



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



Monday, September 10, 2018 - 7:00 PM

CALL TO ORDER

INVOCATION: Ministerial Alliance

PLEDGE OF ALLEGIANCE: Deputy Mayor Pro Tem Stanley Jaglowski

PROCLAMATION: National Preparedness Month

CITIZENS' COMMENTS:

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

CONSENT AGENDA:

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

1. Consider approval of minutes from the City Council Special Meeting held on July 30, 2018.
2. Consider a resolution canceling the City Council Regular Meeting of September 24, 2018; Work Session of November 19, 2018; Regular Meeting of November 26, 2018; and Regular Meeting of December 24, 2018.
3. Consider a resolution approving the terms and conditions of the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Funds Sharing and Fiscal Agency Agreement between the City of Lancaster and the County of Dallas, Texas to provide funds to prevent and control crime and to improve the criminal justice system.
4. Consider a resolution approving the terms and conditions of an Interlocal Agreement by and between The University of Texas Southwestern Medical Center (UT Southwestern) and the City of Lancaster, for services related to the provision of paramedic continuing education.
5. Consider an ordinance, establishing Civil Service classifications within the Police and Fire Departments; prescribing the number of positions in each classification.
6. Consider an ordinance, establishing Civil Service assignment pay within the Police and Fire Departments; prescribing the rate in each assignment.

7. Consider a resolution, establishing Language Skills assignment pay within the general government; prescribing the rate in each assignment.
8. Consider a resolution maintaining the rate for certain fees and charges assessed and collected by the City for water service; providing a repealing clause; and providing an effective date.
9. Consider a resolution providing for the adoption of the Master Fee Schedule for all fees and charges assessed and collected by the City of Lancaster.

ACTION:

10. Discuss and consider a resolution approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2018 rate review mechanism filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement.
11. Discuss and consider an ordinance regarding the proposed fiscal year 2018/2019 budget for the fiscal year beginning October 1, 2018 ending September 30, 2019 providing that expenditures for said fiscal year shall be in accordance with said budget.
12. Discuss and consider a resolution ratifying the budget for the fiscal year 2018/2019 that results in an increase of revenues by 8.5% from property taxes than the previous year.
13. Discuss and consider approval of an ordinance regarding the proposed revenue increase from levying ad valorem taxes for fiscal year 2018/2019 at \$0.8675 per one hundred dollars assessed valuation of all taxable property within the corporate limits to provide revenues for current maintenance and operation expenses and interest and sinking fund requirements; providing due and delinquent dates; penalties and interest; providing a homestead exemption and disability exemption.
14. Discuss and consider an ordinance approving the proposed fiscal year 2018/2019 budget for proceeds of seized property for the Lancaster Police Department for the fiscal year beginning October 1, 2018 and ending September 30, 2019; providing that expenditures for said fiscal year shall be in accordance with said budget.
15. Discuss and consider an ordinance amending the Tribute at Mills Branch Public Improvement District Five Year Service Plan, adopted by Ordinance No. 2017-09-42, as hereby amended by increasing the Tribute at Mills Branch Public Improvement District Five Year Service Plan for the current fiscal year 2017/2018 by a total of \$23,570.00.
16. An ordinance authorizing and ordering the issuance of City of Lancaster, Texas, General Obligation Bonds, Series 2018; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; awarding the sale thereof; authorizing the preparation and distribution of an official statement to be used in connection with the sale of the bonds; making other provisions regarding such bonds, including use of the proceeds thereof, and matters incident thereto.
17. An ordinance authorizing the issuance of "City of Lancaster, Texas General Obligation Bonds, Taxable Series 2018A" in an aggregate principal amount of \$500,000; and other matters related thereto.

ADJOURNMENT

EXECUTIVE SESSION: The City Council reserve the right to convene into executive session on any posted agenda item pursuant to Section 551.071(2) of the Texas Government Code to seek legal advice concerning such subject.

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

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

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

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

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

Certificate

I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall on September 6, 2018 @ 8:00 p.m. and copies thereof were provided to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.



Sorangel O. Arenas
City Secretary

LANCASTER CITY COUNCIL

City Council Regular Meeting

1.

