Information** – City Council conducted the required public hearing on August 22, 2011. The public hearing was posted in the local publication of record as required by Local Government Code Chapter 372 on Thursday, August 11, 2011.

### **Options**

1. Council may adopt the ordinance as presented.
2. Council may deny the ordinance and direct staff.

### **Recommendation**

Staff recommends adoption of the ordinance as presented.

**Attachments**

- Ordinance
- Service and Assessment Plan

**Prepared and submitted by:**  
Opal Mauldin Robertson, City Manager

**Date:** August 30, 2011

**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, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND 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, 2011 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 22<sup>nd</sup> day of August, 2011, 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 his designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the

property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

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

- (a) **All residential lots**, for these lots the assessment shall not exceed \$0.276 per \$100 of assessed valuation through the assessment established for 2011/2012; 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 2011/2012 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

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

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

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

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

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

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 12<sup>th</sup> day of September 2011.

**APPROVED:**

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**ATTEST:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

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



**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**12**

AG11-012

**Discuss and consider 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, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 2: Quality Development**

**Goal 3: Healthy, Safe & Vibrant Neighborhoods**

**Goal 6: Civic Engagement**

**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. This subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features approved by Council at its August 8, 2011 regular meeting.

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. Council conducted the required public hearing at its August 22, 2011 regular meeting.

The attached service plan was prepared by the PID petition organizers and developers. 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 maintain these funds in accordance with the "Act" and will disperse the income on a reimbursement basis according to the approved budget.

The Millbrook East subdivision is proposing an annual assessment of \$0.2653 per \$100 assessed value.

### **Considerations**

- **Operational** - All PID's require the Finance Department to maintain a separate account where the funds will be dispersed following invoice submittals. The PID should also help ensure that common areas will be maintained without assistance or code compliance action.

Local Government Code Section 372.008 states the governing body of the municipality appoints an advisory body with the responsibility of developing and recommending a service plan. Five property owners from the Millbrook East subdivision have exhibited interest in serving as the advisory body to be referred to as the Millbrook East PID Board. In previous communities the initial PID board has been the petition organizers, which has typically been the homeowners' association board. With respect to this practice, the property owners requesting consideration are as follows: Pete Flowers, Dean Flowers, Sharon Scott, Lashonja Harris, and Kewisha Gray. Following this initial appointment the PID shall conduct at minimum an annual meeting to update a service plan and elect a board for council approval.

- **Legal** - The public hearing was noticed and conducted 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. The ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for neighborhoods. They are considered to be a more equitable means of collecting dues. The 2011/2012 proposed service plan budget is \$72,926.37 and assessments are proposed at \$0.2653 per one hundred dollars assessed valuation.
- **Public Information** – City Council conducted the required public hearing on August 22, 2011. The public hearing was posted in the local publication of record as required by Local Government Code Chapter 372 on Thursday, August 11, 2011.

### **Options**

1. Council may adopt the ordinance as presented.
2. Council may deny the ordinance and direct staff.

### **Recommendation**

Staff recommends adoption of the ordinance as presented.

**Attachments**

- Ordinance
- Service and Assessment Plan

**Prepared and submitted by:**  
Opal Mauldin Robertson, City Manager

**Date:** August 30, 2011

**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, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND 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, 2011 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 22<sup>nd</sup> day of August, 2011, 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 his designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the

property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

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

- (a) **All residential lots**, for these lots the assessment shall not exceed \$0.2653 per \$100 of assessed valuation through the assessment established for 2011/2012; 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 2011/2012 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

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

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

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

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

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

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 12<sup>th</sup> day of September 2011.

**APPROVED:**

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**ATTEST:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

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



**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**13**

AG11-013

**Discuss and consider 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, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 2: Quality Development**

**Goal 3: Healthy, Safe & Vibrant Neighborhoods**

**Goal 6: Civic Engagement**

**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. This subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features approved by Council at its August 8, 2011 regular meeting.

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. Council conducted the required public hearing at its August 22, 2011 regular meeting.

The attached service plan was prepared by the PID petition organizers. 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 maintain these funds in accordance with the "Act" and will disperse the income on a reimbursement basis according to the approved budget.

The Meadowview subdivision is proposing an annual assessment of \$0.10 per \$100 assessed value.

### **Considerations**

- **Operational** - All PID's require the Finance Department to maintain a separate account where the funds will be dispersed following invoice submittals. The PID should also help ensure that common areas will be maintained without assistance or code compliance action.

Local Government Code Section 372.008 states the governing body of the municipality appoints an advisory body with the responsibility of developing and recommending a service plan. In previous communities the initial PID board has been the petition organizers, which has typically been the homeowners' association board. The process for Meadowview has been different in that initially there was limited interest as some residents were not interested in serving on the board. Initially there were only 3-4 homeowners that expressed an interest. However, after approval of the PID eleven property owners expressed interest. Staff recommends the initial board include the following: Diana Melcher, Cassandra Pitts, Erisa Bates-Brown, Frank Hayes, and Amos Williams. Following the initial appointment the PID shall hold at minimum a meeting to update the service plan and elect a board for Council approval.

- **Legal** - The public hearing was noticed and conducted 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. The ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for neighborhoods. They are considered to be a more equitable means of collecting dues. The 2011/2012 proposed service plan budget is \$81,600.00 and assessments are proposed at \$0.10 per one hundred dollars assessed valuation.
- **Public Information** – City Council conducted the required public hearing on August 22, 2011. The public hearing was posted in the local publication of record as required by Local Government Code Chapter 372 on Thursday, August 11, 2011.

### **Options**

1. Council may adopt the ordinance as presented.
2. Council may deny the ordinance and direct staff.

### **Recommendation**

Staff recommends adoption of the ordinance as presented.

**Attachments**

- Ordinance
- Service and Assessment Plan

**Prepared By and Submitted By:**  
Opal Mauldin Robertson, City Manager

**Date:** August 30, 2011

**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, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND 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, 2011 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 22<sup>nd</sup> day of August, 2011, 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 his designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the

property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

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

- (a) **Residential lots**, for these lots the assessment shall not exceed \$0.10 per \$100 of assessed valuation through the assessment established for 2011/2012; 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 2011/2012 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

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

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

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

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

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

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 12<sup>th</sup> day of September 2011.

**APPROVED:**

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**ATTEST:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

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

**Meadowview Estates**

LANCASTER PUBLIC IMPROVEMENT DISTRICT

revision date: 08-17-2011

Five Year Service Plan 2011-2015 Budget		Income to be based on Fixed percent Assessment	Service Plan projects a 1% / yr increase			
		2012	2013	2014	2015	2016
Total Values	\$86,247,550					
Number Properties	810					
Service Year						
Assessment Rate	0.001					
Collection Rate	95%					
Opening Balance	0	\$0	\$835	\$1,032	\$1,354	\$1,665
<b>REVENUES</b>						
Annual Assessment Revenue		\$81,935	\$82,755	\$83,582	\$84,418	\$85,262
Interest Earnings		\$0	\$0	\$0	\$0	\$0
City Contributions		\$0	\$0	\$0	\$0	\$0
<b>Total Income</b>		<b>\$81,935</b>	<b>\$82,755</b>	<b>\$83,582</b>	<b>\$84,418</b>	<b>\$85,262</b>
<b>EXPENSES</b>						
Description						
Administrative Fees / Prof. Services		\$30,000	\$30,900	\$31,827	\$32,782	\$33,765
Landscaping/Irrigation		\$8,000	\$1,500	\$1,500	\$1,000	\$1,500
Wall / Fence Repairs		\$1,500	\$1,500	\$1,000	\$1,000	\$1,000
Mowing contractor		\$16,000	\$16,480	\$16,974	\$17,484	\$18,008
Communications		\$1,500	\$2,500	\$4,000	\$4,500	\$5,000
Electric Utilities		\$1,100	\$1,133	\$1,167	\$1,202	\$1,238
Water Utilities		\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
General maintenance		\$1,500	\$1,545	\$1,591	\$1,639	\$1,688
GL/D&O Insurance		\$4,500	\$4,500	\$4,500	\$4,500	\$4,500
Graffiti cleanup (deductibles, not insured)		\$1,500	\$1,000	\$1,000	\$1,000	\$1,000
Dentention runoff engineering / maintenance		\$5,000	\$2,000	\$1,200	\$500	\$500
Improvement Project	Ex: New Street Lights	\$0	\$0	\$0	\$14,000	\$0
	Ex: Monument Lighting	\$0	\$5,000	\$0	\$0	\$0
	Ex: Wall/Fence Improvements	\$6,000	\$0	\$0	\$0	\$0
	Ex: Cover Bus Bench	\$0	\$0	\$14,000	\$0	\$0
	Ex: More Trees / Sod	\$0	\$10,000	\$0	\$0	\$12,000
Social Events		\$0	\$0	\$0	\$0	\$0
Miscellaneous		\$500	\$500	\$500	\$500	\$1,000
<b>Total Expenses</b>		<b>\$81,100</b>	<b>\$82,558</b>	<b>\$83,260</b>	<b>\$84,107</b>	<b>\$85,200</b>
Reserve		\$835	\$197	\$322	\$311	\$62
<b>Balance</b>		<b>\$835</b>	<b>\$1,032</b>	<b>\$1,354</b>	<b>\$1,665</b>	<b>\$1,728</b>

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**14**

AG11-014

**Discuss and consider an ordinance of the City of Lancaster, Texas, establishing Civil Service classifications within the Police and Fire Departments; prescribing the number of positions in each classification; and providing an effective date.**

**This request supports the City Council 2011-2012 Policy Agenda.**

**Goal 1: Financially Sound City Government**

**Background**

Pursuant to Title 5, Chapter 143, of the Texas Local Government Code, the City Council must establish the civil service classifications in the Police and Fire Departments and the number of positions in each classification. The proposed ordinance is consistent with the staffing levels discussed in the proposed FY 2011-2012 budget.

**Considerations**

- **Operational** - The Fire Department staffing includes 55 sworn fire personnel. The Police Department staffing includes 53 sworn police personnel. The proposed classifications are as follows:

<u>Classification</u>	<b>FIRE</b> <u>Authorized</u> <u>No./Positions</u>
Assistant Chief	1
Battalion Chief	3
Fire Captains	10
Fire Engineer	22
Fire Fighter	19
<hr/>	<hr/>
Total	55

<u>Classification</u>	<b>POLICE</b> <u>Authorized</u> <u>No./Positions</u>
Assistant Chief	2
Police Lieutenant	6
Police Sergeant	7
Police Officer*	38
<hr/>	<hr/>
Total	53

*\*Three officer positions funded through a three year grant effective 10/1/2009.*

- **Financial** - Funding is included in the Fire Department and Police Department Fiscal Year 2011-2012 Operating Budget.

### **Recommendation**

Staff recommends approval of an ordinance authorizing all civil service classifications and the number of positions.

### **Attachments**

- Ordinance

**Prepared and submitted by:**  
Dori Lee, Civil Service/Human Resources Director

**Date:** September 1, 2011

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, ESTABLISHING CIVIL SERVICE CLASSIFICATION WITHIN THE POLICE AND FIRE DEPARTMENTS; PRESCRIBING THE NUMBER OF POSITIONS IN EACH CLASSIFICATION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, pursuant to Chapter 143 of the Texas Local Government Code, the City Council shall establish certain classifications and shall prescribe the number of positions in each of these classifications by ordinance; and

**WHEREAS**, the City Council has reviewed and approved a budget for the City for fiscal year beginning October 1, 2011 and ending September 30, 2012; and

**WHEREAS**, such budget contains a program of planned expenditures and for authorized positions within the police and fire departments, including programmed changes to the operations and human resources of those departments;

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

**SECTION 1.** That City Council hereby establishes the classifications and the number of authorized positions within each classification, which shall read as follows:

<u>Classification</u>	<b>FIRE</b> Authorized <u>No./Positions</u>
Assistant Chief	1
Battalion Chief	3
Fire Captains	10
Fire Engineer	22
Fire Fighter	19
<hr/>	<hr/>
Total	55

<u>Classification</u>	<b>POLICE</b> Authorized <u>No./Positions</u>
Assistant Chief	2
Police Lieutenant	6
Police Sergeant	7
Police Officer*	38
<hr/>	<hr/>
Total	53

*\*Three officer positions funded through a three year grant effective 10/1/2009.*

**SECTION 2.** This ordinance shall take effect on October 1, 2011.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 12<sup>th</sup> day of September 2011.

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
Dolle K. Downe, City Secretary

**APPROVED AS TO FORM:**

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

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**15**

AG11-015

**Discuss and consider an ordinance providing for increased prior and current service annuities under the Act governing the Texas Municipal Retirement System for retirees and beneficiaries of deceased retirees of the City of Lancaster, and establishing an effective date for the ordinance.**

**This request supports the City Council 2011-2012 Policy Agenda.**

**Goal 1: Financially Sound City Government**

**Background**

The Texas Municipal Retirement System (TMRS) is a retirement system created by the Texas State Legislature in 1947 and administered in accordance with the Texas Municipal Retirement System Act for municipal employees in Texas. TMRS is a public trust fund that bears a fiduciary obligation to the public employees and retirees who are its beneficiaries. Pension and other benefits are administered by TMRS on behalf of more than 830 participating municipalities. Cities voluntarily elect to participate in TMRS and once they do so, state law requires full participation by all employees of the member city.

On July 18, 2011, Anthony Mills, a tenured representative with TMRS, provided a presentation to Council on the Texas Municipal Retirement System and the effect of changing the annuity increase. Following the overview of the current plan, Council discussed proposed revisions. As a result of the presentation and the 2011-2012 budget work sessions, Council requested an opportunity to discuss and consider changes to the City's current annuity percentage. An ordinance is required to make a change to the City's current plan. With the adoption of the ordinance, the City's total funding ratio will increase from 73.4% to 77.5% with a reduction of the City's rate from 15.59% to 13.70%. Estimated savings for the 2011-2012 budget as a result of the annuity increase change is \$177,163.

**Considerations**

- **Operational** – Communication materials reflecting the revised annuity increase percentage will be distributed to current, retired and future eligible employees.
- **Legal** – The attached ordinance complies with the requirements set out in Sections 854.203 and 853.404 of Subtitle G of Title 8, Government Code, as amended.

- **Financial** – Adopting a 50% Consumer Price Index for annuity increases effective January 1, 2012 will reduce our contribution rate from 15.59% to 13.70% thus increasing our funding ratio from 73.4% to 77.5%. Estimated savings for the 2011-2012 budget as a result of the annuity increase change is \$177,163.
- **Public Information** – There are no public information requirements. The change will be communicated to current and retired employees.

### **Options/Alternatives**

1. Council may adopt the ordinance as presented for a 50% Consumer Price Index for annuity increases effective January 1, 2012.
2. Council may deny the ordinance, keeping the Consumer Price Index at the current 70% rate.

### **Recommendation**

Staff recommends Option 1, adopting a 50% Consumer Price Index for annuity increases effective January 1, 2012.

### **Attachments**

- TMRS Annuity Change Ordinance
- TMRS Letter - 2012 Revised Municipal Contribution Rate
- TMRS Plan Change Study

**Prepared and submitted by:**  
Dori Lee, Director of Human Resources

**Date:** September 1, 2011



**TEXAS MUNICIPAL RETIREMENT SYSTEM**

**AN ORDINANCE PROVIDING FOR INCREASED PRIOR AND CURRENT SERVICE ANNUITIES UNDER THE ACT GOVERNING THE TEXAS MUNICIPAL RETIREMENT SYSTEM FOR RETIREES AND BENEFICIARIES OF DECEASED RETIREES OF THE CITY OF LANCASTER, AND ESTABLISHING AN EFFECTIVE DATE FOR THE ORDINANCE.**

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

**Increase in Retirement Annuities.**

(a) On the terms and conditions set out in Sections 854.203 and 853.404 of Subtitle G of Title 8, Government Code, as amended (hereinafter referred to as the "TMRS Act"), the City hereby elects to allow and to provide for payment of the increases below stated in monthly benefits payable by the System to retired employees and to beneficiaries of deceased employees of the City under current service annuities and prior service annuities arising from service by such employees to the City. An annuity increased under this section replaces any annuity or increased annuity previously granted to the same person.

(b) The amount of the annuity increase under this section is computed as the sum of the prior service and current service annuities on the effective date of retirement of the person on whose service the annuities are based, multiplied by 50% of the percentage change in Consumer Price Index for All Urban Consumers, from December of the year immediately preceding the effective date of the person's retirement to the December that is 13 months before the effective date of the increase under this Section.

(c) An increase in an annuity that was reduced because of an option selection is reducible in the same proportion and in the same manner that the original annuity was reduced.

(d) If a computation hereunder does not result in an increase in the amount of an annuity, the amount of the annuity will not be changed hereunder.

(e) The amount by which an increase under this Section exceeds all previously granted increases to an annuitant is an obligation of the City and of its account in the Municipality accumulation fund of the System.

**Dates of Increases.**

The initial increase in retirement annuities hereunder shall be effective on **January 1, 2012**, subject to approval by the Board of Trustees of the System. An increase in retirement annuities shall be made hereunder on January 1 of each subsequent year until this ordinance ceases to be in effect under subsection (e) of Section 853.404 of the TMRS Act, provided that, as to such subsequent year, the actuary for the System has made the determination set forth in subsection (d) of Section 853.404 of the TMRS Act, and provided further that, as to such subsequent year, the City has an ordinance in effect that provides for a simultaneous increase in updated service credits as that term is used in the TMRS Act.

**Effective Date.**

Subject to approval by the Board of Trustees of the System, this ordinance shall be and become effective on the **1st day of January 2012**.

Passed and approved this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Dolle K. Downe, City Secretary

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



August 9, 2011

Via E-Mail

Ms. Dori Lee  
Human Resources Director  
City of Lancaster  
P.O. Box 940  
Lancaster, TX 75146-0940

Dear Dori:

We are pleased to enclose a model ordinance for your city to adopt:

***50% of CPI Increase to Annuitants***

This provision allows for annuity increases for your city's retirees and is based on a percentage of the Consumer Price Index (inflation index).

By adopting this ordinance, your city will not have to adopt an ordinance each year to re-authorize calculation of these benefits; the Annuity Increase will remain in effect for future years until such time as it is discontinued by an ordinance adopted by the City Council.

With the adoption of this additional benefit your city's full contribution rate for 2012 will be **13.70%**.

We will appreciate receiving a copy of this ordinance as soon as possible after its adoption.

If you have any questions or concerns, please contact me at 1-800-924-8677.

Sincerely,

Eric W. Davis  
Deputy Executive Director



# Plan Change Study

00726 Lancaster

**GRID 2012**

*For Informational Purposes Only*  
 Effective Date - January 1, 2012  
 Report Date - August 9, 2011

## Proposed Plans

<u>Plan Provisions</u>	<u>Current</u>	<u>1</u>
Deposit Rate	7.00%	7.00%
Matching Ratio	2 to 1	2 to 1
Updated Service Credit	100% (Repeating)	100% (Repeating)
Transfer USC **	Yes	Yes
Annuity Increase	70% (Repeating)	50% (Repeating)
20 Year/Any Age Ret.	Yes	Yes
Vesting	5 years	5 years
<u>Contribution Rates</u>	<u>2012</u>	<u>2012</u>
Normal Cost Rate	8.91%	8.14%
Prior Service Rate	<u>6.77%</u>	<u>5.41%</u>
Retirement Rate	<b>15.68%</b>	<b>13.55%</b>
Supplemental Death Rate	<u>0.15%</u> (A & R)	<u>0.15%</u> (A & R)
Total Rate	<b>15.83%</b>	<b>13.70%</b>
Unfunded Actuarial Liability	\$15,616,496	\$12,472,420
Amortization Period	30 years	30 years
Funded Ratio	73.4%	77.5%
Phase-In Total Rate	15.59%	N/A

\*\*This is the addition to the Initial Prior Service Rate for USC for transfers. There were 22 eligible transfer employees on the valuation date.

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**16**

AG11-016

**Discuss and consider a resolution of the City Council of the City of Lancaster, Texas, approving a Consumer Price Index (CPI) rate increase request by Republic (Allied) Waste Services; and providing an effective date.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 1: Financially Sound City Government**

**Background**

On December 14, 2009, the City of Lancaster amended the February 19, 2001 contract, as amended December 12, 2005, with Allied Waste Services to provide refuse, recyclable materials, bulk and brush collection within the City.

Section 14.02, Modification of Rates, allows Allied Waste to petition the City for an increase or decrease in the rates, based on the annual Consumer Price Index. A copy of Allied's rate increase request and a copy of the contract provision for modifications to rates are attached for review.

**Considerations**

- **Operational** – Council is being asked to consider authorizing the CPI rate adjustment as allowed by contract with no change in service.
- **Legal** - This rate increase is allowed by contract as approved by City Council December 12, 2005 and was subsequently authorized per contract in 2009. The City Attorney will review any resolution and contract amendments if required.
- **Financial** - Allied Waste submitted a request for a rate increase based on the Consumer Price Index (CPI) for 2011. Per the contract, the trash hauling rate is 70% of the base rate to the customer. Allied's new rate schedule requests a rate increase of \$0.39 per month for residential customers, \$0.51 per month for commercial hand-collect accounts, and a 10% franchise fee for commercial/industrial customers as detailed on the attached rate sheet. The new residential rate to the City will be \$13.84 per month. The cost of living increase will be passed along to the customer, bringing the customer's rate to \$13.84 per month.

The current customer rate is \$13.45 per month. The new cart rate to the City will be \$7.20 per month for the second cart and \$10.29 for the third cart. The customer rate for additional carts will remain the same at \$10.00 for the second cart, \$15.00 for the third cart and \$20.00 for the fourth cart.

