



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

Monday, August 12, 2013 - 7:00 PM

CALL TO ORDER

INVOCATION: Ministerial Alliance

PLEDGE OF ALLEGIANCE: Councilmember Marco Mejia

PROCLAMATION: National Day of Non Violence

CITIZENS' COMMENTS:

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

CONSENT AGENDA:

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

C1. Consider approval of minutes from the City Council Regular Meeting held July 22, 2013 and Special Meeting held July 25, 2013.

C2. Consider a resolution authorizing the City of Lancaster to enter into agreements and/or contracts for continuation with Aetna for employee medical administration with a Health Savings Account (HSA) option and with Aetna for dental administration; CIGNA for basic and voluntary life, and accidental death and dismemberment, and basic and voluntary long term disability; Discovery for flexible spending and the Section 125 Plan; Conexus for COBRA administration; and Alliance Work Partners for Employee Assistance Program administration.

PUBLIC HEARING:

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

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

5. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Beltline Ashmoore Public Improvement District.
6. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Glendover Estates Public Improvement District.
7. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Rolling Meadows Public Improvement District.
8. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Millbrook East Public Improvement District.
9. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Boardwalk Public Improvement District.
10. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Meadowview Public Improvement District.

ACTION:

11. Consider a resolution approving a professional services agreement with Jacobs Engineering Group Inc. for development of The Lancaster Comprehensive Plan 2033, in an amount not to exceed \$238,000.00 and authorizing the City Manager to execute said agreement.
12. Discuss the proposed Fiscal Year 2013/2014 tax rate of \$0.8675 per \$100 assessed valuation; receive related tax calculation documents; and set public hearing date on the proposed tax rate.
13. Consider confirmation of Civil Service Commission appointment as designated by the City Manager.

ADJOURNMENT

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

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

Certificate

I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall on August 9, 2013 @ 10:00 a.m. and copies thereof were hand delivered to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.



Dolle K. Downe, TRMC
City Secretary

LANCASTER CITY COUNCIL

Agenda Communication

August 12, 2013

Consider approval of minutes from the City Council Regular Meeting held July 22, 2013 and Special Meeting held July 25, 2013.

Background

Attached for your review and consideration are minutes from the:

- City Council Regular Meeting held July 22, 2013
- City Council Special Meeting held July 25, 2013 (board & commission interviews)

Submitted by:

Dolle K. Downe, City Secretary

MINUTES

LANCASTER CITY COUNCIL MEETING OF JULY 22, 2013

The City Council of the City of Lancaster, Texas, met in Regular session in the Council Chambers of City Hall on July 22, 2013 at 7:00 p.m. with a quorum present to-wit:

Councilmembers Present:

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

City Staff Present:

Opal Mauldin Robertson, City Manager
Aretha Adams, Assistant City Manager
Alicia Oyedele, Assistant to the City Manager
Thomas Griffith, Fire Chief
Larry Flatt, Police Chief
Dori Lee, Human Resources Director
Ed Brady, Economic Development Director
Rona Stringfellow, Managing Director Public Works / Development Services
Jim Brewer, Assistant Director Public Works / Development Services
Larry King, Building Official
Mark Divita, Airport Manager
Robert E. Hager, City Attorney
Dolle Downe, City Secretary

Call to Order:

Mayor Knight called the meeting to order at 7:00 p.m. on July 22, 2013.

Invocation:

Deacon Jones with World Harvest Ministries gave the invocation.

Pledge of Allegiance:

Councilmember Stanley Jaglowski led the pledge of allegiance.

Citizens Comments:

Alicia Oyedele, Assistant to the City Manager, noted that Town Hall meetings would be held to provide a general overview of the proposed fiscal year 2013-2014 municipal budget on August 15, 2013 at 6:30 p.m. and on August 24, 2013 at 9 a.m. both dates at the Recreation Center. Assistant to the City Manager Oyedele commented that the Town Hall meetings provide an interactive opportunity to learn about the budget and talk with staff and Council. Additional information is available on the city website at www.lancaster-tx.com or by calling 972 218-1300. Assistant to the City Manager Oyedele also stated that the City continues to participate in the collection of school supplies for the annual Mayor and Superintendent Back to School Fair to be held on Saturday, August 17, 2013. A full list of supplies is on the City website and more information is available by visiting the school district's website.

Jim Cheshier, 739 S. Dallas Avenue, reported a number of concerns with overhanging tree limbs at Wal-Mart, at the golf course, against the bridge and at the Town Square blocking the view of the street sign; also expressed concern about kids riding bicycles on the concrete drainage area near the new water line at Dallas Avenue and Beltline. Mayor Knight suggested Mr. Cheshier visit with Director Stringfellow about these matters.

Consent Agenda:

City Secretary Downe read the consent agenda.

- C1. Consider approval of minutes from the City Council Regular Meeting held July 8, 2013.**
- C2. Consider a resolution adopting the Lancaster City Council Rules and Procedures as amended.**
- C3. Consider an ordinance amending the Code of Ordinances by amending Chapter 2, "Administration and Personnel", Article 2.02 "Code Of Ethics" by repealing Sections 2.02.006 "Employment with public utility corporation", 2.02.007 "Restrictions on contracting with city or providing representation of others", 2.02.008 "Forfeiture of employment when employee becomes candidate for office" and renumbering Section 2.02.009 as Section 2.02.006.**
- C4. Consider various ordinances adopting the 2012 International Code Council (ICC) Code Series and 2011 National Electrical Code for construction and amending the Lancaster Code of Ordinances as follows:**
 - A. an ordinance amending Chapter 6, Article 6.04, division 2, Building Code, section 6.04.051 to provide for the adoption of the "International Building Code", 2012 edition, and section 6.04.052 to provide for the exceptions and amendments thereto;**
 - B. an ordinance amending Chapter 6, Article 6.04, division 3, Residential Code, section 6.04.101 to provide for the adoption of the "International Residential Code", 2012 edition, and section 6.04.102 to provide for the exceptions and amendments thereto;**
 - C. an ordinance amending Chapter 6, Article 6.04, division 4, Electrical Code, section 6.04.151 to provide for the adoption of the "National Electrical Code", 2011 edition, and section 6.04.152 to provide for the exceptions and amendments thereto;**
 - D. an ordinance amending Chapter 6, Article 6.04, division 5, Plumbing Code, section 6.04.201 to provide for the adoption of the "International Plumbing Code", 2012 edition, and section 6.04.202 to provide for the exceptions and amendments thereto;**
 - E. an ordinance amending Chapter 6, Article 6.04, division 6, Mechanical Code, section 6.04.251 to provide for the adoption of the "International Mechanical Code", 2012 edition, and section 6.04.252 to provide for the exceptions and amendments thereto;**

F. an ordinance amending Chapter 6, Article 6.04, division 7, Property Maintenance Code, section 6.04.301 to provide for the adoption of the "International Property Maintenance Code", 2012 edition, and section 6.04.302 to provide for the exceptions and amendments thereto;

G. an ordinance amending Chapter 6, Article 6.04, Technical and Construction Codes and Standards, division 8, Existing Building Code, section 6.04.351 to provide for the adoption of the International Existing Building Code, 2012 edition, and section 6.04.352 to provide for the exceptions and amendments thereto;

H. an ordinance amending Chapter 6, Article 6.04, division 9, Fuel Gas Code, section 6.04.401 to provide for the adoption of the "International Fuel Gas Code", 2012 edition, and section 6.04.402 to provide for the exceptions and amendments thereto;

I. an ordinance amending Chapter 6, Article 6.04, division 10, Energy Conservation Code, section 6.04.451 to provide for the adoption of the "International Energy Conservation Code", 2012 edition, and section 6.04.452 to provide for the exceptions and amendments thereto;

J. an ordinance amending Chapter 6, Article 6.04, Technical and Construction Codes and Standards, by adding division 11, "Swimming Pool and Spa Code"; by adopting section 6.04.501 to provide for the adoption of the "International Swimming Pool and Spa Code", 2012 edition, and section 6.04.502 to provide for the exceptions and amendments thereto;

K. an ordinance amending Chapter 10, Article 10.04, Fire Code, section 10.04.001 to provide for the adoption of the "International Fire Code", 2012 edition, and section 10.04.002 to provide for the exceptions and amendments thereto.

Councilmember Mejia pulled consent item C4.

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Strain-Burk, to approve consent items C1 - C3. The vote was cast 7 for, 0 against.

Councilmember Mejia stated that the City is adopting the 2012 International Codes [item C4] with certain local amendments which are less restrictive and more business friendly and that of particular note is the fact that a building 12,000 square feet or less will not require fire-sprinkling, which will help the City attract businesses.

Mayor Pro Tem Daniels asked Fire Chief Griffith to speak about the Fire Code.

Fire Chief Griffith stated that adoption of the 2012 Fire Code will bring it up to date and clarifies a few items not previously addressed such as group homes and lock-downs for schools.

MOTION: Councilmember Mejia made a motion, seconded by Councilmember Jaglowski, to approve the ordinances amending the Lancaster Code of Ordinances to adopt the 2012 International Code Council (ICC) Code Series and 2011 National Electrical Code for construction [C4. items A through K]. The vote was cast 7 for, 0 against.

5. **Consider a resolution approving funding of the Texas Department of Transportation Terminal Building project for fiscal year 2014 at Lancaster Regional Airport and authorizing the City Manager to execute said funding agreement.**

City Manager Mauldin Robertson stated that this request from the Texas Department of Transportation, Aviation Division is for a commitment to funding the City's share of the design, engineering and construction for a new terminal building at the Lancaster Regional Airport.

Councilmember Mejia commented the airport is a diamond in the rough and the City's long term investment in the airport will continue to be beneficial.

Councilmember Strain-Burk stated that the benefits of support from the FAA as the City moves forward with the Airport Master Plan has great catalyst potential for the City.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Mejia, to approve a resolution approving funding of the Texas Department of Transportation Terminal Building project for fiscal year 2014 at the Lancaster Regional Airport and authorizing the City Manager to execute the appropriate funding agreement. The vote was cast 7 for, 0 against.

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

The meeting was adjourned at 7:19 p.m.

ATTEST:

APPROVED:

Dolle K. Downe, City Secretary

Marcus E. Knight, Mayor

MINUTES

LANCASTER CITY COUNCIL MEETING OF JULY 25, 2013

The City Council of the City of Lancaster, Texas, met in special session in the Training Room of the James R. Williams Pump Station at 1999 Jefferson on July 25, 2013 at 6:00 p.m. with a quorum present to-wit:

Councilmembers Present:

Mayor Marcus E. Knight
Carol Strain-Burk
Stanley Jaglowski
LaShonjia Harris

Councilmembers Absent:

Marco Mejia
Mayor Pro Tem James Daniels
Deputy Mayor Pro Tem Nina Morris

Call to Order:

Mayor Knight called the meeting to order at 6:04 p.m. on July 25, 2013.

1. Conduct interviews for City of Lancaster Boards and Commissions.

Mayor Knight introduced City councilmembers and briefly outlined the process for interviews, noting that Council is scheduled to make appointments at their meeting on August 12, 2013. City Council conducted interviews for City of Lancaster Boards and Commissions. A total of thirteen applicants were interviewed.

The meeting was adjourned at 7:41 p.m.

ATTEST:

Dolle K. Downe, City Secretary

APPROVED:

Marcus E. Knight, Mayor

LANCASTER CITY COUNCIL

Agenda Communication

August 12, 2013

Consider a resolution authorizing the City of Lancaster to enter into agreements and/or contracts for continuation with Aetna for employee medical administration with a Health Savings Account (HSA) option and with Aetna for dental administration; CIGNA for basic and voluntary life, and accidental death and dismemberment, and basic and voluntary long term disability; Discovery for flexible spending and the Section 125 Plan; Conexis for COBRA administration; and Alliance Work Partners for Employee Assistance Program administration.

This request supports the City Council 2013-2014 Policy Agenda.

**Goals: Financially Sound City Government
 Professional & Committed Workforce**

Background

On Monday, August 5, 2013 City Council received a presentation and discussed employee insurance and options regarding the renewal for employee health insurance.

The City is entering its third renewal with Aetna to provide its fully insured health plan. The City has seen improvements in its claims experience since fiscal year end 2011 – 2012. The loss ratio has decreased from 131% to 82% over the past 12 months. For the 2012 – 2013 plan year the City implemented a High Deductible Health Plan (HDHP) and Health Savings Account (HSA) plan option to assist in controlling future health care costs. The City also continued premium incentives for employees who received an annual physical and who didn't use tobacco.

Health Insurance

The initial health insurance renewal released by Aetna represented a 16.2% or \$299,707 increase to the City. IPS Advisors, the City's insurance consultant, renegotiated this increase down to a 6.7% or \$124,680 increase to the City. It is important to note that approximately 2.6% or \$48,101 of this increase was directly attributable to Healthcare Reform fees.

Recommendations for the health plan for 2013/2014 plan year include:

- It is recommended to continue the current employer premium subsidy strategy for the 2013 – 2014 plan year. The City subsidizes 100% of the employee only cost for the HDHP plan and 50.0% of dependent costs across all plans.

- It is recommended to continue the current employer funding on the HSA of \$1,348 for employee and \$2,696 for dependents for the 2013 – 2014 plan year.
- Included in the reduction of the health insurance rates was a credit of \$4,824 for discontinuing the Aetna Wellness Program. It is recommended for the City to reallocate this savings to purchase an enhanced program through Methodist Health Systems. This program will include Health Risk Assessments, Fitness and Nutrition Tools, Wellness Workshops, Incentive Management and Employer and Employee Risk Factor reporting. The cost of this program is \$4,650 annually.
- For the 2013 - 2014 plan year, it is recommended to continue the physician surcharge of \$25 a month to employees who do not have an annual physical by December 31, 2013. Over 90% of eligible employees participated in this program for the 2012 - 2013 plan year. Wellness visits are covered 100% and there is no cost to the employee.
- It is recommended to continue the tobacco user surcharge of \$25 a month for employees who elect to use tobacco products. Human Resources assists employees on tobacco cessation options on a voluntary basis.
- It is also recommended to continue Compass Professional Health Services for those who are enrolled in the High Deductible Health Plan. This service provides employees pricing and quality information for hospitals, physician, pharmacy and dental services.

Dental Insurance

The City received a 9% renewal increase from Aetna for the 2013 – 2014 plan year. It is recommended to continue the current funding strategy of 100% contribution for employee and 0% contribution for dependents. The increased cost to the City equates to \$8,114.