Meeting Date: 09/10/2018

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda

Goal(s): Professional & Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Consider approval of minutes from the City Council Special Meeting held on July 30, 2018.

Background:

Attached for your review and consideration are minutes from the City Council Meetings held on July 30, 2018.

Attachments

July 30, 2018 Minutes

MINUTES

LANCASTER CITY COUNCIL SPECIAL MEETING OF JULY 30, 2018

The City Council of the City of Lancaster, Texas, met in a called Special Session in the Council Chambers of City Hall on July 30, 2018 at 7:30 p.m. with a quorum present to-wit:

Councilmembers Present:

Mayor Clyde C. Hairston
Carol Strain-Burk
Deputy Mayor Pro Tem Stanley Jaglowski
Mayor Pro Tem Marco Mejia
Derrick D. Robinson
Racheal Hill
Nina Morris

City Staff Present:

Opal Mauldin-Jones, City Manager
Rona Stringfellow, Assistant City Manager
Fabrice Kabona, Assistant to the City Manager
Cheryl Womble, Administrative & Community Relations Supervisor
Jasmine Carr, Community Programs Coordinator
Baron Sauls, Finance Director
Kenneth Johnson, Fire Chief
Sam Urbanski, Police Chief
Chris Youngman, Assistant Fire Chief
Dipak Patel, Project Manager
Amanda Monsivais, Benefits and Risk Manager
Kellen Benbrook, Airport Manager
Than Nguyen City Engineer
Dori Lee, Director of Human Resources
Shane Shepard, Director of Economic Development
Bester Munyaradzi, Senior Planner
Jermaine Sapp, Director of Equipment Services and Facilities
Andy Waits, Interim Assistant Public Works Director
Alton Dixon, Purchasing Agent
Delajer Walker, Interim E.C. Superintendent
Ashley White, Associate City Attorney
Sorangel O. Arenas, City Secretary

Call to Order:

Mayor Hairston called the meeting to order at 8:24 p.m. on July 30, 2018.

Consent Agenda:

City Secretary Arenas read the consent agenda.

- 1. Consider a resolution approving an Interlocal agreement with the North Central Texas Council of Government (NCTCOG) for reimbursement of Grant funds for the Solid waste and Recycling education project.**
- 2. Consider a resolution authorizing the City Manager to execute commercial and non-commercial leases, ground leases, and assignments and assumptions of ground leases at the Lancaster Regional Airport from August 1, 2018 to July 31, 2019.**
- 3. Consider a resolution authorizing a professional services agreement with Johnson Controls, Incorporated for the replacement of Heating Ventilation and Air Conditioning (HVAC), exhaust fans, and ceiling and lighting for the Lancaster Animal Shelter in an amount not to exceed one**

hundred and twenty-two thousand three hundred ninety dollars (\$122,390.00) and authorizing the City Manager to execute said agreement.

Deputy Mayor Pro Tem Jaglowski pulled items 1 and 2.

MOTION: Deputy Mayor Pro Tem Jaglowski made a motion, seconded by Councilmember Strain-Burk to approve consent item 3. The vote was cast 7 for, 0 against.

1. Consider a resolution approving an Interlocal agreement with the North Central Texas Council of Government (NCTCOG) for reimbursement of Grant funds for the Solid waste and Recycling education project.

Deputy Mayor Pro Tem Jaglowski requested staff comments. City Manager Mauldin-Jones shared that on March 12, 2018, the Lancaster City Council approved a resolution authorizing the filing of a grant application with the NCTCOG, in an amount not to exceed fifty-four thousand one hundred seventy-five dollars and forty-four cents (\$54,175.44), for the FY 2018/2019. The City was awarded the reimbursable grant in the amount of \$40,371.00, for a Solid Waste and Recycling Education Project. All project expenses up to \$40,371.00, incurred during the term of this agreement will be fully reimbursed to the City. The City requested funding to assist in the expansion of the solid waste and recycling education. The goal of the proposed educational project is to increase recycling participation, reduce and eliminate illegal dumping, as well as educate citizens about the City's sanitation guidelines. Staff will purchase a retrofit recycling vehicle (van) that will be equipped on one side with a large flat screen TV to be viewed by event attendees; along with this vehicle, staff will acquire a mascot to assist in the promotion of recycling at various events. Additionally, staff will partner with the solid waste provider, Community Waste Disposal, to produce an educational video. The City will receive 100% reimbursement for dollars spent towards the project. Staff recommends approval of the resolution and agreement, as presented.