- **Public Information** - Notice of a rate increase will be provided to our customers on the utility bill, website and newspaper of record prior to the October 1, 2011 effective date.

### **Options/Alternatives**

1. City Council may adopt a resolution authorizing the CPI rate adjustment.
2. City Council may reject the resolution and direct staff.

### **Recommendation**

Staff recommends approving the CPI rate adjustment as authorized by contract. If the request is approved by Council, the effective date is of October 1, 2011.

### **Attachments**

- Resolution with Exhibit "A", Allied Waste's Rate Schedule to City
- Allied Waste's Request for Modification to Rates
- Section 14.02, Modification to Rates, of existing contract

**Prepared and submitted by:**  
Opal Mauldin Robertson, City Manager

**Date:** August 30, 2011

**RESOLUTION NO. 2011-09-78**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING A CONSUMER PRICE INDEX (CPI) RATE INCREASE REQUEST BY ALLIED WASTE SERVICES; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS,** Section 14.02, Modification to Rates, of the February 19, 2001 contract, as amended December 12, 2005 and December 14, 2009, with Allied Waste Services provides for consideration of rate adjustments based on the Consumer Price Index; and

**WHEREAS,** the Lancaster City Council has determined that the requested rates meet the guidelines of the contract; and

**WHEREAS,** the Lancaster City Council has determined the rate increase to be a necessary cost of providing refuse and recyclable materials collection within the City;

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

Section 1. The contract with Allied Waste Services dated February 19, 2001, as amended, is hereby amended with new rates effective October 1, 2011 which is attached hereto and incorporated herein as Exhibit A.

Section 2. This Resolution shall take effect immediately from and after its adoption and it is so resolved.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 12<sup>th</sup> day of September 2011.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Dolle K. Downe, City Secretary

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

**APPROVED AS TO FORM:**

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

# CITY OF LANCASTER

## RATE SCHEDULE

EFFECTIVE OCTOBER 1, 2011

**I. Residential** **\$ 13.84**

Once weekly refuse collection/disposal  
Every other month brush/bulk item collection  
Once weekly recycling collection/processing  
Recycle Bank Incentive Program

Extra cart 2nd cart **\$7.20**

3rd Cart **\$ 10.29**

**II. Commercial Hand Collect** **\$ 17.96**

Once weekly refuse collection/disposal

**III. Commercial Containers** With 10% Franchise Fee

Size	1 X WK	2 X WK	3 X WK	4 X WK	5 X WK	6 X WK	EXTRA
2YD	\$64.04	\$118.50	\$164.83	\$204.20	\$237.66	\$266.17	\$27.44
3YD	\$73.24	\$135.51	\$188.49	\$233.55	\$271.83	\$304.47	\$41.17
4YD	\$91.56	\$169.46	\$235.65	\$292.00	\$339.91	\$380.66	\$54.89
6YD	\$109.96	\$203.47	\$283.01	\$350.71	\$408.27	\$457.29	\$68.60
8YD	\$137.48	\$254.39	\$353.89	\$438.51	\$510.49	\$571.77	\$82.32



August 22, 2011

Opal Mauldin Robertson  
City Manager  
City of Lancaster  
211 N. Henry  
Lancaster, TX 75146

Re: Modification to Rates

Dear Ms. Robertson,

Allied Waste Services (AWS) is pleased to be the provider of solid waste and recycling services to the City of Lancaster and appreciate your patronage. We enjoy working with the community and look forward to continuing our partnership in the years to come.

This letter is to notify you of the annual CPI rate adjustment for your city. The most recent copy of the Consumer Price Index for the Dallas area indicates an increase of 4.18% over the last twelve months. The rate increase is calculated on 70% of the base rate which equals to 2.93%. The following page details our calculations of the increase.

We respectfully submit this proposal to the City. Thank you for providing AWS with the opportunity to serve the City of Lancaster's solid waste and recycling needs. AWS will continue to provide your community with superior quality waste and recycling services. Allied is proud to be an environmental leader in the industry.

Sincerely,

A handwritten signature in black ink that reads 'Brenda Lalonde'. The signature is written in a cursive, flowing style.

Brenda Lalonde  
Manager, Business Development  
Municipal Services

# Databases, Tables & Calculators by Subject

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Data extracted on: August 25, 2011 (1:40:37 PM)

## Consumer Price Index - All Urban Consumers

**Series Id:** CUURA316SA0, CUUSA316SA0  
 Not Seasonally Adjusted  
**Area:** Dallas-Fort Worth, TX  
**Item:** All items  
**Base Period:** 1982-84=100

Download:  .xls

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2001	167.3		168.9		169.4		171.5		172.8		171.5		170.4	168.9	171.8
2002	170.6		172.1		172.9		172.9		173.2		173.6		172.7	172.1	173.3
2003	174.0		176.8		176.9		176.5		177.0		175.9		176.2	176.1	176.4
2004	175.7		177.7		179.1		179.1		179.7		179.9		178.7	177.8	179.6
2005	180.0		181.3		183.5		184.3		188.9		187.8		184.7	182.0	187.4
2006	188.6		188.4		191.2		191.7		192.0		188.4		190.1	189.7	190.5
2007	188.890		190.156		192.779		194.286		194.847		196.465		193.245	191.057	195.433
2008	197.079		198.596		202.357		206.413		205.883		200.051		201.791	200.118	203.463
2009	198.623		200.039		199.311		200.663		201.802		201.958		200.544	199.494	201.595
2010	202.106		201.982		202.108		200.227		201.882		201.168		201.624	201.908	201.339
2011	203.199		206.967		208.794		208.602							206.768	

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U.S. Bureau of Labor Statistics | Postal Square Building, 2 Massachusetts Avenue, NE Washington, DC 20212-0001  
[www.bls.gov](http://www.bls.gov) | Telephone: 1-202-691-5200 | TDD: 1-800-877-8339 | [Contact Us](#)

## 2011 Calculations

<b>CPI</b>	
July 2011	208.60
July 2010	<u>200.23</u>
change	8.38
% change	4.18%
Cost Factor	70.00%
<b>Net Increase</b>	<b>2.93%</b>

<b>Disposal</b>	
October 2008	21.00
October 2007	21.00
change	0.00
% change	0.00%
Cost Factor	30.00%
<b>Net Increase</b>	<b>0.00%</b>

<b>Total Increase</b>	<b>2.93%</b>
	102.93%

<b>Rates</b>	<b>Current</b>	<b>Inc</b>	<b>New Rate</b>
Resi Svc	\$13.45	0.39	<b>\$13.84</b>
2nd cart	\$7.00	0.20	<b>\$7.20</b>
3rd cart	\$10.00	0.29	<b>\$10.29</b>
Comm'l H/C	\$17.45	0.51	<b>\$17.96</b>

<b>New</b>	<b>Includes Fran Fees</b>						
Comm'l Rate	<b>1 x wk</b>	<b>2 x wk</b>	<b>3 x wk</b>	<b>4 x wk</b>	<b>5 x wk</b>	<b>6 x wk</b>	<b>Extra</b>
<b>2yd</b>	\$64.04	\$118.50	\$164.83	\$204.20	\$237.66	\$266.17	\$27.44
<b>3yd</b>	\$73.24	\$135.51	\$188.49	\$233.55	\$271.83	\$304.47	\$41.17
<b>4yd</b>	\$91.56	\$169.46	\$235.65	\$292.00	\$339.91	\$380.66	\$54.89
<b>6yd</b>	\$109.96	\$203.47	\$283.01	\$350.71	\$408.27	\$457.29	\$68.60
<b>8yd</b>	\$137.48	\$254.39	\$353.89	\$438.51	\$510.49	\$571.77	\$82.32

<b>OLD</b>							
Comm'l Rate	<b>1 x wk</b>	<b>2 x wk</b>	<b>3 x wk</b>	<b>4 x wk</b>	<b>5 x wk</b>	<b>6 x wk</b>	<b>Extra</b>
<b>2yd</b>	\$62.22	\$115.13	\$160.14	\$198.39	\$230.90	\$258.60	\$26.66
<b>3yd</b>	\$71.16	\$131.66	\$183.13	\$226.91	\$264.10	\$295.81	\$40.00
<b>4yd</b>	\$88.96	\$164.64	\$228.95	\$283.69	\$330.24	\$369.83	\$53.33
<b>6yd</b>	\$106.83	\$197.68	\$274.96	\$340.73	\$396.66	\$444.28	\$66.65

- (b) For special collection provided by the Contractor pursuant to Section 4.01 (f), the charges are to be negotiated between the Contractor and Producer prior to collection. If agreement cannot be reached, the matter may be submitted to the City for determination of a reasonable fee.
- (c) The Refuse collection charges provided by Sections 14.01 (a)-(e) shall include all disposal costs.
- (d) The rates will be adjusted by a Resolution of the City Council.

14.02 Modification to Rates – Base rate adjustments will be considered by the City one month following the first year of the primary term of the contract. Contractor may petition the City, in writing, for an increase or decrease in the rates established hereunder by submitting any such request for a rate increase to the City in the same or similar format as “Exhibit A” but not more than once a calendar year during the life of the contract. The change in the Consumer Price Index (United States, all Wage Earners) during each 12-month period (from October to October of each year) shall be used to adjust the HAULING portion of the Base Rate. The LANDFILL portion of the base rate shall be determined using the following formula:

Hauling Portion equals 70% of the Base Rate  
Landfill Portion equals 30% of the Base Rate

The Landfill portion of the Base Rate shall be adjusted during October of each year to reflect any increase or decrease, in the actual landfill cost for the waste collected as a result of this Contract. Documentation will be required to demonstrate the need for any change in the landfill portion of the Base Rate.

Contractor may petition the City Council from time to time for adjustments to reimburse the Contractor for the reasonable costs to Contractor of any capital and/or operation expenditures including taxes, fees, and surcharges required or imposed solely by federal or state law, regulation, rule, permit, or permit condition, that was not imposed because of the action or inaction of the Contractor.

14.03 Contractor to Act as Collector – The Contractor shall submit statements to and collect from all Industrial Units for services provided.

14.04 Contractor Billings to City – City shall provide billing and collection services for Residential, Commercial Hand Collect, and Commercial Containers. For such services, it is understood and agreed that the City may increase the charges to the Contractor’s customers in whatever amount is deemed necessary by the City to cover the costs of billing and collection services, disposal fees, and other associated solid waste collection and disposal costs. The City shall, on or before the 10<sup>th</sup> day of each month, remit to Contractor, for services rendered during the preceding month, the net compensation due and payable per the current Contractor’s compensation. The City shall withhold \$.10 per residential customer per month based on the house count provided by the City in the form of a recycling rebate.

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**17**

AG11-017

**Discuss and consider a resolution of the City Council of the City of Lancaster, Texas, amending Section 10.1700 of the Master Fee Schedule for fees and charges assessed for garbage collection; providing a repealing clause; and providing an effective date.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 1: Financially Sound City Government**

**Background**

This item is a companion item to the agenda item regarding Allied Waste Services' request for a Consumer Price Index (CPI) increase. If Council approves the CPI rate increase, it is necessary to amend the Master Fee Schedule to reflect fees assessed to residents for garbage collection.

**Considerations**

Proposed changes to Section 10.1700 regarding garbage collection fees are below:

**Sec. 10.1700 Garbage Collection Fees**

- |     |  |                 |
|-----|--|-----------------|
| (a) | Residential  | \$13.84         |
|     | Once weekly refuse collection/disposal                       |                 |
|     | Every other month brush/bulk item collection                 |                 |
|     | Bi-weekly recycling collection/processing                    |                 |
| (b) | Administrative Processing Fee ( <i>remains unchanged</i> )   | \$ 2.50         |
| (c) | Extra cart Effective 01/01/2010 ( <i>remains unchanged</i> ) |                 |
|     | 2 <sup>nd</sup> cart   | \$10.00         |
|     | 3 <sup>rd</sup> cart   | \$15.00         |
|     | 4 <sup>th</sup> cart   | \$20.00         |
| (d) | Commercial Hand Collect                                      | \$17.96         |
|     | Once weekly refuse collection/disposal                       |                 |
| (e) | Special Pick Up ( <i>remains unchanged</i> )                 | \$65.00 minimum |

(f) Commercial Containers

Size	1 X WK	2 X WK	3 X WK	4 X WK	5 X WK	6 X WK	EXTRA
2YD	\$64.04	\$118.50	\$164.83	\$204.20	\$237.66	\$266.17	\$27.44
3YD	\$73.24	\$135.51	\$188.49	\$233.55	\$271.83	\$304.47	\$41.17
4YD	\$91.56	\$169.46	\$235.65	\$292.00	\$339.91	\$380.66	\$54.89
6YD	\$109.96	\$203.47	\$283.01	\$350.71	\$408.27	\$457.29	\$68.60
8YD	\$137.48	\$254.39	\$353.89	\$438.51	\$510.49	\$571.77	\$82.32

**Options**

1. Council may approve the resolution as presented.
2. Council may reject the resolution. If Council approves the Allied Waste request for a CPI increase, but does not amend the Master Fee Schedule, the City will absorb the increased costs.

**Recommendation**

Staff recommends approval of the resolution as presented.

**Attachment**

- Resolution

**Prepared and submitted by:**  
Opal Mauldin Robertson, City Manager

**Date:** September 6, 2011

**RESOLUTION NO. 2011-09-79**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, AMENDING SECTION 10.1700 OF THE MASTER FEE SCHEDULE FOR FEES AND CHARGES ASSESSED FOR GARBAGE COLLECTION, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A"; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lancaster desires to amend Section 10.1700 of the Master Fee Schedule to provide for the fees and charges assessed and collected for Garbage Collection by the City; and

**WHEREAS**, after consideration and review, the City Council finds that the changes in Garbage Collection Fees which is attached hereto and incorporated herein as Exhibit "A," should be adopted.

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

Section 1. That the amendment to the Master Fee Schedule, which is attached hereto and incorporated herein as Exhibit "A," be, hereby adopted to provide for fees and charges assessed and collected for Garbage Collection by the City.

Section 2. That all provisions of any resolution of the City Council of the City of Lancaster in conflict with the provisions of this resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this resolution shall remain in full force and effect.

Section 3. This Resolution shall become effective October 1, 2011, 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 12<sup>th</sup> day of September 2011.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

**Exhibit "A"**

**Sec. 10.1700 Garbage Collection Fees**

- (a) Residential \$13.84  
 Once weekly refuse collection/disposal  
 Every other month brush/bulk item collection  
 Bi-weekly recycling collection/processing
- (b) Administrative Processing Fee \$ 2.50
- (c) Extra cart \$10.00  
 2<sup>nd</sup> cart \$15.00  
 3<sup>rd</sup> cart \$20.00  
 4<sup>th</sup> cart
- (d) Commercial Hand Collect \$17.96  
 Once weekly refuse collection/disposal
- (e) Special Pick Up \$65.00 minimum

(f) Commercial Containers

Size	1 X WK	2 X WK	3 X WK	4 X WK	5 X WK	6 X WK	EXTRA
2YD	\$64.04	\$118.50	\$164.83	\$204.20	\$237.66	\$266.17	\$27.44
3YD	\$73.24	\$135.51	\$188.49	\$233.55	\$271.83	\$304.47	\$41.17
4YD	\$91.56	\$169.46	\$235.65	\$292.00	\$339.91	\$380.66	\$54.89
6YD	\$109.96	\$203.47	\$283.01	\$350.71	\$408.27	\$457.29	\$68.60
8YD	\$137.48	\$254.39	\$353.89	\$438.51	\$510.49	\$571.77	\$82.32

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**18**

AG11-018

**Discuss and consider a resolution of the City Council of the City of Lancaster, Texas, amending the rate for certain fees and charges assessed and collected by the City for water and wastewater service; providing a repealing clause; and providing an effective date.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 1: Financially Sound City Government**

**Background**

A utility rate study was presented to Council in January of 2008. At that time, there had been no water or sewer rate increase considered for over eight years, even though Dallas Water Utilities and Trinity River Authority had substantially raised rates charged to the City during the same time frame. Projections in the utility rate study indicated that the utility fund would soon have a fund balance deficit if rates were not substantially increased. Increases in the utility rates were recommended to be implemented in three phases.

In January 2008, Council approved phase one. It included some substantial changes in the way we calculate water and sewer bills. For example on water, the 1,500 gallons that was at no cost with the minimum bill was eliminated. Also, conservation rates were implemented. The higher tiers do not apply to industrial or multi-family apartment customers. For example on sewer, when we calculated the winter average, we would reduce that amount by 10% for residential customers. The maximum monthly "residential customer" volume charges would be based on the average of the three lowest monthly bills from the last twelve months which normally would be in January, February, and March. The utility billing department would adjust this forward or backward one month. The minimum bill was kept at \$9.03 and the rate per 1,000 gallons of wastewater usage was increased from \$3.79 to \$4.55.

In September 2008, Council approved phase two. For water, it included no change to the monthly minimum meter charge; however, the per 1,000 gallon charge increased by nearly 10%. Also, a second rate tier for high water usage was implemented. The senior citizen discount (age 65 and over) of \$1.74 per month was continued. For sewer, it included an increase in the minimum sewer bill from \$9.03 to \$10.38. The rate per 1,000

In September 2010, Council approved no further increases for water or sewer, therefore the rates remained the same.

Council approved an updated contract with Dallas Water Utilities in May 2010. The contract continues the standard practice of adjusting the rates annually based on actual expenses. This year's DWU increase is 6.7%. The increase for TRA is 2%.

The utility rates maintained since 2009 are marginally covering the operational costs.

In January 2011, The Texas Commission on Environmental Quality issued a Notice of Violation to the City of Lancaster relating to our deficiencies in elevated storage. We have responded to the TCEQ with a plan of action to build the required storage to clear the deficiency violation.

Over half of the City's water lines are cast iron lines that have been in place since the early 1950's and 60's. Due to their age and corrosion, the lines experience frequent breaks which cause "red water" issues, and can only be addressed by frequent flushing. These frequent breaks and flushing cause service interruptions to customers.

### **Considerations**

- **Operational** – Council discussed and reviewed several rate options for water and waste water. Adopting the higher fee structure from the options provided to Council on August 1, 2011 and August 15, 2011 will allow the City to perform the required maintenance and improvements that is needed within the City. This fee structure will provide the funding for the required infrastructure needed to provide quality water and wastewater system services.
- **Legal** - The City Attorney has reviewed and approved the resolution as to form.
- **Financial** – The Utility Rate Study was updated after the prior year audit was completed. As a result, three options were provided to Council for guidance. Adoption and approval of the higher rate increase will ensure adequate funding for the proposed bond issuance of \$7,500,000 to construct the mandated elevated storage tank required by the TCEQ and proper maintenance for the water and wastewater system.
- **Public Information** – Prior to the effective date of October 1, notice of a rate increase will be published in the City's official publication of record, Focus Daily News, on the City website, and on the utility bills.

### **Recommendation**

Staff recommends adoption of the rate option as presented based on guidance from Council and the mandated need to construct the elevated storage tank required by the TCEQ.

**Attachments**

- Resolution
- Notice of violation from TCEQ
- City Response Letter dated April 14, 2011

**Prepared and submitted by:**  
Sheree Haynes, Finance Director

**Date:** August 31, 2011

**RESOLUTION NO. 2011-09-80**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, AMENDING THE RATE FOR CERTAIN FEES AND CHARGES ASSESSED AND COLLECTED BY THE CITY FOR WATER AND WASTEWATER SERVICE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lancaster desires to provide an increase for certain fees and charges assessed and collected by the City for water and wastewater services; and

**WHEREAS**, after consideration and review, the City Council finds that the increases shall be reflected in the Master Fee Schedule, and should be adopted;

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

**Section 1.** That the increase in rates for water and wastewater shall be reflected in the Master Fee Schedule, and the same is, hereby adopted to provide for changes to certain fees and charges assessed and collected by the City for water services, as attached hereto and incorporated herein by reference as Exhibit "A".

**Section 2.** That all provisions of any section of any resolution of the City Council of the City of Lancaster in conflict with the provisions of this resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this resolution shall remain in full force and effect.

**Section 3.** This Resolution shall become effective on October 1, 2011, after its passage and 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 12<sup>th</sup> day of September 2011.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

**Exhibit "A"**

**Sec. 10.700 Water Rates - Within City**

The following schedule of water charges for residential, commercial, industrial, and multi-family complex customers shall be effective with the first billing of October 2009 2011:

Minimum monthly water charge (no gallons) for residential, commercial, and industrial customers:

Meter Size:	Equivalent Units	Minimum Monthly Meter Charge:
5/8 or 3/4 inch water	1	<del>\$19.60</del> \$13.00
1-inch water meter	2.5	<del>\$49.00</del> \$33.00
1 1/2 inch water meter	5	<del>\$98.00</del> \$65.00
2-inch water meter	8	<del>\$156.80</del> \$104.00
3-inch water meter	16	<del>\$313.60</del> \$208.00
4-inch water meter	25	<del>\$490.00</del> \$325.00
6-inch water meter	50	<del>\$980.00</del> \$750.00
8-inch water meter	80	<del>\$ 1,568.00</del> \$1,040.00
10-inch water meter	125	<del>\$2,450.00</del> \$1,625.00

(1) Multi-family complexes shall be charged a minimum monthly water charge equal to the greater of (a) the minimum bill for a 5/8 inch meter, multiplied by the number of units or (b) the minimum monthly meter charge for the size meter(s) serving the account.

(2) A variable rate volume charge of two dollars and ~~twenty five~~ fifty cents (~~\$2.25~~) (\$2.50) shall be charged per each one thousand (1,000) gallons usage. No gallons are included with the monthly minimum charge.