COBRA

The Consolidated Omnibus Budget Reconciliation Act (COBRA) federally mandates that employers provide certain former employees the right to temporary continuation of health benefits coverage at group rates. The City's COBRA services through Conexis renewed at no increase for the 2013 - 2014 fiscal year.

Flexible Spending Account (FSA)

A Flexible Spending Account (FSA) allows an employee to set aside a portion of his or her earnings to pay for qualified expenses as established in the cafeteria plan, most commonly for medical expenses, but often for dependent care or other expenses. Money deducted from an employee's pay into an FSA is not subject to payroll taxes, resulting in a substantial payroll tax savings. The City is currently in a three year rate guarantee with Discovery Benefits until October 1, 2014. No changes are recommended to the FSA at this time.

Ancillary Insurance

The City's Life and Disability Insurance programs are currently in a three year rate guarantee with Cigna until October 1, 2014. No changes are recommended to the plan at this time.

Employee Assistance Program

Employee Assistance Programs (EAPs) are employee benefit programs offered by many employers, typically in conjunction with a health insurance plan. EAPs are intended to help employees deal with problems that might adversely impact their work performance, health, and well-being. It is recommended to contract with Alliance Work Partners for the 2013 - 2014 plan year and rates will not change.

Considerations

- **Operational** – The High Deductible Health Plan and Health Savings Account will continue to require additional communication and administration efforts for employee education. Furthermore, enhancements to the wellness program will require re-communication efforts to employees.
- **Legal** - Current contracts will be amended to comply with provisions of the Patient Protection and Affordability Care Act of 2010. These contracts must be reviewed by IPS Advisors, the City Attorney and Human Resources. If authorized by the City Council, the City Manager will execute appropriate contracts following legal review.
- **Financial** - The total increase in employer cost for implementing the recommended changes equates to \$108,996.

Options/Alternatives

1. Continue the Aetna program with no changes to benefits, no changes to employer premium subsidy percentages and no changes to employer HSA funding. The total cost of option 1 to the City of Lancaster is approximately \$108,996 and the City would fund approximately 82.4% of total healthcare premium costs.
2. Continue the Aetna program with no changes to benefits and subsidize the cost increase on behalf of employees for the health insurance plan. Additionally, to help offset the cost increase to the City, reduce employer HSA contribution from \$1,348 to \$1,200 for employee only and from \$2,696 to \$2,300 for employee + family. This strategy would represent a \$112,997 cost increase to the City. The City would fund approximately 83.4% of total healthcare premium costs.

Recommendation

Staff recommends implementation of Option 1 for the 2013- 2014 plan year.

Attachments

- Resolution
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Submitted by:

Dori Lee, Director of Human Resources

RESOLUTION NO. 2013-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, AUTHORIZING THE CITY OF LANCASTER TO ENTER INTO AGREEMENTS AND/OR CONTRACTS FOR CONTINUATION WITH AETNA FOR EMPLOYEE MEDICAL ADMINISTRATION WITH A HEALTH SAVINGS ACCOUNT (HSA) OPTION AND WITH AETNA FOR DENTAL ADMINISTRATION; CIGNA FOR BASIC AND VOLUNTARY LIFE, BASIC AND VOLUNTARY ACCIDENTAL DEATH & DISMEMBERMENT, BASIC AND VOLUNTARY LONG TERM DISABILITY; DISCOVERY FOR FLEXIBLE SPENDING AND THE SECTION 125 PLAN; CONEXIS FOR COBRA ADMINISTRATION; AND ALLIANCE WORK PARTNERS FOR EMPLOYEE ASSISTANCE PROGRAM ADMINISTRATION; AUTHORIZING EXECUTION OF ANY NECESSARY CONTRACTS AND DOCUMENTS PURSUANT TO THIS RESOLUTION BY THE CITY MANAGER; REPEALING ALL RESOLUTIONS IN CONFLICTS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lancaster provides medical insurance and other benefits to employees; and

WHEREAS, renewal options were negotiated to secure continued coverage from benefit providers; and

WHEREAS, the City of Lancaster desires to contract with companies to provide such benefits to employees.

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

Section 1: The City Council hereby authorizes renewal for fiscal year 2013-2014 of Aetna for employee medical administration with a Health Savings Account (HSA) option; authorizes renewal of dental, disability and life insurance, flexible spending account administration, and employee assistance program administration with Aetna, Cigna, Discovery, Conexis, and Alliance Work Partners respectively; and authorizes the City Manager to execute any necessary contracts and documents in conformance with this resolution, after approval as to form by the City Attorney.

Section 2: Any prior Resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

Section 3: Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

Section 4: This resolution shall take effect immediately from and after its passage, and it is duly resolved.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 12th day of August 2013.

APPROVED:

Marcus E. Knight, Mayor

ATTEST:

Dolle K. Downe, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney

LANCASTER CITY COUNCIL

Agenda Communication

August 12, 2013

Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Lancaster Mills Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.

This request supports the City Council 2013-2014 Policy Agenda.

Goal: Healthy, Safe, and Vibrant Neighborhoods

Background

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

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

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

As this district is currently undeveloped, the PID board has proposed an assessment plan at a rate of \$0.0000 per \$100 assessed valuation as there are no budgeted expenses for the 2013/2014 fiscal year.

Considerations

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained.
- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and the ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2013/2014 proposed service plan budget is \$0.0000 and assessments are proposed to be \$0.0000 per \$100 assessed valuation. There are currently no homes constructed at this time.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 28, 2013 as required by Local Government Code Chapter 372.

Options/Alternatives

1. Close the public hearing and place the item on the August 26, 2013 regular meeting for consideration.
2. Continue the public hearing to the August 26, 2013 regular meeting.

Recommendation

Staff recommends closing the public hearing and placing the item on the August 26, 2013 regular meeting for consideration.

Attachments

- Ordinance
- Service and Assessment Plan

Submitted by:

Aretha Adams, Assistant City Manager

ORDINANCE NO. _____

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

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

WHEREAS, on August 12, 2013 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 12th day of August, 2013, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

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

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

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

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

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

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

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.0000 per \$100 of valuation through the assessment established for 2013/2014; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.0000 per \$100 of valuation.

SECTION 5 - ASSESSMENT LEVY: That for 2013/2014 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 26th day of August, 2013.

APPROVED:

MARCUS E. KNIGHT, MAYOR

ATTEST:

DOLLE K. DOWNE, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY

EXHIBIT “A”
SERVICE AND ASSESSMENT PLAN

Lancaster Mills PID Proposed Service and Assessment Plan

Service Plan

Item	Budget For FY Ending Sept. 30, 2014				
	2014	2014	2015	2016	2017
Administrative services					
Management fees	\$0	\$0	\$14,000	\$15,500	\$15,965
Professional fees	\$0	\$0	\$3,500	\$3,500	\$3,605
Supplies	\$0	\$0	\$1,000	\$1,100	\$1,133
Insurance	\$0	\$0	\$3,200	\$3,600	\$3,708
Taxes	\$0	\$0	\$200	\$200	\$206
Miscellaneous	\$0	\$0	\$1,400	\$1,500	\$1,545
Landscaping					
General maintenance	\$0	\$0	\$25,000	\$27,000	\$27,810
Utilities	\$0	\$0	\$18,000	\$19,000	\$19,570
Irrigation maintenance and repair	\$0	\$0	\$600	\$700	\$721
Service plan total budget	\$0	\$0	\$66,900	\$72,100	\$74,263

Assessment Plan

	For Tax Year Based on Appraisals as of August 1, 2013				
	2014	2014	2016	2017	2018
Lots with completed homes	0	0	30	100	200
Est. mean appraised market value per home	N.A.	\$162,000	\$166,860	\$171,866	\$177,022
Market appraisal	\$0	\$0	\$5,005,800	\$17,186,580	\$35,404,355
Assessment rate per \$100 of market	N.A.	N.A.	\$0.2900	\$0.2500	\$0.2000
Assessment	N.A.	\$0	\$14,517	\$42,966	\$70,809
<i>Estimated mean assessment per home</i>	N.A.	N.A.	\$484	\$430	\$354
Lots without completed home	297	297	267	197	97
Est. mean appraised market value per lot	N.A.	\$25,000	\$25,750	\$26,523	\$27,318
Market appraisal (DCAD actual for 2012)	\$1,092,240	#REF!	\$6,875,250	\$5,224,933	\$2,649,863
Assessment rate per \$100 of market	N.A.	\$0	\$0.8000	\$0.7000	\$0.2500
Assessment	N.A.	#REF!	\$55,002	\$36,575	\$6,625
<i>Estimated mean assessment per lot</i>	N.A.	#REF!	\$206	\$186	N.A.
Common areas or parks					
Assessment rate per \$100 of market	\$0.0000	\$0.0000	\$0.0000	\$0.0000	\$0.0000
Assessment	\$0	\$0	\$0	\$0	\$0
Total assessments and installments this FY	N.A.	#REF!	\$69,519	\$79,541	\$77,433
Estimated collection factor	98%	98%	98%	98%	98%
Collected assessments	N.A.	#REF!	\$68,128	\$77,950	\$75,885
Plus reserve carried forward	\$0	\$0	#REF!	#REF!	#REF!
Total available funds	\$0	#REF!	#REF!	#REF!	#REF!
Less service plan total budget	\$0	\$0	\$66,900	\$72,100	\$74,263
Reserve carried to next year	\$0	#REF!	#REF!	#REF!	#REF!

LANCASTER CITY COUNCIL

Agenda Communication

August 12, 2013

Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Tribute at Mills Branch and Tribute East at Mills Branch Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.

This request supports the City Council 2013-2014 Policy Agenda.

Goal: Healthy, Safe, and Vibrant Neighborhoods

Background

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

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

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

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

Considerations

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained.
- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and the ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2012/2013 proposed service plan budget is \$22,414.49 and assessments are proposed at \$0.3600 (lots with homes) per one hundred dollars assessed valuation and \$0.8000 (lots without homes) per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 28, 2013 as required by Local Government Code Chapter 372.

Options/Alternatives

1. Close the public hearing and place the item on the August 26, 2013 regular meeting for consideration.
2. Continue the public hearing to the August 26, 2013 regular meeting.

Recommendation

Staff recommends closing the public hearing and placing the item on the August 26, 2013 regular meeting for consideration.

Attachments

- Ordinance
- Service and Assessment Plan

Submitted by:

Aretha Adams, Assistant City Manager

ORDINANCE NO. _____

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

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

WHEREAS, on August 12, 2013 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 12th day of August, 2013, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

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

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

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

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

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

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.3600 (lots with homes) per \$100 of assessed valuation and \$0.8000 (lots without homes) per \$100 assessed valuation through the assessment established for 2013/2014; 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 2013/2014 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 26th day of August, 2013.

APPROVED:

MARCUS E. KNIGHT, MAYOR

ATTEST:

DOLLE K. DOWNE, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY

EXHIBIT “A”
SERVICE AND ASSESSMENT PLAN



**City of Lancaster Tribute MB Subdivision Five Year Service Plan
FY 2013-2014**



Budget Year	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget	2019 Budget
Total Value	\$3,374,410.00					
Number of Lots	181					
PID UB Rebate	6,118					
Assessment Rate (per \$100 valuation)	\$ 16,296.6400					
Total Association Assessments	\$ 22,414.49	\$ -	\$ -	\$ -	\$ -	\$ -
Previous Year Balance						
Total Tribute MB Income	\$ 22,414.49	\$ -	\$ -	\$ -	\$ -	\$ -
Administrative Expenses						
Administrative	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Meetings	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Office Supplies	\$ 300.00	\$ 309.00	\$ 318.00	\$ 328.00	\$ 338.00	\$ 338.00
Postage and Delivery (Copies/scans)	\$ 300.00	\$ 309.00	\$ 318.00	\$ 328.00	\$ 338.00	\$ 338.00
Printing & Reproduction	\$ 40.00	\$ 41.00	\$ 42.00	\$ 44.00	\$ 45.00	\$ 45.00
Community Mailings	\$ 80.00	\$ 82.00	\$ 85.00	\$ 87.00	\$ 90.00	\$ 90.00
Miscellaneous	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
Total Administrative Expense	\$ 820.00	\$ 841.00	\$ 863.00	\$ 887.00	\$ 911.00	\$ 911.00
Maintenance and Repair						
Electrical Repair						
Fence/Wall/Monument Repair						
Irrigation Repair						
Landscaping Improvements/Repairs	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Landscape Maintenance Contract	\$ 11,650.00	\$ 15,825.00	\$ 15,825.00	\$ 15,825.00	\$ 15,825.00	\$ 15,825.00
Trash/Debris Removal						
Total Maintenance Repair	\$ 11,650.00	\$ 15,825.00	\$ 15,825.00	\$ 15,825.00	\$ 15,825.00	\$ 15,825.00
Utilities						
Electric	\$ 1,000.00	\$ 1,015.00	\$ 1,030.00	\$ 1,045.00	\$ 1,061.00	\$ 1,061.00
Water	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Utilities	\$ 1,000.00	\$ 1,015.00	\$ 1,030.00	\$ 1,045.00	\$ 1,061.00	\$ 1,061.00
Professional Fees						
Accounting/Audit / Property Tax	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
Management Fees	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00
Total Professional Fees	\$ 6,300.00	\$ 6,300.00	\$ 6,300.00	\$ 6,300.00	\$ 6,300.00	\$ 6,300.00
Insurance						
Property/Liability/ Umbrella/Crime	\$ 1,949.00	\$ 2,007.00	\$ 2,067.00	\$ 2,129.00	\$ 2,193.00	\$ 2,193.00
D & O	\$ 695.00	\$ 705.00	\$ 716.00	\$ 727.00	\$ 738.00	\$ 738.00
Total Insurance	\$ 2,644.00	\$ 2,712.00	\$ 2,783.00	\$ 2,856.00	\$ 2,931.00	\$ 2,931.00
Total Tribute MB Expense	\$ 22,414.00	\$ 26,693.00	\$ 26,801.00	\$ 26,913.00	\$ 27,028.00	\$ 27,028.00
Total Association Net Income/(Loss)	\$ 0.49	\$ (26,693.00)	\$ (26,801.00)	\$ (26,913.00)	\$ (27,028.00)	\$ (27,028.00)

LANCASTER CITY COUNCIL

Agenda Communication

August 12, 2013

Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Beltline Ashmoore Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.

This request supports the City Council 2012-2013 Policy Agenda.

Goal: Healthy, Safe, and Vibrant Neighborhoods

Background

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

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

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

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

Considerations

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

- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and the ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2013/2014 proposed service plan budget is \$16,604.00 and assessments are proposed at \$0.1500 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 28, 2013 as required by Local Government Code Chapter 372.

