



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

Monday, September 20, 2021 - 7:00 p.m.



While one or more City Council Members may be present via video or audio link, a quorum of the City Council will be at the Municipal Center-City Council Chambers, as required by the Texas Open Meetings Act.

Please click the link below for forms:

<https://www.lancaster-tx.com/1413/Notice-Regarding-Public-Participation>

Please click the link below to join the webinar:

<https://us02web.zoom.us/join/register/tZwkce2qqz8uE9GyvrLiKgIlfP-GqrgRgXSq>

The meeting will be broadcast live via video at the following address:

<http://www.lancaster-tx.com/324/Watch-Meetings>

7:00 P.M. SPECIAL MEETING

CALL TO ORDER

PUBLIC TESTIMONY/CITIZEN'S COMMENTS:

At this time, citizens who have pre-registered before the call to order will be allowed to speak on any matter 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. Anyone desiring to speak on an item scheduled for a public hearing is requested to hold their comments until the public hearing on that item.

CONSENT:

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

1. Consider an ordinance, establishing Civil Service assignment pay within the Police and Fire Departments; prescribing the rate in each assignment.
2. Consider an ordinance, establishing Civil Service classifications within the Police and Fire Departments; prescribing the number of positions in each classification.

ACTION:

3. Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Beltline Ashmoore Public Improvement District.
4. Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Boardwalk Public Improvement District.
5. Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Glendover Estates Public Improvement District.
6. Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Lancaster Mills Public Improvement District.
7. Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Meadowview Public Improvement District.
8. Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Millbrook East Public Improvement District.
9. Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Pleasant Run Estates Phase 1-A Public Improvement District.
10. Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Rolling Meadows Public Improvement District.
11. Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Tribute at Mills Branch and Tribute East at Mills Branch Public Improvement District.

PUBLIC HEARING:

12. Conduct a public hearing and consider an ordinance approving the proposed fiscal year 2021/2022 budget for the fiscal year beginning October 1, 2021, and ending September 30, 2022; providing that expenditures for said fiscal year shall be in accordance with said budget.

ACTION:

13. Discuss and consider a resolution 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.

14. Discuss and consider a resolution ratifying the budget for the fiscal year 2021/2022 that results in an increase of revenues by 1.64% from property taxes over the previous year.
15. Consider an ordinance approving the proposed fiscal year 2021/2022 budget for proceeds of seized property for the Lancaster Police Department for the fiscal year beginning October 1, 2021, and ending September 30, 2022; providing that expenditures for said fiscal year shall be in accordance with said budget.

PUBLIC HEARING:

16. Conduct a public hearing and consider an ordinance regarding the proposed revenue increase from levying ad valorem taxes for fiscal year 2021/2022 at \$0.769287 per one hundred dollars assessed valuation of all taxable property within the corporate limits to provide revenues for current maintenance and operational expenses and interest and sinking fund requirements; providing due and delinquent dates; penalties and interest; providing a homestead exemption and disability exemption.

EXECUTIVE SESSION:

17. City Council shall convene into closed executive session to consult with the City's Attorney regarding pending or contemplated litigation pursuant to Texas Government Code Section 552.971(1)(a): litigation regarding taxation under 34 TAC 3.334.
18. Reconvene into open session and take any action necessary.

ADJOURNMENT

EXECUTIVE SESSION: The City 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: Meetings of the City Council are held in municipal facilities that are wheelchair-accessible. For sign interpretive services, call the City Secretary's office, 972-218-1311, or TDD 1-800-735-2989, at least 72 hours prior to the meeting. Reasonable accommodation will be made to assist your needs.

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

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

PURSUANT TO SECTION 30.07 PENAL CODE (TRESPASS BY HOLDER WITH AN OPENLY CARRIED HANDGUN), A PERSON LICENSED UNDER SUBCHAPTER H, CHAPTER 411,

GOVERNMENT CODE (HANDGUN LICENSING LAW), MAY NOT ENTER THIS PROPERTY WITH A HANDGUN THAT IS CARRIED OPENLY.

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

Certificate

I hereby certify the above Notice of Meeting was posted at Lancaster City Hall on September 17, 2021 @ 4:00 p.m. and copies thereof were provided to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.

A handwritten signature in blue ink, reading "Carey D. Neal, Jr.", is written over a horizontal line.

Carey D. Neal, Jr.

Assistant City Manager

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

1.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Professional and Committed City Workforce

Submitted by: Dori Lee, Civil Service Director

Agenda Caption:

Consider an ordinance, establishing Civil Service assignment pay within the Police and Fire Departments; prescribing the rate in each assignment.

Background:

Pursuant to Title 5, Chapter 143, of the Texas Local Government Code, the governing body of a municipality may authorize assignment pay for police officers and firefighters who perform specialized functions in their respective departments. Assignment/specialized assignments and pay have been included within the Police and Fire structure; however, Chapter 143 requires the governing body to approve a separate ordinance defining each assignment and associated compensation.

Operational Considerations:

The Police Department provides for specialized assignment pay as follows:

A) The assignment of "Criminal Investigator-Detective" (CID) is a specialized assignment within the Lancaster Police Department and that assignment involves investigating higher grade misdemeanors and felonies for prosecution in County and District Court. When a member is designated by the Police Chief or his designee to serve as "Criminal Investigator—Detective" for the Department, that member is entitled to receive \$80.00 per pay period as "CID" assignment pay.

B) The assignment of "Field Training Officer" (FTO) is a specialized assignment within the Lancaster Police Department and involves training and evaluating police recruits on the policies, practices, and procedures of the Lancaster Police Department. The Police Chief or his designee assigns capable Police personnel to this position of responsibility in accordance with his or her demonstrated knowledge and familiarity with the Field Training Officers Program. Because the assignment of "Field Training Officer" requires additional and specialized duties, when a member holds the appropriate certifications AND is designated in writing by the Police Chief or his designee to serve as a "Field Training Officer," that member is entitled to receive an additional \$80.00 per pay period as "FTO Assignment Pay."

C) The assignment of "Canine Officer" (K9) is a specialized assignment within the Lancaster Police Department and that assignment involves training and utilizing Canine officers. When a member is designated by the Police Chief or his designee to serve as "Canine Officer" for the Department, that member is entitled to receive \$80.00 per pay period as "K9" assignment pay.

D) The assignment of "Community Relations Officer" (CR) is a specialized assignment within the Lancaster Police Department and that assignment involves engaging the community outside a normal assigned schedule to provide a direct link with the Lancaster Police Department. When a member of the Lancaster Police Department is designated by the Police Chief or his designee in writing to serve as

“Community Relations Officer” for the Department, that member is entitled to receive \$80.00 per pay period as “CR” assignment pay.

The Fire Department provides for specialized assignment pay as follows:

A) The assignment of “Paramedic Pay” (P II) is a specialized assignment within the Lancaster Fire Department and that assignment involves providing advanced emergency medical care. Members certified by the Texas Department of State Health Services (TDSHS) are entitled to receive \$80.79 per pay period as “PII” certificate pay.

Proposed in the FY 2021-2022 budget includes providing for specialized assignment pay for both Police and Fire Departments as follows:

A) The assignment of “Language Skills Assignment Pay” to Police Officers and Fire Fighters who have demonstrated through a validated third party verification process the ability to communicate in a foreign language beneficial to the Citizens of Lancaster as identified through the most recent U.S. Census as well as American Sign Language; and whose assignment requires that he or she utilize those skills, is entitled to receive \$32.31 per pay period for Language Skills 2 “LS2” assignment pay for verbal, reading and writing; or \$16.51 per pay period for Language Skills 1 “LS1” verbal assignment pay.

B) The assignment of Certificate Pay is for Police Officers and Fire Fighters with a current certification issued by the Texas Commission on Law Enforcement (TCOLE) or Texas Commission on Fire Protection (TCFP), that member is entitled to receive \$23.25 per pay period for intermediate certificate, or \$46.25 per pay period for advanced certificate, or \$69.25 for master certificate.

Legal Considerations:

Pursuant to Chapter 143 of the Texas Local Government Code, the City Council shall establish certain assignment pay and shall prescribe the rate of pay in each of these classifications by ordinance. The City Attorney reviewed and approved the ordinance as to form.

Public Information Considerations:

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

Options/Alternatives:

1. City Council may approve the ordinance, as presented.
2. City Council may deny the ordinance.

Recommendation:

Staff recommends approving the ordinance, as presented.

Attachments

Ordinance

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, ESTABLISHING CIVIL SERVICE ASSIGNMENT PAY WITHIN THE POLICE DEPARTMENT; ESTABLISHING CERTIFICATION PAY FOR THE POLICE AND FIRE DEPARTMENTS; PRESCRIBING THE DESCRIPTION AND RATES OF PAY FOR EACH SPECIALIZED ASSIGNMENT AND/OR CERTIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Chapter 143 of the Texas Local Government Code, the City Council shall establish certain assignment pay and shall prescribe the rate of pay 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, 2021 and ending September 30, 2022; 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; and

WHEREAS, it is the express intent of the City Council that the city provide for civil service assignment pay for special assignments made by the Department Head and approved by the City Manager; and

WHEREAS, § 143.042 of the Texas Local Government Code states that the governing body of a municipality may authorize assignment pay for fire fighters or police officers who perform specialized functions in the Fire or Police Department; and,

WHEREAS, § 143.042 (c) of the Texas Local Government Code requires that the governing body must set forth in an ordinance the amount of assignment pay and the conditions under which it is to be payable to members of the Fire and Police Departments; and,

WHEREAS, § 143.043 of the Texas Local Government Code permits municipalities to authorize assignment pay for members of the Police Department who perform the duties and responsibilities of the field training officer program; and

WHEREAS, §143.044(b) of the Texas Local Government Code permits municipalities to authorize certification pay for fire fighters and police officers who possess certifications, and the governing body must set forth in an ordinance the amount of certification pay and the certifications for which it is to be payable to members of the Fire and Police Department; and

WHEREAS, such budget contains a program of planned expenditures and for authorized assignment pay 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 assignment pay within each classification for the police department is set forth as follows: A) The assignment of "Criminal Investigator-Detective" is a specialized function within the Lancaster Police Department and that assignment involves investigating higher grade misdemeanors and felonies for prosecution in County and District Court. When a member is designated by the Police Chief or his designee to serve as "Criminal Investigator—Detective" for the Department, that member is entitled to receive \$80.00 per pay period as "CID" assignment pay. B) The assignment of "Field Training Officer" is a specialized assignment within the Lancaster Police Department. The assignment of "Field Training Officer" involves training and evaluating police recruits on the policies, practices, and procedures of the Lancaster Police Department. The Police Chief or his designee assigns capable Police personnel to this position of responsibility in accordance with his or her demonstrated knowledge and familiarity with the Field Training Officers Program. Because the assignment of "Field Training Officer" requires additional and specialized duties, when a member holds the appropriate certifications AND is designated in writing by the Police Chief or his designee to serve as a "Field Training Officer," that member is entitled to receive an additional \$80.00 per pay period as "FTO Assignment Pay." C) The assignment of "Canine Officer" is a specialized function/assignment within the Lancaster Police Department and that assignment involves training and utilizing Canine

officers. When a member is designated by the Police Chief or his designee to serve as “Canine Officer” for the Department, that member is entitled to receive \$80.00 per pay period as “K9” assignment pay. D) The assignment of “Community Relations Officer” is a specialized assignment within the Lancaster Police Department and that assignment involves engaging the community outside of a normal assigned schedule to provide a direct link with the Lancaster Police Department. When a member of the Lancaster Police Department is designated by the Police Chief or his designee in writing to serve as “Community Relations Officer” for the Department, that member is entitled to receive \$80.00 per pay period as “CR” assignment pay.