(3) Example of the calculation of a multi-family complex monthly water bill:  
Two hundred apartment units with an 8" meter and 600,000 gallons of usage.

	Min. charge for 8" meter	<del>\$1,568.00</del> \$1,040.00	
	200 units @ <del>\$13.00</del> \$19.60 each	0.00	<del>\$3,920.00</del> \$2,600.00
	600,000 gallons @ <del>\$2.25</del> \$2.50/1000	<del>1,500.00</del> 1,350.00	<del>1,500.00</del> 1,350.00
		<del>\$3,068.00</del> \$2,390.00	<del>\$5,420.00</del> \$3,950.00

Therefore ~~\$3,950.00~~ \$5,420.00 would be billed. (~~\$3,950.00~~ \$5,420.00 ÷ 200 = ~~\$19.75~~ \$27.10)

(4) For the purpose of encouraging water conservation, there shall be a 25% increase in the water volume rate for monthly usage in excess of 15,000 gallons by residential and commercial accounts. Usage in excess of 30,000 shall be subject to an additional 25% increase. These increases will not be assessed to industrial or multi-family accounts.

For example:

0 to 14,999 gallons	<del>\$2.25</del> \$2.50 per 1,000
15,000 to 29,999 gallons	<del>\$2.80</del> \$3.10 per 1,000
30,000 gallons or more	<del>\$3.50</del> \$3.90 per 1,000

(5) A discount for senior citizens (age 65 or over) of \$1.74 per month shall be applied to each qualified residential account.

~~(Resolution 2009-08-82 - adopted 8/24/09, effective October 1, 2009)~~

(Resolution 2011-09-\_\_ - adopted 9/12/11, effective October 1, 2011)

....

### **Sec. 10.1000 Wastewater Treatment Services User Charges**

The following schedule of charges for residential, commercial, industrial and multi-family complex customers shall be effective with the first billing cycle of October, ~~2009~~ 2011:

(1) Minimum monthly sewer charge (no gallons of usage) for residential, commercial, and industrial is ~~eleven~~ fourteen dollars and ~~no~~ ten cents (~~\$11.00~~) (\$14.10) per connection.

(2) Minimum monthly sewer charge for each dwelling unit of a multi-family complex (no gallons) is seven dollars and ~~no~~ twenty-five cents (~~\$7.00~~) (\$7.25) per unit.

(3) Variable rate per one thousand (1,000) gallons of water usage for residential, commercial, industrial, and multi-family complexes is ~~five~~ seven dollars and ~~five~~ twenty-five cents (~~\$5.50~~) (\$7.25).

(4) The total monthly amount due for "all" sewer accounts shall be the sum of the minimum monthly sewer charge plus the variable rate times the user's water usage for the month. The maximum monthly "residential customer" volume charges shall be based on the average of the three lowest monthly bills in the last twelve. Normally these will be the reading cycles ending in January, February, and March. However, the utility billing department may adjust this forwards or backwards one month.

Industrial and commercial users that install a separate sewer metering system shall be charged for volume according to that meter, plus the minimum rate.

(5) The practice of discounting the computed sewer usage to 95% and 90% as detailed in the Lancaster Code of Ordinances Section 11.608(b) and 11.609(b); was discontinued in 2008.

(6) A discount for senior citizens (age 65 or over) of \$0.76 per month shall be applied to each qualified residential account.

~~(Resolution 2009-08-83 - adopted 8/24/09, effective October 1, 2009)~~

(Resolution 2011-09-\_\_ - adopted 9/12/11, effective October 1, 2011)

Bryan W. Shaw, Ph.D., *Chairman*  
Buddy Garcia, *Commissioner*  
Carlos Rubinstein, *Commissioner*  
Mark R. Vickery, P.G., *Executive Director*



RECEIVED JAN 19 2011  
xc. Childers  
Roberson

## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 18, 2011

### E-SIGNATURE CONFIRMATION 91 3408 2133 3931 2927 4110

Honorable Marcus Knight  
Mayor, City of Lancaster  
P O Box 940  
Lancaster, TX, 75146-0940

Re: Notice of Violation for the Compliance Evaluation Investigation at:  
City of Lancaster, 1999 Jefferson, Lancaster, Dallas County, Texas  
RN101387306, TCEQ Additional ID 0570013, Investigation No. 880568

Dear Mayor Knight:

On December 9, 2010, Imran Khawaja of the Texas Commission on Environmental Quality (TCEQ) D/FW Region Office conducted an investigation of the above-referenced regulated entity to evaluate compliance with applicable requirements for public water supply. Enclosed is a summary which lists the investigation findings. Certain outstanding alleged violation was identified for which compliance documentation is required. Please submit to this office by April 18, 2011 a written description of corrective action taken and the required documentation demonstrating that compliance has been achieved for the outstanding alleged violation. At this time your public water supply continues to merit recognition as a "Superior" system.

In the listing of the alleged violation, we have cited applicable requirements, including TCEQ rules. Please note that both the rules themselves and the agency brochure entitled *Obtaining TCEQ Rules (GI 032)* are located on our agency website at <http://www.tceq.state.tx.us> for your reference. If you would like a hard copy of this brochure mailed to you, you may call and request one from either the D/FW Region Office at (817) 588-5800 or the Central Office Publications Ordering Team at 512-239-0028. Copies of applicable federal regulations may be obtained by calling Environmental Protection Agency's Publications at (800) 490-9198.

The TCEQ appreciates your assistance in this matter. Please note that the Legislature has granted TCEQ enforcement powers which we may exercise to ensure compliance with environmental regulatory requirements. We anticipate that you will resolve the alleged violations as required in order to protect the State's environment.

REPLY TO: REGION 4-DALLAS/FORT WORTH • 2309 GRAVEL DR. • FORT WORTH, TEXAS 76118-6951 • 817-588-5800 • FAX 817-588-5700

P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • Internet address: [www.tceq.state.tx.us](http://www.tceq.state.tx.us)

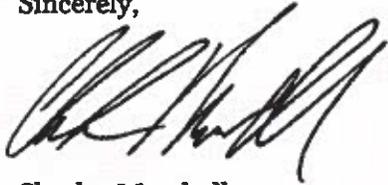
printed on recycled paper using soy-based ink

Honorable Marcus Knight  
January 18, 2011  
Page 2

If you have additional information that we are unaware of, you have the opportunity to contest the violation(s) documented in this notice. Should you choose to do so, you must notify D/FW City Region Office within 10 days from the date of this letter. At that time, Mr. Charles Marshall, Team Leader will schedule a violation review meeting to be conducted within 21 days from the date of this letter. However, please be advised that if you decide to participate in the violation review process, the TCEQ may still require you to adhere to the compliance schedule included in the attached Summary of Investigation Findings until an official decision is made regarding the status of any or all of the contested violations.

If you or members of your staff have any questions, please feel free to contact Mr. Imran Khawaja in the D/FW Region Office at (817) 588-5806.

Sincerely,



Charles Marshall  
Team Leader, Public Water Supply Section  
D/FW Region Office

CLM/ik

Enclosures: Summary of Investigation Finding

## Summary of Investigation Findings

CITY OF LANCASTER

1990 N JEFFERSON ST  
LANCASTER, DALLAS COUNTY, TX 75134

Investigation # 880568

Investigation Date: 12/09/2010

Additional ID(s): 0570013

### OUTSTANDING ALLEGED VIOLATION(S) ASSOCIATED TO A NOTICE OF VIOLATION

Track No: 421687      Compliance Due Date: 04/18/2011  
30 TAC Chapter 290.45(b)(1)(D)(iv)

**Alleged Violation:**

Investigation: 880568

Comment Date: 1/10/2011

Failure to provide elevated storage capacity of 100 gallons per connection for Upper Pressure Plane.

Failure to meet this Agency's "Minimum Water System Capacity Requirements" These requirements include: a elevated storage capacity of 100 gallons per connection for each pressure plane. The system has 1.0 MG elevated storage tank capacity for Upper pressure plane. The system is required to provide at least 1.178 million gallons elevated storage tank capacity based on the number of connections on the day of the investigation (11,782 (connections) x 100 = 1.178 MG).

**Recommended Corrective Action:** Submit documentation verifying that the City of Lancaster can provide 100 gallons per connection elevated storage capacity in the Upper Pressure Plane.



City of Lancaster  
PUBLIC WORKS DEPARTMENT  
ADMINISTRATION



1425 N. Dallas Ave., Suite #101 \* Lancaster, TX 75134 \* 972.275.1700  
www.lancaster-tx.com

April 14, 2011

Via Certified Mail#70071490000183936569

Mr. Charles Marshall  
TCEQ Team Leader, Public Water Supply Section  
D/FW Region 4 Office  
2309 Gravel Drive  
Fort Worth, Texas 76118-6951

Re: Violation-Track No. 421687

To Whom It May Concern:

Imran Khawaja (TCEQ) performed a Compliance Evaluation Investigation for the City of Lancaster on December 9, 2011. The City received a letter dated January 18, 2011, stating the findings of the investigation. The investigation cited one Outstanding Alleged Violation:

**Track No. 421687 Failure to provide elevated storage capacity of 100 gallons per connection for Upper Pressure Plane**

The letter states a compliance date of April 18, 2011, for the alleged violation. The purpose of this letter is to document the proposed course of action to be taken by the City of Lancaster, and to request an extension of the compliance date.

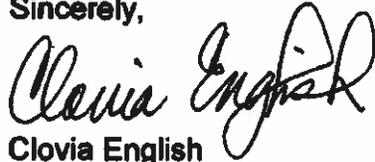
The City of Lancaster is planning to construct a new 2.0 MG elevated storage tank to replace the current 1.0 MG tank. The City is currently working with an engineering consultant and intends to enter into a contract to prepare construction documents and provide construction phase engineering services for the new tank. The proposed schedule for the project is as follows:

Conduct Site Study and Acquire Property: May 2011—September 2011  
Prepare Construction Documents: October 2011—May 2012  
Advertise and Award Construction Contract: June 2012—August 2012  
Construction of Elevated Storage Tank: September 2012—October 2013

Based on this proposed schedule, the City of Lancaster respectfully requests an extension of the compliance date to November 2013. The City of Lancaster has demonstrated a commitment to working with the TCEQ to resolve this violation. Due to the schedule requirements of the proposed projects, an implemented solution will not be feasible by April 2011, but engineering of the proposed improvements will begin as early

as May 2011, with the expected completion of the 2.0 MG elevated storage tank in October 2013.

Sincerely,

A handwritten signature in black ink that reads "Clovia English". The signature is written in a cursive, flowing style.

Clovia English  
Director of Public Works

cc: Honorable Marcus Knight, Mayor  
Opal Maudin-Robertson, City Manager  
Phillip Curtis, Water/Wastewater Superintendent  
Robert McGee, Freese & Nichols, Inc.  
Scott Cole, Freese & Nichols, Inc.

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**19**

AG11-019

**Discuss and consider a resolution of the City Council of the City of Lancaster, Texas, providing for adoption of the new Master Fee Schedule for all fees and charges assessed and collected by the City; providing a repealing clause; and providing an effective date.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 1: Financially Sound City Government**

**Background**

Each year as part of the budgeting process, City Council reviews proposed changes to the City's Master Fee Schedule. The Master Fee Schedule is adopted by resolution. Changes to the fee schedule may be made throughout the year, as needed, by resolution.

City Council reviewed proposed changes to the fee schedule at the August 1, 2011 work session. Following input from Council, staff reviewed Airport t-hangar fees and proposed an increase which is detailed in Article 16.000 Airport Fees.

Please note that the fees contained in the attached Master Fee Schedule include fees, as proposed, in preceding agenda items for water, wastewater and garbage collection.

**Considerations**

A summary of proposed changes is listed below. The redlined fee schedule is attached.

***Article 1.000 911 Emergency Telephone Service Fee*** (reference page 2 of schedule)  
Proposed increase from sixty-two cents to eighty-two cents (per month per each residential line) to help offset costs anticipated for federally mandated change to narrow band for police/fire radios.

***Article 2.000 Animal Control Fees***

Inquiries of the survey cities indicate that our fees are generally comparable, although sometimes higher. Due to the large stray animal population, staff believes that adoption fees should remain the same at this time. Staff has proposed a fee for microchip and/or city registration of \$15 if spayed/neutered and \$25 if not spayed/neutered. (reference page 2).

Below is a table of charges from our survey cities.

City	Microchip/Registration Fee
Burleson	\$15.00
Tri-City (Cedar Hill, Duncanville and Desoto)	\$25.00
Coppell	\$10 if spayed/\$20.00
Haltom City	n/a
Keller	n/a
Pflugerville	n/a
Rowlett	\$5.00 if spayed/\$10.00
The Colony	n/a

**Article 3.000 Building Related Fees**

Under Section 3.100 (f), "Building Contractor Registration" language has been struck. Contractor fees are addressed in another section (reference page 4). In Section 3.100 (f) (2) "shall comply with Table 1A of the UBC97 Building Permit Fees" has been struck and a minimum \$25 permit fee noted in Table 1-A (reference page 4). Under Section 3.100 (y), numbers 2 and 3 have been struck as these are no longer applicable for concrete permits (reference page 9).

**Article 4.000 Business Related Fees**

**Sec. 4.400 Food Service Establishments**

The annual fee should be \$225 per the interlocal agreement (Dallas County Department of Health and Human Services) approved by City Council on September 13, 2010 (reference page 12).

**Sec. 4.900 Emergency Ambulance Service Permit (reference page 13)**

Proposed increase from one hundred dollars to two hundred dollars for emergency ambulance service permit fee to help offset inspection costs.

**Article 5.000 Fire Services Fees**

**Sec. 5.200 Ambulance Fees**

Specifically outlines fees as billed and includes rates for Dallas County as agreed to in Interlocal Agreement. (begins on page 13)

**Sec. 5.300 Fire Department Response Fees**

Specifically outlines fees for fire response should the Fire Department need to bill for such services. Examples include a FEMA declared disaster where the federal government would reimburse the City for costs incurred or for a hazardous material spill where the responsible party is required to reimburse the City. (begins on page 14)

**Article 8.000 Library Fines and Fees**

Adds a 900 square foot Library meeting room as available for rental. Proposed rental rate is \$35 per hour for residents and \$55 per hour for non-residents. (reference page 20)

**Article 10.000 Utility Related Fees**

**Sec. 10.700 Water Rates Within City**

**Sec. 10.1000 Wastewater Treatment Services User Charges**

The City Manager presented proposed increases to water and wastewater rates at the August 15, 2011 budget work session. See preceding agenda item regarding water and wastewater rates. The rates in the attached Master Fee Schedule contain the new water (begins on page 14) and wastewater rates (see page 24).

**Sec. 10.1700 Garbage Collection Fees**

Please reference preceding agenda item regarding amendment of the Master Fee Schedule if the Consumer Price Index (CPI) rate request from Allied Waste is approved. The rates in the attached Master Fee Schedule contain the new solid waste (garbage) collection fees (see page 27).

**Article 13.000 Administrative Fees** (begins on page 32)

Sections (a) through (f) have been updated for cost of copies of public information as prescribed by the Texas Administrative Code. The fees include modern technologies such as DVD's, JAZ drives, specialty paper, etc. Charges for public information are set by state law and may not be revised.

Section (h) proposes changes to Special Events Fees including: (reference page 33)

**(h) Special Events**

- |                                 |  |
|---------------------------------|--|
| (1) Application Fee             | \$25.00 (applications submitted 31 days prior to event)  |
| (2) Expedited Review Fee        | \$25.00 (expedited fee for applications received within 30 days of the event)  |
| (3) Street Barricade Rental Fee | 1 to 25 barricades - \$15.00<br>25 to 50 barricades - \$30.00<br>50+ barricades - will require contract services   |
| (4) Street Cones Rental Fee     | 1 to 25 cones - \$10.00<br>25 to 50 cones - \$20.00<br>50+ cones - will require contract services  |
| (5) Barricade Replacement Fee   | \$62.00 per barricade  |
| (6) Cone Replacement Fee        | \$39.00 per cone   |
| (7) Reimbursable Costs          | Fees associated with City of Lancaster service provision at the request of the applicant will be calculated by the applicable department based on the associated reimbursable cost, the service/equipment requested, and the length of time the service is needed. |

The addition of an Expedited Review Fee (\$25) is to implement a standard cost for special event applications submitted within the 30 day window which requires last minute processing. The Special Events Ordinance 2004-06-18 provides for an Expedited Review fee to be set in the City's Master Fee Schedule.

Currently, the Special Events Committee charges \$2.00 each for barricade rentals and \$1.00 each for cone rentals. In order to cover the service costs associated with these equipment rentals and to set parameters for the equipment inventory available, the Special Events Committee recommends establishing the fees outlined above and implementing the use of applicant contract service referrals for requests in excess of available Streets/Stormwater inventory.

The inclusion of a Replacement Fee for both barricades and cones seeks to address equipment liability for special event rentals. The \$62 and \$39 fees cover only replacement of the equipment in the event of loss, theft or damage. •

Finally, the explanation of Reimbursable Costs details the calculation of requested City services as outlined by Ordinance 2004-06-18.

**Article 15.000 Parks and Recreation** (revised fees begin on page 41)

General overhaul of Article 15.000 to better align fees with cost of service. Attached is a comparison of fees with our survey cities.

**Article 16.000 Airport Fees** (reference page 46)

Following input from Council at the August 1, 2011 work session, staff re-evaluated proposed fees for hangar rentals and proposes the following increases:

<del>960</del> 956 sq. ft. (small T-hangar)	<del>\$150.00</del> <b>\$170.00</b>
<del>1,061</del> 1,018.25 sq. ft. (medium T-hangar)	<del>\$172.00</del> <b>\$192.00</b>
<del>1,246</del> 1,624.33 sq. ft. (large T-hangar)	<del>\$260.00</del> <b>\$280.00</b>

The proposed rental rate consolidates the rent and the \$5 monthly electrical fee. Arlington Airport conducted a rate and fee survey for this fiscal year. The survey is attached. Lancaster rates are well below the average for comparable airports in the Metroplex (e.g. Mesquite, Grand Prairie, Spinks).

There are slight increases proposed for other airport fees including per square foot ground lease fees (improved) \$0.18 to \$0.25 and (unimproved) \$0.12 to \$0.15. And, tenant lease fees from \$10 to \$12 per square foot. These proposed increases are comparable with other airports in the Metroplex per the survey.

**Article 17.000 Development Fees**

There are no proposed changes to fees in this article. There is some clean-up of the language including:

(b) Annexations - "\$1,000 plus filing fee" should be under the column for Planning, instead of Building (reference page 47).

(d) Building Permits - "Planning Division review..." language and related fee struck (reference page 47).

(e) Consultant Fee Supplemental - struck "hourly rate"; added N/A (reference page 47).

(f) Design/Plan Review - struck language under Engineering and Planning Fee; added N/A (reference page 48).

(m) Street Lighting Escrow - struck language under Planning Fee; added N/A (reference page 52).

**Options/Alternatives**

1. Council may approve the resolution adopting the Master Fee Schedule as presented with an effective date of October 1, 2011.
2. Council may modify proposed fee(s) and approve the resolution.
3. Council may deny the resolution. Updated fees proposed in the Master Fee Schedule are part of the revenue projections used for the proposed FY 2011-2012 budget.

**Recommendation**

Staff recommends approval of the Master Fee Schedule as presented with an effective date of October 1, 2011.

**Attachment**

- Resolution
- Master Fee Schedule (redlined)
- Survey Cities – Library Meeting Room Charges
- Parks and Recreation Fees Survey
- Municipal Airport Miscellaneous Rate Survey

**Prepared and submitted by:**  
Dolle K. Downe, City Secretary

**Date:** August 29, 2011

**RESOLUTION NO. 2011-09-81**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, PROVIDING FOR ADOPTION OF THE NEW MASTER FEE SCHEDULE FOR ALL FEES AND CHARGES ASSESSED AND COLLECTED BY THE CITY, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A"; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Lancaster desires to adopt a new Master Fee Schedule to provide for the fees and charges assessed and collected by the City; and

**WHEREAS**, after consideration and review, the City Council finds that the Master Fee Schedule, which is attached hereto and incorporated herein as Exhibit "A," should be adopted.

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

Section 1. That a Master Fee Schedule, which is attached hereto and incorporated herein as Exhibit "A," be, and the same is, hereby adopted to provide for fees and charges assessed and collected by the City.

Section 2. That all provisions of any resolution of the City Council of the City of Lancaster in conflict with the provisions of this resolution be, and the same are hereby, repealed, and all other provisions not in conflict with the provisions of this resolution shall remain in full force and effect.