Deputy Mayor Pro Tem Jaglowski expressed his appreciation to staff.

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve consent item 1. The vote was cast 7 for, 0 against.

2. Consider a resolution authorizing the City Manager to execute commercial and non-commercial leases, ground leases, and assignments and assumptions of ground leases at the Lancaster Regional Airport from August 1, 2018 to July 31, 2019.

Deputy Mayor Pro Tem Jaglowski requested Council's input to extend the City Manager's authorization from a yearly basset to every two years.

Mayor Pro Tem Mejia suggested continuing the approval of item 2 annually.

City Manager Mauldin-Jones shared that item 2 authorizes the City Manager to sign Airport T-hangar and T-spot leases and ground lease assignments and assumptions which have been reviewed and approved as to form by the City Attorney. The authorization has been working great to provide good and timely customer service for lease approvals with our tenants and future tenants. This renewal includes all the previous lease signing authorizations including commercial leases and ground leases. Adding these will fully encompass all leases at the airport and afford the same customer service level to all tenants and future tenants aboard Lancaster Regional Airport. The authorization is active for one year.

Deputy Mayor Pro Tem Jaglowski stated that since item 2 has been successful since 2015, he was considering extending the authorization for a length of two to five years.

Councilmember Strain-Burk suggested approving of item 2 and the ability to discuss further at a Work Session Meeting.

Mayor Pro Tem Mejia inquired of City Manager Mauldin-Jones if the process is extensive. City Manager Mauldin-Jones shared that the implementation was to provide good and timely customer service for lease approvals with our tenants and future tenants.

Councilmember Morris suggested approving item 2, as stated by Councilmember Strain-Burk, and the ability to discuss further during the annual Strategic Planning Session.

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to approve consent item 2. The vote was cast 7 for, 0 against.

4. Z18-05 Conduct a Public Hearing and consider a rezoning request from Agricultural Open (AO) to SF-4 Single Family Residential. The property is approximately 125.2 acres and is located south of Main Street, east of Bluegrove Road and west of Belt Line Road. It is further described as Abstract 449 Arthur Eldridge, Lancaster, Dallas County, Texas.

City Manager Mauldin-Jones spoke on item 4 and shared that the item is to conduct a Public Hearing and consider a rezoning request. The property is located south of Main Street, east of Bluegrove Road and west of Belt Line Road. The property is approximately 125.2 acres in size and is currently zoned Agricultural Open (AO). The Future Land Use Plan of the Comprehensive Plan identifies this site as suitable for Suburban Neighborhood uses. The request is consistent with the Comprehensive and to rezone the subject property from AO to SF-4. The current zoning only allows for agricultural uses and a single family dwelling on five (5) acres or more. The proposed zoning change would allow up to 4 dwelling units per an acre. Suburban Neighborhood is envisioned to have place types which focus on creating a variety of residential products. The subject property is served by City of Lancaster water. Additionally, the applicant will have to extend sanitary sewer line to the subject property. Access to the property would be from Main Street. If the zoning change request is granted, the applicant has indicated that they intend to market the property to their builder clients to determine the desired land plan, lot mix and construction product mix most suitable for property and market that complies with all of the SF-4 zoning restrictions and requirements. The applicant will be required to meet the requirements for single family development as outlined by the Lancaster Development Code (LDC). On June 3 and June 10, 2018, a notice for this public hearing appeared in the Focus Daily Newspaper. Staff also mailed 22 notifications of this public hearing to property owners within 200-feet of the subject site and zoning signs were placed on the property. There has been one (1) letter returned in favor, one (1) in opposition and one (1) neither supporting nor opposing the case. On June 19, 2018 the Planning and Zoning Commission recommended approval of the request as presented. Staff concurs with the Planning and Zoning Commission.