SECTION 2. That City Council hereby establishes the paramedic pay within each classification for the fire department is set forth as follows: A) The assignment of “Paramedic Pay” is a specialized function within the Lancaster Fire Department and that assignment involves providing advanced emergency medical care. Members certified by the Texas Department of State Health Services (TDSHS) is entitled to receive \$80.79 per pay period as “PII” certificate pay.

SECTION 3. That City Council hereby establishes the certification pay within each classification for the fire and police department is set forth as follows: A) The assignment of “Language Skills Assignment Pay” to Police Officers and Fire Fighters who have demonstrated through a validated third party verification process the ability to communicate in a foreign language beneficial to the Citizens of Lancaster as identified through the most recent U.S. Census as well as American Sign Language; and whose assignment requires that he or she utilize those skills, is entitled to receive \$32.31 per pay period for Language Skills 2 “LS2” assignment pay for verbal, reading and writing; or \$16.51 per pay period for Language Skills 1 “LS1” verbal assignment pay. B) The assignment of Certificate Pay for Police Officers and Fire Fighters with a current certification issued by the Texas Commission on Law Enforcement (TCOLE) or Texas Commission on Fire Protection (TCFP) that member is entitled to receive \$23.25 per pay period for intermediate certificate, or \$46.25 per pay period for advanced certificate, or \$69.25 for master certificate.

SECTION 4. That City Council hereby establishes that terms of this ordinance and/or any payment of “assignment pay” do not apply to a member who is performing any of these duties on a “step-up,” “acting” or any other temporary basis.

SECTION 5. Severability: If any provision, section, clause, sentence, unenforceable or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision, or regulation.

SECTION 6. Repealer: That all other ordinances, section, or parts of ordinances heretofore adopted by the City of Lancaster in conflict with the provisions set out above in this ordinance are hereby expressly repealed or amended as indicated.

SECTION 7. This ordinance shall take effect on October 1, 2021.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 20th day of September, 2021.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

2.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Healthy, Safe & Engaged Community
Professional and Committed City Workforce

Submitted by: Dori Lee, Human Resources Director

Agenda Caption:

Consider an ordinance, establishing Civil Service classifications within the Police and Fire Departments; prescribing the number of positions in each classification.

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 attached ordinance continues the strength of force in the police department with sixty-five (65) sworn positions and sixty-five (65) sworn positions in the fire department.

Operational Considerations:

The Police Department staffing includes a total of 65 sworn police personnel effective October 1, 2021. The Fire Department staffing includes a total of 65 sworn fire personnel effective October 1, 2021. The proposed classifications are as follows:

POLICE	
Classification	Authorized No. of Positions as of 10/01/2021
Assistant Chief	2
Police Lieutenant	6
Police Sergeant	7
Police Officer	50
Total	65

FIRE SUPPRESSION	
Classification	Authorized No. of Positions as of 10/01/2021
Assistant Chief	1
Battalion Chief	5
Fire Captain	10
Fire Engineer	21
Fire Fighter	28
Total	65

Legal Considerations:

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

Public Information Considerations:

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

Options/Alternatives:

1. City Council may approve the ordinance, as presented.
2. City Council may deny the ordinance.

Recommendation:

Staff recommends approving the ordinance, as presented.

Attachments

Ordinance

ORDINANCE NO.

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

WHEREAS, pursuant to Chapter 143 of the Texas Local Government Code, the City Council shall have, and has, the authority to 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, 2021 and ending September 30, 2022; and

WHEREAS, such budget contains a program of planned expenditures and establishes authorized positions within the police and fire departments, to effect economy in operations and betterment of municipal services, which includes intended and planned changes to the operations and staffing resources of those departments.

WHEREAS, it is the express intent of the City Council that the total number of authorized positions within the Lancaster Fire Department remain at sixty-five (65) effective October 1, 2021 and the total number of authorized positions within the Lancaster Police Department remain at sixty-five (65) effective October 1, 2021; 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 in the Fire Department. The following strength of force for the Lancaster Fire Department is set forth as follows: FIRE SUPPRESSION Authorized No. of Positions as of 10/01/2021 Classification Assistant Chief 1 Battalion Chief 5 Captain 10 Fire Engineer 21 Fire Fighter 28 Total 65

SECTION 2. That City Council hereby establishes the classifications and the number of authorized positions within each classification in the Police Department. At that time and date, the following strength of force for the Lancaster Police Department is set forth as follows: POLICE Authorized No. of Positions as of 10/01/2021 Classification Assistant Chief 2 Police Lieutenant 6 Police Sergeant 7 Police Officer 50 Total 65

SECTION 3. Severability: If any provision, section, clause, sentence, or phrase of this ordinance is for any reason held to be unconstitutional, void, invalid, or un-enforced, the validity of the remainder of this ordinance or its application shall not be affected, it being the intent of the City Council in adopting and of the Mayor in approving this ordinance that no portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision, or regulation.

SECTION 4. Repealer: That all other ordinances, section, or parts of ordinances heretofore adopted by the City of Lancaster in conflict with the provisions set out above in this ordinance are hereby repealed or amended as indicated.

SECTION 5. This ordinance shall take effect on October 1, 2021.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 20th day of September, 2021.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

3.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

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

Submitted by: Carey Neal, Assistant City Manager

Agenda Caption:

Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Beltline Ashmoore Public Improvement District.

Background:

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

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

The 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 collect the district's fees and remit them to the City with our property taxes. The City processes all invoices received by the PID board or management company.

The Beltline Ashmoore PID board met on July 29, 2021, to discuss and consider the FY 2022 proposed budget and assessment plan. The PID board is proposing to maintain its current annual assessment of \$0.1500 per \$100 assessed valuation.

The notice of public hearing was mailed to property owners of record on Wednesday, September 1, 2021, and the public hearing notification was posted in the local publication of record on Thursday, September 2, 2021, as required by Texas Local Government Code Chapter 372.

On Monday, September 13, 2021, City Council conducted a public hearing to provide an opportunity for residents to give comments surrounding the proposed assessment rate and there were no speakers.

Operational Considerations:

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

Legal Considerations:

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

Public Information Considerations:

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

Fiscal Impact:

The PID is not expected to have any direct financial impact on the City. PID's are a mechanism to assure financial substantiality for the neighborhood. They are considered to be a more equitable means of collecting fees to maintain the neighborhood's open spaces and common areas. The fiscal year 2021/2022 proposed service plan budget is \$82,737.86 and assessments are proposed at \$0.1500 per one hundred dollars assessed valuation.

Options/Alternatives:

1. City Council may approve the ordinance, as presented.
2. City Council may deny the ordinance.

Recommendation:

Staff recommends approving the ordinance, as presented.

Attachments

Ordinance

Exhibit A

ORDINANCE NO.

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

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

WHEREAS, on September 13, 2021 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 virtually 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 13th day of September, 2021, City Council conducted the public hearing and there were no speakers, the City Council closed the public hearing; and on the 20th day of September, 2021 levied assessments against property and the owners thereof in the District; and

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

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

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

SECTION 3. RECORD FINAL ASSESSMENT ONTO TAX ROLL: That the City Manager and her designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal

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

SECTION 4. PROPERTY CLASSIFICATION AND APPORTIONMENT

FORMULAS: The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

(a) **Residential lots on which construction of a home has been completed**, for these lots the assessment of \$0.1500 per \$100 of valuation through the assessment established for fiscal year 2021/2022; and

(b) **Tax exempt property and municipal property**, for these classifications the assessment of \$0.00 per \$100 of valuation.

SECTION 5. ASSESSMENT LEVY: That for fiscal year 2021/2022 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the "*Service and Assessment Plan*", labeled herein as *Exhibit "A"* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

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

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

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

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

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

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 20th day of September, 2021.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

Fund: 60 BELTLINE ASHMOORE - PID

Department: 4 OPERATIONS

Program:

Period Ending: 9/2021

Account	Description	2022 FY Budget	2023 FY Budget	2024 FY Budget	2025 FY Budget	2026 FY Budget
60-0201-04-00	SUPPLIES	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
60-0207-04-00	SIGNS	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
60-0210-04-00	FOOD/BEVERAGES-MTGS/FUNCTIONS	2,100.00	2,100.00	2,100.00	2,100.00	2,100.00
60-0211-04-00	MISCELLANEOUS	50.00	50.00	50.00	50.00	50.00
60-0214-04-00	POSTAGE	350.00	350.00	350.00	350.00	350.00
60-0225-04-00	LANDSCAPING	8,064.91	8,064.91	8,064.91	8,064.91	8,064.91
Subtotal:		14,564.91	14,564.91	14,564.91	14,564.91	14,564.91
60-0301-04-00	MAINT-BLDGS & STRUCTURES	9,500.00	9,500.00	9,500.00	9,500.00	9,500.00
60-0371-04-00	LANDSCAPING REPAIR & MAINT	10,163.01	10,163.01	10,163.01	10,163.01	10,163.01
60-0372-04-00	IRRIGATION SYS REPAIR & MAINT	9,913.29	9,913.29	9,913.29	9,913.29	9,913.29
Subtotal:		29,576.30	29,576.30	29,576.30	29,576.30	29,576.30
60-0403-04-00	INSURANCE	4,200.00	4,200.00	4,200.00	4,200.00	4,200.00
60-0410-04-00	UTILITIES - ELECTRICITY	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
60-0411-04-00	WATER PURCHASE PID	1,800.00	1,800.00	1,800.00	1,800.00	1,800.00
60-0413-04-00	UTILITIES TRASH DISPOSAL	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00
60-0416-04-00	OTHER PROFESSIONAL SERVICES	5,061.44	5,061.44	5,061.44	5,061.44	5,061.44
60-0421-04-00	PRINTING	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
60-0423-04-00	CONTRACT MOWING	5,137.00	5,137.00	5,137.00	5,137.00	5,137.00
60-0434-04-00	SPECIAL EVENTS	4,400.00	4,400.00	4,400.00	4,400.00	4,400.00
60-0436-04-00	IMPROVEMENTS BY CONTRACTORS	6,000.89	6,000.89	6,000.89	6,000.89	6,000.89
60-0442-04-00	COMPUTER PROFESSIONAL SERVICES	2,663.57	2,663.57	2,663.57	2,663.57	2,663.57
60-0446-04-00	LEGAL SERVICES	550.00	550.00	550.00	550.00	550.00
60-0452-04-00	FILING FEES	50.00	50.00	50.00	50.00	50.00
60-0456-04-00	NEWSLETTER	500.00	500.00	500.00	500.00	500.00
Subtotal:		38,362.90	38,362.90	38,362.90	38,362.90	38,362.90
60-0537-04-00	DALLAS COUNTY TAX COLL SVCS	233.75	233.75	233.75	233.75	233.75
Subtotal:		233.75	233.75	233.75	233.75	233.75
Program number:		82,737.86	82,737.86	82,737.86	82,737.86	82,737.86
Department number: OPERATIONS		82,737.86	82,737.86	82,737.86	82,737.86	82,737.86
Fund number: 60 BELTLINE ASHMOORE - PID		82,737.86	82,737.86	82,737.86	82,737.86	82,737.86
***** End of Report *****						

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

4.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

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

Submitted by: Carey Neal, Assistant City Manager

Agenda Caption:

Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Boardwalk Public Improvement District.

Background:

Boardwalk is an established subdivision consisting of approximately 43.237 acres in Phase 1 and 42.486 acres in Phase 2 totaling 85.723 acres generally located on the south side of Cedardale Road and on the east side of Houston School Road. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of all common areas and entry features.

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

The 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 processes all invoices received by the PID board, or management company.

The Boardwalk PID board met on August 13, 2021, to discuss and consider the FY 2022 PID budget and assessment plan. The PID board is proposing to maintain its current annual assessment of \$0.2000 per \$100 assessed valuation.