Section 3. This Resolution shall become effective October 1, 2011, 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 12<sup>th</sup> day of September 2011.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
DOLLE K. DOWNE, CITY SECRETARY

\_\_\_\_\_  
MARCUS E. KNIGHT, MAYOR

**APPROVED AS TO FORM:**

\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY

# CITY OF LANCASTER FEE SCHEDULE

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*Effective October 1, 2010  
Resolution 2010-09-82*

*Effective October 1, 2011  
Resolution 2011-09-81*

**CITY OF LANCASTER FEE SCHEDULE**  
**ARTICLE 1.000 911 EMERGENCY TELEPHONE SERVICE FEE**

There is hereby imposed on each telephone subscriber's local exchange access line, or its equivalent, in the City of Lancaster, a 911 emergency service fee of ~~sixty-two cents (\$0.62)~~ **eighty-two cents (\$0.82)** per month for each residential line, and one dollar and fifty-two cents (\$1.52) per month for each business line, or two dollars and fifty cents (\$2.50) per month for each business trunk line. Such fees shall be used only to provide for the purchase, installation, operating and maintenance expenses of 911 emergency services, including required personnel. (Ordinance 2007-08-38, adopted 8/13/07)

**ARTICLE 2.000 ANIMAL CONTROL FEES**

**Sec. 2.100 General**

- |     |  |                              |
|-----|--|------------------------------|
| (a) | <u>Animal Impound Fee</u>                    |                              |
|     | (1) 1st Offense                              | \$45.00                      |
|     | (2) 2nd Offense                              | \$55.00                      |
|     | (3) 3rd Offense                              | \$85.00                      |
|     | (4) 4th Offense                              | \$110.00                     |
|     | (5) Each subsequent offense is increased by  | \$50.00                      |
| (b) | <u>Boarding While Impounded</u>              | \$10.00 per day              |
| (c) | <u>Rabies and Quarantine Observation Fee</u> | \$15.00 per day              |
| (d) | <u>Adoption Fees</u>                         |                              |
|     | (1) Small Dogs and Puppies                   | \$15.00                      |
|     | (2) Large Dogs                               | \$25.00                      |
|     | (3) Cats                                     | \$15.00                      |
| (e) | <u>Surrender of Animal</u>                   |                              |
|     | (1) Residential Surrender Fee                | \$20.00 per animal or litter |
|     | (2) Nonresidential Surrender Fee             | \$25.00                      |
| (f) | <u>Euthanization/Dogs &amp; Cats Only</u>    |                              |
|     | (1) At Owner's Request                       | \$30.00                      |
| (g) | <u>Pick Up Deceased Animal for Owner</u>     | \$30.00                      |
| (h) | <u>Microchip and/or Registration Fee</u>     | \$15.00 if spayed/neutered   |
|     |  | \$25.00 not spayed/neutered  |

# CITY OF LANCASTER FEE SCHEDULE

## Sec. 2.200 Dangerous Dog Registration Fee

The required annual fee for the registration of a dangerous dog shall be fifty dollars (\$50.00).  
(1994 Code of Ordinances, Chapter 2, Article 2.600, Section 2.604)

## ARTICLE 3.000 BUILDING RELATED FEES

### Sec. 3.100 Fees Adopted

#### (a) Moving Permit Fees

- (1) Base Fee (structures 200 sq. ft. and over) Per Table 1-A
- (2) Inspection Fee (plus .35 cents per mile to building location) Per Table 1-A

#### (b) Residential Portable/Storage Building Permit Fees

- (1) Under 200 sq. ft. base fees Per Table 1-A
- (2) Over 200 sq. ft. Per Table 1-A

#### (c) Fence Permit Fees

- (1) Residential Zoning (New/Replacement) Per Table 1-A
- (2) Nonresidential Per Table 1-A
- (3) A-O Zoning (Agricultural Fencing) \$25.00

Accessory Structures less than 400 sq. ft. \$50.00

Accessory Structures greater than 400 sq. ft. \$100.00

All other construction and related additions or remodeling work will be permitted and charged in accordance with Table 1-A

#### (d) Driveway, Drive Approach, Curb, Gutter and Sidewalk Permit Fees (Bond Required)

- (1) Residential zones, new/repair/replacement Per Table 1-A
- (2) Nonresidential zones, per approach \$25.00 + per Table 1-A

#### (e) Paving Private/Commercial Property Permit Fees

## CITY OF LANCASTER FEE SCHEDULE

- (1) Residential zones, new construction Per Table 1-A
- (2) Nonresidential zones, per approach Per Table 1-A
- (3) Commercial Parking Lots Per Table 1-A

(f) Building Contractor Registration and Permit Fees

- (1) Residential zones, new/repair/replacement  
Per Table 1-A
- (2) Single family residence, duplex, multi-family, apartment, condominium townhouse, commercial and remodels per Table 1-A shall comply with Table 1-A of UBC97 Building Permit Fees. Fee assessed per address.

**TABLE 1-A**

<u>Total Valuation</u>	<u>Fee</u>
\$1.00 to \$500.00	\$25.00 (minimum permit fee)
\$501.00 to \$2,000.00	\$25.00 for the first \$500.00 plus \$3.05 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$351.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.15 for each additional \$1,000.00 or fraction thereof

## CITY OF LANCASTER FEE SCHEDULE

**(g) Sewer/Water/Gas Lines & Replacements**

- |      |  |               |
|------|--|---------------|
| (1)  | Sewer line repair/install  | Per Table 1-A |
| (2)  | Sewer line replacement   | Per Table 1-A |
| (3)  | Water line repair/install  | Per Table 1-A |
| (4)  | Water line replacement   | Per Table 1-A |
| (5)  | Gas line repair/install<br>Additional charge per outlet  | Per Table 1-A |
| (6)  | Gas line Replacement<br>Additional charge per outlet (this fee will<br>be included in the total fee) | Per Table 1-A |
| (7)  | Drainage, vent system repair/replacement   | Per Table 1-A |
| (8)  | Water heater replacement   | Per Table 1-A |
| (9)  | Fixtures, addition/replacement   | Per Table 1-A |
| (10) | Grease trap, sand trap, grit trap and other<br>Approved catch basins                                 | Per Table 1-A |
| (11) | Water treatment/water softener   | Per Table 1-A |
| (12) | Solar heater   | Per Table 1-A |
| (13) | Others as may be required  | Per Table 1-A |

**(h) Electrical Fees**

- |     |  |                              |
|-----|--|------------------------------|
| (1) | Temporary service pole (not related to<br>construction permit)       | Per Table 1-A / \$25.00      |
|     | Up to and including 200 amp  | Per Table 1-A                |
|     | Over 200 amp to 1,000 amp  | Per Table 1-A                |
|     | Over 1,000 amp and up  | Per Table 1-A                |
| (2) | Receptacle, switch and lighting circuits                             | Per Table 1-A / \$25.00 min. |
| (3) | Lighting fixture and lamp holding device                             | Per Table 1-A                |
| (4) | Residential use appliances (fixed appliances or<br>outlets for same) | Per Table 1-A                |
| (5) | Building Rewire  | Per Table 1-A                |

## CITY OF LANCASTER FEE SCHEDULE

- (6) Nonresidential Use Appliances Per Table 1-A

[Nonresidential use appliances not exceeding 2 horsepower (hp), kilowatt (kw) or kilowatt ampere(kva)]

- (7) Power Apparatus (Base Fee) Per Table 1-A

Motor over 1 hp, transformer, generator, heating/air conditioning units, heat pumps, cooking/baking

- (8) Equipment – Rated in hp, kw, kva, kvar

Up to and including 1	Per Table 1-A
Over 1-10	Per Table 1-A
Over 10-50	Per Table 1-A
Over 50-100	Per Table 1-A
Over 100	Per Table 1-A
Minimum fee	Per Table 1-A

- (9) Signs

Initial CKT	Per Table 1-A
Each additional CKT	Per Table 1-A

- (10) Busways

Initial 100 feet	Per Table 1-A
Each additional 100 feet or fraction thereof	Per Table 1-A

- (11) Subpanels

Initial panel	Per Table 1-A
Each subsequent panel	Per Table 1-A

Service change charge does not include additional circuits required.

- (i) HVAC Installation Fees

- (1) Installing/replacing HVAC system Per Table 1-A  
 (condensing unit, evaporator, coil, furnace and piping) up to and including 5 tons of air conditioning, and/or 200,000 Btu input of heating per system

- (2) Installing/replacing HVAC system over 5 tons Per Table 1-A

## CITY OF LANCASTER FEE SCHEDULE

of air conditioning and/or over 200,000 Btu  
input of heating per system

- |  |                            |
|--|----------------------------|
| (3) Component Installation/Replacement.  |                            |
| Condensing unit up to 5 tons   | Per Table 1-A              |
| Over 5 tons, \$10.00, plus per ton   | Per Table 1-A              |
| Furnace up to 200,000 Btu input  | Per Table 1-A              |
| Over 200,000 Btu input, \$10.00 plus per 100,000   | Per Table 1-A              |
| (4) Unit heater/suspended heater/duct heater   | Per Table 1-A              |
| (5) Ventilation/exhaust fans/hoods – Type I, Type II, Hoods, Exhaust Fans, each                | Per Table 1-A              |
| (6) Boilers  | Per Table 1-A              |
| (7) Other as may be required by mechanical code  | Per Table 1-A              |
| <br>   |                            |
| (j) <u>Swimming Pool/Spa/Hot Tub Permit Fees</u>   | Per Table 1-A              |
| (1) In ground pool   | Per Table 1-A              |
| (2) Above ground pool  | Per Table 1-A              |
| (3) Spa/hot tub  | Per Table 1-A              |
| (Above permits include electric and plumbing work, trades must validate)                       |                            |
| <br>   |                            |
| (k) <u>Mobile/HUD/Manufactured Home Permit Fees</u>  |                            |
| (1) Pre-June 1976  | Per Table 1-A              |
| (2) June 1976 to present   | Per Table 1-A              |
| <br>   |                            |
| (l) <u>Industrialized Home Permit Fee</u>  | Per Table 1-A              |
| <br>   |                            |
| (m) Apartment Registration and Inspection Fee  | \$15.00 per apartment unit |
| <br>   |                            |
| (n) <u>Satellite Dish Permit Fees</u>  |                            |
| Pole style or roof mount   | Per Table 1-A              |
| <br>   |                            |
| (o) <u>Installation or Removal of Underground Fuel Storage Tank and/or Hazardous Chemicals</u> |                            |

## CITY OF LANCASTER FEE SCHEDULE

- |      |   |               |
|------|---|---------------|
| (1)  | Storage tank permit fees  | Per Table 1-A |
| <br> |   |               |
| (p)  | <u>Repair of Underground Fuel Storage Tank and/or Lines Permit Fees</u>   |               |
| (1)  | Contractor's Registration (per year)  | \$100.00      |
| (2)  | Repairs of underground fuel storage tanks (base fee)  | Per Table 1-A |
| <br> |   |               |
| (q)  | <u>Above Ground LPG Storage Tank System Permit Fees</u>   |               |
| (1)  | Contractor's Registration (per year)  | \$100.00      |
| (2)  | Base fee (per tank)   | Per Table 1-A |
| <br> |   |               |
| (r)  | <u>Fire Sprinkler and/or Standpipe System Permit Fees</u>   |               |
| (1)  | Contractor's Registration (per year)  | \$100.00      |
| (2)  | Base Fee  | Per Table 1-A |
| <br> |   |               |
| (s)  | <u>Fire Alarm Fees</u>  |               |
| (1)  | Base Fees   | Per Table 1-A |
| <br> |   |               |
| (t)  | <u>Fixed Fire-Extinguishing System Permit Fees</u>  |               |
| (1)  | Contractor's Registration (per year)  | \$100.00      |
| (2)  | Base Fee  | Per Table 1 A |
| <br> |   |               |
| (u)  | <u>Tents and/or Air Support System Permit Fees</u>  |               |
| (1)  | 200 sq. ft. or larger   | Per Table 1-A |
| <br> |   |               |
| (v)  | <u>Grading Filling and Excavating Permit Fees</u>   |               |
| (1)  | Base Fee  | Per Table 1-A |
| <br> |   |               |
| (w)  | <u>Fee Assessment for Traffic Signals.</u> There shall be an assessment of thirty-five dollars \$35.00 per acre for each acre of development so as to provide for future traffic signalization. |               |
| (1)  | New Construction  | \$75.00       |
| (2)  | Existing Structure  | \$75.00       |

## CITY OF LANCASTER FEE SCHEDULE

(x) Certificate of Occupancy Fees

- |     |                    |         |
|-----|--------------------|---------|
| (1) | New Construction   | \$75.00 |
| (2) | Existing Structure | \$75.00 |

(y) Concrete Permit

(1) All contractors' must submit \$300,000.00 liability insurance made out with the City of Lancaster as a certificate holder.

~~(2) Building valuation based on latest version of the building standards magazine.~~

~~(3) Minimum base fee under Table 1-A is \$25.00 dollars.~~

(z) Irrigation Permit Fee

\$125.00

(aa) Administrative Plan Review-Residential

\$250.00

(bb) Administrative Plan Review-Commercial

65% of permit fee

(cc) Utility Verification Permit

\$50.00

(dd) After Hours Inspections

\$47.00 per hour, minimum 2 hours

(ee) Sign Permit Fees

Per Table 1-A

(ff) Wind Energy System Permit Fee\*

Per Table 1-A

\*Resolution 2010-06-59, adopted 06/28/10

Contractor Registration Fees

(1) Building Contractor Registration

\$100.00 Annually

(2) Plumbing Business Registration

\$100.00 Annually

(3) Electrical Contractor Registration

\$100.00 Annually

(a) Master License Registration

\$30.00 Annually

(b) Journeyman License Registration

\$20.00 Annually

(c) House Wireman License Registration

\$10.00 Annually

(4) HVAC Contractor Registration

\$100.00 Annually

(a) Type A License Registration

\$30.00 Annually

## CITY OF LANCASTER FEE SCHEDULE

(b) Type B License Registration	\$30.00 Annually
(5) General Contractor Registration	\$100.00 Annually
(6) Fence Contractor Registration	\$100.00 Annually
(7) Sign Contractor Registration	\$100.00 Annually
(8) Concrete Contractor Registration	\$100.00 Annually

### Sec. 3.200 When Fees Doubled

Where work for which a permit is required is started or proceeded with prior to obtaining said permit, the fees above shall be doubled. The payment of such double fee shall not relieve any persons from fully complying with the regulations prescribed in this article in the execution of the work or from any other penalties prescribed herein.

### Sec. 3.300 Second Inspections

Where work, for which a permit is required and has been issued, is inspected by the Inspection Department's Inspector and failed for noncompliance with city codes, and a second inspection is required, an additional fee of fifty dollars (\$50.00) shall be charged for re-inspection and will increase by \$25.00 for each subsequent re-inspection.

### Sec. 3.400 Public Schools Exempt From Fee Requirements

Any public school within the City of Lancaster shall be exempt from payment of the fees provided by this article, provided that such public schools shall not be excused from the necessary permit approval process enumerated in this code or in any other code or ordinance of the City of Lancaster.

(Ordinance 18-00 adopted 4/24/00)

### Sec. 3.500 Excavation Fees

Permit Fees. Permit fees shall be fifty dollars (\$50.00) minimum with a maximum of 2.5% of the construction contract cost. Such fee if paid by check, money order, bank draft or other negotiable instrument, shall be made payable to the city treasurer. If paid by cash, such cash shall be remitted daily to the city treasurer, who shall deposit it to the credit of the general fund. Construction bond for work in city right-of-way shall be \$10,000.00 bond amount, \$2,000.00 bond amount where work not to exceed \$2,000.00 in value for any one permit that may be acquired for that work within the right-of-way.

(Ordinance 38-99 adopted 11/8/99)

## CITY OF LANCASTER FEE SCHEDULE

### Sec. 3.600 Backflow Prevention Assembly Testers Fees

An annual registration fee of one hundred dollars (\$100.00) shall be paid by each contractor or business for the first certified tester/employee prior to any work commencing with the city. Each additional employee (who is a certified tester) working for a contractor that is registered in the city shall pay an additional fifty dollars (\$50.00) registration fee per tester.

(Ordinance 29-00 adopted 7/24/00)

### ARTICLE 4.000 BUSINESS RELATED FEES

#### Sec. 4.100 Peddlers, Solicitors and Itinerant Vendors

(a) Investigation Fee Each and every person seeking a permit under the provisions of the Lancaster Code of Ordinances, Chapter 4, Article 4.100 "Peddlers, Solicitors and Itinerant Vendors" shall pay a fee of twenty-five dollar (\$25.00) per year for investigation of such application. Such fee shall be prorated, shall be paid in case at the time such application is made and shall not be returned to the applicant regardless of whether or not such permit is issued or denied. Persons representing firms or corporations shall be required to obtain separate permits, but shall pay only a single investigation fee. Persons involved in interstate commerce shall be exempt from payment of the investigation fee, but shall be required to obtain a permit and otherwise fully comply with all provisions of Chapter 4, Article 4.100.

(b) The permit fee for itinerant vendors on private property is twenty dollars (\$20.00). The City will not require payment of this permit fee by locally-based charitable organizations or organizations engaged in activities such as bake sales or car washes. The permit is issued for a minimum of five (5) days, but not to exceed forty-five (45) days. Each eligible property may only allow use of the property for a temporary business for a maximum of forty-five (45) days per calendar year in accordance with Chapter 4, Article 4.100, Section 4.104.

(c) Replacement Permits. Should a permittee lose his permit or otherwise need to obtain a replacement permit from the city, the cost of such replacement permit shall be fifteen dollars (\$15.00).

(Ordinance 2008-06-24; adopted June 23, 2008)

## CITY OF LANCASTER FEE SCHEDULE

### Sec. 4.200 Coin-Operated Machine Fees

(a) Every owner or operator who owns, controls, possesses, exhibits, displays or permits to be exhibited or displayed in this city any coin-operated machine shall pay and there is hereby levied on each coin-operated machine, an annual occupation tax in the amount of twenty-five dollars (\$25.00).

(Ordinance 2002-10-38 adopted 10/14/02)

### Sec. 4.300 Reserved for Future Use

### Sec. 4.400 Food Service Establishments

The City of Lancaster shall issue a food service permit to the applicant if its inspection reveals that the proposed food service establishment complies with the requirements of Texas Health and Safety Code Chapters 437, Food and Drug Health Regulations, and 121, Local Regulation of Public Health. The permit shall be issued upon payment of a ~~one hundred fifty dollar (\$150.00)~~ **two hundred twenty-five dollars (\$225)** annual inspection fee (includes two (2) inspections) set by the Dallas County Department of Health and Human Services. Beginning with the third food establishment inspection, a seventy-five dollar (\$75.00) fee will be assessed for each additional inspection. A seventy-five dollar (\$75.00) fee will be assessed for a re-opening inspection of a food establishment that has been closed due to non-compliance. There is an annual administrative fee of fifty dollars (\$50.00).

### Sec. 4.500 Reserved for Future Use

### Sec. 4.600 Reserved for Future Use

### Sec. 4.700 Temporary Building Use Fees

The permit fees for administering temporary uses within the city shall be as follows:

- |   |          |
|---|----------|
| (1) Real estate sales office  | \$100.00 |
| (2) Construction office   | \$100.00 |
| (3) Asphalt batching plant  | \$100.00 |
| (4) Cement batching plant   | \$100.00 |
| (5) Portable church building  | \$100.00 |
| (6) Portable school building  | \$100.00 |
| (7) Other temporary use as determined by city manager<br>(or his designated representative) | \$100.00 |
| (8) Cargo container for construction purposes   | \$150.00 |

## CITY OF LANCASTER FEE SCHEDULE

### Sec. 4.800 Taxicab Permits

Each applicant for a license to operate a vehicle for transporting of passengers for hire within the city shall pay a non-refundable fee in the sum of one hundred dollars (\$100.00) to cover the cost of processing the application.

### Sec. 4.900 Emergency Ambulance Service Permit

Each applicant shall pay to the City of Lancaster upon submission of his application a non-refundable ~~one hundred dollar (\$100.00)~~ **two hundred dollar (\$200.00)** permit fee. Such fee shall be for a permit for the period of January 1 through December 31 of each year, provided that any permit secured during the year shall be valid through December 31 of that year, and such fee shall not be prorated.

### Sec. 4.1000 Limousine Operator Permit

Each limousine service operator shall be subject to a one hundred dollar (\$100.00) non-refundable permit application fee to cover the cost of processing the application.

(Ordinance 13-00 adopted 4/24/00)

### Sec. 4.1100 Alcoholic Beverage Permit

The City shall assess a local permit fee for each Alcoholic Beverage Permit that not to exceed one-half the amount of the state fee in accordance with the Texas Alcoholic Beverage Code. Said fee shall be non-refundable.

(Ordinance No. 2010-11-26, adopted 11/08/10; Resolution 2010-11-93, adopted 11/08/10)

## ARTICLE 5.000 FIRE SERVICES FEES

### Sec. 5.100 Copy Fees

(a) Copy Fees \$ .10 per page

### Sec. 5.200 Ambulance Fees (Lancaster Chagemaster Suggested Rates - Mid Range)

(1) ALS Emergency Mileage	\$12.00
(2) ALS Non-Emergency Mileage	\$12.00
(3) ALS Supplies – IV Therapy	\$100.00
(4) ALS1 Emergency Base Rate, Non-Resident	\$700.00
(5) ALS1 Emergency Base Rate, Resident	\$650.00
(6) ALS1 Non-Emergency Base Rate, Non-Resident	\$700.00
(7) ALS1 Non-Emergency Base Rate, Resident	\$650.00
(8) ALS2 Base Rate, Non-Resident	\$825.00
(9) ALS2 Base Rate, Resident	\$800.00
(10) BLS Emergency Base Rate, Non-Resident	\$650.00

## CITY OF LANCASTER FEE SCHEDULE

(11) BLS Emergency Base Rate, Resident	\$600.00
(12) BLS Emergency Mileage	\$12.00
(13) BLS Non-Emergency Base Rate, Non-Resident	\$650.00
(14) BLS Non-Emergency Base Rate Resident	\$600.00
(15) BLS Non-Emergency Mileage	\$12.00
(16) Oxygen, Administration & Supplies / hr.	\$65.00
(17) Treatment / No-Transport, Non-Resident	\$150.00
(18) Treatment / No-Transport, Resident	\$150.00
(19) Ambulance (In-County Calls)	\$375.00 Contract with Dallas County for providing ambulance service in the County plus patient is billed by the City for call as noted above.
(20) Dallas County Assisted Fire Run <i>Add Additional</i>	\$395.00 per fire run
(21) Specialty Care Transport Rate (not in your current Chargemaster)	\$950.00
(22) ALS Routine Disposable Supplies	\$65.00
(23) BLS Routine Disposable Supplies	\$50.00
(24) Extra Attendant	\$100.00

Any resident or non-resident delivered by helicopter transportation shall be charged fees accumulated as if delivered to a medical facility. This is in addition to the fee from the helicopter company.