Options/Alternatives

1. Close the public hearing and place the item on the August 26, 2013 regular meeting for consideration.
2. Continue the public hearing to the August 26, 2013 regular meeting.

Recommendation

Staff recommends closing the public hearing and placing the item on the August 26, 2013 regular meeting for consideration.

Attachments

- Ordinance
 - Service and Assessment Plan
-

Submitted by:

Aretha Adams, Assistant City Manager

ORDINANCE NO. _____

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

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

WHEREAS, on August 12, 2013 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 12th day of August, 2013, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

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

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

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

SECTION 3 - RECORD FINAL ASSESSMENT ONTO TAX ROLL: That the City Manager and his designated representatives are hereby authorized and directed to

carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

SECTION 4 – PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS:

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

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.1500 per \$100 of valuation through the assessment established for 2013/2014; 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 2013/2014 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 26th day of August, 2013.

APPROVED:

MARCUS E. KNIGHT, MAYOR

ATTEST:

DOLLE K. DOWNE, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY

EXHIBIT “A”
SERVICE AND ASSESSMENT PLAN

Beltline Ashmoore Estates Public Improvement District Service and Assessment Plan					
	2013 - 2014	2014 - 2015	2015 - 2016	2016 - 2017	2017-2018
Rate per \$100.00	\$ 0.15	\$ 0.15	\$ 0.15	\$ 0.15	\$ 0.15
Revenues					
Assessments	\$ 16,604.00	\$ 16,604.00	\$ 16,604.00	\$ 16,604.00	\$ 16,604.00
Less: Bad Debts					
Working Capital Assessments					
Income Totals	\$ 16,604.00	\$ 16,604.00	\$ 16,604.00	\$ 16,604.00	\$ 16,604.00
Expenses/Administration					
Tax Return	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00	\$ 100.00
Legal Fees	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Newsletter	\$ 175.00	\$ 175.00	\$ 175.00	\$ 175.00	\$ 175.00
Copies	\$ 175.00	\$ 175.00	\$ 175.00	\$ 175.00	\$ 175.00
Web Hosting	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
Postage	\$ 179.00	\$ 179.00	\$ 179.00	\$ 179.00	\$ 179.00
Post Office Box	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00	\$ 60.00
Supplies	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
Meeting Expenses	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
Admininstration Totals	\$ 1,989.00	\$ 1,989.00	\$ 1,989.00	\$ 1,989.00	\$ 1,989.00
Taxes and Insurance					
Income Taxes	\$ -	\$ -	\$ -	\$ -	\$ -
Property Tax	\$ -	\$ -	\$ -	\$ -	\$ -
Property & Liability	\$ 1,290.00	\$ 1,290.00	\$ 1,290.00	\$ 1,290.00	\$ 1,290.00
Directors & Officers	\$ 900.00	\$ 900.00	\$ 900.00	\$ 900.00	\$ 900.00
Taxes and Insurance Totals	\$ 2,190.00	\$ 2,190.00	\$ 2,190.00	\$ 2,190.00	\$ 2,190.00
Landscaping					
Landscaping Contract	\$ 4,260.00	\$ 4,260.00	\$ 4,260.00	\$ 4,260.00	\$ 4,260.00
Irrigation Repairs	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
Landscaping Totals	\$ 6,760.00	\$ 6,760.00	\$ 6,760.00	\$ 6,760.00	\$ 6,760.00
Common Area Repairs					
Light/Misc Repairs					
Brick Wall Repairs	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Common Area Repairs Totals	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Utilities					
Electric	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00	\$ 1,500.00
Water	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00	\$ 1,200.00
Utilities Totals	\$ 2,700.00	\$ 2,700.00	\$ 2,700.00	\$ 2,700.00	\$ 2,700.00
Neighborhood Committee Events					
Beautification Committee	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Special Events	\$ 965.00	\$ 965.00	\$ 965.00	\$ 965.00	\$ 965.00
Neighborhood Committee Events Tot	\$ 1,965.00	\$ 1,965.00	\$ 1,965.00	\$ 1,965.00	\$ 1,965.00
Total Expenses	\$ 16,604.00	\$ 16,604.00	\$ 16,604.00	\$ 16,604.00	\$ 16,604.00
Cash short/extra	\$0.00				

LANCASTER CITY COUNCIL

Agenda Communication

August 12, 2013

Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Glendover Estates Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.

This request supports the City Council 2013-2014 Policy Agenda.

Goal: Healthy, Safe, and Vibrant Neighborhoods

Background

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

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

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

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

Considerations

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

- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and the ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2013/2014 proposed service plan budget is \$41,436.75 and assessments are proposed at \$0.2500 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 28, 2013 as required by Local Government Code Chapter 372.

Options/Alternatives

1. Close the public hearing and place the item on the August 26, 2013 regular meeting for consideration.
2. Continue the public hearing to the August 26, 2013 regular meeting.

Recommendation

Staff recommends closing the public hearing and placing the item on the August 26, 2013 regular meeting for consideration.

Attachments

- Ordinance
 - Service and Assessment Plan
-

Submitted by:

Aretha Adams, Assistant City Manager

ORDINANCE NO. _____

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

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

WHEREAS, on August 12, 2013 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 12th day of August, 2013, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

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

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

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

SECTION 3 - RECORD FINAL ASSESSMENT ONTO TAX ROLL: That the City Manager and his designated representatives are hereby authorized and directed to

carry out the terms and provisions of this ordinance by causing the costs outlined in the final assessment roll to be recorded in the Tax Roll, the names of the property owners and in the amounts shown on said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

SECTION 4 – PROPERTY CLASSIFICATION AND APPORTIONMENT FORMULAS:

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

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.2500 per \$100 of valuation through the assessment established for 2013/2014; 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 2012/2013 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 26th day of August, 2013.

APPROVED:

MARCUS E. KNIGHT, MAYOR

ATTEST:

DOLLE K. DOWNE, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY

EXHIBIT “A”
SERVICE AND ASSESSMENT PLAN



Budget Year	2012 Budget	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget
Total Value	\$10,592,171.00	\$10,341,420.00	\$10,174,700.00				
Tax Rebate Rollover	\$7,982.00	\$2,491.00	\$0.00				
PY Surplus (unspent PID funds)	\$5,548.00		\$16,000.00	\$10,000.00	\$4,000.00		
Number of Lots	82	82	82				
Assessment Rate (per \$100 valuation)	\$ 0.2200	\$ 0.2500	\$ 0.2500				
Total Association Assessments	\$ 36,832.78	\$ 28,344.55	\$ 41,436.75	\$ -	\$ -	\$ -	
Previous Year Balance	\$ -	\$ 19.52					
Total Glendover Income	\$ 36,832.78	\$ 28,364.07	\$ 41,436.75	\$ -	\$ -	\$ -	
Administrative Expenses							
Administrative	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Meetings (includes some misc)	\$ 250.00		\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
Office Supplies (Copies/Scans inc)	\$ 525.00	\$ 705.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Postage and Delivery	\$ 105.00	\$ 525.00	\$ 300.00	\$ 309.00	\$ 318.00	\$ 327.00	\$ 337.00
Printing & Reproduction	\$ 180.00	\$ 80.00	\$ 100.00	\$ 112.00	\$ 115.00	\$ 119.00	\$ 123.00
Other Activities		\$ 211.00	\$ 100.00	\$ 112.00	\$ 115.00	\$ 119.00	\$ 123.00
Storage	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00
Total Administrative Expense	\$ 1,740.00	\$ 2,201.00	\$ 1,930.00	\$ 1,963.00	\$ 1,978.00	\$ 1,995.00	\$ 2,013.00
Maintenance and Repair							
Electrical Repair	\$ 300.00		\$ 500.00	\$ -	\$ -	\$ -	\$ -
Fence/Wall/Monument Repair	\$ 5,031.26		\$ 5,830.00	\$ 2,500.00	\$ -	\$ -	\$ -
Landscape Repair & Replacement	\$ 1,000.00			\$ -	\$ -	\$ -	\$ -
Irrigation Repair	\$ 2,500.00	\$ 1,193.00	\$ 1,000.00	\$ 1,030.00	\$ 1,061.00	\$ 1,093.00	\$ 1,125.00
Landscaping Improvements	\$ 200.00	\$ 256.00	\$ 6,700.00	\$ -	\$ -	\$ -	\$ -
Landscape Maintenance Contract	\$ 10,875.00	\$ 11,700.00	\$ 11,775.00	\$ 11,775.00	\$ 11,775.00	\$ 11,775.00	\$ 11,775.00
Common Area Mows	\$ 2,271.00						
Total Maintenance Repair	\$ 22,177.26	\$ 13,149.00	\$ 25,805.00	\$ 15,305.00	\$ 12,836.00	\$ 12,868.00	
Utilities							
Electric	\$ 900.00	\$ 900.00	\$ 750.00	\$ 772.00	\$ 795.00	\$ 819.00	\$ 844.00
Water	\$ 2,925.00	\$ 2,925.00	\$ 3,500.00	\$ 3,605.00	\$ 3,713.00	\$ 3,825.00	\$ 3,939.00
Total Utilities	\$ 3,825.00	\$ 3,825.00	\$ 4,250.00	\$ 4,377.00	\$ 4,508.00	\$ 4,644.00	\$ 4,783.00
Professional Fees							
Accounting/Audit / Property Tax	\$ 300.00	\$ 310.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
Management Fees	\$ 6,900.00	\$ 6,900.00	\$ 6,900.00	\$ 6,900.00	\$ 6,900.00	\$ 6,900.00	\$ 6,900.00
Total Professional Fees	\$ 7,200.00	\$ 7,210.00	\$ 7,200.00	\$ 7,200.00	\$ 7,200.00	\$ 7,200.00	\$ 7,200.00
Insurance							
Property/Liability / D&O	\$ 1,871.00	\$ 1,960.00	\$ 2,006.00	\$ 2,066.00	\$ 2,128.00	\$ 2,192.00	\$ 2,258.00
Total Insurance	\$ 1,871.00	\$ 1,960.00	\$ 2,006.00	\$ 2,066.00	\$ 2,128.00	\$ 2,192.00	\$ 2,258.00
Total Glendover Expense	\$ 36,813.26	\$ 28,345.00	\$ 41,191.00	\$ 30,911.00	\$ 28,650.00	\$ 28,899.00	\$ 16,254.00
Total Association Net Income/(Loss)	\$ 19.52	\$ 19.07	\$ 245.75	\$(30,911.00)	\$(28,650.00)	\$(28,899.00)	\$(16,254.00)

LANCASTER CITY COUNCIL

Agenda Communication

August 12, 2013

Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Rolling Meadows Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.

This request supports the City Council 2012-2013 Policy Agenda.

Goal: Healthy, Safe, and Vibrant Neighborhoods

Background

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

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

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

The Rolling Meadows PID is proposing an annual assessment of \$0.2150 per \$100 assessed value.

Considerations

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

- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and the ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2013/2014 proposed service plan budget is \$44,239.10 and assessments are proposed at \$0.2150 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 28, 2013 as required by Local Government Code Chapter 372.

Options/Alternatives

1. Close the public hearing and place the item on the August 26, 2013 regular meeting for consideration.
2. Continue the public hearing to the August 26, 2013 regular meeting.

Recommendation

Staff recommends closing the public hearing and placing the item on the August 26, 2013 regular meeting for consideration.

Attachments

- Ordinance
- Service and Assessment Plan

Submitted by:

Aretha Adams, Assistant City Manager

ORDINANCE NO. _____

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

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

WHEREAS, on August 12, 2013 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 12th day of August, 2013, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

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

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

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

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

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

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

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.2150 per \$100 of valuation through the assessment established for 2013/2014; 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 2013/2014 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 26th day of August, 2013.

APPROVED:

MARCUS E. KNIGHT, MAYOR

ATTEST:

DOLLE K. DOWNE, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY

EXHIBIT “A”
SERVICE AND ASSESSMENT PLAN



**City of Lancaster Rolling Meadows Subdivision Five Year Service Plan
FY 2013-2014**



Budget Year	2012 Budget	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget
Total Value	\$14,799,999.00	\$14,351,730.00	\$13,762,370.00				
Funds 'carryover' - Retained Earnings		\$1,500.00	\$14,650.00				
Number of Lots	148	148	148				
Assessment Rate (per \$100 valuation)	\$ 0.2300	\$ 0.2300	\$ 0.2150				
Total Association Assessments	\$ 34,040.00	\$ 34,508.98	\$ 44,239.10	\$ -	\$ -	\$ -	
Previous Year Balance	\$ -	\$ 184.60					
Total Rolling Meadows Income	\$ 34,040.00	\$ 34,693.58	\$ 44,239.10	\$ -	\$ -	\$ -	
Administrative Expenses							
Administrative (Legal)	\$ 500.00	\$ 1,236.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Meetings & Social & Newsletter	\$ 585.00	\$ 625.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Office Supplies (copies/scans inc)			\$ -	\$ -	\$ -	\$ -	\$ -
Postage and Delivery	\$ 378.00	\$ 750.00	\$ 500.00	\$ 515.00	\$ 530.00	\$ 546.00	\$ 563.00
Printing & Reproduction		\$ 40.00	\$ 100.00	\$ 103.00	\$ 106.00	\$ 109.00	\$ 113.00
Other Activities (community website)	\$ 410.00	\$ 970.00	\$ -	\$ -	\$ -	\$ -	\$ -
Storage	\$ 415.00	\$ 420.00	\$ 420.00	\$ 420.00	\$ 420.00	\$ 420.00	\$ 420.00
Total Administrative Expense	\$ 2,288.00	\$ 4,041.00	\$ 3,020.00	\$ 3,038.00	\$ 3,056.00	\$ 3,075.00	\$ 3,096.00
Maintenance and Repair							
Pest Control	\$ 302.40	\$ 304.00	\$ 304.00	\$ 304.00	\$ 304.00	\$ 304.00	\$ 304.00
Electrical Repair	\$ 475.00	\$ 750.00	\$ 3,830.00	\$ 750.00	\$ 750.00	\$ 750.00	\$ 750.00
Community Improvement Projects	\$ 3,600.00	\$ 3,706.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
Irrigation Repair	\$ 900.00	\$ 1,500.00	\$ 2,000.00	\$ 2,060.00	\$ 2,121.00	\$ 2,185.00	\$ 2,251.00
Landscaping Other	\$ 1,525.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Landscape Maintenance Contract	\$ 7,800.00	\$ 8,034.00	\$ 8,304.00	\$ 8,304.00	\$ 8,304.00	\$ 8,304.00	\$ 8,304.00
Total Maintenance Repair	\$ 14,602.40	\$ 15,294.00	\$ 25,438.00	\$ 22,418.00	\$ 22,479.00	\$ 22,543.00	\$ 22,609.00
Utilities							