The notice was mailed to the property owners of record on Wednesday, September 1, 2021, the public hearing notice was posted in the local publication of record on Thursday, September 2, 2021, and as required by Local Government Code Chapter 372.

On Monday, September 13, 2021, City Council conducted a public hearing to provide an opportunity for residents to give comment surrounding the proposed assessment rate and there were three speakers.

Operational Considerations:

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

Legal Considerations:

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

Public Information Considerations:

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

Fiscal Impact:

The PID is not expected to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting fees. The fiscal year 2021/2022 proposed service plan budget is 107,577.75 and assessments are proposed at \$0.2000 per one hundred dollars assessed valuation.

Options/Alternatives:

1. City Council may approve the ordinance, as presented.
2. City Council may deny the ordinance.

Recommendation:

Staff recommends approval of the ordinance as presented.

Attachments

Ordinance

Exhibit A

ORDINANCE NO.

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

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

WHEREAS, on September 13, 2021 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 13th day of September, 2021, City Council conducted the public hearing and there were three speakers, the City Council closed the public hearing; and on the 20th day of September 2021, levied assessments against property and the owners thereof in the District; and

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

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

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

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

SECTION 4. PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS: The City Council hereby establishes classifications and formulas for

apportionment of costs for various classes of property within the District as follows:

- (a) **All residential lots on which construction of a home has been completed**, for these lots the assessment of \$0.2000 per \$100 of valuation through the assessment established for fiscal year 2021/2022; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment of \$0.00 per \$100 of valuation.

SECTION 5. ASSESSMENT LEVY: That for fiscal year 2021/2022 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 20th day of September, 2021.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

Account	Description	2022 FY Budget	2023 FY Budget	2024 FY Budget	2025 FY Budget	2026 FY Budget
64-0201-04-00	SUPPLIES	200.00	200.00	200.00	200.00	200.00
64-0210-04-00	FOOD/BEVERAGE-MTGS/FUNCTIONS	200.00	200.00	200.00	200.00	200.00
64-0211-04-00	MISCELLANEOUS	1,000.00	500.00	500.00	500.00	500.00
64-0214-04-00	POSTAGE	1,000.00	1,100.00	1,200.00	1,300.00	1,400.00
Subtotal:		2,400.00	2,000.00	2,100.00	2,200.00	2,300.00
64-0301-04-00	MAINT-BLDGS & STRUCTURES		3,000.00	500.00	500.00	3,000.00
64-0303-04-00	MAINTENANCE-MISCELLANEOUS	1,000.00	1,000.00	1,500.00	1,500.00	1,500.00
64-0305-04-00	MAINT-CLEANOUT	500.00	500.00	500.00	500.00	500.00
64-0351-04-00	MISC. MAINTENANCE	500.00	500.00	500.00	500.00	500.00
64-0371-04-00	LANDSCAPING REPAIR & MAINT	2,000.00	3,000.00	2,000.00	4,000.00	1,000.00
64-0372-04-00	IRRIGATION SYS REPAIR & MAINT	2,000.00	2,500.00	3,000.00	2,000.00	2,500.00
Subtotal:		6,000.00	10,500.00	8,000.00	9,000.00	9,000.00
64-0403-04-00	INSURANCE	4,500.00	4,700.00	4,900.00	5,100.00	5,300.00
64-0410-04-00	UTILITIES - ELECTRICITY	1,200.00	1,300.00	1,400.00	1,500.00	1,600.00
64-0411-04-00	WATER PURCHASES PID	11,500.00	12,000.00	12,500.00	13,000.00	13,500.00
64-0416-04-00	OTHER PROFESSIONAL SERVICES	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
64-0421-04-00	PRINTING	1,000.00	1,000.00	1,200.00	1,200.00	1,300.00
64-0423-04-00	CONTRACT MOWING	17,000.00	18,000.00	19,000.00	20,000.00	20,000.00
64-0434-04-00	SPECIAL EVENTS	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
64-0436-04-00	IMPROVEMENTS BY CONTRACTORS	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00
64-0437-04-00	AUDIT SERVICES	500.00	500.00	500.00	500.00	500.00
64-0442-04-00	COMPUTER PROFESSIONAL SERVICES	300.00	300.00	350.00	350.00	400.00
64-0446-04-00	LEGAL SERVICES	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
64-0450-04-00	ADMINISTRATIVE MANAGMENT FEE	7,740.00	7,933.50	8,131.84	8,335.14	8,543.52
64-0452-04-00	FILING FEES	500.00	500.00	500.00	500.00	500.00
64-0456-04-00	NEWLETTER	500.00	500.00	500.00	500.00	500.00
64-0469-04-00	STORAGE	480.00	480.00	480.00	480.00	480.00
Subtotal:		54,720.00	56,713.50	58,961.84	60,965.14	62,123.52
64-0537-04-00	DALLAS COUNTY TAX COLL SVCS	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
Subtotal:		1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
64-0602-04-00	CAPITAL-BLDG & STRUCTURE	43,457.75	37,364.25	37,515.91	34,412.61	33,154.23
Subtotal:		43,457.75	37,364.25	37,515.91	34,412.61	33,154.23
Program number:		107,577.75	107,577.75	107,577.75	107,577.75	107,577.75

Fund: 64 BOARDWALK PID

City of Lancaster
5 Year Budget Worksheet - PID

Department: 4 OPERATIONS

Program:

Period Ending: 9/2021

[illegible]

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

5.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

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

Submitted by: Carey Neal, Assistant City Manager

Agenda Caption:

Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Glendover Estates Public Improvement District.

Background:

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

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

The 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 processes all invoices received by the PID board, or management company.

The Glendover Estates PID board met on August 2, 2021, to discuss and consider the FY 2022 PID budget and assessment plan. The PID board is proposing to maintain its annual assessment of \$0.2400 per \$100 assessed valuation.

The notice was mailed to the property owners of record on Wednesday, September 1, 2021, the public hearing notice was posted in the local publication of record on Thursday, September 2, 2021, as required by Local Government Code Chapter 372.

On Monday, September 13, 2021, City Council conducted a public hearing to provide an opportunity for residents to give comments surrounding the proposed assessment rate and there were no speakers.

Operational Considerations:

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

Legal Considerations:

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

Public Information Considerations:

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

Fiscal Impact:

The PID is not expected to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting fees. The fiscal year 2021/2022 proposed service plan budget is \$39,753.00 and assessments are proposed at \$0.2400 per one hundred dollars assessed valuation.

Options/Alternatives:

1. City Council may approve the ordinance, as presented.
2. City Council may deny the ordinance.

Recommendation:

Staff recommends approval of the ordinance as presented.

Attachments

Ordinance

Exhibit A

ORDINANCE NO.

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

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

WHEREAS, on September 13, 2021, 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 13th day of September, 2021, City Council conducted the public hearing and there was no speakers, the City Council closed the public hearing; and on the 20th day of September, 2021, levied assessments against property and the owners thereof in the District; and

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

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

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

SECTION 3. RECORD FINAL ASSESSMENT ONTO TAX ROLL: That the City Manager and her designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal

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

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

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment of \$0.2400 per \$100 of valuation through the assessment established for fiscal year 2021/2022; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment of \$0.00 per \$100 of valuation.

SECTION 5. ASSESSMENT LEVY: That for fiscal year 2021/2022 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 20th day of September 2021.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

Fund: 54 GLENDOVER ESTATES - PID

Department: 4 OPERATIONS

Program:

Period Ending: 9/2021

Account	Description	2022 FY Budget	2023 FY Budget	2024 FY Budget	2025 FY Budget	2026 FY Budget
54-0201-04-00	OFFICE SUPPLIES	500.00	500.00	500.00	500.00	500.00
54-0210-04-00	FOOD/BEVERAGE-MTGS/FUNCTIONS		100.00	100.00	100.00	100.00
54-0211-04-00	MISCELLANEOUS	100.00	100.00	100.00	100.00	100.00
54-0214-04-00	POSTAGE	75.00	75.00	75.00	75.00	75.00
54-0225-04-00	LANDSCAPING		2,000.00	2,000.00	2,000.00	2,000.00
Subtotal:		675.00	2,775.00	2,775.00	2,775.00	2,775.00
54-0301-04-00	MAINT-BLDGS & STRUCTURES	500.00	500.00	500.00	500.00	500.00
54-0351-04-00	MISC. MAINTENANCE	9,038.00	1,500.00	1,500.00	1,500.00	1,500.00
54-0371-04-00	LANDSCAPING REPAIR & MAINT	3,500.00	1,500.00	1,500.00	1,500.00	1,500.00
54-0372-04-00	IRRIGATION SYS REPAIR & MAINT	2,000.00	2,000.00	2,000.00	2,000.00	2,000.00
Subtotal:		15,038.00	5,500.00	5,500.00	5,500.00	5,500.00
54-0403-04-00	CASUALTY INSURANCE	1,550.00	1,550.00	1,550.00	1,550.00	1,550.00
54-0410-04-00	UTILITIES - ELECTRICITY	750.00	750.00	750.00	750.00	750.00
54-0411-04-00	WATER PURCHASE PID	4,000.00	4,000.00	4,000.00	4,000.00	4,000.00
54-0413-04-00	UTILITIES TRASH DISPOSAL		6,000.00	6,000.00	6,000.00	6,000.00
54-0421-04-00	PRINTING	100.00	100.00	100.00	100.00	100.00
54-0423-04-00	CONTRACT MOWING	9,310.00	9,310.00	9,310.00	9,310.00	9,310.00
54-0434-04-00	SPECIAL EVENTS	500.00	250.00	250.00	250.00	250.00
54-0442-04-00	COMPUTER PROFESSIONAL SERVICES	300.00	300.00	300.00	300.00	300.00
54-0450-04-00	ADMINISTRATIVE MANAGEMENT FEE	6,900.00	6,900.00	6,900.00	6,900.00	6,900.00
54-0456-04-00	NEWSLETTER		1,838.00	1,838.00	1,838.00	1,838.00
54-0469-04-00	STORAGE	180.00	180.00	180.00	180.00	180.00
Subtotal:		23,590.00	31,178.00	31,178.00	31,178.00	31,178.00
54-0537-04-00	DALLAS COUNTY TAX COLL SVCS	300.00	300.00	300.00	300.00	300.00
Subtotal:		300.00	300.00	300.00	300.00	300.00
54-0621-04-00	SIGNS	150.00				
Subtotal:		150.00				
Program number:		39,753.00	39,753.00	39,753.00	39,753.00	39,753.00
Department number: OPERATIONS		39,753.00	39,753.00	39,753.00	39,753.00	39,753.00
Fund number: 54 GLENDOVER ESTATES - PID		39,753.00	39,753.00	39,753.00	39,753.00	39,753.00

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

6.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

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

Submitted by: Carey Neal, Assistant City Manager

Agenda Caption:

Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Lancaster Mills Public Improvement District.

Background:

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

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

The PID board is required to establish a maintenance budget. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance budget. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City processes all invoices received by the PID board, or management company.

As this district is currently undeveloped, there is a proposed assessment rate of \$0.0000 per \$100 assessed valuation as there are no budgeted expenses for the 2021/2022 fiscal year.

The notice of public hearing was mailed to the property owners of record on Wednesday, September 1, 2021, the public hearing notice was posted in the local publication of record on Thursday, September 2, 2021, as required by Local Government Code Chapter 372.

On Monday, September 13, 2021, City Council conducted a public hearing to provide an opportunity for property owners to give comments surrounding the proposed assessment rate and there were no speakers.

Operational Considerations:

All PID's require the Finance Department to maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained.