### **Sec. 5.300 Fire Department Response Fees**

(1) Absorbent Boom	\$8.00 per each used on-scene
(2) Hazardous Mat Dike Sock	\$131.00 per each used on-scene
(3) Absorbent for Cleanup	\$40.00 per 20 lb. bag
(4) Absorbent Pads	\$10.00 per each used on-scene
(5) Absorbent Pads (Bale)	\$65.00 per 50 used
(6) Acid Neutralizer	\$20.00 per bag
(7) Acid Pillow	\$25.00 per pillow
(8) Acid Socks	\$20.00 per sock used
(9) Aerial Ladder Truck	\$600.00 per hour on-scene
(10) Air Bags for Securing Vehicle	\$50.00 per hour

## CITY OF LANCASTER FEE SCHEDULE

(11) Air Lift - to lift heavy objects	\$50.00 per hour
(12) Air Bottle fill by Cascade	\$10.00 per each fill
(13) Air Packs	\$50.00 per hour
(14) Miscellaneous Air Tool	\$35.00 per hour
(15) Air Truck with Cascades System	\$300.00 per hour used
(16) Attack Truck	\$350.00 per hour on-scene
(17) Back Board	\$10.00 per each used
(18) Bandages	\$2.00 per each used
(19) Banner Type	\$12.00 per roll used
(20) Blanket to cover injured	\$10.00 per each used
(21) Boat Rescue – 100 HP and up	\$100.00 per hour
(22) Boat Rescue - 50 to 99.9 HP	\$75.00 per hour
(23) Boat Rescue - 10 to 49.9 HP	\$50.00 per hour
(24) Blood Pressure Cuff	\$20.00 per each used
(25) Brooms	\$15.00 per each used
(26) Brush Truck	\$300.00 per hour
(27) Bunker Boots	\$128.00 per man responding
(28) Bunker Coats	\$561.00 per man responding
(29) Bunker Pants	\$368.00 per man responding
(30) Carbon Monoxide Detector	\$100.00 per each used on-scene
(31) Air Cascade System	\$100.00 per hour
(32) Do Not Cross Fire Line Tape	\$9.99 per roll
(33) C-Collar	\$20.00 per each used
(34) Cell Phone Calls	\$3.00 per call
(35) Chainsaw	\$35.00 per hour
(36) Chemical Truck	\$300.00 per hour on-scene
(37) Chimney Bomb	\$25.00 per each
(38) Clay used to Absorb Fluids	\$9.00 per bag
(39) Cold Fire	\$23.00 per gallon
(40) Cold/Arctic Fire Extinguisher	\$30.00 per gallon
(41) Cribbing for Blocking Vehicle	\$25.00 per item used
(42) Disposable Bag for Cleanup	\$5.00 per bag
(43) Decon Pond/Spill Containment	\$100.00 per each used

## CITY OF LANCASTER FEE SCHEDULE

(44) Depowering Tool Kit	\$5.00 per use
(45) Drip Pan/Hazardous Fluids	\$15.00 per each used
(46) 55 Gal. Drums to Catch Hazardous Materials	\$45.00 per each used
(47) Fire Extinguisher	\$65.00 per each used on-scene
(48) Extrication Tool	\$100.00 per each used
(49) False Alarm	\$250.00 per call fire alarm activated
(50) Flare	\$8.00 per each used
(51) Hand Held Flashlight	\$23.00 per each used
(52) Floor Jack	\$25.00 per each used on-scene
(53) Foam	\$50.00 per gallon
(54) Forcible Entry Tool	\$10.00 per each used on-scene
(55) Generator	\$50.00 per hour
(56) Generator #2	\$50.00 per hour
(57) Glass Breaking Device	\$50.00 per each used
(58) Hand Tools	\$15.00 per hour
(59) Haz Mat Kit	\$250.00 per each used
(60) Boom for Absorbing Hazmat	\$25.00 per each used
(61) Hazmat Pad	\$4.45 per each used
(62) Hazmat Roll	\$5.10 per each used
(63) Hazmat Sock	\$15.57 per each used
(64) Hazmat Wedge/Plug	\$30.00 per bag
(65) Infrared Heat Detector	\$75.00 per hour
(66) Helmet	\$337.00
(67) Highlift to lift heavy objects	\$30.00 per each used
(68) Indian Tank	\$25.00 per hour
(69) Jet Ski	\$30.00 per hour
(70) Ground Ladders	\$15.00 per hour
(71) Landing Zone	\$250.00 flat rate
(72) Leak Kit	\$20.00 per each used
(73) Portable Lighting	\$25.00 per hour
(74) Lite Dry	\$10.00 per bag
(75) Man Hours	\$31.64 per man responding
(76) On-Scene Labor	\$32.00 per hour

## CITY OF LANCASTER FEE SCHEDULE

(77) Microblaze	\$15.00 per each used
(78) Pumper	\$300.00 per hour
<i>Miscellaneous Expendables</i>	
(1) 2 pc. 7" Strap w/Speed Clamps	\$11.00 per each used
(2) 4 x 4 Dressing	\$1.05 per each used
(3) 4 x 6 Dressing	\$1.15 per each used
(4) 4 x 9 Dressing	\$1.45 per each used
<i>Airway</i>	
(1) Backboard	\$14.00 per each used
(2) Bag Valve Mask	\$15.00 per each used
(3) Band-Aid	\$0.15 per each used
(4) Burn Sheet	\$4.50 per each used
(5) Cloth Tape	\$1.00 per each used
(6) Stiffneck X-Trical Collar	\$7.00 per each used
(7) Defib Kit	\$30.00 per each used
(8) Disposable Blanket	\$3.50 per each
(9) Duct Tape	\$1.00 per roll
(10) Rubber Gloves	\$2.00 per pair
(11) Goggles	\$1.50 per each used
(12) Head on Blocks	\$4.50 per each used
(13) Kerlex	\$2.25 per each used
(14) Non Rebreather Mask	\$1.50 per each used
(15) OB Kit	\$5.25 per each used
(16) Saline Solution	\$4.00 per each used
(17) Surgical Face Mask	\$0.50 per each used
(18) Trauma Dressing	\$2.25 per each used
(19) Oil Dry	\$30.00 per 5 gallon bucket
(20) Oil Mat Roll	\$5.00 per foot
(21) Oil Sock	\$60.00 per box used
(22) Peat Moss Absorbent	\$8.00 per bag
(23) Pig Absorbent	\$20.00 per each used
(24) Plug Dike Stabilizes Fuel in Tank	\$40.00 per each used
(25) Pneumatic Vacuum Device	\$10.00 per hour

## CITY OF LANCASTER FEE SCHEDULE

(26) Port-a-tank 2500 - 4000 Gallons	\$50.00 per hour
(27) Positive Pressure Fan	\$75.00 per hour
(28) Miscellaneous Power Tool	\$25.00 per hour
(29) Engine/Pumper	\$500.00 per hour
(30) Engine/Pumper #2	\$500.00 per hour
(31) Engine/Pumper #3	\$500.00 per hour
(32) Rescue Truck	\$400.00 per hour
(33) Sand	\$20.00 per 5 gallon bucket
(34) Sand	\$10.00 per 10 lb. bag
(35) Reciprocating Saw	\$25.00 per hour
(36) Self-Contained Breathing Apparatus	\$25.00 per hour
(37) Shovel	\$5.00 per each used
(38) Smoke Ejector	\$50.00 per hour
(39) Spill Bag - Hazmat	\$15.00 per unit used
(40) Squirt/Small Aerial Pumper	\$550.00 per hour
(41) Step Chalks	\$25.00 per use
(42) Water Pump/Basement Flooding	\$25.00 per hour
(43) Suspenders	\$37.00 per man responding
(44) Tanker Truck	\$500.00 per hour
(45) Tarp	\$35.00 per each used
(46) Utility Truck	\$150.00 per hour
(47) Windshield Kit to pull Windshield	\$40.00 per each used
(48) Hydro Carbon	\$60.00 per 20 lb. bag

### **ARTICLE 6.000 ABATEMENT OF PROPERTY MAINTENANCE NUISANCE**

The expenses incurred for abatement of the nuisance may be assessed against the real estate on which the work is done or improvements made. To obtain a lien against the property, the mayor, municipal health authority or code enforcement officer must file a statement of expenses with the county clerk of Dallas County, including the name of the property owner, if known, and the legal description of the property. The actual cost of abatement shall include an administrative fee of one hundred fifty dollars (\$150.00). In the event there are obstructions such as trees, shrubs, bushes, excavations, foundations, demolished structures or any similar obstructions, an additional charge shall be levied, assessed and collected against such premises. The lien obtained is security for the expenses and interest accrued thereon at the rate of ten percent (10%) annually on the total amount from the date of payment by the city. The lien is inferior only to tax liens and liens for street improvements. The city may bring a suit

## CITY OF LANCASTER FEE SCHEDULE

for foreclosure of the lien to recover the expenses and interest due. The state of expenses or certified copy of the statement is prima facie proof of the expenses incurred by the city in doing the work or making the improvements. This remedy is cumulative of the fine authorized for violation hereof by Section 1.109 of the code of ordinances.

(Ordinance 13-00 adopted 4/24/00)

### ARTICLE 7.000 LIQUID WASTE TRANSPORT PERMIT

The city shall not issue a permit to an applicant until the appropriate fee is paid. Initially, a person shall pay a fee of one hundred dollars (\$100.00) for the first vehicle and fifty dollars (\$50.00) for each additional vehicle operated by the person. Each permit must be renewed annually at a rate of seventy-five dollars (\$75.00) for the first vehicle and fifty dollars (\$50.00) for each additional vehicle.

(Ordinance 13-00 adopted 4/24/00)

### ARTICLE 8.000 LIBRARY FINES AND FEES

(a) Charges for overdue materials

- |                        |                           |
|------------------------|---------------------------|
| (1) Books/Magazines    | \$0.10 per day up to cost |
| (2) Audio Tapes/CDs    | \$0.10 per day up to cost |
| (3) Interlibrary Loans | \$1.00 per day up to cost |
| (4) Special Reference  | \$1.00 per day up to cost |
| (5) Video Tapes/DVDs   | \$1.00 per day up to cost |

(b) Lost or Damaged Beyond Repair \$5.00 + replacement cost

(c) Copies

- |                       |                 |
|-----------------------|-----------------|
| (1) Single            | \$0.10 per page |
| (2) Microfilm         | \$0.25 per page |
| (3) Computer Printout | \$0.10 per page |
| (4) Color Copies      | \$1.00 per page |

(d) Nonresident Library Card

\$20.00  
Picture id required

(e) Lost Card

\$1.00 replacement

(f) Recovery Fee

\$10.00 - if account is sent to  
third party for collection  
(value of material + \$10.00)

(g) Non-cardholder one (1) Hour Internet Access

\$3.00 per hour

## CITY OF LANCASTER FEE SCHEDULE

(h)	Blank Disk – floppy or CD	\$1.00 each
(i)	Blank DVD	\$2.00 each
(j)	Headphones or earbuds	\$2.50 each set
(k)	Microfilm / microfiche rental	Actual cost, plus shipping and \$1.00 handling fee per order
(l)	Battery (AAA or AA)	\$1.00 each
(m)	Interlibrary loan service	\$1.00 per item
(n)	Flash drive, USB port, thumb drive, (2gb)	\$12.00 each
(o)	Flash drive, USB port, thumb drive (4gb)	\$16.00 each
(p)	Library meeting room (900 square feet)	\$35/hour, resident \$250 deposit \$55/hour, non-resident \$250 deposit
	Kitchen use per hour	\$25/hour
	Set up Fee	\$50
	Projector with screen	\$65/hour, resident; \$75/hour, non resident

### ARTICLE 9.000 MUNICIPAL DRAINAGE UTILITY SYSTEM FEES

Account Classification	Rate/SFLUE per Month	Minimum Fee per month	Maximum Fee per Month
Single Family Residential	\$7.97	\$7.97	\$7.97
Multi-Family Residential	\$7.97	\$7.97	\$7.97
Residents Age 65 and Over	\$3.98	\$3.98	\$3.98
Permanently Disabled Residents	\$3.98	\$3.98	\$3.98
Commercial	\$7.97 (≤3) \$6.09 (>3-5) \$5.42 (>5-10) \$4.73 (>10-32) \$4.62 (>32)	\$7.97	N/A
City and Other Political Subdivision of the State	\$7.97	\$7.97	\$100.00

## CITY OF LANCASTER FEE SCHEDULE

Fire Hydrant	\$0	\$0	\$0
Religious Institutions	\$7.97	\$7.97	\$100.00
Lancaster Independent School Dist.	\$7.97	\$7.97	\$100.00 Per each school property

(Ordinance No. 2002-10-41, adopted 10/14/02)  
 (Resolution No. 2010-02-11, corrected fees per ordinance)  
 (Resolution No. 2010-03-27, adopted 03/22/10)

### ARTICLE 10.000 UTILITY RELATED FEES

#### Sec. 10.100 Water and Sewer Extensions

Water and sewer extensions shall be installed by the property owner/developer per city specifications; with approved plans and after paying required permits and fees, all at owner/developer's cost.

#### Sec. 10.200 Water Meter

(a) Tampering and Criminal Mischief Damages

(1) Damaged meter only \$200.00 plus cost of meter

(2) Damaged service line \$250.00 plus cost of meter

(b) Broken Lock on Meter \$25.00

(c) Pulled Meter \$200.00

(d) Reread Meter \$20.00

(e) Check for Leaks \$20.00

#### Sec. 10.300 Extension of Mains into New Areas

Water and sewer extensions shall be installed by the property owner/developer per city specifications; with approved plans and after paying required permits and fees, all at owner/developer's cost.

#### Sec. 10.400 Charges for Private Sewer Laterals

The property owner shall install and maintain all private laterals from the sewer mains to the structure. A property owner may request, by signature, the city to perform a private service line inspection, in lieu of hiring a private plumbing contractor, for a fee. If it is determined by video that the private service line is crushed under the roadway the city will make the repairs, under the roadway only, at the city's expense.

# CITY OF LANCASTER FEE SCHEDULE

## Sec. 10.500 Charges for Water Service Connections

The city shall maintain all water service connections in streets, alleys, or easements within the city limits. The property owner or developer shall install the approved meter, per city materials and specifications, after paying the required permits and fees, all at owner's expense.

## Sec. 10.600 Deposits for Water and/or Sewer

After the application for water and/or sewer service is received, the applicant shall pay to the city a deposit in the amount indicated below:

### New Fees with Activation Fee

(1) Residential Owners – ¾ inch	\$90.00 + \$10.00 = \$100.00
Residential Renter – ¾ inch	\$150.00 + \$10.00 = \$160.00
*Temporary (30 day) clean up	\$40.00 + \$10.00 = \$50.00

\* (For owners of properties and/or realtors that need the water for a short period of time.)

Guidelines in order for customers to receive a refund/credit to their accounts prior to terminating utility service:

- (a) The customer will have to make the request in writing.
- (b) The account will have to be in good standing for a period of two consecutive years before a refund is granted. (The account will have no arrears, penalties or returned checks posted during that time.)
- (c) The refund will be made to the person listed on the account.

(2) Commercial – ¾ inch	\$125.00 + \$10.00 = \$135.00
(3) 1 inch	\$150.00 + \$10.00 = \$160.00
(4) 1 ½ inch	\$200.00 + \$10.00 = \$210.00
(5) 2 inch	\$300.00 + \$10.00 = \$310.00
(6) 3 inch to compound meter	\$300.00 + \$10.00 = \$310.00

(7) Public schools and county community colleges are subject to commercial rates, but shall not be required to make a water and/or sewer deposit as required by this section.

(8) Fire Hydrant Meter	
(A) Deposit	\$1,000.00
(B) Monthly	\$25.00
(C) Usage	\$2.75/1,000 gallons

(1994 Code of Ordinances, Chapter 11, Article 11.500, Section 11.504)

## Sec. 10.700 Water Rates - Within City

The following schedule of water charges for residential, commercial, industrial, and multi-family complex customers shall be effective with the first billing of October 2009 2011:

## CITY OF LANCASTER FEE SCHEDULE

Minimum monthly water charge (no gallons) for residential, commercial, and industrial customers:

Meter Size:	Equivalent Units	Minimum Monthly Meter Charge:
5/8 or 3/4 inch water	1	\$19.60-\$13.00
1-inch water meter	2.5	\$49.00-\$33.00
1 1/2 inch water meter	5	\$98.00-\$65.00
2-inch water meter	8	\$156.80-\$104.00
3-inch water meter	16	\$313.60-\$208.00
4-inch water meter	25	\$490.00-\$325.00
6-inch water meter	50	\$980.00-\$750.00
8-inch water meter	80	\$ 1,568.00-\$1,040.00
10-inch water meter	125	\$2,450.00-\$1,625.00

(1) Multi-family complexes shall be charged a minimum monthly water charge equal to the greater of (a) the minimum bill for a 5/8 inch meter, multiplied by the number of units or (b) the minimum monthly meter charge for the size meter(s) serving the account.

(2) A variable rate volume charge of two dollars and twenty-five cents (~~\$2.25~~) (\$2.50) shall be charged per each one thousand (1,000) gallons usage. No gallons are included with the monthly minimum charge.

(3) Example of the calculation of a multi-family complex monthly water bill:

Two hundred apartment units with an 8" meter and 600,000 gallons of usage.

Min. charge for 8" meter	\$1,568.00-\$1,040.00	
200 units @ \$13.00-\$19.60 each	0.00	\$3,920.00-\$2,600.00
600,000 gallons @ \$2.25-\$2.50/1000	1,500.00-1,350.00	1,500.00-1,350.00
	\$3,068.00-\$2,390.00	\$5,420.00-\$3,950.00

Therefore ~~\$3,950.00~~ \$5,420.00 would be billed. (~~\$3,950.00~~ \$5,420.00 ÷ 200 = \$19.75-\$27.10)

(4) For the purpose of encouraging water conservation, there shall be a 25% increase in the water volume rate for monthly usage in excess of 15,000 gallons by residential and commercial accounts. Usage in excess of 30,000 shall be subject to an additional 25% increase. These increases will not be assessed to industrial or multi-family accounts.

## CITY OF LANCASTER FEE SCHEDULE

For example:

0 to 14,999 gallons	<del>\$2.25</del> \$2.50 per 1,000
15,000 to 29,999 gallons	<del>\$2.80</del> \$3.10 per 1,000
30,000 gallons or more	<del>\$3.50</del> \$3.90 per 1,000

(5) A discount for senior citizens (age 65 or over) of \$1.74 per month shall be applied to each qualified residential account.

~~(Resolution 2009-08-82 adopted 8/24/09, effective October 1, 2009)~~

(Resolution 2011-09-\_\_ - adopted 9/12/11, effective October 1, 2011)

### Sec. 10.800 Water Rates-Outside City

Effective with the first billing cycle of October, 1992, the rates for sales of water to customers outside the city limits of Lancaster, Texas, will be determined by multiplication of the rates set out in Chapter 13, Article 13.500, Section 13.504 by one hundred fifteen (115) percent. (1994 code of Ordinances, Chapter 11, Article 11.500, Section 11.505).

### Sec. 10.900 Imposition of Lien for Water Service Charges

In the event that payment of charges for water and/or sewer services furnished by the city is not made by the date specified for cutoff in accordance with the notice sent pursuant to Chapter 13, Article 13.500, Section 13.508, service shall be discontinued. Any customer whose water and/or sewer services are discontinued due to nonpayment may have services resumed by paying all accrued and overdue charges, including the late charge penalty and a reconnection charge as follows: (1994 Code of Ordinances, Chapter 11, Article 11.500, Section 11.509).

- |  |                   |
|--|-------------------|
| (1) Reconnect Fee (Cutoff)                             | \$45.00           |
| (2) Reconnect Fee (Cutoff) After 5 p.m.                | \$55.00           |
| (3) Late Fee   | 7% of balance due |
| (4) NSF Check  | \$35.00           |
| (5) Extra Trip Charge<br>(New Connects and Reconnects) | \$25.00           |

(Ordinance No. 2007-01-01 adopted 01/22/07)

### Sec. 10.1000 Wastewater Treatment Services User Charges

The following schedule of charges for residential, commercial, industrial and multi-family complex customers shall be effective with the first billing cycle of October, ~~2009~~ 2011:

(1) Minimum monthly sewer charge (no gallons of usage) for residential, commercial, and industrial is ~~eleven~~ fourteen dollars and ~~no ten~~ cents (~~\$11.00~~) (\$14.10) per connection.

(2) Minimum monthly sewer charge for each dwelling unit of a multi-family complex (no gallons) is seven dollars and ~~no twenty-five~~ cents (~~\$7.00~~) (\$7.25) per unit.

## CITY OF LANCASTER FEE SCHEDULE

(3) Variable rate per one thousand (1,000) gallons of water usage for residential, commercial, industrial, and multi-family complexes is ~~five seven~~ dollars and ~~forty~~ twenty-five cents (\$~~5.50~~) (\$7.25).

(4) The total monthly amount due for "all" sewer accounts shall be the sum of the minimum monthly sewer charge plus the variable rate times the user's water usage for the month. The maximum monthly "residential customer" volume charges shall be based on the average of the three lowest monthly bills in the last twelve. Normally these will be the reading cycles ending in January, February, and March. However, the utility billing department may adjust this forwards or backwards one month.