Electric	\$ 2,400.00	\$ 1,533.00	\$ 2,000.00	\$ 2,060.00	\$ 2,121.00	\$ 2,185.00	\$ 2,251.00
Water	\$ 3,340.00	\$ 3,276.00	\$ 3,276.00	\$ 3,374.00	\$ 3,475.00	\$ 3,579.00	\$ 3,687.00
Total Utilities	\$ 5,740.00	\$ 4,809.00	\$ 5,276.00	\$ 5,434.00	\$ 5,596.00	\$ 5,764.00	\$ 5,938.00
Professional Fees							
Accounting/Audit	\$ 125.00	\$ 125.00	\$ 125.00	\$ 125.00	\$ 125.00	\$ 125.00	\$ 125.00
Management Fees	\$ 7,800.00	\$ 7,800.00	\$ 7,800.00	\$ 7,800.00	\$ 7,800.00	\$ 7,800.00	\$ 7,800.00
Total Professional Fees	\$ 7,925.00	\$ 7,925.00	\$ 7,925.00	\$ 7,925.00	\$ 7,925.00	\$ 7,925.00	\$ 7,925.00
Insurance							
Property/Liability	\$ 2,300.00	\$ 1,364.00	\$ 1,497.00	\$ 1,541.00	\$ 1,588.00	\$ 1,635.00	\$ 1,684.00
D & O	\$ 1,000.00	\$ 1,076.00	\$ 1,076.00	\$ 1,108.00	\$ 1,141.00	\$ 1,175.00	\$ 1,211.00
Total Insurance	\$ 3,300.00	\$ 2,440.00	\$ 2,573.00	\$ 2,649.00	\$ 2,729.00	\$ 2,810.00	\$ 2,895.00
Total Rolling Meadows Expense	\$ 33,855.40	\$ 34,509.00	\$ 44,232.00	\$ 41,464.00	\$ 41,785.00	\$ 42,117.00	\$ 42,463.00
Total Association Net Income/(Loss)	\$ 184.60	\$ 184.58	\$ 7.10	#####	#####	#####	#####

LANCASTER CITY COUNCIL

Agenda Communication

August 12, 2013

Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Millbrook East Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.

This request supports the City Council 2013-2014 Policy Agenda.

Goal: Healthy, Safe, and Vibrant Neighborhoods

Background

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

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

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

The Millbrook East PID is proposing an annual assessment of \$0.2200 per \$100 assessed value.

Considerations

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained.
- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and the ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2013/2014 proposed service plan budget is \$50,590.45 and assessments are proposed at \$0.2200 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 28, 2013 as required by Local Government Code Chapter 372.

Options/Alternatives

1. Close the public hearing and place the item on the August 26, 2013 regular meeting for consideration.
2. Continue the public hearing to the August 26, 2013 regular meeting.

Recommendation

Staff recommends closing the public hearing and placing the item on the August 26, 2013 regular meeting for consideration.

Attachments

- Ordinance
 - Service and Assessment Plan
-

Submitted by:

Aretha Adams, Assistant City Manager

ORDINANCE NO.

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

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

WHEREAS, on August 12, 2013 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 12th day of August 2013, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

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

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

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

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

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

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

- (a) **All residential lots**, for these lots the assessment shall not exceed \$0.22 per \$100 of assessed valuation through the assessment established for 2013/2014; 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 2013/2014 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 26th day of August 2013.

APPROVED:

MARCUS E. KNIGHT, MAYOR

ATTEST:

DOLLE K. DOWNE, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY

EXHIBIT “A”
SERVICE AND ASSESSMENT PLAN

**City of Lancaster Millbrook East Subdivision Five Year Service Plan
FY 2013-2014**



Budget Year	2012 Budget	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget
Total Value	\$27,506,020.00	\$22,770,810.00	\$22,995,660.00				
Number of Lots	323	323	323				
Assessment Rate (per \$100 valuation)	\$ 0.2653	\$ 0.2300	\$ 0.2200				
Total Association Assessments	\$ 72,973.47	\$ 52,372.86	\$ 50,590.45	\$ -	\$ -	\$ -	
Previous Year Balance	\$ -	\$ (0.53)	\$ 1,406.33				
Total Millbrook East Income	\$ 72,973.47	\$ 52,372.33	\$ 51,996.79	\$ -	\$ -	\$ -	
Administrative Expenses							
Administrative / Community Mailings	\$ 5,000.00		\$ 300.00	\$ 309.00	\$ 318.00	\$ 327.00	\$ 337.00
Meetings	\$ 250.00		\$ -	\$ -	\$ -	\$ -	\$ -
Office Supplies & Copies	\$ 500.00	\$ 950.00	\$ 600.00	\$ 603.00	\$ 621.00	\$ 639.00	\$ 658.00
Postage and Delivery	\$ 700.00	\$ 1,600.00	\$ 300.00	\$ 309.00	\$ 318.00	\$ 327.00	\$ 337.00
Printing & Reproduction	\$ 700.00	\$ 160.00	\$ 75.00	\$ 77.00	\$ 79.00	\$ 82.00	\$ 84.00
Other Activities / Legal	\$ 250.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Storage	\$ 300.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00
Total Administrative Expense	\$ 7,700.00	\$ 3,390.00	\$ 1,955.00	\$ 1,978.00	\$ 2,016.00	\$ 2,055.00	\$ 2,096.00
Maintenance and Repair							
Initial Repairs and Upgrades	\$ 10,000.00	\$ 8,659.00	\$ -	\$ -	\$ -	\$ -	\$ -
Electrical Repair	\$ 250.00	\$ 300.00	\$ 10,000.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
Fence/Wall/Monument Repair	\$ 1,500.00	\$ 1,000.00					
Compliance	\$ 8,700.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Irrigation Repair	\$ 1,000.00	\$ -	\$ 1,500.00	\$ 1,545.00	\$ 1,591.00	\$ 1,639.00	\$ 1,688.00
Landscaping (General Maint/Other)	\$ 1,000.00	\$ -	\$ 1,310.00	\$ 679.00	\$ 700.00	\$ 721.00	\$ 742.00
Landscape Maintenance Contract	\$ 15,200.00	\$ 15,000.00	\$ 16,032.00	\$ 16,032.00	\$ 16,032.00	\$ 16,032.00	\$ 16,032.00
Trash/Debris Removal	\$ 150.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Maintenance Repair	\$ 37,800.00	\$ 24,959.00	\$ 28,842.00	\$ 18,556.00	\$ 18,623.00	\$ 18,692.00	\$ 18,762.00
Utilities							
Electric	\$ 600.00	\$ 600.00	\$ 450.00	\$ 464.00	\$ 477.00	\$ 492.00	\$ 506.00
Water	\$ 9,000.00	\$ 9,000.00	\$ 7,000.00	\$ 7,210.00	\$ 7,426.00	\$ 7,649.00	\$ 7,878.00
Total Utilities	\$ 9,600.00	\$ 9,600.00	\$ 7,450.00	\$ 7,674.00	\$ 7,903.00	\$ 8,141.00	\$ 8,384.00
Professional Fees							
Accounting/Audit	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
Management Fees	\$ 13,500.00	\$ 9,600.00	\$ 9,600.00	\$ 9,600.00	\$ 9,600.00	\$ 9,600.00	\$ 9,600.00
Total Professional Fees	\$ 13,800.00	\$ 9,900.00	\$ 9,900.00	\$ 9,900.00	\$ 9,900.00	\$ 9,900.00	\$ 9,900.00
Insurance							
Property/Liability	\$ 2,000.00	\$ 1,500.00	\$ 2,055.00				
D & O	\$ 2,074.00	\$ 1,617.00	\$ 1,494.00				
Total Insurance	\$ 4,074.00	\$ 3,117.00	\$ 3,549.00	\$ -	\$ -	\$ -	
Total Millbrook East Expense	\$ 72,974.00	\$ 50,966.00	\$ 51,696.00	\$ 38,108.00	\$ 38,442.00	\$ 38,788.00	\$ 39,142.00
Total Association Net Income/(Loss)	\$ (0.53)	\$ 1,406.33	\$ 300.79	\$ (38,108.00)	\$ (38,442.00)	\$ (38,788.00)	\$ (39,142.00)

LANCASTER CITY COUNCIL

Agenda Communication

August 12, 2013

Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Boardwalk Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.

This request supports the City Council 2013-2014 Policy Agenda.

Goal: Healthy, Safe, and Vibrant Neighborhoods

Background

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

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

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

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

Considerations

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

- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and the ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2013/2014 proposed service plan budget is \$73,730.25 and assessments are proposed at \$0.2400 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 28, 2013 as required by Local Government Code Chapter 372.

Options/Alternatives

1. Close the public hearing and place the item on the August 26, 2013 regular meeting for consideration.
2. Continue the public hearing to the August 26, 2013 regular meeting.

Recommendation

Staff recommends closing the public hearing and placing the item on the August 26, 2013 regular meeting for consideration.

Attachments

- Ordinance
 - Service and Assessment Plan
-

Submitted by:

Aretha Adams, Assistant City Manager

ORDINANCE NO.

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

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

WHEREAS, on August 12, 2013 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 12th day of August, 2013, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

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

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

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

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

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

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

- (a) **All residential lots**, for these lots the assessment shall not exceed \$0.2400 per \$100 of valuation through the assessment established for 2013/2014; 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 2013/2014 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 26th day of August, 2013.

APPROVED:

MARCUS E. KNIGHT, MAYOR

ATTEST:

DOLLE K. DOWNE, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY

EXHIBIT “A”
SERVICE AND ASSESSMENT PLAN



City of Lancaster - Boardwalk Subdivision Five Year Service Plan
FY 2013-2014



Budget Year	2012 Budget	2013 Budget	2014 Budget	2015 Budget	2016 Budget	2017 Budget	2018 Budget
Total Value	\$29,592,000.00	\$28,367,810.00	\$28,995,940.00				
Number of Lots	323	323	323				
PY Retained Earnings			\$4,140.00				
Assessment Rate (per \$100 valuation)	\$ 0.2760	\$ 0.2500	\$ 0.2400				
Total Association Assessments	\$ 81,673.92	\$ 70,919.53	\$ 73,730.26	\$ -	\$ -	\$ -	
Previous Year Balance	\$ -	\$ (0.08)	\$ (0.00)				
Total Boardwalk Income	\$ 81,673.92	\$ 70,919.45	\$ 73,730.25	\$ -	\$ -	\$ -	
Administrative Expenses							
Administrative	\$ 5,900.00	\$ 5,900.00	\$ -	\$ -	\$ -	\$ -	
Meetings	\$ 250.00	\$ 100.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00	\$ 250.00
Office Supplies (and copies, scans)	\$ 500.00	\$ 720.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
Postage & Delivery (comm mailings)	\$ 700.00	\$ 1,152.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
Printing & Reproduction	\$ 700.00	\$ 160.00	\$ 160.00	\$ 164.00	\$ 169.00	\$ 174.00	\$ 180.00
Other Activities / Legal	\$ 250.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
Storage	\$ 300.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00	\$ 180.00
Total Administrative Expense	\$ 8,600.00	\$ 8,712.00	\$ 1,690.00	\$ 1,694.00	\$ 1,699.00	\$ 1,704.00	\$ 1,710.00
Maintenance and Repair							
Initial Repairs and Upgrades	\$ 15,000.00		\$ -	\$ -	\$ -	\$ -	\$ -
Electrical Repair & Upgrades	\$ 250.00	\$ 634.00	\$ 12,000.00	\$ 634.00	\$ 634.00	\$ 634.00	\$ 634.00
Fence/Wall/Monument Repair	\$ 1,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
Compliance	\$ 11,500.00	\$ 11,500.00	\$ -	\$ -	\$ -	\$ -	\$ -
Irrigation Repair	\$ 1,000.00	\$ 2,500.00	\$ 1,500.00	\$ 1,545.00	\$ 1,591.00	\$ 1,639.00	\$ 1,688.00
Landscaping (General Maint/Other)	\$ 1,000.00	\$ 9,846.45	\$ 1,500.00	\$ 1,545.00	\$ 1,591.00	\$ 1,639.00	\$ 1,688.00
Landscape Maintenance Contract	\$ 15,200.00	\$ 15,485.00	\$ 15,630.00	\$ 15,630.00	\$ 15,630.00	\$ 15,630.00	
Trash/Debris Removal	\$ 150.00	\$ 500.00	\$ -	\$ -	\$ -	\$ -	\$ -
Total Maintenance Repair	\$ 45,600.00	\$ 42,965.45	\$ 33,130.00	\$ 21,854.00	\$ 21,946.00	\$ 22,042.00	\$ 6,510.00
Utilities							
Electric	\$ 600.00	\$ 600.00	\$ 450.00	\$ 463.00	\$ 477.00	\$ 492.00	\$ 506.00
Water	\$ 9,000.00	\$ 4,000.00	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00
Total Utilities	\$ 9,600.00	\$ 4,600.00	\$ 12,450.00	\$ 12,463.00	\$ 12,477.00	\$ 12,492.00	\$ 12,506.00
Professional Fees							
Accounting/Audit (Tax Svcs CPA)	\$ 300.00	\$ 300.00	\$ -	\$ -	\$ -	\$ -	\$ -
Management Fees	\$ 13,500.00	\$ 11,229.00	\$ 10,200.00	\$ 10,200.00	\$ 10,200.00	\$ 10,200.00	\$ 10,200.00
Other Professional fees			\$ 13,132.25				
Total Professional Fees	\$ 13,800.00	\$ 11,529.00	\$ 23,332.25	\$ 10,200.00	\$ 10,200.00	\$ 10,200.00	\$ 10,200.00
Insurance							
Property/Liability	\$ 2,000.00	\$ 1,663.00	\$ 1,769.00	\$ 1,822.00	\$ 1,876.00	\$ 1,933.00	\$ 1,991.00
D & O	\$ 2,074.00	\$ 1,450.00	\$ 1,359.00	\$ 1,399.00	\$ 1,441.00	\$ 1,485.00	\$ 1,529.00
Total Insurance	\$ 4,074.00	\$ 3,113.00	\$ 3,128.00	\$ 3,221.00	\$ 3,317.00	\$ 3,418.00	\$ 3,520.00
Total Boardwalk Expense	\$ 81,674.00	\$ 70,919.45	\$ 73,730.25	\$ 49,432.00	\$ 49,639.00	\$ 49,856.00	\$ 34,446.00
tal Association Net Income/(Loss)	\$ (0.08)	\$ (0.00)	\$ 0.00	\$ (49,432.00)	\$ (49,639.00)	\$ (49,856.00)	\$ (34,446.00)

LANCASTER CITY COUNCIL

Agenda Communication

August 12, 2013

Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Meadowview Public Improvement District, providing for: findings of benefits accrued, accepting five year service plan, recording final assessment onto tax roll, setting the assessment levy, establishing a method of payment, assessment due, and providing clauses for conflict, severability and an effective date.