Legal Considerations:

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

Public Information Considerations:

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

Fiscal Impact:

The PID is not expected to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The fiscal year 2021/2022 proposed service plan budget is \$0.0000 and assessments are proposed to be \$0.0000 per \$100 assessed valuation. There are currently no homes constructed at this time.

Options/Alternatives:

1. City Council may approve the ordinance, as presented.
2. City Council may deny the ordinance.

Recommendation:

Staff recommends approval of the ordinance as presented.

Attachments

Ordinance

Exhibit A

ORDINANCE NO.

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

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

WHEREAS, on September 13, 2021, 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 13th day of September, 2021, City Council conducted the public hearing and there were no speakers, the City Council closed the public hearing; and on the 20th day of September, 2021, levied assessments against property and the owners thereof in the District; and

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

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

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

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

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

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment of \$0.0000 per \$100 of valuation through the assessment established for fiscal year 2021/2022; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment of \$0.0000 per \$100 of valuation.

SECTION 5. ASSESSMENT LEVY: That for fiscal year 2021/2022 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 20th day of September 2021.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

Fund: 56 LANCASTER MILLS - PID

City of Lancaster
5 Year Budget Worksheet - PID

Department: 4 OPERATIONS

Program:

Period Ending: 9/2021

[illegible]

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

7.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

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

Submitted by: Carey Neal, Assistant City Manager

Agenda Caption:

Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Meadowview Public Improvement District.

Background:

Meadowview is an established subdivision consisting of approximately, 810 Single Family Lots and 1 common area/detention pond, 215.262 total acreage including 50.614 acres in Phase 1, 36.907 acres in Phase 2, 36.493 in Phase 3, 2.869 acres in Phase 4 and 88.384 acres in Phase 5. This subdivision is generally located east of Ames Road, west of Dizzy Dean Drive and north of Wintergreen Road. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

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

The 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 collect the district's fees and remit them to the City with our property taxes. The City processes all invoices received by the PID board or management company.

The Meadowview PID board met on August 19, 2021, to discuss and consider the FY 2022 PID budget and assessment plan. The PID board is proposing to maintain its annual assessment of \$0.1000 per \$100 assessed valuation.

The notice was mailed to the property owners of record on Wednesday, September 1, 2021, the public hearing notice was posted in the local publication of record on Thursday, September 2, 2021, as required by Local Government Code Chapter 372.

On Monday, September 13, 2021, City Council conducted a public hearing to provide an opportunity for residents to give comments surrounding the proposed assessment rate and there were no speakers.

Operational Considerations:

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

Legal Considerations:

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

Public Information Considerations:

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

Fiscal Impact:

The PID is not expected to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting fees. The fiscal year 2021/2022 proposed service plan budget is \$431,652.51 and assessments are proposed at \$0.1000 per one hundred dollars assessed valuation.

Options/Alternatives:

1. City Council may approve the ordinance, as presented.
2. City Council may deny the ordinance.

Recommendation:

Staff recommends approval of the ordinance, as presented.

Attachments

Ordinance

Exhibit A

ORDINANCE NO.

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

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

WHEREAS, on September 13, 2021, 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 virtually 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 13th day of September, 2021, City Council conducted the public hearing and there were no speakers, the City Council closed the public hearing; and on the 20th day of September, 2021, levied assessments against property and the owners thereof in the District; and

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

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

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

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

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

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment of \$0.1000 per \$100 of valuation through the assessment established for fiscal year 2021/2022; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment of \$0.00 per \$100 of valuation.

SECTION 5. ASSESSMENT LEVY: That for fiscal year 2021/2022 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 20th day of September 2021.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

Account	Description	2022 FY Budget	2023 FY Budget	2024 FY Budget	2025 FY Budget	2026 FY Budget
62-0201-04-00	SUPPLIES	250.00	250.00	500.00	500.00	500.00
62-0210-04-00	FOOD/BEVERAGE-MTGS/FUNCTIONS	1,000.00	1,000.00	3,600.00	3,600.00	3,600.00
62-0211-04-00	MISCELLANEOUS	1,150.00	1,150.00	2,150.00	2,150.00	2,150.00
62-0214-04-00	POSTAGE	500.00	500.00	500.00	500.00	500.00
62-0225-04-00	LANDSCAPING	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00
Subtotal:		12,900.00	12,900.00	16,750.00	16,750.00	16,750.00
62-0301-04-00	MAINT-BLDGS & STRUCTURES	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
62-0305-04-00	MAINTENANCE - CLEANOUT	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00
62-0351-04-00	MISC. MAINTENANCE	4,500.00	4,500.00	3,500.00	3,500.00	3,500.00
62-0371-04-00	LANDSCAPING REPAIR & MAINT	200.00	200.00	200.00	200.00	200.00
62-0372-04-00	IRRIGATIONS SYS REPAIR & MAINT	3,200.00	3,200.00	3,200.00	3,200.00	3,200.00
Subtotal:		14,400.00	14,400.00	13,400.00	13,400.00	13,400.00
62-0403-04-00	INSURANCE	7,000.00	7,000.00	7,000.00	7,000.00	7,000.00
62-0410-04-00	UTILITIES - ELECTRICITY	5,850.00	5,850.00	2,000.00	2,000.00	2,000.00
62-0411-04-00	WATER PURCHASES PID	10,000.00	10,000.00	12,000.00	12,000.00	12,000.00
62-0413-04-00	UTILITIES TRASH DISPOSAL	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
62-0416-04-00	OTHER PROFESSIONAL SERVICES	1,600.00	1,600.00	1,200.00	1,200.00	1,200.00
62-0421-04-00	PRINTING	1,600.00	1,600.00	1,600.00	1,600.00	1,600.00
62-0422-04-00	COMPUTER PROFESSIONAL SERVICES			250.00	250.00	250.00
62-0423-04-00	CONTRACT MOWING	30,050.00	30,050.00	30,050.00	30,050.00	30,050.00
62-0434-04-00	SPECIAL EVENTS	4,740.00	4,740.00	2,500.00	2,500.00	2,500.00
62-0436-04-00	IMPROVEMENTS BY CONTRACTORS	335,352.51	335,352.51	34,898.45	34,898.45	34,898.45
62-0442-04-00	COMPUTER PROFESSIONAL SERVICES	360.00	360.00			
62-0446-04-00	LEGAL SERVICES	1,800.00	1,800.00	1,800.00	1,800.00	1,800.00
62-0450-04-00	ADMINISTRATIVE MANAGEMENT FEE			2,000.00	2,000.00	2,000.00
62-0456-04-00	NEWSLETTER	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
Subtotal:		401,852.51	401,852.51	98,798.45	98,798.45	98,798.45
62-0511-04-00	PROPERTY TAXES PAID BY PID	100.00	100.00	100.00	100.00	100.00
62-0537-04-00	DALLAS COUNTY TAX COLL SVCS	2,400.00	2,400.00	2,400.00	2,400.00	2,400.00
Subtotal:		2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
Program number:		431,652.51	431,652.51	131,448.45	131,448.45	131,448.45
Department number: OPERATIONS		431,652.51	431,652.51	131,448.45	131,448.45	131,448.45
Fund number: 62 MEADOWVIEW - PID		431,652.51	431,652.51	131,448.45	131,448.45	131,448.45

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

8.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

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

Submitted by: Carey Neal, Assistant City Manager

Agenda Caption:

Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Millbrook East Public Improvement District.

Background:

Millbrook East is an established subdivision consisting of approximately 46.265 acres in Phase 1, 17.572 acres Phase 2A, 13.540 acres Phase 2B, 17.49 acres in Phase 3A, and 14.94 acres in Phase 3B. Millbrook East is generally located on the south side of Pleasant Run Road, east of Houston School Road and west of Bluegrove Road. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features. The PID was established August 8, 2011, and expanded on August 26, 2019.

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

The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the maintenance plan. The County Tax Collector will collect the districts fees and remit them to the City with our property taxes. The City processes all invoices received by the PID board, or management company.

The Millbrook East PID board met on August 5, 2021, to discuss and consider the FY 2022 PID budget and assessment plan. The PID board is proposing to maintain its annual assessment to \$0.1100 per \$100 assessed valuation.

The notice was mailed to the property owners of record on Wednesday, September 1, 2021, the public hearing notice was posted in the local publication of record on Thursday, September 2, 2021, as required by Local Government Code Chapter 372.

On Monday, September 13, 2021, City Council conducted a public hearing to provide an opportunity for residents to give comments surrounding the proposed assessment rate and there were no speakers.

Operational Considerations:

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

Legal Considerations:

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

Public Information Considerations:

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

Fiscal Impact:

The PID is not expected to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting fees. The fiscal year 2021/2022 proposed service plan budget is \$129,832.00 and assessments are proposed at \$0.1100 per one hundred dollars assessed valuation.

Options/Alternatives:

1. City Council may approve the ordinance, as presented.
2. City Council may deny ordinance.

Recommendation:

Staff recommends approval of the ordinance, as presented.

Attachments

Ordinance

Exhibit A

ORDINANCE NO.

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

WHEREAS, by Resolution No. 2011-08-69 passed on August 8, 2011, and expanded by Resolution No. 2019-08-48 on August 26, 2019, after the City Council conducted a duly notified public hearing, the City Council established the Millbrook East Public Improvement District (the "District"); and

WHEREAS, on September 13, 2021 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 virtually 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 13th day of September, 2021 City Council conducted the public hearing and there were no speakers, the City Council closed the public hearing; and on the 20th day of September, 2021, levied assessments against property and the owners thereof in the District; and

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

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

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

SECTION 3. RECORD FINAL ASSESSMENT ONTO TAX ROLL: That the City Manager and her designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal

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

SECTION 4. PROPERTY CLASSIFICATION AND APPORTIONMENT

FORMULAS: The City Council hereby establishes classifications and formulas for the apportionment of costs for various classes of property within the District as follows:

(a) **Residential lots on which construction of a home has been completed**, for these lots the assessment of \$0.1100 per \$100 of valuation through the assessment established for fiscal year 2021/2022; and

(b) **Tax exempt property and municipal property**, for these classifications the assessment of \$0.00 per \$100 of valuation.