Industrial and commercial users that install a separate sewer metering system shall be charged for volume according to that meter, plus the minimum rate.

(5) The practice of discounting the computed sewer usage to 95% and 90% as detailed in the Lancaster Code of Ordinances Section 11.608(b) and 11.609(b); was discontinued in 2008.

(6) A discount for senior citizens (age 65 or over) of \$0.76 per month shall be applied to each qualified residential account.

~~(Resolution 2009-08-83 adopted 8/24/09, effective October 1, 2009)~~

(Resolution 2011-09-\_\_ - adopted 9/12/11, effective October 1, 2011)

### **Sec. 10.1100 Water Impact Fee**

(Reference Tables 1, 2, 3 and 11 of Ordinance)

(Ordinance 2004-09-27 adopted 9/27/04)

Water Impact Fees are imposed upon any new development (which includes expansion of existing facilities) to generate revenue for funding or recouping the costs of capital improvements or facility expansions to these systems necessitated by or attributable to the new developments' demand on these systems. The Water Impact Fees are calculated using Service Units, which are a standardized measure of consumption, use, generation or discharge attributable to an individual living unit equivalent (LUE) of development calculated in accordance with generally accepted engineering or planning standards for Water Systems' capital improvements or facility expansion. The total impact fee due is based on the meter size(s) used by the development. The meter size is determined by the City of Lancaster within the meter manufacturers optimum flow range based on flows required by the development.

### **Sec. 10.1200 Sewer Impact Fee**

(Reference Table 3.5 of Ordinance)

(Ordinance 2006-07-22 adopted 7/10/06)

Sewer (Wastewater) Impact Fees are imposed upon any new development (which includes expansion of existing facilities) to generate revenue for funding or recouping the costs of capital improvements or facility expansions to these systems necessitated by or attributable to the new developments' demand on these systems. The Sewer Impact Fees are calculated using Service Units, which are a standardized measure of consumption, use, generation or discharge attributable to an individual living unit equivalent (LUE) of development calculated in accordance with generally accepted engineering or planning standards for Sewer Systems' capital improvements or facility expansion. The total impact fee due is

## CITY OF LANCASTER FEE SCHEDULE

based on the meter size(s) used by the development. The meter size is determined by the City of Lancaster within the meter manufacturers optimum flow range based on flows required by the development.

### Sec. 10.1300 Roadway Impact Fee

(Reference Exhibit B of Ordinance)

(Ordinance 2003-12-42 adopted 12/8/03)

Roadway Impact Fees are imposed upon any new development (which includes expansion of existing facilities) to generate revenue for funding or recouping the costs of capital improvements or facility expansions to these systems necessitated by or attributable to the new developments' demand on these systems. The Roadway Impact Fees are calculated using Service Units, which are a standardized measure of consumption or use (supply and demand) of the roads in the city by new development and are calculated in accordance with generally accepted engineering or planning standards for Roadway Systems' capital improvements or facility expansion. The total impact fee due is determined by the land use, the location of the development, and the square footage of the building.

### Sec. 10.1400 Inspections

- |  |          |
|--|----------|
| (a) Backflow                           | \$ 25.00 |
| (b) Sewer                              | \$ 50.00 |
| (c) Final Televised lateral inspection | \$ 50.00 |

### Sec. 10.1500 Calibrations

- |                                  |           |                           |
|----------------------------------|-----------|---------------------------|
| (a) Pipe < 1 inch                | \$ 50.00  |                           |
| (b) Pipe < 1 inch and < 3 inches | \$ 50.00  |                           |
| (c) Pipe > = 3 inches            | \$ 100.00 | Contracted price plus 25% |

(Ordinance 2002-10-38 adopted 10/14/02)

### Sec. 10.1600 Reserved for future use.

# CITY OF LANCASTER FEE SCHEDULE

## Sec. 10.1700 Garbage Collection Fees

- (a) Residential \$13.45  
 Once weekly refuse collection/disposal  
 Every other month brush/bulk item collection  
 Bi-weekly recycling collection/processing
- (b) Administrative Processing Fee \$2.50
- (c) Extra cart *Effective 01/01/2010*  
 2<sup>nd</sup> cart \$10.00  
 3<sup>rd</sup> cart \$15.00  
 4<sup>th</sup> cart \$20.00
- (d) Commercial Hand Collect\_ \$17.45  
 Once weekly refuse collection/disposal
- (e) Special Pick Up \$65.00 minimum
- (f) Commercial Containers

Size	1 X WK	2 X WK	3 X WK	4 X WK	5 X WK	6 X WK	EXTRA
2YD	\$62.22	\$115.13	\$160.14	\$198.30	\$230.90	\$258.60	\$26.66
3YD	\$71.16	\$131.66	\$183.43	\$226.91	\$264.10	\$295.81	\$40.00
4YD	\$89.06	\$164.64	\$228.95	\$283.69	\$330.24	\$369.83	\$53.33
6YD	\$105.83	\$197.68	\$274.96	\$340.73	\$396.66	\$444.28	\$66.65
8YD	\$133.87	\$247.15	\$343.82	\$426.04	\$495.97	\$555.51	\$79.98

(Resolution 2009-12-125 adopted 12/14/09; effective 3/01/10, except Section (e) effective 1/01/10)

Size	1 X WK	2 X WK	3 X WK	4 X WK	5 X WK	6 X WK	EXTRA
2YD	\$64.04	\$118.50	\$164.83	\$204.20	\$237.66	\$266.17	\$27.44
3YD	\$73.24	\$135.51	\$188.49	\$233.55	\$271.83	\$304.47	\$41.17
4YD	\$91.56	\$169.46	\$235.65	\$292.00	\$339.91	\$380.66	\$54.89
6YD	\$109.96	\$203.47	\$283.01	\$350.71	\$408.27	\$457.29	\$68.60
8YD	\$137.48	\$254.39	\$353.89	\$438.51	\$510.49	\$571.77	\$82.32

(Resolution 2011-09-\_\_\_ adopted 09/12/11, effective 10/01/11)

## CITY OF LANCASTER FEE SCHEDULE

(g) Industrial Containers

(1) Open top roll-off container rates, per customer:

(A) Delivery Charge	\$ 75.00
(B) Daily rental (all sizes)	\$ 2.00
(C) Twenty (20) Cubic Yard Container (Disposal per haul)	\$250.00
(D) Thirty (30) Cubic Yard Container (Disposal per haul)	\$250.00
(E) Forty (40) Cubic Yard Container (Disposal per haul)	\$250.00

2) Portable Packing Unit and Detachable Container

(A) Delivery Charge	N/A
(B) Daily rental after first day Specific	Equipment
(C) 42 Cubic Yard Container (Disposal per haul)	\$284.00

(1994 Code of Ordinances, Chapter 11, Article 11.1200, Section 11.1210)

**Sec. 10.1800 Wastewater Discharge**

There is hereby established a wastewater discharge permit fee of \$450.00 for a three year term by the water/wastewater superintendent of the City of Lancaster. (1994 Code of Ordinances, Chapter 1, Article 11.1300, Section 11.1300)

# CITY OF LANCASTER FEE SCHEDULE

## Sec. 10.1900 Fees for Cuts to Streets, Alleys, Sidewalks and Drainage Structures

In the event any street, highway or roadway must have an open cut and is approved by the City Engineer in writing for the purpose of installing water or wastewater laterals, or utility repair by a Franchise Utility Company or their subcontractor, a fee of four dollars and fifty cents (\$4.50 sq. ft.) per square foot, with a minimum one hundred dollar (\$100.00) fee will be charged in advance for replacement of such open cut by the city. This fee will be reimbursed if the excavation is restored to like or better condition.

## ARTICLE 11.000 PLANNING AND ZONING RELATED FEES

### Sec. 11.100 Reserved for Future Use

### Sec. 11.200 Reserved for Future Use

### Sec. 11.300 Zoning Board of Adjustment

- (a) Variance Request \$250.00

### Sec. 11.400 Plats

- (a) Preliminary Plat  
50 acres or less \$500.00 + \$50.00 per acre  
More than 50 acres \$1000.00 + \$100.00 per acre
- (b) Final Plat \$500.00 + \$10.00 per lot
- (c) Re Plat  
With property owner notification \$575.00 + \$35.00 per acre  
Without property owner notification \$450.00 + \$35.00 per acre
- (d) Amended Plat \$200.00 + \$10.00 per acre
- (e) Minor Plat \$400.00
- (f) Plat Vacations \$500.00

### Sec. 11.500 Zoning

- (a) General Zoning Change \$500.00 + \$10.00 per acre
- (b) Specific Use Permit \$500.00 + \$10.00 per acre
- (c) Private Club Permit \$350.00
- (d) Amendment to SUP \$500.00 + \$10.00 per acre

## CITY OF LANCASTER FEE SCHEDULE

- |                                      |                              |
|--------------------------------------|------------------------------|
| (e) Planned Development              | \$1500.00 + \$10.00 per acre |
| (f) Amendment to Planned Development | \$1,500.00 + 10.00 per acre  |
| (g) Exceptions                       | \$250.00                     |

### Sec. 11.600 Other Planning & Zoning Fees

- |   |   |
|---|---|
| (a) Site Plan Review                                    | \$250.00 + \$10.00 per acre   |
| (b) Tree Survey Review                                  | \$25.00   |
| (c) Illegal Tree Cutting Fine                           | \$125.00 per diameter inch  |
| (d) Dedication/Abandonment of Right-of-Way or Easements | \$150.00 per development for first 5 + \$25.00 for each additional document |
| (e) Consultant Fees                                     | Hourly Rate of Consultant   |
| (f) Zoning Verification Letter                          | \$50.00   |
| (h) Subsequent Legal Notices after 1 <sup>st</sup>      | \$15.00 per additional notice   |

### Sec. 11.700 Maps, Publications and Miscellaneous Fees

- |   |  |
|---|--|
| (a) Comprehensive Plan  | \$48.00  |
| (b) Copying – 8½" x 11" or 8¼" x 11"  | \$0.10 per page. Any request for more than 20 pages may be sent to an outside duplicating facility at requestor expense. |
| (c) Lancaster Development Code (Zoning Ordinance and Subdivision Regulations) | \$45.00  |
| (d) Zoning Map (24" x 36")  | \$20.00  |

## ARTICLE 12.000 MUNICIPAL COURT

### Sec. 12.100 Municipal Court Building Security Fund

Any defendant convicted in the municipal court of the City of Lancaster of a misdemeanor offense that occurs after September, 1997 or the passage of this article, shall pay a \$3.00 security fee as a cost of court. The term "convicted" includes any convictions obtained by way of a plea of guilty, a trial and any cases deferred adjudication, probation or pretrial diversion in order for the defendant to take advantage of one of the alternative programs offered by the municipal court including, but not limited to, a driving safety course, deferred adjudication, alcohol awareness and shoplifters alternative. (1994 Code of Ordinances, Chapter 8, Article 8.100, Section 8.1600)

# CITY OF LANCASTER FEE SCHEDULE

## Sec. 12.200 Municipal Court Technology Fund

A defendant convicted of a misdemeanor offense in the municipal court in the City of Lancaster shall pay a technology fee not to exceed four dollars for each conviction as a cost of court. The municipal court clerk shall collect the costs and pay the funds to the finance director for deposit in a fund to be known as the "Municipal Court Technology Fund".

(Ordinance 2002-03-12 adopted 3/2/02)

### ARTICLE 13.000 ADMINISTRATIVE FEES

#### (a) Copies

- |                                |        |
|--------------------------------|--------|
| (1) Standard Size Paper Copies | \$0.10 |
| (2) Certified Copy             | \$2.50 |
| (3) Nonstandard Size Copies    | \$0.50 |
| (4) Diskette                   | \$1.00 |

#### (b) Magnetic Tape

- |                        |              |
|------------------------|--------------|
| (1) 4MM                | \$13.50 each |
| (2) 8MM                | \$12.00 each |
| (3) 9 Track            | \$11.00 each |
| (4) VHS Video Cassette | \$2.50       |
| (5) Audio Cassette     | \$1.00       |

#### (c) Microfiche or Microfilm Charge

- |                          |                 |
|--------------------------|-----------------|
| (1) Oversized paper copy | \$0.50 per page |
| (2) Fiche or film copy   | Actual Cost     |

#### (d) Fax Charge

- |  |                 |
|--|-----------------|
| (1) Local                              | \$0.10 per page |
| (2) Long distance, same area code      | \$0.50 per page |
| (3) Long distance, different area code | \$1.00 per page |

#### (e) Computer Access Charge

- |                   |                    |
|-------------------|--------------------|
| (1) Mainframe     | \$10.00 per minute |
| (2) Midsize       | \$1.50 per minute  |
| (3) Client/Server | \$2.00 per minute  |
| (4) PC or LAN     | \$1.00 per minute  |

## CITY OF LANCASTER FEE SCHEDULE

~~(f) Other Computer Related Charges~~

<del>(1) Computer Programming Time Charge</del>	<del>\$26.00 per hour</del>
<del>(2) Personnel Charge</del>	<del>\$15.00 per hour</del>
<del>(3) Overhead Charge</del>	<del>20% of Personnel Charge</del>
<del>(4) Remote Document Retrieval Charge</del>	<del>Actual Cost</del>
<del>(5) Miscellaneous Supplies</del>	<del>Actual Cost</del>
<del>(6) Postage and Shipping Charge</del>	<del>Actual Cost</del>
<del>(7) Other Costs</del>	<del>Actual Cost</del>

**Public Information Charges**

**(a) copies, standard paper copy** **\$0.10 per page**  
 For standard paper copies reproduced by means of an office machine copier or a computer printer. Each side that has recorded information is considered a page.

**(b) copies, nonstandard copy.** The charges in this section are to cover the materials onto which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies are:

<b>(A) Diskette</b>	<b>\$1.00</b>
<b>(B) Magnetic tape</b>	<b>actual cost</b>
<b>(C) Data cartridge</b>	<b>actual cost</b>
<b>(D) Tape cartridge</b>	<b>actual cost</b>
<b>(E) Rewritable CD (CD-RW)</b>	<b>\$1.00</b>
<b>(F) Non-rewritable CD (CD-R)</b>	<b>\$1.00</b>
<b>(G) Digital video disc (DVD)</b>	<b>\$3.00</b>
<b>(H) JAZ drive</b>	<b>actual cost</b>
<b>(I) Other electronic media</b>	<b>actual cost</b>
<b>(J) VHS video cassette</b>	<b>\$2.50</b>
<b>(K) Audio cassette</b>	<b>\$1.00</b>
<b>(L) Oversize paper copy</b>	<b>\$0.50</b>
(11 inches by 17 inches, greenbar, bluebar, not including maps and photographs using specialty paper)	
<b>(M) Specialty paper</b>	<b>actual cost</b>
(Mylar, blueprint, blue-line, map, photographic)	
<b>(c) Microfiche and Microfilm</b>	<b>actual cost of reproduction</b>
From Master copy of Microfilm	<b>\$0.10 per page</b>
<b>(d) Computer Resource Charge</b>	
Mainframe	<b>\$10 per CPU minute</b>
Midsize	<b>\$1.50 per CPU minute</b>
Client/Server	<b>\$2.20 per clock hour</b>
PC or LAN	<b>\$1.00 per clock hour</b>

## CITY OF LANCASTER FEE SCHEDULE

- |  |   |
|--|---|
| <b>(e) Other Public Information Charges</b>  |   |
| (A) Computer Programmer  | \$28.50 per hour  |
| (B) Personnel Charge (50 or more pages)  | \$15.00 per hour  |
| (C) Overhead Charge (50 or more pages)   | 20% of Personnel Charge   |
| (D) Remote Document Retrieval Charge   | actual cost   |
| (E) Miscellaneous Supplies (labels, boxes)   | actual cost   |
| (F) Postage and Shipping Charge  | actual cost   |
| (G) Miscellaneous (credit card transaction fee)  | actual cost   |
| <br>   |   |
| <b>(f) Certified or Attestation under City Seal</b>  | \$2.50  |
| <br>   |   |
| <b>(g) Finance</b>   |   |
| (1) Return Check Fee   | \$35.00 per check   |
| (2) Budget Book  | \$106.00 per book   |
| (3) CAFR   | \$50.00 per book  |
| (4) Copies – printouts (computer generated)  | \$0.25 per page   |
| <br>   |   |
| <b>(h) Special Events Application Fee</b>  | <del>\$25.00</del>  |
| (1) Application Fee  | \$25.00 (applications submitted 31 days prior to event)   |
| (2) Expedited Review Fee   | \$25.00 (expedited fee for applications received within 30 days of the event)                               |
| (3) Street Barricade Rental Fee  | 1 to 25 barricades \$15.00<br>25 to 50 barricades \$30.00<br>50+ barricades; will require contract services |
| (4) Street Cones Rental Fee  | 1 to 25 cones \$10.00<br>25 to 50 cones \$20.00<br>50+ cones; will require contract services                |
| (5) Barricade Replacement Fee  | \$62.00 per barricade   |
| (6) Cone Replacement Fee   | \$39.00 per cone  |
| (7) Reimbursable Costs: Fees associated with City of Lancaster service provision at the request of the applicant will be calculated by the applicable department based on the associated reimbursable cost, the service/equipment requested, and the length of time the service is needed. |   |

(Ordinance 2004-06-18 adopted 6/14/04)

### ARTICLE 14.000 POLICE DEPARTMENT

**(a) Alarm System Permit Fees**

Alarm System Permit Fees

Registration Fee – Residential	\$ 50.00
Registration Fee - Commercial	\$100.00

## CITY OF LANCASTER FEE SCHEDULE

Senior Rate (65 or older) – Residential only	Exempt*
Renewal Fee – Residential	\$ 50.00
Renewal Fee – Commercial	\$100.00
Senior Rate (65 or older) – Residential only	Exempt*
Late Fee after 30 days notice for registration	\$ 25.00
Late Fee After 30 days notice for renewal	\$ 25.00

False Alarms with Permit within 12 month period:

1-3	No Charge
4-5	\$ 50.00
6-7	\$ 75.00
8 or more	\$100.00 each

False Alarms without Permit within 12 month period:

1-3 Residential	\$100.00 each
1-3 Commercial	\$200.00 each
4-5 Commercial	\$250.00 each
6-7 Residential	\$175.00 each
6-7 Commercial	\$275.00 each
8 or more – Residential	\$200.00 each
8 or more – Commercial	\$300.00 each

Late Payment for Non-payment within 30 days after notification \$25.00

False Robbery Alarms within 12 month period:

1-3	\$100.00
4 or more	\$200.00

Late Fee for Each False Robbery Alarm not paid within 30 days after notification \$25.00

Appeal:

Appeal Hearing Fee\* \$25.00

\*(Fee shall be refunded, in its entirety, if appeal is upheld)

Reinstatement:

Reinstatement Fee \$50.00

(Resolution 2007-02-22 adopted 2/26/07)

## CITY OF LANCASTER FEE SCHEDULE

(b) Accident Reports

- |   |                         |
|---|-------------------------|
| (1) Regular Copy                                      | \$6.00 per report       |
| (2) Certificate of Regular Copy                       | Addl. \$2.00 per report |
| (3) Certificate with no information or report on file | \$6.00 per report       |

(c) Offense Reports

\$0.10 per page

(d) Fingerprinting

- |                                     |         |
|-------------------------------------|---------|
| (1) First two (2) fingerprint cards | \$10.00 |
| (2) Per fingerprint card thereafter | \$ 5.00 |
- (Resolution 2004-12-102 adopted 12/13/04)

### ARTICLE 15.000 PARKS AND RECREATION

**Sec. 15.100 Memberships**

(a) Annual Membership Fees

- |                                     |                    |   |
|-------------------------------------|--------------------|---|
| 1. Under (5 yrs)                    | \$0                | Free, must be accompanied by an adult over 18 years of age                                      |
| 2. Youth (5 - 11 yrs)               | <del>\$5/yr</del>  | Provides access to use of gymnasium and walking track during designated hours.                  |
| 3. Teen (12 - 17 yrs)               | <del>\$10/yr</del> | Provides access to use of gymnasium and walking track during designated hours.                  |
| 4. Adult (18 - 49 yrs)              | <del>\$15/yr</del> | Provides access to use of gymnasium and walking track during designated hours.                  |
| 5. Seniors (50 and over yrs)        | \$15/yr            | Provides access to use of gymnasium and walking track during designated hours.                  |
| 6. Non Resident Adult (18 - 49 yrs) | \$25/yr            | Provides access to use of gymnasium and walking track during designated hours.                  |
| 7. Daily Admission                  | \$5/day            | Provides access to use of gymnasium and walking track and fitness room during designated hours. |

## CITY OF LANCASTER FEE SCHEDULE

8. Pool Daily Admission	\$5/day	Provides access to use of pool during designated hours
9. Monthly Fitness Membership (16 yrs and older)	\$20	Provides access to use the gymnasium, walking track and the fitness atrium during designated hours. Must have a recreation ID card to purchase a fitness membership.
10. Annual Fitness Membership (16 yrs and older)	\$160	Provides access to use the gymnasium, walking track and the fitness atrium during designated hours. Must have a recreation ID card to purchase a fitness membership.

(b) Corporate Membership Rates

	Agency	Individual
(1) Corporate A (5-9)	\$125.00	\$100.00
(2) Corporate B (10+)	\$300.00	\$100.00

Sec. 15.200 Rental Facilities

(a) Athletic Fields

Deposit	\$50.00
(1) Cedarvale Field Rental/hr	\$20.00 4 hr minimum
(2) City Park Field Rental/hr	\$20.00 4 hr minimum
(3) Royce Clayton Ballpark/hr	\$20.00 4 hr minimum
(4) Youth Football/hr	\$20.00 4 hr minimum
(5) Soccer Field/hr	\$25.00 4 hr minimum

Additional fees for the field rentals, i.e. lights, lining fields, concessions, etc. will be determined by the Parks and Recreation Director, based on cost incurred by the City.