This request supports the City Council 2013-2014 Policy Agenda.

Goal: Healthy, Safe, and Vibrant Neighborhoods

Background

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

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

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

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

Considerations

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained.
- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and the ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2013/2014 proposed service plan budget is \$71,213.51 and assessments are proposed at \$0.1000 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record on July 28, 2013 as required by Local Government Code Chapter 372.

Options/Alternatives

1. Close the public hearing and place the item on the August 26, 2013 regular meeting for consideration.
2. Continue the public hearing to the August 26, 2013 regular meeting.

Recommendation

Staff recommends closing the public hearing and placing the item on the August 26, 2013 regular meeting for consideration.

Attachments

- Ordinance
 - Service and Assessment Plan
-

Submitted by:

Aretha Adams, Assistant City Manager

ORDINANCE NO.

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

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

WHEREAS, on August 12, 2013 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 12th day of August, 2013, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

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

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

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

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

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

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

- (a) **Residential lots**, for these lots the assessment shall not exceed \$0.1000 per \$100 of valuation through the assessment established for 2013/2014; 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 2013/2014 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 26th day of August, 2013.

APPROVED:

MARCUS E. KNIGHT, MAYOR

ATTEST:

DOLLE K. DOWNE, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY

EXHIBIT “A”
SERVICE AND ASSESSMENT PLAN

Meadowview PID FUND 62		2014		2015		2016		2017		2018	
Draft Prepared Meadowview PID Board Meeting of 5 July 2013		\$	74,180,740.00		74000000		74000000		74000000		74000000
			96%		96%		96%		96%		96%
		\$	71,213.51	\$	71,040.00	\$	71,040.00	\$	71,040.00	\$	71,040.00
201 OFFICE SUPPLIES			250		250		250		250		250
210 FOOD-BEV-MEETINGS/FUNCTIONS			0		0		0		0		0
211 OTHER OPERATIONAL SUPPLIES			0		0		0		0		0
214 POSTAGE/SHIPPING/DELIVERY			150		150		150		150		150
225 LANDSCAPING			4000		4000		4000		4000		4000
Supplies Sub Total			4400		4400		4400		4400		4400
301 MAINT-BLDG & STRUCTURES			0		0		0		0		0
303 MAINT-EQUIP & MACHINERY			0		0		0		0		0
305 MAINT-SIDEWALKS, DRAINAGE, BRIDGES			0		0		0		0		0
351 MISCELLANEOUS MAINTENANCE			500		500		500		500		500
372 MAINT-IRRIGATION MAINT & REPAIRS			4000		4000		4000		4000		4000
Maintenance Sub Total			4500		4500		4500		4500		4500
401 TELEPHONE & COMMUNICATIONS			0		0		0		0		0
403 CASUALTY INSURANCE**			6000		6000		6000		6000		6000
407 SPECIAL SERVICES			0		0		0		0		0
408 ADVERTISING			0		0		0		0		0
409 TRAVEL & EDUCATION			0		0		0		0		0
410 UTILITIES - ELECTRICITY*			525		525		525		525		525
411 WATER PURCHASE PID*			15000		15000		15000		15000		15000
414 DUES & SUBSCRIPTIONS			0		0		0		0		0
416 OTHER/PROFESSIONAL SERVICES			0		0		0		0		0
421 PRINTING			250		250		250		250		250
422 COMPUTER PROFESSIONAL SERVICES			0		0		0		0		0
423 MOWING*			20196		20196		20196		20196		20196
434 SPECIAL EVENTS			750		750		750		750		750
436 IMPROVEMENTS BY CONTRACTORS			15000		15000		15000		15000		15000
437 ACCOUNTING/AUDIT SERVICES			0		0		0		0		0

Meadowview PID FUND 62	2014	2015	2016	2017	2018
446 ATTORNEY SERVICES-LEGAL FEES	500	500	500	500	500
450 ADMINISTRATIVE MANAGEMENT FEE	0	0	0	0	0
452 FILING FEES	0	0	0	0	0
456 NEWSLETTER	250	250	250	250	250
469 STORAGE	0	0	0	0	0
470 BAD DEBT EXPENSE	0	0	0	0	0
471 CO-INSURANCE	0	0	0	0	0
494 MISC EXPENSE-CHARITABLE DONATIONS	0	0	0	0	0
Services Sub Total	58471	58471	58471	58471	58471
511 PROPERTY TAX & LIABILITY	15	15	15	15	15
537 DALLAS CO. COLLECTION SERVICES	2227.5	2227.5	2227.5	2227.5	2227.5
Other Services Sub Total	2242.5	2242.5	2242.5	2242.5	2242.5
UNDISTRIBUTED FUNDS					
9002 CARRIED OVER (Fund Balance)	\$ 1,600.01	\$ 1,426.50	\$ 1,426.50	\$ 1,426.50	\$ 1,426.50
Department Total Expenses	69613.5	69613.5	69613.5	69613.5	69613.5

LANCASTER CITY COUNCIL

Agenda Communication

August 12, 2013

Consider a resolution authorizing a professional services agreement with Jacobs Engineering Group Inc. for the development of the Lancaster Comprehensive Plan 2033 in an amount not to exceed \$238,000.00 and authorizing the City Manager to execute said agreement.

This request supports the City Council 2012-2013 Policy Agenda.

Goal: Quality Development

Background

In accordance with the provisions of Texas Local Government Code, Chapter 271 and Government Code 2267, the City of Lancaster has issued a Request for Qualifications to provide professional planning services from consultants for the development of a Comprehensive Land Use Plan 2033.

Considerations

The current Comprehensive Plan was adopted in February 2002; as a result of changing socio-economic trends, Council visioning, and growth potential a review of the existing Plan will provide a fresh perspective. The updated Comprehensive Plan will identify community goals and objectives while also adding pertinent elements from existing plans and community input to make the plan comprehensive in scope. This process requires extensive public involvement by including Lancaster residents in the planning process. This Comprehensive Plan will be the “umbrella” document guiding most aspects of the City’s development and growth.

- **Operational** – The Comprehensive Plan update will include, at the forefront of the study an initial market review of economic, financial, land use conditions and public involvement plan to arrive at three strategic scenarios for council consideration. After initial approval, the Professional team and staff will move into the communitywide visioning and development of each plan component.
- **Legal** – The request for proposal was processed in accordance with all local and state purchasing statutes. Three vendors submitted and none were M/WBE certified. The three firms were: Freese and Nichols, Jacobs Engineering and Gateway Planning Group. The resolution and professional services agreement has been reviewed and approved as to form by the City Attorney.

- **Financial** –The agreement will not exceed \$238,000.00. The agreement will be executed over 3 years with the first project tasks and funding proposed in the fiscal year 13/14 budget. Expenditures will not exceed funds appropriated and funds will be encumbered at the issuance of a purchase order.
- **Public Information** – This item is being considered at a regular meeting posted in accordance with the Texas Open Meetings Act. Bids were posted on the City's e-procurement system on May 17 and 24, 2013. Proposals were opened on June 14, 2013 and interviews were conducted on July 9 and 11, 2013.

Options/Alternatives

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

Recommendation

Staff recommends authorizing the agreement for Professional Services with Jacobs Engineering Group Inc.

Attachments

- Resolution
 - Professional Services Agreement
-

Submitted by:

Rona Stringfellow, Managing Director of Public Works and Development Services
Surupa Sen, Senior Planner
Dawn Berry, Purchasing Agent

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS FOR PROFESSIONAL SERVICES AGREEMENT WITH JACOBS ENGINEERING GROUP INC. FOR DEVELOPMENT OF THE LANCASTER COMPREHENSIVE PLAN 2033, IN AN AMOUNT NOT TO EXCEED \$238,000.00 AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with the provisions of the Texas Local Government Code, Chapter 271 and Government Code 2267, The City of Lancaster sought proposals to provide professional planning services from qualified consultants with considerable experience for the development of a Comprehensive Land Use Plan for the City of Lancaster; and

WHEREAS, the City Council of Lancaster desires to contract with Jacobs Engineering Group Inc. for the above referenced services; and

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

Section 1. That the City Council hereby authorize a contract for professional planning services with Jacobs Engineering Group Inc. for development of a Comprehensive Plan in an amount not to exceed \$238,000.00 and authorize the City Manager to execute the Agreement, which is attached hereto and incorporated herein as Exhibit A.

Section 2. That any prior Resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

Section 3. That should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

Section 4. This Resolution shall become effective immediately from and after its passage, as the law and charter in such cases provide.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, THIS 12TH DAY OF AUGUST, 2013.

APPROVED:

MARCUS E. KNIGHT, MAYOR

ATTEST:

DOLLE K. DOWNE, CITY SECRETARY

APPROVED AS TO FORM:

ROBERT E. HAGER, CITY ATTORNEY
(REH/mpm)

STATE OF TEXAS §
 § **AGREEMENT FOR PROFESSIONAL SERVICES**
COUNTY OF DALLAS §

This agreement (“Agreement”) is made by and between the City of Lancaster, Texas (“City”) and Jacobs Engineering Group Inc., (“Professional”), acting by and through their authorized representatives.

RECITALS:

WHEREAS, the City desires to engage the services of the Professional as an independent contractor, and not as an employee, to provide Professional Planning Services in connection with the “State of the City” market review report (the “Market Review”) and development of the City of Lancaster Comprehensive Land Use Plan (the “Comprehensive Plan”) (collectively the “Project”), as described in the documents attached hereto and incorporated herein as Exhibit “A” (the “Scope of Services”); and

WHEREAS, the Professional desires to render the Services for the City on the terms and conditions set forth in this Agreement;

NOW THEREFORE, in exchange for the mutual covenants set forth herein, and other valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the parties agree as follows:

Article I
Term

1.1 This Agreement shall commence on the last date of execution hereof (“Effective Date”) and continue for a term of eighteen months or until completion of the Project, whichever shall occur first, unless sooner terminated as provided herein.

1.2 Either party may terminate this Agreement by giving fifteen (15) days prior written notice to the other party. In the event of such termination the Professional shall deliver to City all finished and unfinished documents, data, studies, surveys, drawings, maps, models, reports, photographs or other items prepared by the Professional in connection with this Agreement. Professional shall be entitled to compensation for any services completed to the reasonable satisfaction of the City in accordance with this Agreement prior to such termination.

Article II
Scope of Services

2.1 The Professional agrees to provide the Services for the Project as set forth in the Scope of Services documents, specifically the Scope of Services for the “State of the City” market study and the Scope of Services for the “Comprehensive Plan”, both of which are attached hereto and incorporated herein as Exhibit A. Deviations from the Scope of Services documents may be authorized in writing from time to time by the City.

2.2 The City shall, prior to commencement of Services, provide the Professional with the information set forth in the Scope of Services documents, if any. City will assist the Professional by placing at Professional's disposal all available information pertinent to the Project including previous reports and any other data relative to the Project. Professional shall have no liability for defects or negligence in the Services attributable to Professional's reliance upon or use of data, design criteria, drawings, specifications or other information furnished by City. The reports, studies, opinions, analyses, evaluations, recommendations, sketches, calculations, deliverables, or other Services ("Market Review") are prepared solely for the use of the City. There are no intended third party beneficiaries and Professional shall have no liability to any third parties for any error or omission in any statement contained in the Market Review. Professional shall disclose to City, prior to use thereof, defects or omissions in the data, design criteria, drawings, specifications or other information furnished by City to Professional that Professional may reasonably discover in its review and inspection thereof.

2.3 The parties acknowledge and agree that any and all opinions provided by the Professional in connection with the Scope of Services represent the professional judgment of the Professional, in accordance with the professional standard of care applicable by law to the services performed hereunder.

2.4 Upon payment of all amounts due to Professional hereunder, all materials and reports prepared by the Professional in connection with this Agreement shall become the property of the City. The City shall have the right to publish, disclose, distribute and otherwise use such materials and reports only for those purposes for which they were intended. Professional may retain copies for record purposes. The City agrees such documents are not intended or represented to be suitable for reuse by other parties. Any reuse by the City or by those who obtained said documents from the City without written verification or adaptation by Professional will be at City's sole risk and without liability or legal exposure to Professional, or to Professional's independent associates or consultant. Professional may reuse all drawings, report data and other project information in the execution of the Services provided under this Agreement in Professional's other activities. Any reuse by Professional will be at Professional's sole risk and without liability or legal exposure to the City, and Professional shall indemnify and hold harmless the City from all claims, damages, losses and expenses including attorneys' fees arising out of or resulting therefrom.

2.5 Any modification to the Scope of Services can only be initiated upon a written request, submitted by either the Professional or the City Manager or the City Manager's designee. Upon the receipt of a request for modification, the Professional and City Manager shall review the conditions associated with the request and determine the necessity of the modification. When the Parties agree to approve a modification, a written Modification to the Scope of Services shall be prepared, detailing the specific modification and any changes to the Total Maximum Fee or Project Schedule. Said written Modification shall be approved by the Professional, authorized by City Council, if required, and issued by the City Manager. Issuance of the approved Modification to the Scope of Services shall constitute a notice to proceed with the Project in accordance with the modified Scope of Services.

2.6 The City Manager or City Manager's designee may issue written Modifications to

the Scope of Services without prior approval of City Council when modifications are to be accomplished within the authorized Total Maximum Fee and do not materially or substantively alter the overall scope of the Project, the Project Schedule or the Services provided by the Consultant. All modifications to the Scope of Services shall be acknowledged by the Professional by its written signature on such change.

Article III Schedule of Work

3.1 The Professional agrees to complete the required services in accordance with the Project Schedule outlined in the Scope of Services. Both parties acknowledge that Time is of the Essence and any failure of the Professional to complete the Services within the agreed Project Schedule shall constitute a material breach of the Agreement. Any delays in or failure of performance by the Professional or the City, other than the payment of money, shall not constitute default hereunder if and to the extent such delays or failures of performance are caused by occurrences beyond the reasonable control of City or by Professional, as the case may be, including but not limited to, acts of God or the public enemy; compliance with any order or request of any governmental authority; fires, floods, explosion, accidents; riots, strikes or other concerted acts of workmen, whether direct or indirect; or any causes, whether or not of the same class or kind as those specifically named above, which are not within the reasonable control of City or Professional respectively. In the event that any event of force majeure as herein defined occurs, Professional shall be entitled to a reasonable extension of time for performance of its Services under this Agreement.