SECTION 5. ASSESSMENT LEVY: That for fiscal year 2021/2022 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the "*Service and Assessment Plan*", labeled herein as *Exhibit "A"* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

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

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

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

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

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

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 20th day of September, 2021.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

Account	Description	2022 FY Budget	2023 FY Budget	2024 FY Budget	2025 FY Budget	2026 FY Budget
63-0201-04-00	SUPPLIES	600.00	600.00	600.00	600.00	600.00
63-0210-04-00	FOOD/BEVERAGE-MTGS/FUNCTION	500.00	500.00	500.00	500.00	500.00
63-0211-04-00	MISCELLANEOUS	250.00	250.00	250.00	250.00	250.00
63-0214-04-00	POSTAGE	500.00	500.00	500.00	500.00	500.00
Subtotal:		1,850.00	1,850.00	1,850.00	1,850.00	1,850.00
63-0301-04-00	MAINT-BLDGS & STRUCTURES	40,000.00	40,000.00	20,000.00	20,000.00	20,000.00
63-0303-04-00	MAINTENANCE-MISCELLANEOUS	1,500.00	1,500.00	8,000.00	8,000.00	8,000.00
63-0351-04-00	MISC. MAINTENANCE	4,500.00	4,500.00	5,000.00	5,000.00	5,000.00
63-0371-04-00	LANDSCAPING REPAIR & MAINT	9,000.00	9,000.00	2,000.00	2,000.00	2,000.00
63-0372-04-00	IRRIGATIONS SYS REPAIR & MAINT	11,500.00	11,500.00	1,500.00	1,500.00	1,500.00
Subtotal:		66,500.00	66,500.00	36,500.00	36,500.00	36,500.00
63-0403-04-00	INSURANCE	6,700.00	6,700.00	6,700.00	6,700.00	6,700.00
63-0409-04-00	TRAVEL & EDUCATION	500.00	500.00	500.00	500.00	500.00
63-0410-04-00	UTILITIES - ELECTRICITY	2,000.00	2,000.00	1,000.00	1,000.00	1,000.00
63-0411-04-00	WATER PURCHASES PID	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00
63-0413-04-00	UTILITIES TRASH DISPOSAL	4,000.00	4,000.00			
63-0416-04-00	OTHER PROFESSIONAL SERVICES	9,710.00	9,710.00	720.00	720.00	720.00
63-0421-04-00	PRINTING	500.00	500.00	500.00	500.00	500.00
63-0423-04-00	CONTRACT MOWING	10,000.00	10,000.00	16,032.00	16,032.00	16,032.00
63-0434-04-00	SPECIAL EVENTS	11,032.00	11,032.00	5,000.00	5,000.00	5,000.00
63-0437-04-00	AUDIT SERVICES	300.00	300.00	300.00	300.00	300.00
63-0446-04-00	LEGAL SERVICES	500.00	500.00	500.00	500.00	500.00
63-0450-04-00	ADMINISTRATIVE MANAGEMENT FEE	7,000.00	7,000.00	15,990.00	15,999.00	15,999.00
63-0456-04-00	NEWSLETTER	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
63-0469-04-00	STORAGE	3,240.00	3,240.00	240.00	240.00	240.00
Subtotal:		59,982.00	59,982.00	51,982.00	51,991.00	51,991.00
63-0537-04-00	DALLAS COUNTY TAX COLL SVCS	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
Subtotal:		1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
Program number:		129,832.00	129,832.00	91,832.00	91,841.00	91,841.00
Department number: OPERATIONS		129,832.00	129,832.00	91,832.00	91,841.00	91,841.00
Fund number: 63 MILLBROOK EAST PID		129,832.00	129,832.00	91,832.00	91,841.00	91,841.00
*****	End of Report *****					

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

9.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

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

Submitted by: Carey Neal, Assistant City Manager

Agenda Caption:

Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Pleasant Run Estates Phase 1-A Public Improvement District.

Background:

Pleasant Run Estates, Phase 1-A is an established subdivision consisting of approximately 30.44 acres generally located on the north side of Pleasant Run Road between Houston School Road and Blue Grove. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

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

The PID board is required to establish a five (5) year service plan. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the service plan. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City processes all invoices received by the PID board, or management company.

The Pleasant Run Estates, Phase 1-A PID board met on August 12, 2021, to discuss and consider the FY 2022 PID budget and assessment plan. The PID board is proposing to maintain its annual assessment of \$0.1800 per \$100 assessed valuation.

The notice was mailed to the property owners of record on Wednesday, September 1, 2021, the public hearing notice was posted in the local publication of record on Thursday, September 2, 2021, as required by Local Government Code Chapter 372.

On Monday, September 13, 2021, City Council conducted a public hearing to provide an opportunity for residents to give comments surrounding the proposed assessment rate and there were no speakers.

Operational Considerations:

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

Legal Considerations:

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

Public Information Considerations:

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

Fiscal Impact:

The PID is not expected to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting fees to maintain the open space and common areas. The 2021/2022 proposed service plan is \$49,577.11 and assessments are proposed at \$0.1800 per one hundred dollars assessed valuation.

Options/Alternatives:

1. City Council may approve the ordinance, as presented.
2. City Council may deny the ordinance.

Recommendation:

Staff recommends approval of the ordinance as presented.

Attachments

Ordinance

Exhibit A

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED SUPPLEMENTAL SERVICES ORDERED IN CONNECTION WITH THE PLEASANT RUN ESTATES PHASE 1-A PUBLIC IMPROVEMENT DISTRICT, PROVIDING FOR: FINDINGS OF BENEFITS ACCRUED, ACCEPTING FIVE YEAR SERVICE PLAN, RECORDING FINAL ASSESSMENT ONTO TAX ROLL, SETTING THE ASSESSMENT LEVY FOR USE AND SUPPORT OF THE PUBLIC IMPROVEMENT DISTRICT, ESTABLISHING A METHOD OF PAYMENT, ASSESSMENT DUE, AND PROVIDING CLAUSES FOR CONFLICT, SEVERABILITY AND AN EFFECTIVE DATE.

WHEREAS, by Resolution No. 2016-08-63 passed on August 8, 2016, after the conduct of a duly notified public hearing, the City Council established the Pleasant Run Estates Phase 1-A Public Improvement District (the "District"); and

WHEREAS, on September 13, 2021, 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 virtually 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 13th day of September, 2021, City Council conducted the public hearing and there was no speaker, the City Council closed the public hearing; and on September 20th, 2021, levied assessments against property and the owners thereof in the District; and

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

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

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

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

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

(a) **Residential lots on which construction of a home has been completed**, for these lots the assessment of \$0.1800 per \$100 of valuation through the assessment established for 2021/2022; and

(b) **Tax exempt property and municipal property**, for these classifications the assessment of \$0.00 per \$100 of valuation.

SECTION 5. ASSESSMENT LEVY: That for 2021/2022 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “Service and Assessment Plan”, labeled herein as Exhibit “A” and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the Service and Assessment Plan may be adjusted for years subsequent following an annual review of the budget for the District and the Service and Assessment Plan.

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

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

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

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

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

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 20th day of September, 2021.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

Fund: 61 PLEASANT RUN ESTATES - PID

Department: 4 OPERATIONS

Program:

Period Ending: 9/2021

Account	Description	2022 FY Budget	2023 FY Budget	2024 FY Budget	2025 FY Budget	2026 FY Budget
61-0201-04-00	SUPPLIES	400.00	400.00	400.00	400.00	400.00
61-0214-04-00	POSTAGE	400.00	400.00	400.00	400.00	400.00
61-0225-04-00	LANDSCAPING	600.00	600.00	600.00	600.00	600.00
Subtotal:		1,400.00	1,400.00	1,400.00	1,400.00	1,400.00
61-0303-04-00	MAINTENANCE-MISCELLANEOUS	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00
61-0351-04-00	MISCELLANEOUS	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
61-0371-04-00	LANDSCAPING REPAIR & MAINT	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00
61-0372-04-00	IRRIGATION SYS REPAIR & MAINT	400.00	400.00	400.00	400.00	400.00
Subtotal:		9,900.00	9,900.00	9,900.00	9,900.00	9,900.00
61-0403-04-00	INSURANCE	2,250.00	2,250.00	2,250.00	2,250.00	2,250.00
61-0410-04-00	UTILITIES - ELECTRICITY	750.00	750.00	750.00	750.00	750.00
61-0411-04-00	WATER PURCHASES PID	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00
61-0416-04-00	OTHER PROFESSIONAL SERVICES	2,700.00	2,700.00	2,700.00	2,700.00	2,700.00
61-0423-04-00	CONTRACT MOWING	12,000.00	12,000.00	12,000.00	12,000.00	12,000.00
61-0434-04-00	SPECIAL EVENTS	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
61-0437-04-00	AUDIT SERVICES	300.00	300.00	300.00	300.00	300.00
61-0442-04-00	COMPUTER PROFESSIONAL SERVICES	720.00	720.00	720.00	720.00	720.00
61-0446-04-00	LEGAL SERVICES	500.00	500.00	500.00	500.00	500.00
61-0450-04-00	Administrative Management Fee	7,200.00	7,200.00	7,200.00	7,200.00	7,200.00
61-0452-04-00	FILING FEES	250.00	250.00	250.00	250.00	250.00
Subtotal:		34,170.00	34,170.00	34,170.00	34,170.00	34,170.00
61-0537-04-00	DALLAS COUNTY TAX COLL SVCS	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
Subtotal:		1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
61-0602-04-00	CAPITAL-BLDG & STRUCTURE	3,107.11	3,107.11	3,107.11	3,107.11	3,107.11
Subtotal:		3,107.11	3,107.11	3,107.11	3,107.11	3,107.11
Program number:		49,577.11	49,577.11	49,577.11	49,577.11	49,577.11
Department number: OPERATIONS		49,577.11	49,577.11	49,577.11	49,577.11	49,577.11
Fund number: 61 PLEASANT RUN ESTATES - PID		49,577.11	49,577.11	49,577.11	49,577.11	49,577.11
*****	End of Report	*****				

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

10.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

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

Submitted by: Carey Neal, Assistant City Manager

Agenda Caption:

Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Rolling Meadows Public Improvement District.

Background:

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

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

The PID board is required to establish a five (5) year service plan. The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the service plan. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City directly pays all invoices received by the PID board or management company.

The Rolling Meadows PID board met on August 6, 2021, to discuss and consider the FY 2022 PID budget. The PID board is proposing to maintain its annual assessment of \$0.30 per \$100 assessed valuation.

The public hearing was posted in the local publication of record on September 2, 2021, and notices were mailed to the property owners of record on September 1, 2021, as required by Local Government Code Chapter 372.

On Monday, September 13, 2021, City Council conducted a public hearing to provide an opportunity for residents to give comments surrounding the proposed assessment rate and there were no speakers.

Operational Considerations:

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

Legal Considerations:

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

Public Information Considerations:

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

Fiscal Impact:

The PID is not expected to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting fees. The fiscal year 2021/2022 proposed service plan is \$127,468.64 and assessments are proposed at \$0.30 per one hundred dollars assessed valuation.

Options/Alternatives:

1. City Council may approve the ordinance, as presented.
2. City Council may deny the ordinance.

Recommendation:

Staff recommends approval of the ordinance, as presented.

Attachments

Ordinance

Exhibit A

ORDINANCE NO.

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

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

WHEREAS, on September 13, 2021 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 virtually 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 13th day of September, 2021, City Council conducted the public hearing and there were no speakers, the City Council closed the public hearing; and on the 20th day of September, 2021, levied assessments against property and the owners thereof in the District; and

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

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

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

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

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

(a) **Residential lots on which construction of a home has been completed**, for these lots the assessment of \$0.3000 per \$100 of valuation through the assessment established for fiscal year 2021/2022; and

(b) **Tax exempt property and municipal property**, for these classifications the assessment of \$0.00 per \$100 of valuation.