Councilmember Strain-Burk requested clarification on the zoning for SF-4 Single Family Residential. City Manager Mauldin-Jones shared that in the Development Districts under SF-4, it requires a minimum of 2,100 square feet. Staff met with the applicant and they are aware of City Council's Goals and Vision to have more custom homes in larger lots. However, the rezoning request is for an SF-4 which is the lowest zoning classification that does still meet the intent of low density. The applicant will be required to meet the requirements for single family development as outlined by the Lancaster Development Code (LDC).

Mayor Pro Tem Mejia inquired confirmation that under the Comprehensive Plan, four homes per acre is considered low density. City Manager Mauldin-Jones confirmed.

Mayor Pro Tem Mejia expressed that if item 4 is approved this will continue the same residential development instead of like estate-style homes. He indicated the development as proposed, in his opinion, is not the best use of the subject property.

Deputy Mayor Pro Tem Jaglowski emphasized that the Council desires to obtain a higher value of residential development.

Mayor Hairston opened the public hearing.

Frank Mejia, 1500 W. Main Street, spoke in opposition of item 4. and shared that he has been a resident for over forty-five years. Since he resides near the subject property, he expressed a desire to have bigger and better homes.

Irene Mejia, 1500 W. Main Street, spoke in opposition of item 4.

Alan Atkins, applicant, stated that as a land developer, he is proposing the lowest density to market the property to determine the desired land plan, lot mix and construction product mix most suitable for property and market that complies with all of the SF-4 zoning restrictions and requirements. The subject property has approximately fifty acres of flood plain and he desires to construct a park that will be maintained by the HOA.

Councilmember Robinson inquired if the property has the capacity to maintain larger square footage homes. Applicant Atkins stated that the square footage per home is not an issue; however, he strives to market the property as high as possible to be able to get a high dollar return.

Councilmember Morris shared to the applicant that she desires higher-value homes to be developed.

Mayor Hairston stated that the City Council has three options which they may approve the proposed rezoning request, as presented; may approve the proposed rezoning request with changes and to state those changes; or may deny the proposed rezoning request.

Councilmember Morris inquired if the item may be tabled to discuss property use stipulations. Mayor Hairston stated that the request brought forth is a rezoning request from Agricultural Open (AO) to SF-4 Single Family Residential.

City Manager Mauldin-Jones stated the item was recommended approval by the Planning and Zoning Commission. In order to modify the application, the applicant will have to reapply and go through the process again. Staff verified with legal and City Council cannot change what was depicted on the application. However, the applicant has the option to withdraw his request, resubmit a new application, or continue with his request. The City Council has the option to table the matter or they may approve the proposed rezoning request, as presented; may approve the proposed rezoning request with changes and to state those changes; or may deny the proposed rezoning request. She indicated that since Planning and Zoning recommended approval, in order for the denial to pass, a supermajority vote is required.

Deputy Mayor Pro Tem Jaglowski inquired the information researched by staff regarding empty nesters per the Lancaster Development Code. Assistant City Manager Stringfellow stated that in efforts to promote diversity, in residential subdivisions in SF-4, SF-5 and SF-6 zoning districts, developments of 50 or more acres in size which are being developed, they must contain a minimum of 20 percent Empty-nester Units. She shared that empty-nester units may include single family lots or two-story townhouses and are characterized as single family living units which are 1,000 to 1,400 square feet in size. Townhouses must be at least 1,200 square feet with no maximum size. However, an SUP shall be required for units that are 850 square feet. Lots must be between 30 and 50 feet wide and townhouses must be a minimum of 20 feet in width.

Councilmember Strain-Burk emphasized the necessity to have a variety of diversity and different size lots and square footage.

Mayor Pro Tem Mejia disagreed with Councilmember Strain-Burk and expressed the need to develop residential homes over three hundred thousand dollars (\$300,000). He stated in other communities, he has not witnessed the minimum of 20 percent empty-nester units and the desired a mixed-used residential. He conveyed the need to review the standards and requirements for Empty Nester Units.

Councilmember Morris agreed with Mayor Pro Tem Mejia to review the Empty Nester Units guidelines and standards.

Applicant Atkins shared his challenges and understands the requirements and guidelines set forth. He is ready to invest in the property; however, before any work is underway he would like to know the zoning.