3.2 The Professional agrees to complete the Market Review portion of the project, and provide the City with a copy of the "State of the City" report, no later than September 25, 2013. The Professional further agrees to present the "State of the City" report to the City Council for the City of Lancaster during the City Council meeting to be held on October 7, 2013.

Article IV Compensation and Method of Payment

4.1 The Total Maximum Fee for this Project shall not exceed two hundred and thirty eight thousand dollars (\$238,000.00),...Unless otherwise provided herein, payment to the Professional shall be monthly based on the Professional's monthly progress report and detailed monthly itemized statement for services that shows the percent of services complete by task (in accordance with Exhibit B - Fee Schedule), the total amount of fee earned to date and the amount due and payable as of the current statement, in a form reasonably acceptable to the City. The City shall pay such monthly statements within thirty (30) days after receipt and City verification of the services and expenses unless otherwise provided herein.

4.2 Rates set forth in the Scope of Services documents shall remain in effect for the Term of the Agreement. It is specifically understood and agreed that the Professional shall not be authorized to undertake any Services pursuant to this Contract requiring the payment of any fee, expense or reimbursement in excess of the Total Maximum Fee, without having first

obtained specific written authorization from the City. Such written modification shall be in the form of a Modification to work orders approved by the City Manager and/or the City Council, if required.

Article V

Control; Devotion of Time; Personnel; and Equipment

5.1 All Services shall be performed under the Administrative Direction of the City Manager for the City of Lancaster. No Services shall be performed under this Agreement until a written Notice to Proceed is issued to the Professional by the City Manager or the City Manager's designee. In addition, the Professional shall not proceed with any Services after the completion and delivery to the City of the Submittal as described in the Scope of Services without written instruction from the City. The Professional shall not be compensated for any Services performed after the said submittals and before receipt of City's written instruction to proceed.

5.2 The Professional shall devote such time as reasonably necessary for the satisfactory performance of the services under this Agreement. Should the City require additional services not included under this Agreement, the Professional shall make reasonable effort to provide such additional services within the time schedule without decreasing the effectiveness of the performance of services required under this Agreement, and shall be compensated for such additional services on a time and materials basis, in accordance with Professional's standard hourly rate schedule, or as otherwise agreed between the parties.

5.3 To the extent reasonably necessary for the Professional to perform the services under this Agreement, the Professional shall be authorized to engage the services of any agents, assistants, persons, or corporations that the Professional may deem proper to aid or assist in the performance of the services under this Agreement. The Professional shall provide written notice to the City prior to engaging services not referenced in the Scope of Services. The cost of such personnel and assistance shall be included as part of the total compensation to be paid to Professional hereunder, and shall not otherwise be reimbursed by the City unless provided differently herein.

5.4 The Professional shall furnish the facilities, equipment and personnel necessary to perform the services required under this Agreement unless otherwise provided herein.

5.5 The Professional shall submit monthly progress reports and attend monthly progress meetings scheduled by the City or more frequently as may be reasonably required by the City from time to time based upon Project demands. Each progress report shall detail the work accomplished and special problems or delays experienced on the Project during the previous report period, and the planned work activities and special problems or delays anticipated for the next report period.

Article VI Miscellaneous

6.1 Entire Agreement. This Agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings written or oral agreements between the parties with respect to this subject matter.

6.2 Assignment. The Professional may not assign this Agreement without the prior written consent of City. In the event of an assignment by the Professional to which the City has consented, the assignee shall agree in writing with the City to personally assume, perform, and be bound by all the covenants, and obligations contained in this Agreement.

6.3 Successors and Assigns. Subject to the provisions regarding assignment, this Agreement shall be binding on and inure to the benefit of the parties to it and their respective heirs, executors, administrators, legal representatives, successors and assigns.

6.4 Governing Law. The laws of the State of Texas shall govern this Agreement without regard to any conflict of law rules; and venue for any action concerning this Agreement shall be in the State District Court of Dallas County, Texas. The parties agree to submit to the personal and subject matter jurisdiction of said court.

6.5 Amendments. City, without invalidating the Agreement, may order changes to the general Scope of Services by the Agreement by altering, adding to and/or deducting from the Scope of Services to be performed, so long as said changes do not increase or decrease the Professional's costs and said changes are agreed to by the Parties. If any change under this Section causes an increase or decrease in Professional's cost of, or the time required for, the performance of any part of the Services under the Agreement, this Agreement may be amended to incorporate said changes by the mutual written agreement of the Parties. The City Manager, or designee, is authorized to execute any amendment to this Agreement.

6.6 Severability. In the event any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions, and the Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained in it.

6.7 Independent Contractor. It is understood and agreed by and between the parties that the Professional in satisfying the conditions of this Agreement, is acting independently, and that the City assumes no responsibility or liabilities to any third party in connection with these actions. All services to be performed by Professional pursuant to this Agreement shall be in the capacity of an independent contractor, and not as an agent or employee of the City. Professional shall supervise the performance of its services and shall be entitled to control the manner and means by which its services are to be performed, subject to the terms of this Agreement.

6.8 Right-of-Access. The Professional shall not enter onto private property without

lawful right-of-access to perform the required surveys, or other necessary investigations. The Professional will take reasonable precautions to minimize damage to the private and public property in the performance of such surveys and investigations. Any right-of-access to public or private property shall be obtained in accordance with the Scope of Services.

6.9 Notice. Any notice required or permitted to be delivered hereunder may be sent by first class mail, overnight courier or by confirmed telefax or facsimile to the address specified below, or to such other party or address as either party may designate in writing, and shall be deemed received three (3) days after delivery set forth herein:

If intended for City:

Attn: Opal Mauldin Robertson
City Manager
City of Lancaster, Texas
211 N Henry Street
Lancaster, Texas 75146
972-218-1304– telephone
972-275-0917- fax

With Copy to:

Robert Hager
City Attorney
Nichols, Jackson, Dillard,
Hager & Smith, L.L.P.
1800 Lincoln Plaza
500 North Akard
Dallas, Texas 75201
214-965-9900 – telephone
214-965-0000 - fax

If intended for Professional:

Attn:
Mark Bowers, AICP, ASLA, LEED AP
1999 Bryan Street, Suite 1200
Dallas, Texas 75201
214-424-7573 – telephone
Mark.bowers@jacobs.com – email

With Copy to:

Tim Scarbrough, AIA, CNU-Accredited
One Concourse Parkway, Suite 600
Atlanta, Georgia 30328
770-673-6637 - telephone
tim.scarbrough@jacobs.com

6.10 Insurance.

- (a) Professional shall during the term hereof maintain in full force and effect the following insurance: (i) a comprehensive general liability policy of insurance for bodily injury, death and property damage insuring against all claims, demands or actions relating to the Professional's performance of services pursuant to this Agreement with a minimum combined single limit of not less than \$1,000,000.00 per occurrence for injury to persons (including death), and for property damage; (ii) policy of automobile liability insurance covering any vehicles owned and/or operated by Professional, its officers, agents, and employees, and used in the performance of this Agreement with policy limits of not less than \$500,000.00 combined single limit and aggregate for bodily injury and property damage; (iii) statutory Worker's Compensation Insurance at the statutory limits and Employers Liability covering all of Professional's employees involved in the

provision of services under this Agreement with policy limit of not less than \$500,000.00; and (iv) Professional Liability covering negligent acts, errors and omissions in the performance of professional services with policy limit of not less than \$1,000,000.00 per claim and \$2,000,000.00 in the aggregate.

- (b) All policies of insurance shall be endorsed to: (1) name the City, its officers, and employees as additional insured as to all applicable coverage with the exception of Workers Compensation Insurance and Professional Liability; (2) provide for a waiver of subrogation against the City for injuries, including death, property damage, or any other loss to the extent the same is covered by the proceeds of insurance, except for Professional Liability Insurance. A specific endorsement needs to be added to all policies, with a copy of the endorsement provided to the City that indicates the insurance company will provide to the City at least a thirty (30) prior written notice for cancellation, non-renewal, and/or material changes of the policy.
- (c) All insurance companies providing the required insurance shall be authorized to transact business in Texas and rated at least "A" by AM Best or other equivalent rating service.
- (d) Copies of the policy endorsements and certificates of insurance evidencing the required insurance shall be submitted prior to commencement of services.

6.11 **PROFESSIONAL AGREES TO DEFEND AND INDEMNIFY AND SAVE HARMLESS CITY FROM AND AGAINST ANY AND ALL LIABILITIES, DAMAGES, CLAIMS, SUITS, COSTS (INCLUDING COURT COSTS, ATTORNEYS' FEES AND COSTS OF INVESTIGATION) AND ACTIONS OF ANY KIND BY REASON OF INJURY TO OR DEATH OF ANY THIRD-PARTY PERSON OR DAMAGE TO OR LOSS OF THIRD-PARTY PROPERTY TO THE EXTENT CAUSED BY THE SOLE NEGLIGENCE OR WILLFUL MISCONDUCT OF THE PROFESSIONAL, ITS OFFICERS, DIRECTORS, SERVANTS, EMPLOYEES, REPRESENTATIVES, CONSULTANTS, LICENSEES, SUCCESSORS OR PERMITTED ASSIGNS (EXCEPT WHEN SUCH LIABILITY, CLAIMS, SUITS, COSTS, INJURIES, DEATHS OR DAMAGES ARISE FROM OR ARE ATTRIBUTED TO NEGLIGENCE OF THE CITY, IN WHOLE OR IN PART, IN WHICH CASE PROFESSIONAL SHALL INDEMNIFY CITY ONLY TO THE EXTENT OR PROPORTION OF NEGLIGENCE OR WILLFUL MISCONDUCT ATTRIBUTED TO PROFESSIONAL AS DETERMINED BY A COURT OR OTHER FORUM OF COMPETENT JURISDICTION). THE PROFESSIONAL'S OBLIGATIONS UNDER THIS SECTION SHALL NOT BE LIMITED TO THE LIMITS OF COVERAGE OF INSURANCE MAINTAINED OR REQUIRED TO BE MAINTAINED BY PROFESSIONAL UNDER THIS AGREEMENT. THIS PROVISION SHALL SURVIVE THE TERMINATION OF THIS AGREEMENT.**

6.12 Consequential Damages/Limit of Liability. In no event shall Professional or its subcontractors be liable in contract, tort, strict liability, warranty, or otherwise for any special, indirect, incidental or consequential damages, such as loss of product, loss of use of the equipment or system, loss of anticipated profits or revenue, non-operation or increased expense of operation or other equipment or systems. The total aggregate liability of the Professional arising out of the performance or breach of this Agreement shall not exceed One Million Dollars, (1,000,000). The limitations and exclusions of liability set forth in this Article shall apply regardless of the fault, breach of contract, tort (including negligence), strict liability or otherwise of the Professional, its employees or subconsultants. The Parties agree that the limitations and exclusions of liability set forth herein shall not be interpreted as a form of indemnification

6.13 Audits and Records. Professional agrees that during the term hereof, the City and its representatives may, during normal business hours and as often as deemed necessary, inspect, audit, examine and reproduce any and all of the Professional's records relating to the Services provided pursuant to this Agreement for a period of one year following the date of completion of services as determined by the City or date of termination if sooner. Provided however, the City shall notify the Professional prior to the release of information to any third-party that includes the fixed rates or cost multipliers of the Professional under a public information request. Professional further agrees to keep, retain and safeguard all records relating to this Agreement or work performed hereunder for a minimum of three (3) years following completing of the Project.

6.14 Counterparts. This Agreement may be executed by the parties hereto in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute one and the same instrument. Each counterpart may consist of any number of copies hereof each signed by less than all, but together signed by all of the parties hereto.

6.15 Exhibits. The exhibits attached hereto are incorporated herein and made a part hereof for all purposes.

6.16 Deliverables. For each submittal identified in the Scope of Services, the Professional shall provide the City with five sets of hard copy and one set of electronic media of the submittal documents.

6.17 Disputes. The Parties shall negotiate in good faith to resolve any disputes which may arise under this Agreement. In the event the City Manager and Professional are unable to reach an acceptable resolution to any particular dispute, the City Manager may present unresolved dispute to the City Council. The decision of the City Council shall be final and binding.

(Signature Page to Follow)

EXECUTED this _____ day of _____, 2013.

CITY OF LANCASTER, TEXAS

By: _____
Opal Mauldin Robertson
City Manager

EXECUTED this _____ day of _____, 2013.

JACOBS ENGINEERING GROUP INC.

By: _____

EXHIBIT A
SCOPE OF SERVICES
“State of City” Market Review Report

PHASE I – PROJECT INITIATION

Task 1 - Project Initiation and Management

1.1 - *Project Initiation Meeting (1 Meeting)* - The Jacobs Team will conduct a one-hour kick-off meeting to discuss our understanding of the project, the project schedule, scope, communication methods, as well as to receive data from the City of Lancaster as detailed under Task 3. Recommended attendees include City Staff, and others that will ultimately guide the plan's progress, findings and make recommendations. The City will provide a meeting location and will notify attending staff of the location and time for the meeting.

1.2 - *Tour* – Immediately following the kickoff meeting, the Jacobs Team will tour key areas of the City of Lancaster with City Staff to gain a deeper understanding of the character, culture, opportunities and challenges facing the City. The tour is expected to last approximately two hours.

1.3 - *Biweekly Progress Meetings (18 Meetings)* - The Jacobs Team will meet via WebEx (an internet application that allows virtual meetings) with key City staff to discuss project progress, key action items and responsibilities, and project schedule. Jacobs will prepare an agenda and a checklist with action items, responsibilities and due dates for appropriate team members, and will schedule and notify attendees of the meetings via Microsoft Outlook and e-mail.