## CITY OF LANCASTER FEE SCHEDULE

~~(b) Community House~~

<del>Deposit</del>	<del>Resident — \$100.00</del>	<del>Nonresident — \$150.00</del>
<del>(1) Fri/Sat/Sun (6pm-12pm) Nonresident</del>		<del>\$255.00</del>
<del>(2) Fri/Sat/Sun (6pm-12pm) Resident</del>		<del>\$175.00</del>
<del>(3) Sat/Sun (8am-12pm and 1pm-5pm) Nonresident</del>		<del>\$205.00</del>
<del>(4) Sat/Sun (8am-12pm and 1pm-5pm) Resident</del>		<del>\$135.00</del>

~~(c) Gymnasium~~

<del>Deposit</del>	<del>\$50.00</del>	
<del>(1) 1/2 Court</del>	<del>-\$50/hr</del>	<del>4 hours minimum after operating hours.</del>
<del>(2) Full Court</del>	<del>-\$75/hr</del>	<del>4 hours minimum after operating hours.</del>
<del>(3) Full Court Tournament Fee</del>	<del>-\$100</del>	<del>4 hours minimum after operating hours. Allows gate fees charged by renter. Must reserve entire gymnasium.</del>

~~(d) Outdoor Facility~~

<del>Deposit</del>	<del>Resident — \$100.00</del>	<del>Nonresident — \$150.00</del>
<del>(1) <u>City Park Pavilion 1</u></del>		
<del>(A) Nonresident*</del>	<del>\$125.00</del>	
<del>(B) Resident*</del>	<del>\$75.00</del>	
<del>(2) <u>City Park Pavilion 2</u></del>		
<del>8 am — 12 noon or 1 pm — 5 pm</del>		
<del>(A) Nonresident</del>	<del>\$125.00</del>	
<del>(B) Resident</del>	<del>\$75.00</del>	
<del>(3) <u>East (Pavilion — Community Park</u></del>		
<del>8 am — 12 noon or 1 pm — 5 pm(A)</del>		
<del>Nonresident</del>	<del>\$125.00</del>	

## CITY OF LANCASTER FEE SCHEDULE

~~(B) Resident \$75.00~~

**(4) Gazebo**

~~8 am—12 noon or 1 pm—5 pm~~

~~(A) Nonresident \$125.00~~

~~(B) Resident \$65.00~~

**(5) Kid Square Pavilion**

~~8 am—12 noon or 1 pm—5 pm~~

~~(A) Nonresident \$125.00~~

~~(B) Resident \$65.00~~

**(6) Bear Creek Pavilion**

**New Facility**

~~(A) Nonresident \$150.00~~

~~(B) Resident \$75.00~~

**~~(e) Pool~~**

**(1) Indoor Pool (semi-private parties)**

~~(A) Party Areas~~

**Resident**

**Nonresident**

~~\$95.00~~

~~\$105.00~~

~~(B) Private Party A (1-50) 2 hr \$150.00~~

~~\$175.00~~

~~(C) Private Party B (51-100) 2 hr \$200.00~~

~~\$225.00~~

~~(D) Private Party C (101-150) 2 hr \$225.00~~

~~\$250.00~~

~~(E) Private Party D (151+) 2 hr \$300.00~~

~~\$350.00~~

~~———— Daily Swim Pass \$5.00~~

**(f) Recreation Center**

**(1) Banquet Hall**

~~(A) Nonresident 1,100 sq. ft. \$55.00 per hour~~

~~Deposit \$250.00~~

## CITY OF LANCASTER FEE SCHEDULE

Set-up-Fee \$ 50.00  
 Kitchen \$ 25.00 per hour  
~~(B) Nonresident 2,200 sq. ft. \$ 75.00 per hour~~

Deposit \$250.00

~~Set-up-Fee \$ 50.00~~

~~Kitchen \$25.00 per hour~~

~~(C) Nonresident 3,300 sq. ft. \$100.00 per hour~~

~~Deposit \$250.00~~

~~Set-up-Fee \$50.00~~

~~Kitchen \$25.00 per hour~~

~~(D) Resident 1,100 sq. ft. \$35.00 per hour~~

~~Deposit \$200.00~~

~~Set-up-Fee \$ 50.00~~

~~Kitchen \$ 25.00 per hour~~

~~(E) Resident 2,200 sq. ft. \$55.00 per hour~~

~~Deposit \$200.00~~

~~Set-up-Fee \$ 50.00~~

~~Kitchen \$ 25.00 per hour~~

~~(F) Resident 3,300 sq. ft. \$75.00 per hour~~

~~Deposit \$200.00~~

## CITY OF LANCASTER FEE SCHEDULE

Set-up Fee \$50.00

Kitchen \$ 25.00 per hour

- (2) Aerobic Dance Room/hr \$35.00
- (3) Classroom/hr \$35.00
- (4) Conference Room /hour \$25.00
- (5) Lock-Ins with 2 hr. Swimming — \$1,525.00  
(all night fee)
- (6) Lock-Ins Dry Side only — \$1,300.00  
(all night fee)

~~(g) Senior Life Center~~

~~The kitchen is included in the rental price. There is a two hour minimum.~~

~~Deposit Resident \$250. Nonresident \$300.~~

- ~~(1) Fri/Sat/Sun (6pm-12pm) Nonresident \$125 per hour~~
- ~~(2) Fri/Sat/Sun (6pm-12pm) Resident \$200 per hour~~

~~(h) Non-Profit For meetings only~~

- (1) Deposit \$150.00
- (2) Classroom/Youth Room \$ 30.00
- (3) 1100 square feet \$ 30.00
- (4) 2200 square feet \$ 40.00
- (5) 3300 square feet \$ 50.00
- (6) Kitchen \$ 25.00

~~(i) Youth and Adult Sports~~

~~Player participation fee \$ 10.00~~

~~(j) Programs~~

~~Individual Recreation Classes Range from \$5 \$15 Per Class Per Day~~  
~~Recreation Programs Range from \$15 \$70 Programs vary by week or by the month.~~

## CITY OF LANCASTER FEE SCHEDULE

### Sec. 15.100 Memberships

#### (a) Annual Membership Fees (Valid for 1 year from date of purchase)

1. Recreation (JR) ID Card – (Under 5 yrs)	Free w/ purchase of adult rec ID card	Must be accompanied by an adult over 18 years of age
2. Recreation ID Card - Youth (5 - 16 yrs)	\$10/yr Resident	Provides access to use of gymnasium and walking track during designated hours.
	\$20/yr Non Resident	
3. Recreation ID Card - Adult (17-49 yrs)	\$20/yr Resident	Provides access to use of gymnasium and walking track during designated hours.
	\$30/yr Non Resident	
4. Seniors (50 + years)	\$15/yr Resident	Provides access to use of gymnasium and walking track during designated hours.
	\$20/yr Non Resident	
5. Daily Fitness Atrium Admission (17 years and older)	\$5/day	Provides access to fitness atrium during designated hours. Must have current recreation ID card.
6. Monthly Fitness Atrium Membership (17 years and older)	\$20 Resident	Provides access to the fitness atrium during designated hours. Must have current recreation ID card to purchase a fitness membership.
	\$25 Non Resident	
7. Annual Fitness Atrium Membership (17 years and older)	\$160 Resident	Provides access to use the gymnasium, walking track and the fitness atrium during designated hours. Annual Fitness Atrium membership includes recreation ID card.
	\$200 Non Resident	
8. Open Swim Admission	\$5/day	Provides access to use of pool during designated hours
9. Daily Fitness Swim Admission (17 years and older)	\$3/ day	Provides access to use of pool during designated hours (Must have current recreation ID card).
10. Monthly Fitness Swim Membership (17 yrs and older)	\$15 Resident	Provides access to use of pool during designated hours (Must have current recreation ID card).
	\$20 Non Resident	
11. Annual Fitness Swim Membership(17 years and older)	\$120 Resident	Provides access to use of pool during designated hours. Annual Fitness Swim membership includes recreation ID card.
	\$160 Non Resident	

## CITY OF LANCASTER FEE SCHEDULE

12. Annual Senior Center Membership **\$3 Resident** Provides access to the Senior Center facility and programming  
 (50 + years)  
**\$5 Non Resident**

**(b) Corporate Membership Rates**

	Agency	Individual
(1) Corporate A (5-9)	\$125.00	\$100.00
(2) Corporate B (10+)	<del>\$300.00</del> \$225.00	\$100.00

**Sec. 15.200 Rental Facilities**

**(a) Athletic Fields**

	Deposit
	<b>\$50.00</b>
(1) Cedardale Field Rental/ hour	<del>\$20.00</del> 2 hr minimum Resident \$30.00 2 hr minimum Non Resident
(2) City Park Field Rental/ hour	\$20.00 2 hr minimum Resident \$30.00 2 hr minimum Non Resident
(3) Royce Clayton Ballpark/ hour	<del>\$20.00</del> 2 hr minimum Resident \$30.00 2 hr minimum Non Resident
(4) Youth Football/ hour	\$20.00 2 hr minimum Resident \$30.00 2 hr minimum Non Resident
(5) Soccer Field/ hour	\$20.00 2 hr minimum Resident \$30.00 2 hr minimum Non Resident

Additional fees for the field rentals, (i.e. lights, lining fields, concessions, etc.) will be determined by Parks and Recreation Director, based on cost incurred by the City.

**(b) Community House**

Deposit	Resident	Non Resident
	<b>\$150.00</b>	<b>\$150.00</b>
(1) 4 hour rental Resident		\$175.00
(2) 4 hour rental Non Resident		\$250.00
(3) 6 hour rental Resident		\$225.00
(4) 6 hour rental Non Resident		\$300.00

## CITY OF LANCASTER FEE SCHEDULE

### (c) Gymnasium

Deposit	Resident	\$100.00	Non Resident	\$100.00
(1) ½ Gym	\$50/hour Resident		4 hours min. after operating hours.	
	\$65/ hour Non Resident			
(2) Full Gym	\$75/hour Resident		4 hours min. after operating hours.	
	\$90/ hour Non Resident			
(3) Full Gym Tournament Fee	\$100/hour Resident		4 hours minimum after operating hours. Allows gate fees charged by renter. Must reserve entire gymnasium.	
	\$125/ hour Non Resident			

### (d) Outdoor Facility

Deposit	Resident	\$75.00	Nonresident	\$100.00
(1) <u>City Park Pavilion 1</u>				
	8 am – 12 noon or 1 pm -5 pm			
(A) Resident		\$75.00		
(B) Non Resident		\$100.00		
(2) <u>City Park Pavilion 2</u>				
	8 am – 12 noon or 1 pm -5 pm			
(A) Resident		\$75.00		
(B) Non Resident		\$100.00		
(3) <u>Community Park Pavilion</u>				
	8 am – 12 noon or 1 pm -5 pm			
(A) Resident		\$75.00		
(B) Non Resident		\$100.00		
(4) <u>Heritage Park Gazebo</u>				

## CITY OF LANCASTER FEE SCHEDULE

8 am – 12 noon or 1 pm -5 pm

- (A) Resident \$50.00
- (B) Non Resident \$75.00

**(5) Kid Square Park Pavilion**

8 am – 12 noon or 1 pm -5 pm

- (A) Resident \$75.00
- (B) Non Resident \$100.00

**(6) Bear Creek Park Pavilion**

- (A) Resident \$75.00
- (B) Non Resident \$100.00

**(7) Rocky Crest Park Pavilion**

- (A) Resident \$50.00
- (B) Non Resident \$75.00

**(8) Meadowcreek Park Pavilion**

- (A) Resident \$50.00
- (B) Non Resident \$75.00

**(8) JA Dewberry Park Pavilion**

- (A) Resident \$50.00
- (B) Non Resident \$75.00

**(e) Pool**

**(1) Indoor Pool Reservations**

	Resident	Non Resident
<u>Deposit</u>	\$75.00	\$75.00
(A) Party Room (Semi-Private) 2 hr	\$100.00	\$125.00
(B) Private Party A (1-50) 2 hr	\$200.00	\$250.00
(C) Private Party B (51-100) 2 hr	\$250.00	\$300.00
(D) Private Party C (101-150) 2 hr	\$300.00	\$350.00
(E) Private Party D (151 +) 2 hr	\$350.00	\$400.00

## CITY OF LANCASTER FEE SCHEDULE

(f) Recreation Center

(1) <u>Grand Banquet Hall</u>	Resident	Non Resident
Deposit	\$250.00	\$250.00
Set-up Fee	\$ 50.00	\$ 50.00
Kitchen	\$ 30.00/ hour	\$ 30.00/ hour
1,100 sq. ft.	\$50.00/ hour	\$75.00/ hour
2,200 sq. ft.	\$75.00/ hour	\$100.00/ hour
3,300 sq. ft.	\$100.00/ hour	\$125.00/ hour

- |                             |                     |                         |
|-----------------------------|---------------------|-------------------------|
| (2) Aerobic Dance Room/hour | \$40.00/hr Resident | \$60.00/hr Non Resident |
| (3) Classroom/ hour         | \$30.00/hr Resident | \$50.00/hr Non Resident |
| (4) Conference Room/ hour   | \$20.00/hr Resident | \$40.00/hr Non Resident |

(g) Senior Life Center

The kitchen is included in the rental price.

Deposit	Resident	\$250.00	Nonresident	\$250.00
---------	----------	----------	-------------	----------

- |                   |                |                    |
|-------------------|----------------|--------------------|
| (1) 4 Hour Rental | \$400 Resident | \$500 Non Resident |
| (2) 6 Hour Rental | \$600 Resident | \$750 Non Resident |

(h) Non-Profit - For meetings only

- |                                    |               |
|------------------------------------|---------------|
| (1) Deposit                        | \$75.00/ hour |
| (2) Classroom/Youth Room           | \$20.00/ hour |
| (5) 3,300 square feet (Grand Hall) | \$50.00/ hour |
| (6) Conference Room                | \$10.00/ hour |

(i) Lancaster Youth and Adult Sports Association Fee

(All Participants must purchase recreation ID card)

## CITY OF LANCASTER FEE SCHEDULE

Player participation fee per season \$ 15.00

**(j) Programs**

Individual Recreation Classes	Range from \$5-\$25	Per Class/ Per Day
Recreation Programs	Range from \$15 - \$100	Programs vary by week or by month.

### ARTICLE 16.000 AIRPORT FEES

**(a) Hangar Rental**

- |     |   |                              |
|-----|---|------------------------------|
| (1) | 960 <del>956</del> sq. ft. (small T-hangar)         | <del>\$150.00</del> \$170.00 |
| (2) | 1,061 <del>1,018.25</del> sq. ft. (medium T-hangar) | <del>\$172.00</del> \$192.00 |
| (3) | 1,246 <del>1,624.33</del> sq. ft. (large T-hangar)  | <del>\$260.00</del> \$280.00 |

**(b) Other Airport Fees**

- |     |                           |   |
|-----|---------------------------|---|
| (1) | Ground Lease (Improved)   | \$.18 <del>\$0.18</del> \$0.25 per square foot per year |
|     | Ground Lease (Unimproved) | \$.12 <del>\$0.12</del> \$0.15 per square foot per year |
| (2) | Tenant Lease              | <del>\$10.00</del> \$12 per square foot per year        |
| (3) | Fuel Flowage Fee          | \$.10 per delivered gallon                              |
| (4) | Sales                     | 5% of Gross Sales                                       |

(Ordinance 2003-10-32 adopted 10/27/03)  
 (Resolution 2009-04-41 adopted April 13, 2009)

# CITY OF LANCASTER FEE SCHEDULE

## ARTICLE 17.000 DEVELOPMENT FEES

	<u>Building Fee</u>	<u>Engineering Fee</u>	<u>Planning Fee</u>
(a) <u>Abandonment</u>			
<u>Driveway, Drive Approach, Curb, Gutter and Sidewalk Permit Fees (bond required)</u>			
(1) Residential Zones Repair/Replacement	\$25.00	N/A	N/A
(2) Residential Zones, New Construction	\$35.00	N/A	N/A
(3) Nonresidential Zones, per Approach	\$35.00	N/A	N/A
(b) <u>Annexations</u>	N/A	N/A	\$1,000.00 plus filing fee
(c) <u>Appeals to Zoning Board of Adjustments</u>	N/A	N/A	N/A
(d) <u>Building Permits</u> (Planning Division Review for Compliance with Conditions)			\$50.00 non-refundable paid at time of application
Single-Family Residence, Duplex, Multi-Family, Apartment, Condominium & Townhouse, Commercial and remodels) Fees Assessed Per Address			
(e) <u>Consultant Fee-Supplemental</u>	N/A	N/A	Hourly Rate N/A

# CITY OF LANCASTER FEE SCHEDULE

	<u>Building Fee</u>	<u>Engineering Fee</u>	<u>Planning Fee</u>
(f) <u>Design/Plan Review</u>			
Commercial and Industrial Projects Amendments (Commercial & Industrial) Residential Projects, Amendments (Residential), Minor Design Review	65% of the building permit fee. Section titled "Building Permit" in this schedule	Actual costs for use of outside consultants for plan checking and inspections, or both or the total hourly costs to the jurisdiction whichever is greatest. This costs shall include supervision, overhead, equipment, hourly wages and fringe benefits of actual employees involved. Actual costs include administration and overhead costs. <del>Sec. 3.100 Fees Adopted Lancaster City Code</del>	Actual costs for use of outside consultants for plan checking and inspections, or both or the total hourly costs to the jurisdiction whichever is greatest. This costs shall include supervision, overhead, equipment, hourly wages and fringe benefits of actual employees involved. Actual costs include Administration and overhead costs. <del>Sec. 3.100 Fees Adopted Lancaster City Code</del>
(g) <u>Plats</u>		N/A	N/A
(1) <u>Preliminary Plat</u>			
Fifty (50) acres or less More than fifty (50) acres			\$500.00 + \$50.00/acre \$1,000.00 + \$100.00/acre

**CITY OF LANCASTER FEE SCHEDULE**

	<u>Building Fee</u>	<u>Engineering Fee</u>	<u>Planning Fee</u>
(2) <u>Final Plat</u>			\$500.00 + \$10.00/lot
(3) <u>Re-Plats</u>			
Plat revision with property owner notification			\$575.00 + \$35.00/acre
Plat revision without property owner notification			\$450.00 + \$35.00/acre
(4) <u>Amended Plats</u>			
Amended Plats Correcting Errors			\$400.00
(5) <u>Plat Vacations</u>			
Plat Vacation increasing lots			\$200.00 + \$10.00/acre
All other plat vacations			\$500.00
(6) <u>Miscellaneous Plat Items</u>			
Dallas County Clerk's Recording Fee			\$33.00 1 <sup>st</sup> page \$10.00 subsequent page
(7) <u>Re-Plats</u>			\$400.00

(1994 Code of Ordinance, Chapter 9, Article 9.100, Section 9.106)

## CITY OF LANCASTER FEE SCHEDULE

	<u>Building Fee</u>	<u>Engineering Fee</u>	<u>Planning Fee</u>
(h) <u>Development Inspection Fees</u>			
(1)	Special Inspection \$47.00 per Hour, minimum 2 hours	1.5%-3.5% estimated cost of improvements intended for dedication to the city for water, sewer and streets. Effectively Immediately = 1.5% Effective January 1, 2004 = 3.5% Each additional hour \$47.00 per hour	N/A
	1. Inspection 2 hours - Travel time of job site and return time to be included outside of normal business hours (min. charge) \$47.00 per hour	N/A	N/A
	2. Re-inspection fees assessed under provisions of Section 305.8 \$47.00 per hour	N/A	N/A
	3. Inspection for which no fee is specifically indicated (min. charge – one half hour) \$47.00 per hour	N/A	N/A
	4. Additional plan review required by changes, additions or revisions to plans (min. charge-one half hour) \$47.00 per hour	N/A	N/A
(2) <u>Miscellaneous Case</u>	N/A	N/A	\$100.00

## CITY OF LANCASTER FEE SCHEDULE

(3) <u>Planned Development Review</u>	N/A	N/A	\$1,500.00 plus \$10.00 per acre
(4) <u>Park Fee in Lieu of Dedication</u>  (including single-family, dual family, and multi-family residential areas)	<u>Building Fee</u> N/A	<u>Engineering Fee</u> N/A	<u>Planning Fee</u> \$1,400.00 per dwelling unit  (Ord. 2006-10-41 adopted 10/23/06)
(h) <u>Signs</u> (Sec. 3.100 Fee Adopted – Lancaster City Code)			
(1) Permanent Signs, Per Face Based on Sign Area	Table A	N/A	N/A
(2) Temporary Portable Signs, Flags, banners, etc. (good for two weeks)	\$25.00	N/A	N/A
(3) Sign contractor registration	\$100.00	N/A	N/A
(i) <u>Site Plan Review</u>	N/A	N/A	\$250.00 plus \$10 per acre
(l) <u>Subdivision Name Change</u>	N/A	N/A	\$200.00

## CITY OF LANCASTER FEE SCHEDULE

(m) Street Lighting Escrow

N/A

N/A

N/A

One third of the costs of the street light systems  
Total Cost to developer \$6.50  
Linear foot of arterial street

(n) Tree Survey/Preservation Plan

N/A

N/A

\$25.00 administration processing fee with \$125.00 per inch mitigation fee

DRAFT

# CITY OF LANCASTER FEE SCHEDULE

## Revision References

*Effective October 1, 2007 (annual update)*  
*Resolution 2007-09-108*

*Revised January 14, 2008 (revised water/waste water services rate)*  
*Resolution 2008-01-07*