SECTION 5. ASSESSMENT LEVY: That for fiscal year 2021/2022 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 20th day of September, 2021.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

17:12 09/08/21

City of Lancaster
5 Year Budget Worksheet - PID

Fund: 57 ROLLING MEADOWS - PID

Department: 4 OPERATIONS

Program:

Period Ending: 9/2021

Account	Description	2022 FY Budget	2023 FY Budget	2024 FY Budget	2025 FY Budget	2026 FY Budget
57-0201-04-00	OFFICE SUPPLIES	1,558.00	1,558.00	1,558.00	1,558.00	1,558.00
57-0210-04-00	FOOD/BEV-MEETINGS/FUNCTIONS	150.00	150.00	150.00	150.00	150.00
57-0211-04-00	MISCELLANEOUS	500.00	500.00			
57-0214-04-00	POSTAGE	500.00	500.00			
Subtotal:		2,708.00	2,708.00	1,708.00	1,708.00	1,708.00
57-0301-04-00	MAINT-BLDGS & STRUCTURES	10,000.00	10,000.00			
57-0303-04-00	MAINT-LIGHTING/MISC	6,500.00	6,500.00	6,500.00	6,500.00	6,500.00
57-0351-04-00	MISC. MAINTENANCE	18,600.00	18,600.00	4,241.77	4,241.77	4,241.77
57-0371-04-00	LANDSCAPING REPAIR & MAINT	7,200.00	7,200.00	5,000.00	5,000.00	5,000.00
57-0372-04-00	IRRIGATION MAINT & REPAIRS	4,000.00	4,000.00	2,000.00	2,000.00	2,000.00
Subtotal:		46,300.00	46,300.00	17,741.77	17,741.77	17,741.77
57-0403-04-00	CASUALTY INSURANCE	4,000.00	4,000.00	2,500.00	2,500.00	2,500.00
57-0409-04-00	TRAVEL & EDUCATION	1,500.00	1,500.00			
57-0410-04-00	UTILITIES - ELECTRICITY	1,400.00	1,400.00	1,400.00	1,400.00	1,400.00
57-0411-04-00	WATER PURCHASE PID	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00
57-0413-04-00	UTILITIES TRASH DISPOSAL	8,000.00	8,000.00	7,030.80	7,030.80	7,030.80
57-0416-04-00	OTHER/PROFESSIONAL SERVICES	24,000.00	24,000.00	5,000.00	5,000.00	5,000.00
57-0423-04-00	CONTRACT MOWING	12,000.00	12,000.00	9,000.00	9,000.00	9,000.00
57-0434-04-00	SPECIAL EVENTS	4,500.00	4,500.00	5,500.00	5,500.00	5,500.00
57-0442-04-00	COMPUTER PROFESSIONAL SERVICE	720.00	720.00	720.00	720.00	720.00
57-0450-04-00	ADMINISTRATIVE MGMT FEE	12,000.00	12,000.00	7,800.00	7,800.00	7,800.00
57-0456-04-00	NEWSLETTER	2,840.64	2,840.64	2,840.64	2,840.64	2,840.64
57-0469-04-00	STORAGE FEES	2,000.00	2,000.00	1,000.00	1,000.00	1,000.00
Subtotal:		77,960.64	77,960.64	47,791.44	47,791.44	47,791.44
57-0537-04-00	DALLAS COUNTY TAX COLL SVCS	500.00	500.00	500.00	500.00	500.00
Subtotal:		500.00	500.00	500.00	500.00	500.00
Program number:		127,468.64	127,468.64	67,741.21	67,741.21	67,741.21
Department number:	OPERATIONS	127,468.64	127,468.64	67,741.21	67,741.21	67,741.21
Fund number:	57 ROLLING MEADOWS - PID	127,468.64	127,468.64	67,741.21	67,741.21	67,741.21
***** End of Report *****						

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

11.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

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

Submitted by: Carey Neal, Assistant City Manager

Agenda Caption:

Discuss and consider an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Tribute at Mills Branch and Tribute East at Mills Branch Public Improvement District.

Background:

Tribute at Mills Branch and Tribute East at Mills Branch is a subdivision of approximately 42.7 acres located south of Beltline Road and east of Southwood Drive and platted as the Tribute at Mills Branch, Phases 1A and 1B, 190 single family lots and 9 common areas, recorded in Volume 2005097, Page 37 and Volume 2005163, Page 183, Deed Records of Dallas County, Texas; and Tribute East at Mills Branch (291 North Blue Grove Road); of approximately 4.64 acres from John M. Rawlins Abstract 1209, pg 245, Tract 8, located south of Beltline Road on the west side of North Bluegrove Road, conveyed to Wilbow Homestead Development Corporation, Volume 2005097, Page 3594 Deed Records of Dallas County, Texas. The subdivision has an approved Public Improvement District (PID) to provide for the maintenance of its common areas and entry features.

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

The taxable assessed value within the district is used to determine the rate per \$100 of assessed value necessary to meet the service plan. The County Tax Collector will then collect the district's fees and remit them to the City with our property taxes. The City processes all invoices received by the PID board or management company.

The Tribute at Mills Branch and Tribute East at Mills Branch PID board met on August 3, 2021, to discuss and consider the FY 2022 PID budget and assessment plan. The PID board is proposing to maintain its annual assessment rate of \$0.3600 per \$100 assessed valuation.

The notice was mailed to the property owners of record on Wednesday, September 1, 2021, the public hearing notice was posted in the local publication of record on Thursday, September 2, 2021, as required by Local Government Code Chapter 372.

On Monday, September 13, 2021, City Council conducted a public hearing to provide an opportunity for residents to give comments surrounding the proposed assessment rate and there were no speakers.

Operational Considerations:

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

Legal Considerations:

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

Public Information Considerations:

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

Fiscal Impact:

The PID is not expected to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting fees. The fiscal year 2021/2022 proposed service plan is \$115,487.00 and assessments are proposed at \$0.3600 per one hundred dollars assessed valuation.

Options/Alternatives:

1. City Council may approve the ordinance, as presented.
2. City Council may deny the ordinance.

Recommendation:

Staff recommends approval of the ordinance, as presented.

Attachments

Ordinance

Exhibit A

ORDINANCE NO.

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

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

WHEREAS, on September 13, 2021, 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 virtually 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 13th day of September, 2021, City Council conducted the public hearing and there were no speakers, the City Council closed the public hearing; and on the 20th day of September, 2021, levied assessments against property and the owners thereof in the District.

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

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

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

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

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

(a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.3600 (lots with homes) per \$100 of assessed valuation through the assessment established for fiscal year 2021/2022; and

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

SECTION 5. ASSESSMENT LEVY: That for fiscal year 2021/2022 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the "Service and Assessment Plan", labeled herein as Exhibit "A" and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the Service and Assessment Plan may be adjusted for years subsequent following an annual review of the budget for the District and the Service and Assessment Plan.

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

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

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

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

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

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 20th day of September, 2021.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

Fund: 55 TRIBUTE MILLS - PID

Department: 4 OPERATIONS

Program:

Period Ending: 9/2021

Account	Description	2022 FY Budget	2023 FY Budget	2024 FY Budget	2025 FY Budget	2026 FY Budget
55-0201-04-00	SUPPLIES	600.00	600.00	600.00	600.00	600.00
55-0211-04-00	MISCELLANEOUS EXPENSE	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
55-0214-04-00	POSTAGE	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
Subtotal:		3,100.00	3,100.00	3,100.00	3,100.00	3,100.00
55-0301-04-00	GENERAL MAINTENANCE	15,000.00	15,000.00	15,000.00	15,000.00	15,000.00
55-0303-04-00	MAINTENANCE - MISCELLANEOUS					10,000.00
55-0351-04-00	MISC. MAINTENANCE	20,000.00	20,000.00	20,000.00	20,000.00	10,000.00
55-0371-04-00	LANDSCAPING	20,000.00	20,000.00	20,000.00	20,000.00	20,000.00
55-0372-04-00	IRRIGATION SYS MAINT & REPAIR	5,000.00	5,000.00	5,000.00	5,000.00	5,000.00
Subtotal:		60,000.00	60,000.00	60,000.00	60,000.00	60,000.00
55-0403-04-00	INSURANCE	1,300.00	1,300.00	1,300.00	1,300.00	1,300.00
55-0410-04-00	UTILITIES - ELECTRICITY	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
55-0411-04-00	UTILITIES - WATER/SEWER	7,500.00	7,500.00	7,500.00	7,500.00	7,500.00
55-0413-04-00	UTILITIES - TRASH DISPOSAL	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00
55-0416-04-00	OTHER PROFESSIONAL SERVICE	3,500.00	3,500.00			
55-0421-04-00	PRINTING	75.00	75.00	75.00	75.00	75.00
55-0423-04-00	CONTRACT MOWING	17,652.00	17,652.00	17,652.00	17,652.00	17,652.00
55-0437-04-00	AUDIT SERVICES	300.00	300.00	300.00	300.00	300.00
55-0442-04-00	COMPUTER PROFESSIONAL SERVICES	720.00	720.00	720.00	720.00	720.00
55-0450-04-00	ADMINISTRATIVE MANAGEMENT FEE	9,600.00	9,600.00	9,600.00	9,600.00	9,600.00
55-0469-04-00	STORAGE	240.00	240.00	240.00	240.00	240.00
Subtotal:		51,887.00	51,887.00	48,387.00	48,387.00	48,387.00
55-0537-04-00	DALLAS COUNTY TAX COLL SVCS	500.00	500.00	500.00	500.00	500.00
Subtotal:		500.00	500.00	500.00	500.00	500.00
Program number:		115,487.00	115,487.00	111,987.00	111,987.00	111,987.00
Department number: OPERATIONS		115,487.00	115,487.00	111,987.00	111,987.00	111,987.00
Fund number: 55 TRIBUTE MILLS - PID		115,487.00	115,487.00	111,987.00	111,987.00	111,987.00
*****	End of Report *****					

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

12.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Opal Mauldin-Jones, City Manager

Agenda Caption:

Conduct a public hearing and consider an ordinance approving the proposed fiscal year 2021/2022 budget for the fiscal year beginning October 1, 2021, and ending September 30, 2022; providing that expenditures for said fiscal year shall be in accordance with said budget.

Background:

State Truth-in-Taxation and the City Charter require the City of Lancaster to conduct a public hearing on the proposed annual budget. The proposed total tax rate required to provide revenue for maintenance and operations and interest and sinking fund requirements is \$0.769287 cents per one hundred dollars (\$100) assessed valuation. The approval of the proposed ordinance will adopt the FY 2021/2022 budget and appropriate necessary funds for the City's operation, maintenance and debt service requirements.

The proposed budget was presented to the Lancaster City Council at a work session held on Monday, August 9, 2021, and Monday, August 16, 2021.

A public hearing was held on Monday, September 13, 2021, at a regular City Council meeting. A copy of the proposed budget is available for public review in the City Secretary's office. This is the second and final public hearing and consideration for adoption.

Operational Considerations:

The proposed tax rate is \$0.769287 per \$100 assessed valuation to be assessed on taxable property to generate revenues for the maintenance, operations, interest and sinking, and street maintenance fund requirements. The proposed maintenance and operations (M&O) fund requirements will decrease from \$0.580167 to \$0.564061, and the proposed interest and sinking fund will also decrease from \$0.214569 to \$0.180226. The street maintenance fund requirements will remain at \$0.025.

The budget total for all funds are \$68,744,054.

General Fund	\$34,884,985
G.O. Debt Service	\$5,517,423
Street Maintenance	\$893,084
Water/Wastewater	\$16,552,639
Airport	\$578,505
Hotel/Motel	\$44,163
LEDC/4A	\$1,171,868
LRDC/4B	\$3,596,472
Golf Course	\$1,060,991
Sanitation	\$2,097,629

E911	\$221,618
Stormwater	\$2,124,676

Legal Considerations:

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

Public Information Considerations:

Notice regarding the public hearings was posted in accordance with state law in the City's newspaper of record, Focus Daily News on Friday, September 03, 2021, and on the City of Lancaster website.

Fiscal Impact:

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

Options/Alternatives:

1. City Council may conduct and close the public hearing and approve the ordinance, as presented.
2. City Council may deny the ordinance.

Recommendation:

Staff recommends conducting and closing the public hearing and approving the ordinance as presented.

Attachments

Ordinance

Exhibit A

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; 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 2021-2022; and

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

WHEREAS, THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$452,517 OR 1.64%, AND OF THAT AMOUNT \$295,863 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.

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

SECTION 1. That the Budget of the revenues and expenditures necessary for conducting the affairs of the City of Lancaster and providing a financial plan for the ensuing fiscal year beginning October 1, 2021 and ending September 30, 2022, as submitted by the City Manager, after the required public hearing, be and the same is hereby adopted as the Budget of the City of Lancaster for the fiscal year beginning October 1, 2021 and ending September 30, 2022 a copy of which is maintained in the office of the City Secretary, and; said budget contains all of the proposed projects and expenditures in accordance with law. (Exhibit A)

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, 2021, and ending September 30, 2022, for the various funds and purposes of the City of Lancaster, which is attached hereto and incorporated herein as Exhibit A.