Task 2 - Public Engagement Planning

Residents, property owners, business leaders and other stakeholders in Lancaster must be contributors to the update of the Comprehensive Plan if they are to support its vision and the many projects, programs and investments that will carry it out. The Jacobs Team believes it is essential to structure a package of public engagement techniques that achieves four objectives: gives stakeholders multiple choices for participation; engages potential participants through timely and engaging communications; assures stakeholders that their input has been heard and considered; and, produces results that are useful to the City as they inform the plan. The initial step in achieving these objectives is the formulation of a public / stakeholder involvement plan:

2.1 – *Public / Stakeholder Involvement Plan* - The Jacobs Team will develop a detailed public / stakeholder participation plan for the public involvement process. The Plan will identify methods for stakeholder identification, pre and post meeting communication techniques and tools, a schedule of stakeholder and public involvement meetings, necessary activities in preparation for meetings, and tools and techniques to be utilized during stakeholder and public meetings to facilitate engagement and feedback.

PHASE II – STATE OF THE CITY

Task 3 - Data Collection

The Jacobs Team will review existing background data and previous studies for the area within the City Limits and ETJ of Lancaster. This review is intended to provide a high level understanding for the Jacobs Team of existing conditions, opportunities and constraints in Lancaster. A more in depth understanding of all of these elements will occur during the State of the City meeting when the Jacobs Team will work closely with City Staff in identifying levels of importance of several data sets and background materials within the overall scope and focus of the Comprehensive Vision Plan. Included in those discussions will be the relevance of previous planning studies and reports, policy documents, development proposals, and data sets for use during this planning effort. The following are materials that will be requested for use by the Jacobs Team:

EXHIBIT A
SCOPE OF SERVICES
“State of City” Market Review Report

- Regulatory documents - comprehensive plan, zoning map and ordinance, and any documents related to special study areas
- Aerial photographs
- GIS data – may include building footprints, curb lines, street centerlines, property lines, land cover, land use and zoning, transportation (rail and bus information – routes, lines, stops, stations, facilities, etc), environmental, water bodies, boundaries (city, county, school districts, special districts, etc), and historic (sites, structures, districts, etc)
- Relevant previous studies and reports
- Relevant land use and development data
- Information regarding planned future development
- Cultural resource data
- Existing and planned utility / infrastructure improvements
- Existing and planned transportation improvements – including the most recent traffic counts available for the area, the most recent Transportation Improvement Program, any relevant transportation plans and studies, and any previous parking studies that have been conducted and any current plan elements addressing parking
- Existing City Plans – Comprehensive Plan, Thoroughfare Plan, Campus District Master Plan, Water-Wastewater Master Plan, South Dallas County Infrastructure Analysis, Parks and Recreation Master Plan, Hike and Bike Trail Master Plan, Lancaster Municipal Airport Master Plan, Historic District Guidelines, Downtown District Design Guidelines, Design Standards for Lancaster Medical District, Streetscape Master Plan, Mills Branch Overlay District and others

Task 4 - Review / Analysis

The Jacobs Team will gather additional data to support the development of the City-wide Comprehensive Vision Plan, and will review key information provided by the City to gain an understanding of future opportunities and constraints. The following will be gathered, and/or reviewed by the Jacobs Team:

4.1 – Population and Demographics - The Jacobs Team will collect socioeconomic, psychographic and market data including: population; household and per capita income characteristics; consumer expenditure patterns; sales tax data; visitor and convention information; development patterns; and fiscal trends. The team will gather primary and secondary data (historical and projected), using current census data where possible, and insert the figures into a master spreadsheet. Trends, both historical and future, will be quantified and inputs used for modeling the impacts of various growth scenarios.

4.2 – Market Profile – The Jacobs Team will prepare a market profile of the study area quantifying historic trends in population and household growth; employment by type; income; consumer expenditure patterns; and, development activity by land use. Using conclusions drawn from completion of Task 4.1, the Team will review the data in light of what is meaningful to various investor audiences including lenders, developers, business owners and community promoters.

4.3 – Market Analysis - The Jacobs Team will identify market opportunities for the Lancaster market while providing the client team with a technical and analytical base of information from which to direct plan decisions and advance strategic initiatives. Specifically we will analyze key demographic, psychographic and economic indicators which: support development of specific residential product types; inform opportunities for building on existing retail/service strengths and strong commercial block clusters; influence traffic-generating anchor districts; and make the best use of land, buildings, public services. In addition, the Team will conduct a limited target industry screening analysis in order to identify those industries and business groups which exhibit the highest potential for relocation and/or expansion in the Lancaster market, translating these

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opportunities into demand for non-retail commercial space. Demand will be quantified for specific land uses and product types within the identified trade area, and percent of market share quantified for different sub-markets within the city. The target industry analysis is most accurate at a regional level (Metropolitan), with local relevance determined by area attributes.

Task 5 – Mapping

5.1 – Base Mapping - The Jacobs Team will prepare a project base map that will be used as the base for creating existing conditions maps and for preparing scenarios for future growth in the City.

5.2 – Existing Conditions Mapping - The Jacobs Team will create existing conditions exhibits for the following elements based upon the available GIS data to be provided by the City:

- Existing Land Use
- Existing Transportation Systems
- Existing Utility Infrastructure (Water and Wastewater)
- Existing and Planned Parks and Open Space
- Existing Historic / Cultural Facilities
- Existing and Planned Public Facilities

Task 6 - State of the City Work Session with City Staff (One full Day)

6.1 – State of the City Worksession (With City Staff) - Using the synthesis of knowledge gained during completion of previous tasks, the Jacobs Team will work in a facilitated work session with City Staff to develop a set of criteria by which key community assets will be classified as: those that will remain; those that will be enhanced; and, those that will be subject to detailed review as a strategic opportunity area. Criteria will include fiscal considerations, potential social impacts, capital investments required, and others as might be identified. The Team will also work with City Staff to identify preliminary development directions for strategic opportunity areas of the City based upon the market analyses conducted in task 4. The information developed in this meeting will form the basis for the more detailed discussions related to a future vision for each strategic opportunity area that will occur with community stakeholders in a community-wide charrette to be conducted in a later task.

The State of the City meeting will be held in a facility arranged by the City, and City staff will be responsible for notifying City participants. The Jacobs Team will develop the agenda for the meeting, and will provide all necessary materials to facilitate the discussions with meeting participants. The meeting will be facilitated utilizing techniques outlined in the book *ProblemSeeking*, and discussions will be summarized on snow cards (8x10 gridded white cardboard cards).

6.2 – Joint P&Z / City Council Workshop #1 - At the conclusion of the Phase II - State of the City evaluation, the Lancaster Planning and Zoning Commission and City Council will be briefed in a joint session by the Jacobs Team of key findings of the study to date, recommended next steps in the planning process, and proposed methodology for engaging stakeholders in the planning process. The Jacobs Team will provide briefing materials to City staff for distribution to the Planning and Zoning Commission and City Council prior to the presentation.

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PHASE III –COMMUNITY-WIDE VISION

Task 7 – Stakeholder Involvement

7.1 - Key Individual Interviews (5 interviews) - The Jacobs Team will conduct up to five (5) interviews with key individuals from regional organizations including representatives of development interests and financial interests to gain their perspectives related to Lancaster's potential position in the future North Texas economy, key opportunities that the City should be positioning to pursue, and key limitations or perceptions that the City should be working to overcome. The interview team will use a set of questions as a starting point and then use follow-up questions to probe responses. The team will develop the interview questions and distribute them to City Staff for review and comment. The Jacobs Team will contact interviewees to confirm meeting times, and the City will provide private meeting rooms for the interviews if needed.

7.2 - Steering Committee Meetings (3 Meetings) - The Comprehensive Plan Steering Committee will serve as a review, input, and directional body for the Comprehensive Plan throughout the planning process. The Jacobs Team will meet with the Steering Committee at key points during the planning process to discuss key issues related to the development of the Comprehensive Plan. The City will be responsible for providing a venue for the committee meetings, and will notify committee members of meeting dates and times, and the Jacobs Team will provide agendas, and materials for facilitated discussion at each meeting.

7.3 - Web-Based Engagement – The web and other online tools are increasingly important forms of communication. For this project, web-based engagement will be designed by the Jacobs Team to make information available more broadly (to anyone who chooses to go online), more conveniently (whenever someone is online or connected) and with more flexibility (by using a variety of online and social networking tools). The tools will be designed in a manner that assists City Staff in making the tools a part of the day to day management of the project. The final components of the web strategy will be determined by the public / stakeholder involvement plan and could include:

- **Website.** A project website could convey general project information such as meeting dates, background information and contact information. It will also provide a means for obtaining public input and will serve as the main portal for videos, presentations, workshop information, and downloadable reports.
- **Blogs.** For Lancaster leaders (such as elected officials or the City Manager) that already use blogs to communicate with citizens, the Jacobs Team could provide project update text that these leaders can use on their own blogs.
- **Facebook (www.facebook.com) and LinkedIn (www.linkedin.com)** People who follow updates on social networking sites are more involved in the project's process and can also share information with their social networks. The project's Facebook page and LinkedIn presence could consist of updates about the progress of the plan, exhibits, polling questions, videos and comments. The community will have an open venue to discuss the project and share insights on its progress. The project team will be able to gauge the public's responses to various issues and address concerns promptly.
- **Youtube (www.youtube.com).** YouTube is a video sharing social networking site. If the City can provide video content, the Jacobs Team will be available for delivering technical content so that the City can make the material available on the website.
- **SurveyMonkey (www.surveymonkey.com).** SurveyMonkey provides the capability to invite participants to share their views through a survey they access online whenever they choose. It supplements meeting discussions because it allows input from people who don't

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participate in meeting sessions. It can also be used to secure follow-up input and feedback about results of community meetings. The survey could be accessed through a link on a website (for input by the general public) or through a link in an email (when the survey is designed for a particular group like the Steering Committee). The Jacobs Team may use SurveyMonkey for online input on the issues for which keypad polling is used in the community Charrette. The SurveyMonkey results could be presented as part of the memos on the open house and Charrette.

Task 8 – Town Hall #1 – Community Charrette

8.1 – Community Charrette Preparation - The Jacobs Team will plan the specific agenda, format and activities related to the community charrette, will prepare background presentations and meeting exhibits, and will prepare a basic framework utilizing the Community VIZ software used for analyzing scenarios in the charrette. All materials and activities will be closely coordinated with City Staff prior to public presentation.

8.2 – Community Charrette – Alternative Future Scenarios - A community charrette will be scheduled at a key point during the planning process. The meeting will be advertised on the City / project website, through email messaging and social media, and additional City channels such as flyers at public buildings, inserts in utility bills, and messaging through Council member blogs. The Jacobs Team would draft text and manage outreach related to electronic communication, and the City would be responsible for other City communication channels. The City would also be responsible for securing a venue for the event. The Jacobs Team will be responsible for all meeting content.

Through this format, the Jacobs Team will provide interested persons and organizations with a forum for adding information or perspectives to the ‘State of the City’ materials developed in Phase II. It will also secure stakeholder ideas that will ultimately shape the Plan’s vision for Lancaster. The participants will be engaged in the planning process through a number of techniques including utilizing chips or stickers to allocate development types to areas of the City, utilizing colored markers to discuss future development densities, utilizing image boards to discuss future building types and urban design characteristics, and utilizing keypad polling to determine preferences on a range of concepts.

A total of 3 scenarios will be developed as a means to gauge the benefits and / or impacts of each scenario. While the study area includes the entire City, the Community VIZ software used for analyzing scenarios will be focused on areas indicated in the ‘State of the City’ as strategic opportunity areas. The three scenarios will include the following:

- Current Trend - This scenario will be developed early in the process to measure the current trend of development and growth
- Scenario A - Alternative growth scenario developed during the community charrette
- Scenario B - Alternative growth scenario developed during the community charrette

As a way to measure the consequences of each scenario, the Team will develop a series of indicators so that each scenario can be qualified. The results will then be compared against each other and the best elements from each scenario incorporated into the final city-wide scenario.

8.3 – Charrette Results - Results from the community charrette will be documented in presentation materials that will be incorporated into web-based applications in a manner that will allow interested individuals to weigh-in on the future vision for Lancaster. The results materials will include:

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- Presentations summarizing key aspects of the planning process and the ‘State of the City’ conclusions
- Results of keypad polling conducted during the charrette
- Alternative Future Scenarios as described above, broad brushed implications and conclusions drawn by charrette participants

8.4 – Joint P&Z / City Council Workshop #2 - At the conclusion of the Phase III – Community-Wide Vision, the Lancaster Planning and Zoning Commission and City Council will be briefed in a joint session by the Jacobs Team of key findings of the Phase III Visioning, recommended next steps in the planning process, and to receive input to the overall vision for incorporation into the Draft Vision Framework to be developed in Phase IV. The Jacobs Team will provide briefing materials to City staff for distribution to the Planning and Zoning Commission and City Council prior to the presentation.

PHASE IV – DRAFT COMPREHENSIVE PLAN COMPONENTS

Task 9 – Draft Comprehensive Plan Elements

9.1 – Community Development / Future Land Use - The Jacobs Team will draft a future land use plan that aligns with the preferred vision scenario as identified in the community charrette. Land uses will be classified according to LBCS standards of the APA, and will have supporting tabulation data and text. The future land use plan will incorporate the residential and commercial development that has occurred since the previous plan was adopted, and will also provide direction for undeveloped parcels and parcels identified for potential redevelopment as a part of the preferred vision. This element will also document the preferred development types for the community as identified by the stakeholders through keypad polling. It will address the interconnectedness of the built and natural environments, and provide policy recommendations that will improve the state of balance.

9.2 – Transportation – The Transportation component will build upon the existing Master Thoroughfare Plan and will add detail related to the specific roadway types necessary to support each development type that will be identified in the future land use component. Each roadway type will be evaluated considering the adjacent land uses, desired travel speed, and anticipated volumes. This connection between land use and roadways will be particularly important when looking at undeveloped areas of the City. For these undeveloped areas, the land use team and mobility team will work hand-in-hand through a series of consultant team charrettes to lay-out the correct sustainable network that most appropriately complements future development.

The transportation plan will also pull together additional multi-modal elements such as trails, bike routes, and pedestrian mobility. The plan will be a one-stop location for the various elements needed to make a complete transportation system. Lancaster can build on momentum generated from the recently awarded Transportation Enhancement Grant for the Downtown Bicycle and Pedestrian Trail. Interest in facilities for walking and biking will be identified through the public engagement process; the team’s analysis will allow us to include these investments in the transportation plan where they are needed and can provide cost-effectiveness. At a neighborhood level, the multi-modal plan will be evaluated and the correct types of infrastructure components will be planned.

9.3 – Infrastructure - Planning for the future often highlights a multitude of potential impacts on the City’s existing infrastructure system. Different growth scenarios will have varying levels of impacts on infrastructure demands and requirements. The Jacobs Team will build upon the

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existing water and wastewater plans for the community and will provide policy and CIP recommendations for the phasing of future infrastructure improvements to align the fiscal impacts of such phasing to the return on investment to the community through additional tax base generated by new development. The team will also develop goals and objectives related to providing infrastructure approaches that support Lancaster's sustainable planning principles.