*Revised June 23, 2008 (revised garbage collection fees)*  
*Resolution 2008-06-54*

*Revised September 8, 2008 (revised water service rate)*  
*Resolution 2008-09-82*

*Revised September 8, 2008 (revised waste water service rate)*  
*Resolution 2008-09-83*

*Effective October 1, 2008 (annual update)*  
*Resolution 2008-09-84*

*Revised October 27, 2008 (Multi-Family Rental Property Registration and Inspection Fee)*  
*Resolution 2008-10-91*

*Revised November 10, 2008 (Food Inspections & Administrative Fee)*  
*Resolution 2008-11-100*

*Revised December 8, 2008 (Irrigation Permit Fee)*  
*Resolution 2008-12-105*

*Revised April 13, 2009*  
*Resolution 2009-04-41 (Municipal Airport Fees)*

*Revised April 27, 2009*  
*Resolution 2009-04-51 (Cargo Container Fees)*

*Effective October 1, 2009 (annual update)*  
*Resolution 2009-08-84*

## CITY OF LANCASTER FEE SCHEDULE

*Revised October 26, 2009*

*Resolution 2009-10-102 (revised park land dedication fee per ordinance 2006-10-41)*

*Revised December 14, 2009*

*Resolution 2009-12-125 (revised Sec. 10.1700 Garbage Collection Fees)*

*Amended February 8, 2010*

*Resolution 2010-02-11 (amended Article 9.000 Drainage Utility Systems Fees to reflect Rates as adopted 10/14/02 Ordinance No. 2002-10-41)*

*Revised March 22, 2010*

*Resolution 2010-03-27 (revised Article 9.000 Drainage Utility System Fees)*

*Revised June 28, 2010*

*Resolution 2010-06-58 (repealed cargo container fee for agricultural purposes)*

*Revised June 28, 2010*

*Resolution 2010-06-59 (established Wind Energy System Permit Fees Ordinance No. 2010-04-09)*

*Resolution 2010-09-75; (repealed in its entirety)*

*Effective October 1, 2010 (annual update)*

*Resolution 2010-09-82 (corrected Section 10.700 Water Rates – Within City)*

*Revised November 8, 2010*

*Resolution 2010-11-93 (adds fee for Local Alcohol Permit)*

*Revised September 12, 2011*

*Resolution 2011-09-\_\_ (revised Sec. 10.700 Water Rates – Within City and Sec. 10.1000 Wastewater Treatment Services User Charges )*

*Revised September 12, 2011*

*Resolution 2011-09-\_\_ (revised Sec. 10.1700 Garbage Collection Rates)*

*Effective October 1, 2011 (annual update)*

*Resolution 2011-09-81*

MUNICIPAL AIRPORT MISCELLANEOUS RATE SURVEY - APRIL 2011

Miscellaneous Fees	Arlington	Addison	Fort Worth Alliance	Fort Worth Meacham	Fort Worth Spinks	Grand Prairie	Lancaster	McKinney
1. Do you assess late fees?	No	Yes	Yes	Yes	Yes	Yes	Yes	YES
a. If so, at what point are late fees assessed?	N/A	Pursuant to the terms of the lease, generally by the 10th of the month after rent is due.	after due date	after due date	after due date	after 10th of the month	after due date on the 20th	after 10th of the month
b. Flat fee or calculated on balance?	N/A	Pursuant to the terms of the lease, may be stated % or flat fee (generally \$25)	10% of monthly rental	10% of monthly rental	10% of monthly rental	10% of monthly rental	5% of monthly rental	\$25 per day
2. Land per square foot, annually - Improved	\$0.31-\$0.35	\$ .50 - \$.78*	\$0.35	\$0.27	\$0.20-\$0.27	\$0.165	\$0.18	
3. Land per square foot, annually - Unimproved	\$0.20-\$0.25	\$.48 - \$.65*	N/A	N/A	N/A	\$0.135	\$0.11	
4. Office and other Building Space - Annual Square foot rate	\$19-\$24	Conventional hangars < 20,000 sf \$3.84 - \$6.09/year	\$14-\$15.60	\$14-\$15.60	\$14-\$15.60	Planned at \$18-20	\$12.50	
5. Annual adjustment of Rates and Charges subject to CPI	3 years with a 20% cap	Short-term (1 yr or less) are based upon rates and charges approved by the city council during it budgetary process. Longer term leases will have either annual or biennial adjustments based upon CPI indices.	Lessees subject to annual CPI adjustment shall be adjusted by 1.4% as of 10/1/10	Lessees subject to annual CPI adjustment shall be adjusted by 1.4% as of 10/1/10	Lessees subject to annual CPI adjustment shall be adjusted by 1.4% as of 10/1/10	no		
Comments		*Ground lease rates vary depending on value & condition of improvements, lot size & shape, permitted use, landside/airside access, frontage, etc.					FBO fees: \$50/hr callout, \$75/hr special services	
<b>Tie Down Fees</b>								
6. Number of tie downs	55	None currently available to lease	0	11	0	75	72	
a. Are these tie downs privately or publicly owned?	City	City owned, privately managed	City	City	City	City	City	PRIVATE
b. Monthly rental rate?	\$45.00	\$125.00	\$300.00	\$80.00	\$80.00	\$30.00	\$25.00	\$75.00
c. When did the last rate adjustment occur?	2008	Effective 10/1/2010	10/1/2009	10/1/2009	10/1/2009	1996		
d. Are you proposing a rate increase or decrease for FY12?	TBD	TBD	TBD	TBD	TBD	No	no	
e. Proposed FY12 rate?	TBD	TBD	TBD	TBD	TBD			\$75.00
f. What percentage of tie downs are leased?	100%	N/A		0%		10%	1%	50%
Comments								

MUNICIPAL AIRPORT MISCELLANEOUS RATE SURVEY - APRIL 2011

	Arlington	Addison	Fort Worth Alliance	Fort Worth Meacham	Fort Worth Spinks	Grand Prairie	Lancaster	McKinney
<b>T-Hangar Fees</b>								
<b>7. T-Hangar Square footage/Door Opening</b>	900 sq. ft. pad or concrete floor with elect, partial or full wall / 19'9"	40' wide w/pad; 800 sf with approx. 11' H door clearance City owned, privately managed	N/A	61' wide, 32' deep, 20'7" wide in narrow area	N/A	40	956 sq ft / 39'6"	900 sq ft / 40'
a. Are these hangars privately or publicly owned?	City	City owned, privately managed		City		City	City	Private
b. Monthly rental rate?	\$215.00	\$360 w/elec; \$335 w/o elec		\$350.00		\$200-210	\$155.00	\$420.00
c. How many do you have in this size?	75	22 w/elec; 40 w/o elec.		16		184	60	
d. Do you have end unit storage spaces?	Adjoining	Adjoining		Yes		yes	no	YES
e. How many storage units?	8 {city retains 1}	6		4		31		
f. Monthly rental rate?	\$107.50	\$50.00		\$80.00		\$70-105		
g. When did the last rate adjustment occur?	2008	Effective 10/1/2010		10/1/2009		10/1/2010		2010
h. Are you proposing a rate increase or decrease for FY12?	TBD	TBD		TBD		Only on newest hangars	no	NO
i. Proposed FY12 rate?	TBD	TBD		TBD				\$420.00
j. What percentage of these size hangars are leased?	91%	95%		100%		100%	100%	85%
<b>8. T-Hangar Square footage/Door Opening</b>	1,050 sq ft concrete fl, with elect & sprinkler / 42'	43' wide fully paved asphalt with elec; 1,120 sf w/approx. 12' door clearance Managed ground lease [we collect rents and lease units on behalf of ground tenant]		40'4" wide, 29'9" deep, 19'8" wide in narrow area		1,090 sq ft, bi-fold / 41'5"	992 sq ft / 42'	
a. Are these hangars privately or publicly owned?	City			City		City	City	
b. Monthly rental rate?	\$115.00	\$460.00		\$150.00		\$279.00	\$177.00	
c. How many do you have in this size?	20	10		10		36	20	
d. Do you have end unit storage spaces?	Adjoining	Adjoining		Yes				
e. How many storage units?	2 {city retains 1}	2		2				
f. Monthly rental rate?	\$107.50	\$55.00		\$80.00				
g. When did the last rate adjustment occur?	2009	Effective 10/1/2010		10/1/2009		10/1/2010		
h. Are you proposing a rate increase or decrease for FY12?	TBD	TBD		TBD			no	
i. Proposed FY12 rate?	TBD	TBD		TBD		+\$5 on 36 hangars; +\$7.50 on 10 hangars		
j. What percentage of these size hangars are leased?	50%	100%		100%		100%	100%	
Comments							We have large City T-hgrs too and many private ground leased Box hgrs	

MUNICIPAL AIRPORT MISCELLANEOUS RATE SURVEY - APRIL 2011

	Arlington	Addison	Fort Worth Alliance	Fort Worth Meacham	Fort Worth Spinks	Grand Prairie	Lancaster	McKinney
<b>9. T-Hanger Square footage/Door Opening</b>		40' wide fully paved concrete w/electricity w/approx. 11' door clearance						
a. Are these hangars privately or publicly owned?		44 City owned, privately managed; 17 managed on behalf of ground tenant (see 7a above)						
b. Monthly rental rate?		\$450.00						
c. How many do you have in this size?		61						
d. Do you have end unit storage spaces?		Adjoining						
e. How many storage units?		8						
f. Monthly rental rate?		\$55.00						
g. When did the last rate adjustment occur?		Effective 10/1/2010						
h. Are you proposing a rate increase or decrease for FY12?		TBD						
i. Proposed FY12 rate?		TBD						
j. What percentage of these size hangars are leased?		100%						
<b>10. T-Hanger Square footage/Door Opening</b>		60' wide 7-hangers w/approx 14' door clearance						
a. Are these hangars privately or publicly owned?		16 City owned, privately managed; 8 managed on behalf of ground tenant (see 7a above)						
b. Monthly rental rate?		\$675.00						
c. How many do you have in this size?		24						
d. Do you have end unit storage spaces?		Adjoining						
e. How many storage units?		10						
f. Monthly rental rate?		\$125.00						
g. When did the last rate adjustment occur?		October 10, 2010						
h. Are you proposing a rate increase or decrease for FY12?		TBD						
i. Proposed FY12 rate?		TBD						
j. What percentage of these size hangars are leased?		100%						

MUNICIPAL AIRPORT MISCELLANEOUS RATE SURVEY - APRIL 2011

	Arlington	Addison	Fort Worth Alliance	Fort Worth Meacham	Fort Worth Spinks	Grand Prairie	Lancaster	McKinney
11. T-Hangar Square footage/Door Opening		Patio (Shade) Hangars - covered only						
a. Are these hangars privately or publicly owned?		City owned, privately managed						
b. Monthly rental rate?		\$250.00						
c. How many do you have in this size?		47						
d. Do you have end unit storage spaces?		No						
e. How many storage units?		N/A						
f. Monthly rental rate?		N/A						
g. When did the last rate adjustment occur?		October 10, 2010						
h. Are you proposing a rate increase or decrease for FY12?		TBD						
i. Proposed FY22 rate?		TBD						
j. What percentage of these size hangars are leased?		75%						

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**20**

AG11-020

**Receive a presentation and discuss draft redistricting plans from  
Bickerstaff Heath Delgado Acosta LLP.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 6: Civic Engagement**

**Background**

At the July 25, 2011 Council meeting, Bickerstaff presented the Initial Assessment for Lancaster which outlined recently released 2010 Census population and demographic data for the City. The presentation highlighted population growth in the districts and confirmed that council districts are sufficiently out of population balance to require redistricting. Council also reviewed and adopted redistricting criteria and guidelines for use during the redistricting process.

On August 4<sup>th</sup> and 15<sup>th</sup>, Councilmembers and the Mayor met individually with Bickerstaff to participate in an interactive session to identify potential changes in district boundaries. Using an online mapping system, each councilmember had the opportunity to provide input and view potential district configurations.

Staff from Bickerstaff Heath Delgado Acosta will present for review draft redistricting plan(s) designed from Council input and with consideration of legal requirements.

There are two companion items following the presentation of the draft redistricting plan(s). The first companion item is possible action to designate one or more of the draft redistricting plans presented as Illustrative Plan(s) to be proposed for public consideration and comments; the second is to schedule a public hearing to receive comments from the public on the designated redistricting Illustrative Plans.

An Executive Session is scheduled, if needed, to consult with Bickerstaff and receive legal advice concerning the Voting Rights Act of 1964 and Council's legal obligations.

**Prepared and submitted by:**  
Dolle K. Downe, City Secretary

**Date:** August 29, 2011

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**21**

AG11-021

**Discuss and consider designating one or more draft redistricting plans as Illustrative Plan(s) to be proposed for public consideration and comment.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 6: Civic Engagement**

**Background**

This is the first of two companion agenda items following the presentation of the draft redistricting plan(s) by Bickerstaff Heath Delgado Acosta LLP. To proceed with the redistricting process, it is necessary for Council to designate draft plan(s) as Illustrative Plan(s).

**Considerations**

- **Operational** – Following presentation and discussion of the draft redistricting plan(s), if Council is in agreement on a plan or plans, Council must take formal action to designate one or more of the plan(s) as Illustrative Plan(s). The Illustrative Plan(s) are the designated plans set forth for public comment.
- **Legal** – It is necessary to designate Illustrative Plans for public input and comment prior to the public hearing.
- **Financial** – There is no financial impact in designating the Illustrative Plan(s). The draft redistricting plans were prepared by Bickerstaff as part of their contract with the City for redistricting services.
- **Public Information** - A public hearing to receive public comment is required. The following companion agenda item will allow for action by Council to set the public hearing date, time and place. The public hearing cannot be scheduled until Council takes action to designate the Illustrative Plan(s).

**Options/Alternatives**

1. Council may designate one or more of the draft redistricting plans as Illustrative Plan(s). A motion followed by a second and a majority vote is necessary to adopt specific plan(s) as the Illustrative Plan(s).
2. Council may delay designation of Illustrative Plans and direct staff. In order to proceed with the redistricting process and the public hearing, it is necessary to designate Illustrative Plans. However, if Council desires an opportunity for more discussion regarding the draft redistricting plans, another meeting may be scheduled.

**Recommendation**

Staff recommends adoption of Illustrative Plan(s) as selected by Council following presentation of the draft redistricting plans.

**Prepared and submitted by:**  
Dolle K. Downe, City Secretary

**Date:** August 29, 2011

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**22**

AG11-022

**Discuss and consider scheduling a public hearing date to receive public consideration and comment on the Illustrative Plan(s) as designated by City Council.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 6: Civic Engagement**

**Background**

This is the second of two companion agenda items following the presentation of the draft redistricting plan(s) by Bickerstaff Health Delgado Acosta LLP. If Council designated certain draft redistricting plan(s) as Illustrative Plan(s) in the preceding agenda item, Council may set a date, time and location for the public hearing to receive public comment on the Illustrative Plan(s).

**Considerations**

- **Operational** – The Illustrative Plan(s) are designated by Council and set forth for public comment. Bickerstaff will present the Illustrative Plan(s) at the public hearing and address questions regarding the proposed redistricting plans.
- **Legal** – It is necessary to designate Illustrative Plans for public input and comment prior to the public hearing.
- **Financial** – The public hearing is a part of Bickerstaff's contract with the City for redistricting services.
- **Public Information** - A public hearing to receive public comment is required. Council must set the public hearing date, time and place. Information regarding the public hearing and Illustrative Plan(s) will be placed on the City website and a notice published, in English and Spanish, in the City's newspaper of record.

**Options/Alternatives**

1. Council may set the public hearing. A motion followed by a second and a majority vote is necessary to set the public hearing date, time and place.

2. If Council has not take action to designate the Illustrative Plan(s), no public hearing date may be set at this time.

**Recommendation**

Following designation by Council of the redistricting Illustrative Plan(s), staff recommends setting a public hearing for Monday, September 26, 2011 to receive citizen input and comment on the redistricting plan(s).

**Prepared and submitted by:**  
Dolle K. Downe, City Secretary

**Date:** August 29, 2011

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**23**

AG11-023

**The City Council shall convene into closed executive session pursuant to Section § 551.071 of the TEXAS GOVERNMENT CODE to consult with and receive legal advice from special legal counsel concerning the Voting Rights Act of 1964 and City Council legal obligations.**

Executive session matter.

**Prepared and submitted by:**  
Dolle K. Downe, City Secretary

**Date:** August 29, 2011

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**24**

AG11-024

**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.

**Prepared and submitted by:**  
Dolle K. Downe, City Secretary

**Date:** August 29, 2011

**LANCASTER CITY COUNCIL**  
Agenda Communication for  
September 12, 2011

**25**

AG11-025

**Discuss and consider appointment of council liaisons to City  
Boards and Commissions.**

**This request supports the City Council 2010-2011 Policy Agenda.**

**Goal 6: Civic Engagement**

**Background**

At the August 22, 2011 Council meeting, Council tabled the selection of council liaisons to boards and commissions. Previously, at the July 26, 2011 Special Council meeting, Council tabled the selection of council liaisons as well.

Annually, following board and commission appointments, Councilmembers select the boards/commissions that they would like to serve as Council liaison. City Council made board and commissions appointments at the August 8, 2011 meeting.

In accordance with Resolution 2007-09-105, appointments are based on seniority with the most tenured member choosing from the boards/commissions first. Following is a list of councilmembers by seniority:

- Councilmember James Daniels
- Deputy Mayor Pro Tem Nina Morris
- (tie) Councilmembers Walter Weaver, Marco Mejia and Mayor Pro Tem Clyde Hairston
- Councilmember Stanley Jaglowski

Prior to council making selections for liaisons, it will be necessary to break the tie to determine the order in which councilmembers will select the board/commission they desire to serve as council liaison.

**Considerations**

Currently serving as liaisons are the following:

**Board/Commission**

Airport Board

Animal Shelter Advisory Committee

**Councilmember**

vacant (formerly Love)

vacant (formerly Love)

Civil Service Commission	Mejia
Economic Development Corporation	Hairston
Historic Landmark Preservation Committee	Weaver
Property Standards and Appeals Board	Mejia
Library Advisory Board	Hairston
Parks and Recreation Advisory Board/ Recreational Development Corp.	Daniels
Planning & Zoning Commission	Daniels
Youth Advisory Committee	Morris
Zoning Board of Adjustment	Morris

Council may break the tie by the method of their choosing or the City Secretary will be prepared with a tie breaking method such as drawing a number. Once the order is determined, each councilmember may pick the board/commission they wish to serve until all boards and commissions have been selected.

Once the slate of council liaisons is formed, a motion (and a second) to approve the appointments as selected, followed by a vote, is appropriate to formalize the selections.

### **Options/Alternatives**

1. Council may formulate a slate of council liaisons and take action to formally appoint said council liaisons.
2. Council may postpone selection of council liaisons and direct staff.

### **Recommendation**

Selection of Council liaisons to boards and commissions is solely at Council's pleasure.

### **Attachments**

- Resolution 2007-09-105

**Prepared and submitted by:**  
Dolle K. Downe, City Secretary

**Date:** August 26, 2011

**RESOLUTION NO. 2007-09-105**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, ESTABLISHING A POLICY FOR COUNCILMEMBERS TO SERVE AS LIAISONS TO ALL BOARDS AND COMMISSIONS OF THE CITY; REPEALING ALL RESOLUTIONS IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, it is the intention of the City Council of the City of Lancaster to provide effective communication to all the boards and commissions; and

**WHEREAS**, Councilmembers serving as liaisons to the various City's boards and commissions will be able to provide necessary resources and information to the boards and commissions.

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

**Section 1.** All City Councilmembers, with the exception of the Mayor, will serve as Council liaisons to all the boards and commissions of the City for a period of one year. Councilmembers will select different boards and/or commissions to serve as liaisons after or around the completion of the boards and commissions appointments in July.

**Section 2.** Each Councilmember will be allowed to select the board or commission they would like to serve as liaisons to by order of seniority.

**Section 3.** Each Councilmember may submit a quarterly report to the entire council through the City Secretary on their respective board and/or commission's activity.

**Section 4.** Councilmembers are strongly encouraged, rather than required, to attend all meetings of their selected boards and/or commissions.

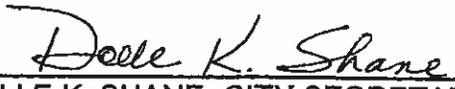
**Section 5.** Any prior Resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed or revoked.

**Section 6.** 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.

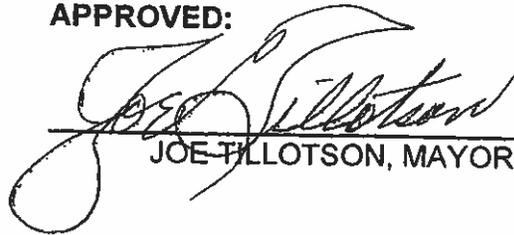
**Section 7.** This Resolution shall take effective immediately from and after its passage, and it is accordingly so resolved.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 24th day of September 2007.

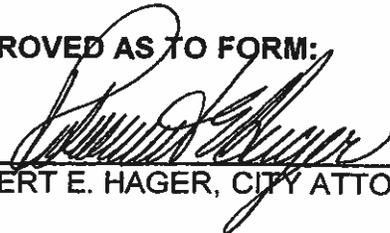
**ATTEST:**

  
\_\_\_\_\_  
DOLLE K. SHANE, CITY SECRETARY

**APPROVED:**

  
\_\_\_\_\_  
JOE TILLOTSON, MAYOR

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
ROBERT E. HAGER, CITY ATTORNEY