SECTION 3. Those expenditures during the fiscal year shall be made in accordance with the budget approved by this ordinance and made part hereof for all purposes unless otherwise authorized by a duly enacted ordinance of the City; and, said budget may be amended from time to time as authorized by ordinance of the City Council.

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 by the City Council of the City of Lancaster, Texas on this the 20th day of September, 2021.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

CITY-WIDE OPERATING FUND TOTALS

Fund Summary as of: 8/8/2021

TOTAL REVENUES		2019	2020	2021		2022
Fund Number	Fund	Actual	Actual	Year to Date	Budget	Proposed
	1 General Fund	31,753,265	34,512,336	33,375,243	30,844,725	34,559,160
	2 G.O. Debt Service	7,181,903	7,818,936	7,283,470	7,001,061	6,535,395
	4 Street Maintenance	200,000	752,732	822,428	808,835	893,084
	5 WaterWastewater	18,584,218	18,901,026	15,836,015	17,886,297	18,793,019
	9 Airport	436,754	438,438	303,749	507,000	444,500
	14 HotelMotel	211,829	255,706	191,114	144,661	154,658
	16 LEDC/4A	1,515,093	1,394,120	949,771	1,139,078	1,322,363
	17 LRDC/4B	3,447,063	2,875,093	2,077,423	2,839,583	3,160,075
	18 Golf Course	528,776	534,092	685,243	629,741	896,972
	19 Sanitation	2,728,817	2,749,060	2,249,174	2,589,310	2,666,105
	21 E911	298,120	281,505	230,140	257,400	260,596
	53 Stormwater	1,858,415	1,956,570	1,584,407	1,595,682	1,640,237
Total		\$ 68,744,252	\$ 72,469,614	\$ 65,588,177	\$ 66,243,373	\$ 71,326,164
TOTAL EXPENDITURES		2019	2020	2021		2022
Fund Number	Fund	Actual	Actual	Year to Date	Budget	Proposed
	1 General Fund	27,929,785	29,493,667	24,842,486	30,968,382	34,884,985
	2 G.O. Debt Service	5,885,786	5,460,742	5,387,029	5,045,505	5,517,423
	4 Street Maintenance	-	293,326	1,738,764	808,835	893,084
	5 WaterWastewater	15,676,078	16,036,020	15,167,524	17,260,379	16,552,639
	9 Airport	445,249	549,257	418,562	484,516	578,505
	14 HotelMotel	56,720	20,423	44,176	41,584	44,163
	16 LEDC/4A	1,236,801	698,409	828,662	1,452,212	1,171,868
	17 LRDC/4B	3,481,574	3,654,874	2,639,671	3,443,848	3,596,472
	18 Golf Course	1,100,143	959,582	751,705	967,337	1,060,991
	19 Sanitation	1,720,872	2,046,282	1,405,363	2,043,734	2,097,629
	21 E911	221,917	201,343	263,591	295,290	221,618
	53 Stormwater	1,284,386	1,300,280	1,368,839	1,646,706	2,124,676
Total		\$ 59,039,312	\$ 60,714,207	\$ 54,856,372	\$ 64,458,328	\$ 68,744,054
BALANCES		2019	2020	2021		2022
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	9,704,940	11,755,408	10,731,805	1,785,045	2,582,110
	Beginning Balance	9,167,699	18,872,639	30,628,047	30,628,047	38,490,033
	Ending Balance	18,872,639	30,628,047	38,490,033	32,413,092	41,072,142
	Fund Balance (audited)	27,844,362	23,006,965			
Ending Balance as % of Expenditures		31.97%	50.45%	70.17%	50.29%	59.75%

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

13.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Carey Neal Jr., Assistant City Manager

Agenda Caption:

Discuss and consider a resolution 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.

Background:

On August 9, 2021, Council received a presentation from New Gen Strategies and Solutions, LLC (NewGen) on the Utility Rate Study. At that time, there had been no water or sewer rate increases considered for over three 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 incrementally increased. Increases in the utility rates were recommended to be implemented by initiating the rate increases in FY 2022 and spreading them over four (4) years; the City can mitigate the impact of increased utility bills on customers.

The proposed 2021-2022 base water bill increase is proposed to increase from \$20.90 to \$21.79. The rate per 1,000 gallons up to 14,999 gallons will increase from \$2.67 to \$2.78. The rate for 15,000 to 29,999 gallons will increase from \$3.31 to \$3.45. The rate for 30,000 or more gallons will increase from \$4.16 to \$4.34. The 2021-2022 base sewer bill will increase from \$15.04 to \$16.62. The price per 1000 gallons of usage will increase from \$7.73 to \$8.54.

Based on the analysis conducted, it was concluded that on a combined basis, the City's current rates revenues were insufficient to fund the projected cost of service starting in FY 2023. At this time, based upon current information, it is recommended that the City implement water and sewer rate increases.

Operational Considerations:

This fee structure will provide the funding for the required infrastructure needed to provide quality water and wastewater system services.

Legal Considerations:

The City Attorney has reviewed and approved the resolution as to form.

Public Information Considerations:

Prior to the effective date, notices of a rate increase, if any, will be published in the City's official publication of record, Focus Daily News, and on the City website.

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

Fiscal Impact:

An increase in rates starting in FY 2022 is necessary to ensure the City has sufficient financial resources to pay debt service on the projected debt issues, recover the cost of providing service, meet the City's financial policy requirements, and generate needed cash to fund these capital projects. By initiating the rate increases in FY 2022 and spreading them over four (4) years, the City can mitigate the impact of increased utility bills on customers.

Options/Alternatives:

1. City Council may approve the resolution, as presented
2. City Council may deny the resolution.

Recommendation:

Staff recommends approval of the resolution, as presented.

Attachments

Resolution

Exhibit A

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, 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 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 adjustments 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 and wastewater services.

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 hereby, repealed, and all other provisions not in conflict with the provision of this resolution shall remain in full force and effect.

SECTION 3. This Resolution shall become effective on October 1, 2021, 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 20th day of September, 2021.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

CITY OF LANCASTER FEE SCHEDULE

EXHIBIT A

(3) Third Party contractor is responsible for all commercial taps within the City. City Right- Of-Way (ROW) permit application is required and regular inspection fees will apply.

(4) 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.

(5) Fire Hydrant Meter

(a) Deposit	\$1,500.00
(b) Monthly	\$25.00
(c) Usage	\$2,75 / 1,000 gallons

New Fees with Activation Fee

(6) Commercial - ¾ inch	\$125.00 + \$10.00 = \$135.00
(a) 1 inch	\$150.00 + \$10.00 = \$160.00
(b) 1 ½ inch	\$200.00 + \$10.00 = \$210.00
(c) 2 inch	\$300.00 + \$10.00 = \$310.00
(d) 3 inch to compound meter	\$300.00 + \$10.00 = \$310.00

Backflow Testing and Installation

All backflow Installers and testers must register with the City prior to performing any work.

Registration fee: \$100.00 annually per company and \$50.00 for each additional individual.

Inspection fee per device: \$30.00

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 upon annual adoption.

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	\$20.90 <u>\$21.79</u>
1-inch water meter	2.5	\$52.26 <u>\$54.48</u>
1 ½ - inch water meter	5	\$104.52 <u>\$108.96</u>
2-inch water meter	8	\$167.23 <u>\$174.34</u>
3-inch water meter	16	\$334.45 <u>\$348.66</u>

CITY OF LANCASTER FEE SCHEDULE

4-inch water meter	25	\$522.58 <u>\$544.79</u>
6-inch water meter	50	\$1,045.17 <u>\$1089.59</u>
8-inch water meter	80	\$1,672.26 <u>\$1,743.33</u>
10-inch water meter	125	\$2,450.00

(1) Multi-family complexes shall be charged a minimum monthly water charge equal to the greater of

(a) the minimum bill for 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 ~~sixty-seven~~ seventy eight cents (~~\$2.67~~ \$2.78) 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 inch meter	\$1,672.26 <u>\$1,743.33</u>	
200 units @ \$20.90 <u>21.79</u> each	\$0.00	\$4,180.00 <u>\$4358.00</u>
600,000 gallons @ \$2.67 <u>\$2.78</u>	\$1,602.02 <u>\$1668.00</u>	\$1,602.00 <u>\$1668.00</u>
/ 1000	\$3,274.28 <u>\$3411.33</u>	\$5,782.02 <u>\$6026.00</u>

Therefore ~~\$5,782.02~~ \$6026.00 would be billed. (~~\$5,782.02~~ \$6026.00 / 200 = ~~\$28.91~~ \$30.13)

(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 15,000 gallons	\$2.67 <u>\$2.78</u> per 1,000
15,001 to 30,000 gallons	\$3.31 <u>\$3.45</u> per 1,000
30,000 gallons or more	\$4.16 <u>\$4.34</u> per 1,000

(5) A discount for senior citizens (age 62 or over) of \$2.24 per month shall be applied to each qualified residential account.

(Resolution 2011-09-80 adopted 9/12/11, effective October 1, 2011) (Resolution 2015-09-75 adopted 9/14/15, effective October 1, 2015) (Resolution 2018-09-71 adopted 9/10/18, effective October 1, 2018)

CITY OF LANCASTER FEE SCHEDULE

Sec. 10.800 **Water Rates - Outside City Limits**

The following schedule of water charges for residential, commercial, industrial, and multi-family complex outside the city limits of Lancaster, Texas, shall be effective shall be effective upon annual adoption.

Minimum monthly water charge (no gallons) for residential, commercial, and industrial customers:

Meter Size:	Minimum Monthly Meter Charge:
3/4 inch or less	\$24.04
1-inch	\$60.10
1 ½ - inch	\$120.19
2-inch	\$192.31
3-inch	\$384.62
4-inch	\$600.97
6-inch	\$1,201.94
8-inch	\$1,923.10
10-inch	\$2,450.00

- (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 sixty-seven (\$2.67) 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 inch meter	\$1,923.10	
200 units @ \$24.04 each	\$0.00	\$4,808.00
600,000 gallons @ \$3.07 / 1000	\$1,842.00	\$1,842.00
	\$3,765.00	\$6,650.00

Therefore \$6,650.00 would be billed. ($\$6,650.00 / 200 = \33.25)

- (4) A discount for senior citizens (age 62 or over) of \$2.24 per month shall be applied to each qualified residential account.

Sec. 10.900 **Imposition of Lien for Water Service Charges**

CITY OF LANCASTER FEE SCHEDULE

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 (New Connects and Reconnects)	\$25.00
(6) Data log meter	\$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 upon annual adoption:

- (1) Minimum monthly sewer charge (no gallons of usage) for residential, commercial, and industrial is fifteen dollars and four cents (~~\$15.04~~ \$16.62) per connection.
- (2) Minimum monthly sewer charge for each dwelling unit of a multi-family complex (no gallons) is seven dollars and seventy-three cents (~~\$7.73~~ \$8.54) per unit.
- (3) Minimum monthly sewer charge for each dwelling unit of a multi-family complex outside of the city limits (no gallons) is eight dollars and eighty-nine cents (\$8.89) per unit.
- (4) Variable rate per one thousand (1,000) gallons of water usage for residential, commercial, industrial, and multi-family complexes is seven dollars and seventy-three cents (~~\$7.73~~ \$8.54).
- (5) 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.

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

14.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Opal Mauldin-Jones, City Manager

Agenda Caption:

Discuss and consider a resolution ratifying the budget for the fiscal year 2021/2022 that results in an increase of revenues by 1.64% from property taxes over the previous year.

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 preceding year to have a separate vote of the governing body to ratify the tax increase reflected in the budget. The FY 2021/2022 budget and tax rate results in an increase in revenues by 1.64% (percentage by which the tax rate will be higher than the no-new-revenue tax rate calculated under Chapter 26, Tax Code) from property taxes compared to the previous year.