Mayor Pro Tem Mejia requested to close the public hearing and proceed with consideration.

MOTION: Councilmember Morris made a motion, seconded by Mayor Pro Tem Mejia to close the public hearing. The vote was cast 7 for, 0 against.

MOTION: Mayor Pro Tem Mejia made a motion, seconded by Councilmember Morris to deny item 4. The vote was cast 6 for, 1 against [Robinson].

5. Z18-06 Conduct a Public Hearing and consider an ordinance granting a Specific Use Permit (SUP) request for in-home daycare at a property addressed as 1743 O'Neal Street; Lot 7, Block B in Wellington Park North Subdivision. The property is located within the Jonathan L. Samson Survey, Abstract No. 1311 City of Lancaster, Dallas County, Texas.

City Manager Mauldin-Jones spoke on item 5 and stated that staff received a Specific Use Permit (SUP) request for in-home day care application for Karen's 24 Hour Childcare and Day School. The application was submitted after the day care experienced a fire. At that time, the Fire Marshall was made aware that property owner was operating an in-home daycare without the City required permits. While Texas Department of Family and Protective Services require in-home daycare operators to meet local government requirements as part of the State minimum guidelines for licensing; negligence to acquire local permits is a common oversight that many in-home daycare operators make once they get State License. As a result, the City has approximately 32 (thirty-two) in-home day cares that are operating without City permits. Karen's 24 Hour Childcare and Day School is State Licensed, however, the operation does not have the required City of Lancaster Fire and Building Inspections permits to operate such a business. In addition, the Lancaster Development Code (LDC) requires in-home day cares to obtain a Specific Use Permit (SUP) in all Residential zoning districts. This is a request for an in-home daycare for eight (8) children ranging from 14 months to five (5) years of age (1 child 14 months old, 1 child 2 years old, 2 children 2 1/2 years old, 1 child 3 years old, 2 children 4 years old and 1 child 5 years old). Though the daycare had been licensed by the State for operation for more than 10 years; the operation was never in compliance with local requirements. The applicant is therefore seeking to bring the business in compliance with the City's required permits. She stated that in-home daycare is classified as Home Occupation and must meet Sec. 14.402 Use Standards, Subsection (b) Residential and Lodging Use Conditions (7) Home Occupation regulations of the Lancaster Development Code which must clearly be incidental and secondary to the primary use of the property as a residence; no more than two (2) people outside the family may be employed in the home occupation. There shall be no exterior display, exterior storage of materials, and no other exterior indication of the home occupation or variation from the residential character of the principal building; no more traffic shall be generated by such home occupation than would normally be expected in the neighborhood; in addition to the off-street parking required for the residence, adequate additional off-street parking shall be provided for the vehicles of each employee and the maximum number of users the home occupation may attract,. One (1) additional parking space at the rest of the house shall be provided; no nuisance, offensive noise, vibration, smoke, dust, odors, heat, glare, or electrical disturbance shall be generated. The home occupation may not be interpreted to include the following: facilities for repair of motor vehicles, small motors, daycare center, or uses which utilize flammable or hazardous materials. As mentioned, this in-home daycare cares for eight (8) children ranging from 14 months to five (5) years old. Due to the ages of children, Building and Fire codes classifies this in-home day care as an I-4 which requires the installation of automatic fire sprinklers. Therefore the operators/owners of the in-home daycare are required to install automatic fire sprinklers in the premise for the safety of the children and to meet the Fire code requirement. Staff recommended approval of item 5 on condition that the applicant installs automatic fire sprinklers for the safety of the children and as required by the Fire Department and the children must remain on the first floor. Zoning signs were placed on the subject property on Friday, June 8, 2018. On June 6, 2018, notifications of this public hearing were mailed to owners that are within 200 feet of the subject property. On Thursday, June 3, 2018, a notice for this public hearing appeared in the Focus Daily Newspaper. Staff received one letter in favor and no letter in opposition of item 5. On June 19, 2018 the Planning and Zoning Commission recommended approval of the

SUP for in-home daycare and if children will be maintained on the second floor, automatic fire sprinklers must be installed. Staff concurred with the Planning and Zoning Commission.