9.4 – Economic Development - The economic development component will focus on the range of policies and actions that serve to strengthen the community's business climate. The component will be comprehensive and address all aspects of the community that serve to advance or deter from your economic development objectives. It will address both greenfield development and redevelopment. Additionally, housing will be addressed within this component since the future housing mix needs to be consistent with the jobs base.

The Jacobs Team will also identify several potential catalyst areas within the community. For each one, we will prepare a set of development program recommendations including: mix of land uses; market niche; physical context; and, other critical factors. The description of each will lay a foundation for detailed review and analysis in the form of subsequent sub-area plans which will ultimately serve as amendments to the comprehensive plan update. The team will quantify the economic feasibility of potential development programs (based on market conclusions determined earlier in the planning process) through the preparation of development proformas designed to quantify potential economic gaps and the impact of various municipal incentives. Each strategic investment area will be ranked from highest to lowest priority.

9.5 – Open Space and Recreation - The Open Space and Recreation component will build upon the foundation established by the existing Parks and Recreation Master Plan. The Jacobs Team will review the existing master plan and highlight areas that have the potential to be modified based upon the vision established by the new Comprehensive Plan. This component will focus on goals, objectives and policies that will align the existing plan with the vision established for the community in this planning process. It will also provide recommendations for areas of additional study for future updating of the Parks and Open Space Master Plan to align with new goals established by the community on the comprehensive planning process.

9.6 – Community Character and Design - The Jacobs Team will build upon the existing urban design component and on previous studies to develop a Community Character and Design component that identifies existing "addresses" in the community, and also identifies new development areas and potential "themes" or "brands" that can contribute to future success. Additionally, we will look Citywide to identify/confirm the locations and hierarchy of gateways and nodes within the Community. Finally, we will update / revise goals and policies related to community character and design to align with current thinking within the community. Recommendations could include: setback recommendations, recommendations related to the preservation of view corridors, intersections with special treatment, cross-section of design treatments, and streetscape concepts.

9.7 – Historic Preservation – This component will build upon the *Design Guidelines: Historic Residential Landmarks and Properties within the Historic District of Lancaster, Texas* and will align the appropriate goals, objectives and implementation techniques identified in that document into the higher level comprehensive plan. This component will focus on community goals and policy statements related to historic preservation that can be used to guide future preservation endeavors at a city-wide level.

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9.8 – *Public Facilities* - This component will update the public facilities component contained in the 2002 Comprehensive Plan. The Jacobs Team will work with City Staff to update the assumptions utilized in the 2002 Plan to prepare a snapshot of anticipated public buildings and other facilities needed to support the 2033 Comprehensive Plan. Particular focus during the community visioning process will be made in documenting community opinions related to an appropriate strategy for the future City Hall.

Task 10 – Town Hall #2 – Community Open House

10.1 – *Community Open House – Comprehensive Plan Components* – The Jacobs Team will facilitate a community open house to present and receive feedback related to the comprehensive plan components to broaden community participation and confirm consistency of each component to the community's vision as developed in the community-wide charrette. The meeting will be advertised on the City / project website, through email messaging and social media, and additional City channels such as flyers at public buildings, inserts in utility bills, and messaging through Council member blogs. The Jacobs Team would draft text and manage outreach related to electronic communication, and the City would be responsible for other City communication channels. The City would also be responsible for securing a venue for the event.

The Jacobs Team will be responsible for all meeting content. The meetings will be conducted in a workshop format, targeting specific issues related to each comprehensive plan component. It will provide participants an opportunity to discuss community issues, as well as participate in the identification of key issues, opportunities and geographic areas to be explored in the planning process. Information will be gathered through interactive small group discussions, written comment forms, map 'stations', and general workshop discussion. To further facilitate the discussion, the Jacobs Team will develop, execute and analyze the results of electronic keypad polling sessions that will be conducted to gauge community support for the recommendations of each comprehensive plan component.

10.2 – *Open House Results* - Results from the Community Open House will be documented in presentation materials that will be incorporated into web-based applications in a manner that will allow interested individuals to weigh-in on the future vision for Lancaster. The results materials will include:

- Feedback from specific questions asked at each station related to the specific Comprehensive Plan components
- Results of keypad polling conducted during the open house
- Overall conclusions drawn from the open house discussions related to next steps

10.3 – *Joint P&Z / City Council Workshop #3* - At the conclusion of the Phase IV – Draft Vision Framework, the Lancaster Planning and Zoning Commission and City Council will be briefed in a joint session by the Jacobs Team of key findings of Phase IV, recommended next steps in the planning process, and to receive input for incorporation into the Final Vision and Report to be developed in Phase V. The Jacobs Team will provide briefing materials to City staff for distribution to the Planning and Zoning Commission and City Council prior to the presentation.

PHASE V – FINAL COMPREHENSIVE PLAN ELEMENTS AND REPORT

Task 11 - Preferred Plan Elements

11.1 – *Citywide Vision and Strategies* – Based upon feedback received at the Community Open House and on final direction received from the Joint P&Z / City Council Workshop #2, the Jacobs

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Team will develop the final comprehensive plan elements and specific implementation recommendations related to each vision element.

An implementation matrix will be developed that identifies specific implementation strategies, responsible parties, supporting parties, timeframes, and potential funding sources for specific goals associated with each vision plan element, and recommendations related to additional studies that should be undertaken by the City. Comprehensive Plan goals will be prioritized relative to local resources (time, money, manpower) and desired outcomes. Certain actions will need to be put into motion earlier rather than later since they take longer to come to fruition (i.e., legislative reform). In addition, certain goals will be tied to conditions that unless advanced during a specific timeframe might miss a market opportunity. Finally, the goals will need to be flexible enough to respond to certain strategic initiatives that might present themselves (i.e., private investment in catalyst area).

11.2 – Comprehensive Plan Draft and Final Report - The Jacobs Team will prepare a draft plan outline and draft individual sections for steering committee input and staff review and comments. The team will then create a Final Plan document, incorporating staff and steering committee input. The plan will be prepared utilizing Adobe InDesign and both InDesign and PDF files will be provided to the City as a final deliverable.

PHASE VI – ADOPTION

Task 12 - Comprehensive Plan Adoption

12.1 – Planning and Zoning Commission Recommendation(1 Meeting) - The Jacobs Team will present the Comprehensive Plan Elements to the Lancaster Planning and Zoning Commission for comment, and subsequent recommendation for adoption. The Jacobs Team will incorporate any Commission comments into the final Comprehensive Vision Plan prior to presentation to the City Council.

12.2 – City Council Adoption(2 Meetings) - The Jacobs Team will present the Final Comprehensive Vision Plan to the Lancaster City Council at a public hearing, and in a second meeting for adoption. Any subsequent changes by the Lancaster City Council will be incorporated into the Final Comprehensive Plan report.

Lancaster Comprehensive Vision - The Jacobs Team Basic Services Fee - 8/5/13	Jacobs							Kimley Horn							Strategic Community Solutions					Ricker Cunningham					Basic Services																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																					
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Lancaster, Texas Comprehensive Plan Update Preliminary Project Schedule

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LANCASTER CITY COUNCIL

Agenda Communication

August 12, 2013

Discuss the proposed Fiscal Year 2013/2014 tax rate of \$0.8675 per \$100 assessed valuation; receive related tax calculation documents; and set public hearing date on the proposed tax rate.

This request supports the City Council 2012-2013 Policy Agenda.

Goal: Financially Sound City Government

Background

On Tuesday, July 23, 2013, the Dallas County Appraisal District released the Certified Values of Properties for the City of Lancaster. This data has been used to calculate the effective and rollback rates for the 2013/2014 fiscal year.

City of Lancaster Tax Rate Comparison (per \$100 assessed valuation):

Rollback Tax Rate:	\$0.930524
Effective Tax Rate:	\$0.874163
Proposed Tax Rate:	\$0.867500

The City experienced a .75% increase in property values. The proposed budget does not require raising more tax revenue than previous year; therefore, no action is required.

A public hearing on the proposed tax rate is scheduled for Monday, August 26, 2013.

Recommendation

Council should announce date, time and location for the public hearing. The public hearing is scheduled for Monday, August 26, 2013 at 7:00 p.m. at Lancaster Municipal Center, 211 North Henry Street, Lancaster, Texas 75146.

Attachments

- 2013 Property Tax Rate Calculations
-

Submitted by:

Opal Mauldin Robertson, City Manager

2013 Property Tax Rates in City of Lancaster

This notice concerns the 2013 property tax rates for City of Lancaster. It presents information about three tax rates. Last year's tax rate is the actual tax rate the taxing unit used to determine property taxes last year. This year's *effective* tax rate would impose the same total taxes as last year if you compare properties taxed in both years. This year's *rollback* tax rate is the highest tax rate the taxing unit can set before taxpayers start rollback procedures. In each case these rates are found by dividing the total amount of taxes by the tax base (the total value of taxable property) with adjustments as required by state law. The rates are given per \$100 of property value.

Last year's tax rate:

Last year's operating taxes	\$8,776,079
Last year's debt taxes	\$3,887,342
Last year's total taxes	\$12,663,421
Last year's tax base	\$1,459,760,346
Last year's total tax rate	\$0.867500/\$100

This year's effective tax rate:

Last year's adjusted taxes (after subtracting taxes on lost property)	\$12,643,543
÷ This year's adjusted tax base (after subtracting value of new property)	\$1,446,358,263
=This year's effective tax rate (Maximum rate unless unit publishes notices and holds hearings.)	\$0.874163/\$100

This year's rollback tax rate:

Last year's adjusted operating taxes (after subtracting taxes on lost property and adjusting for any transferred function, tax increment financing, state criminal justice mandate, and/or enhanced indigent healthcare expenditures)	\$9,602,937
÷ This year's adjusted tax base	\$1,446,358,263
=This year's effective operating rate	\$0.663939/\$100
x 1.08=this year's maximum operating rate	\$0.717054/\$100
+ This year's debt rate	\$0.270643/\$100
= This year's total rollback rate	\$0.987697/\$100
-Sales tax adjustment rate	\$0.057173/\$100
=Rollback tax rate	\$0.930524/\$100

Statement of Increase/Decrease

If City of Lancaster adopts a 2013 tax rate equal to the effective tax rate of \$0.874163 per \$100 of value, taxes would increase compared to 2012 taxes by \$189,703.

Schedule A - Unencumbered Fund Balance

The following estimated balances will be left in the unit's property tax accounts at the end of the fiscal year. These balances are not encumbered by a corresponding debt obligation.

Type of Property Tax Fund	Balance
General Fund	4,454,893
Debt Service Fund	1,995,000

Schedule B - 2013 Debt Service

The unit plans to pay the following amounts for long-term debts that are secured by property taxes. These amounts will be paid from property tax revenues (or additional sales tax revenues, if applicable).

Description of Debt	Principal or Contract Payment to be Paid from Property Taxes	Interest to be Paid from Property Taxes	Other Amounts to be Paid	Total Payment
Total Bond Debt	1,536,423	2,440,450	2,500	3,979,373
Total required for 2013 debt service				\$3,979,373
- Amount (if any) paid from Schedule A				\$0
- Amount (if any) paid from other resources				\$0
- Excess collections last year				\$0
= Total to be paid from taxes in 2013				\$3,979,373
+ Amount added in anticipation that the unit will collect only 100.00% of its taxes in 2013				\$0
= Total debt levy				\$3,979,373

Schedule C - Expected Revenue from Additional Sales Tax

In calculating its effective and rollback tax rates, the unit estimated that it will receive \$840,633 in additional sales and use tax revenues.

This notice contains a summary of actual effective and rollback tax rates' calculations. You can inspect a copy of the full calculations at 500 Elm St, Dallas, TX 75202.

Name of person preparing this notice: John R. Ames

Title: Dallas County Tax Assessor/Collector, CTA

Date Prepared: 07/24/2013

LANCASTER CITY COUNCIL

Agenda Communication

August 12, 2013

Consider confirmation of Civil Service Commission appointment as designated by the City Manager.

This request supports the City Council 2013-2014 Policy Agenda.

Goal: Civic Engagement

Background

Our Police Officers and Firefighters serve under the State Civil Service provisions. State law requires the City to have a three-member Civil Service Commission. It also requires that the City Manager make the appointments to the Commission with confirmation by City Council.

Currently one term on the Civil Service Commission is expiring in 2013. We have received a request from Audley Logan to be reappointed to the Civil Service Commission. There are no other terms that expire in 2013.

The City Manager respectfully submits the following name for appointment to the Civil Service Commission:

- Appoint Audley Logan, term expires 2016

Current members include:

- Lafayette Miles, term expires 2014
- Mark A. Gonzales, term expires 2015

Considerations

- **Operational** - State law requires that the City maintain a Civil Service Commission. With only three members on the Commission, it is important that all three positions be filled as soon as possible in order for the Commission to conduct its required business.
- **Legal** - State law requires that the City Manager make the appointments to the Commission with confirmation by City Council.
- **Financial** - Civil Service Commission members are not compensated.
- **Public Information** - There are no public information requirements.

Options/Alternatives

1. Confirm the City Manager's recommendation.
2. Reject the City Manager's recommendation and direct the City Manager to solicit additional applications.

Recommendation

The City Manager seeks favorable consideration from City Council by confirming the reappointment of Mr. Logan.

Attachments

- Audley Logan's request for reappointment to the Commission
-

Submitted by:

Opal Mauldin Robertson, City Manager



Boards and Commissions 2013



Dear Board or Commission member:

Our records indicate your current appointment will expire in July 2013. Please complete the information below to indicate if you are interested in being reappointed.

Audley Logan Sr
(Name)

Civil Service Commission
(Board or Commission)

Desire reappointment ☒

Do not wish to be reappointed ☐

(Please complete the enclosed application and return with this form to the address below or via fax.)

If you wish to apply for a different board, please indicate name of board or commission on the enclosed application with this form and return it to the address below or via fax.

Audley Logan Sr
Signature

6-27-2013
Date

Deadline to receive this form is June 27, 2013.

For more information, please call (972) 218-1310. Thank you for your service to the City of Lancaster.

Please mail form and application to:

Angie Arenas, Assistant City Secretary
City of Lancaster
211 N. Henry St.
P.O. Box 940
Lancaster, TX 75146

Fax form and application to:

(972) 275-0915

For Office Use Only

Received by: 99.

Date: 6/27/13