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

Operational Considerations:

Resolution and action must be approved for the adoption of the fiscal year 2021/2022 budget.

Legal Considerations:

The motion and resolution are pursuant to State law. The City Attorney has reviewed and approved the resolution as to form.

Public Information Considerations:

All public notices and hearings were provided and published in accordance with state law. This item is being considered at a meeting noticed and conducted in accordance with the Texas Open Meetings Act.

Options/Alternatives:

1. City Council may approve the resolution, as presented.
2. City Council may deny 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 an increase of revenue from property taxes than the previous year and to ratify a property tax revenue increase reflected in said budget."

Attachments

Resolution

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, RATIFYING THE BUDGET FOR THE FISCAL YEAR 2021/2022 AS A RESULT OF THE CITY RECEIVING MORE REVENUE FROM PROPERTY TAXES IN THE 2021/2022 BUDGET THAN THE PREVIOUS FISCAL YEAR; 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 2021/2022; and

WHEREAS, Texas Local Government Code Section 102.005(b) and section 102.007(c) (passed as House Bill 3195, as adopted at the Regular Session of the 80th Legislature) requires specific language and a separate vote on a budget that will require raising more revenue from property taxes than previous year.

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

SECTION 1. The City Council hereby ratifies, by a record vote, the adoption of a budget for Fiscal Year 2021/2022 which results in an increase of revenues from property taxes than the previous year, with the following declaration: THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$452,517 OR 1.64%, AND OF THAT AMOUNT, \$295,863 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.

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

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 20th day of September, 2021.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

15.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Sam Urbanski, Chief of Police

Agenda Caption:

Consider an ordinance approving the proposed fiscal year 2021/2022 budget for proceeds of seized property for the Lancaster Police Department for the fiscal year beginning October 1, 2021, and ending September 30, 2022; providing that expenditures for said fiscal year shall be in accordance with said budget.

Background:

Pursuant to the agreements signed by the Lancaster Police Department, the State Attorney General and United States Department of Justice to share the use of property and/or proceeds from seizures in connection with combined law enforcement activities, the Police Chief is submitting to the City Council a proposed budget of the expenditures for conducting the affairs of the Lancaster Police Department throughout the fiscal year beginning October 1, 2021, and ending September 30, 2022.

Operational Considerations:

The proposed detail budget is outlined below:

Fund	2021-2022 Budget Expenditures
Police Seized Funds - State	\$10,000.00
Police Seized Funds - Federal	\$10,000.00
Total	\$20,000.00

Legal Considerations:

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

Public Information Considerations:

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

Fiscal Impact:

The Seized Funds proposed budget is a plan for expenditures related to the operations of the Lancaster Police Department.

Options/Alternatives:

1. City Council may approve the ordinance, as presented.
2. City Council may deny the ordinance.

Recommendation:

Staff recommends approval of the ordinance, as presented.

Attachments

Ordinance

Exhibit A

Exhibit B

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING AND ADOPTING A BUDGET FOR PROCEEDS OF SEIZED PROPERTY FOR THE LANCASTER POLICE DEPARTMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022; 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 Lancaster Police Department has signed certain agreements with the State Attorney General and United States Department of Justice to share the use of property and/or proceeds from seizures in connection with combined law enforcement activities; and

WHEREAS, the Chief of Police of the City of Lancaster Police Department has submitted to the City Council a proposed budget of the expenditures for utilizing such funds in accordance with the law for the benefit of law enforcement activities of the department for fiscal year 2021-2022; and

WHEREAS, the City Council has received the Chief of Police's proposed seizure budget, a copy of which proposed seizure budget is attached hereto and incorporated herein as Exhibits A and B, and 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 expenditures as set forth in the attachments hereto as Exhibits A and B, for conducting the affairs of the Lancaster Police Department and providing a financial plan for the ensuing fiscal year beginning October 1, 2021 and ending September 30, 2022, is hereby approved as the adopted budget for proceeds of seized property on behalf of the Lancaster Police Department; and, the Lancaster Police Department shall expend those funds in accordance with agreements recited herein and applicable law.

SECTION 2. That the appropriations for the fiscal year are hereby approved beginning October 1, 2021, and ending September 30, 2022, for the various funds and purposes of the Lancaster Police Department, which is attached hereto and incorporated herein as Exhibit A and B and is summarized as follows:

SECTION 3. Those expenditures during the fiscal year shall be made in accordance with the seizure 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 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 5. 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 20th day of September 2021.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

Police Seized Funds - State

EXHIBIT A

BUDGET REPORT
LINE ITEM DETAIL
BY DEPARTMENT

Fund 11
Department 14
Program 0

POLICE SEIZED FUNDS - STATE
POLICE
POLICE DEPARTMENT

		2019	2020	2021	2021	2022
Account Object	Description	Actual	Actual	YTD Actual	Budget	Proposed
	202 UNIFORMS AND CLOTHING	\$ -	\$ -	\$ -	\$ 11,171	\$ 5,000
	203 MOTOR VEHICLE SUPPLIES	\$ -	\$ -	\$ -	\$ 11,717	\$ 5,000
	211 OTHER OPERATIONAL SUPPLIES	\$ 445	\$ -	\$ -	\$ -	\$ -
	Supplies Sub Total	\$ 445	\$ -	\$ -	\$ 22,888	\$ 10,000
Account Object	Description					
	302 MAINT-MOTOR VEHICLES	\$ 1,379	\$ 1,899	\$ 930	\$ -	\$ -
	Maintenance Sub Total	\$ 1,379	\$ 1,899	\$ 930	\$ -	\$ -
Account Object	Description					
	405 DISTRICT ATTORNEY	\$ 684	\$ 1,750	\$ -	\$ -	\$ -
	Services Sub Total	\$ 684	\$ 1,750	\$ -	\$ -	\$ -
	Department Total	\$ 2,508	\$ 3,649	\$ 930	\$ 22,888	\$ 10,000

Police Seized Funds - Federal

EXHIBIT B

BUDGET REPORT Fund 12 POLICE SEIZED FUNDS - FEDERAL
 LINE ITEM DETAIL Department 14 POLICE DEPARTMENT
 BY DEPARTMENT Program 0 POLICE DEPT EXPENDITURES

		2019	2020	2021	2021	2022
Account Object	Description	Actual	Actual	YTD Actual	Budget	Proposed
	202 UNIFORMS AND CLOTHIN	\$ -	\$ -	\$ -	\$ 18,796	\$ 5,000
	204 MINOR EQUIP/TOOLS	\$ 2,290	\$ 1,055	\$ 7,505	\$ -	\$ -
	Supplies Sub Total	\$ 2,290	\$ 1,055	\$ 7,505	\$ 18,796	\$ 5,000
Account Object	Description					
	407 SERVICES	\$ 24,894	\$ 21,634	\$ 21,568	\$ -	\$ -
	409 TRAVEL & EDUCATION	\$ -	\$ -	\$ -	\$ 18,796	\$ 5,000
	Services Sub Total	\$ 24,894	\$ 21,634	\$ 21,568	\$ 18,796	\$ 5,000
	Department Total	\$ 27,184	\$ 22,689	\$ 29,074	\$ 37,592	\$ 10,000

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

16.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Opal Mauldin-Jones, City Manager

Agenda Caption:

Conduct a public hearing and consider an ordinance regarding the proposed revenue increase from levying ad valorem taxes for fiscal year 2021/2022 at \$0.769287 per one hundred dollars assessed valuation of all taxable property within the corporate limits to provide revenues for current maintenance and operational expenses and interest and sinking fund requirements; providing due and delinquent dates; penalties and interest; providing a homestead exemption and disability exemption.

Background:

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

The tax rate proposed for fiscal year 2021/2022 is \$0.769287 per one hundred dollars assessed valuation on taxable property within the corporate limits. These tax dollars provide revenue for current operating and maintenance expenses and interest and sinking fund requirements. The total tax revenue will increase from properties on the tax roll in the preceding tax year by 4.38% (percentage by which the tax rate will be higher than the No-New-Revenue tax rate calculated under Chapter 26, Tax Code.) Individual taxes may increase or decrease at a rate greater or lesser depending on the change in the taxable value of each property.

This is the second and final public hearing regarding the proposed tax rate. The first public hearing was held on Monday, August 23, 2021.

Operational Considerations:

The proposed tax rate of \$0.769287 on each one hundred dollars (\$100.00) assessed value of taxable property to be apportioned and distributed as follows: \$0.589061 for the purpose of maintenance and operations (including \$0.025 dedicated to the Street Maintenance Fund), and \$0.180226 for interest and sinking fund requirements.

Legal Considerations:

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

Public Information Considerations:

Public notices were published on Thursday, September 2, 2021, in the official City publication of record, Focus Daily News and on the City of Lancaster website. Information regarding the proposed tax rate is being made available in accordance with state law and the City Charter.

Fiscal Impact:

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

Options/Alternatives:

1. City Council may close the public hearing and approve the ordinance as presented.
2. City Council may close the public hearing and deny the ordinance.

Recommendation:

Staff recommends City Council conduct and close the public hearing, and approve the ordinance as presented with the following motion that is required by state law: I move that the property tax rate be increased by the adoption of a tax rate of \$0.769287, which is effectively a 0.65 percent increase in the tax rate.

Attachments

Ordinance

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS LEVYING AD VALOREM TAXES FOR FISCAL YEAR 2021/2022 AT \$0.769287 PER ONE HUNDRED DOLLARS ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS TO PROVIDE REVENUES FOR CURRENT MAINTENANCE AND OPERATIONAL EXPENSES AND INTEREST AND SINKING FUND REQUIREMENTS; PROVIDING DUE AND DELINQUENT DATES, PENALTIES AND INTEREST; PROVIDING FOR 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:

SECTION 1. There be and is hereby levied for the fiscal year 2021/2022 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 \$0.769287 on each \$100.00 assessed value of taxable property, and said tax shall be apportioned and distributed as follows: \$0.589061 for the purpose of paying maintenance and operation, and, defraying the expenses of current operations, and \$0.180226 for interest and sinking fund requirements of the municipal government of the City.

SECTION 2. THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 4.38 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$-16.11.

SECTION 3. All 2021/2022 ad valorem taxes shall become due and payable on October 1, 2021, and shall become delinquent after January 31, 2022. If any person fails to pay the ad valorem taxes on or before the 31st day of January 2021, the penalties and interest as set forth under Section 33.01 of the Texas State Property Tax Code shall apply.

SECTION 4. Taxes are payable to the Dallas County Tax Assessor-Collector, Records Building, Dallas, Texas, by contract dated November 12, 2001 and amended April 2014. The City shall have available all the rights and remedies provided by law for the enforcement of the collection of taxes levied under this ordinance.

SECTION 5. The tax rolls as presented to the City Council, together with any supplement thereto, be and the same are hereby approved.

SECTION 6. 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 7. 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, 2022 and an exemption of \$30,000 on disability designations.

SECTION 8. This Ordinance shall become effective upon its adoption as the law in such cases provides.

SECTION 9. All recitals are incorporated herein by reference as if fully written.

DULY PASSED by the City Council of the City of Lancaster, Texas on this the 20th day of September, 2021.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

17.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Opal Mauldin-Jones, City Manager
David Ritter, City Attorney

Agenda Caption:

City Council shall convene into closed executive session to consult with the City's Attorney regarding pending or contemplated litigation pursuant to Texas Government Code Section 552.971(1)(a): litigation regarding taxation under 34 TAC 3.334.

CITY OF LANCASTER CITY COUNCIL

City Council Special Meeting

18.

Meeting Date: 09/20/2021

Policy Statement: This request supports the City Council 2021-2022 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Opal Mauldin-Jones, City Manager
David Ritter, City Attorney

Agenda Caption:

Reconvene into open session and take any action necessary.