Mayor Hairston opened the public hearing.

There were no speakers.

Mayor Pro Tem Mejia spoke in opposition of item 5. In efforts to keep the neighborhoods peaceful, he expressed his concerns on conducting business in a residential area.

Councilmember Morris spoke in favor of item 5. She stated that as a mother, she seeks in-home daycare facilities near her home and someone that she has confidence in to monitor her toddler.

Deputy Mayor Pro Tem Jaglowski inquired the duration of operation of Karen's 24 Hour Childcare and Day School. City Manager Mauldin-Jones indicated that the facility obtained the state issued license on April 13, 2010. However, staff was informed by Texas Department of Family and Protective Services that the City has approximately 32 (thirty-two) in-home day cares that are operating without City permits. Currently, staff is in the process of notifying those in-home day cares and providing a 90 day grace period to submit a Specific Use Permit (SUP) in order to be in compliance with the City's required permits.

Deputy Mayor Pro Tem Jaglowski inquired if the operation of Karen's 24 Hour Childcare and Day School had any previous recorded incidents. City Manager Mauldin-Jones stated that staff did not pull the records for the address. However, due to the fire incident, the Fire Marshall was made aware that the property owner was operating an in-home daycare without the City required permits.

Deputy Mayor Pro Tem Jaglowski inquired that, if item 5 approved, staff will confirm that the fire sprinklers were installed. City Manager Mauldin-Jones stated that if the children remain on the first level of the home during operating hours, the applicant does not need to install automatic fire sprinklers. However, the Fire Marshall will continue to conduct annual inspections, as required, or additional inspections, as needed.

Councilmember Strain-Burk spoke in favor of item 5 and agreed with Councilmember Morris' comments as long as the business is in compliance with local and state regulations.

Councilmember Hill inquired more information on the annual inspections that are conducted by the Fire Marshall. Fire Chief Johnson stated that inspections are scheduled by appointment; however, there have been numerous incidents that inspections are unannounced. After the fire incident, the Fire Department conducted an inspection to ensure the home is safe until the process of the SUP request is completed. He indicated that he had previously met with the Texas Department of Family and Protective Services in order to dissolve any confusion or concerns since the high number of in-home day cares that are not in compliance with the City's requirements. He was informed by the Texas Department of Family and Protective Services that they cannot mandate to contact the City; however, they do highly recommend for the business owners to contact the City. Also, the State stressed that the in-home day cares are vital to the community because there are a number of residents that need day cares.

Councilmember Hill expressed the need of in-home day cares but is concerned with the safety of the children. She recommends that inspections are not announced.

Deputy Mayor Pro Tem Jaglowski inquired from Fire Chief Johnson is there were any injuries from the fire incident. Fire Chief Johnson informed that there were no injuries from the small fire as the home had a fire extinguisher.

Councilmember Morris inquired if the 32 (thirty-two) in-home day cares that are operating without a City permits will receive a citation. Fire Chief Johnson stated that staff is in the process of notifying the in-home day cares and providing them with a 90 day grace period to be in compliance with the City's required permits.

However, the Fire Marshall issues a citation when the fire incident occurred but informed the owner that if the day care becomes compliant, the citation will be waived.

Associate City Attorney White stated that the case is currently ongoing in the Municipal Court. She informed that the case was reset for Jury Trial in September 2018 since the SUP request was currently pending for City Council consideration.

Deputy Mayor Pro Tem Jaglowski inquired if the annual inspections conducted by the City are shared with the Texas Department of Family and Protective Services. Fire Chief Johnson stated that the state conducts their own inspections.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to close the public hearing. The vote was cast 7 for, 0 against.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Hill to approve item 5. The vote was cast 7 for, 0 against.

6. Discuss and consider a resolution approving the terms and conditions of an agreement with McMahon Contracting L.P. for limited pavement repairs on Pleasant Run Road in an amount not to exceed one million nine hundred seventy-five thousand two hundred eighty-nine dollars and seventy-four cents (\$1,975,289.74).

City Manager Mauldin-Jones shared that item 6 is a request to approve an agreement for the construction of Pleasant Run Road. The project funding is available and will be derived from 2007 street bonds. The City utilized Dal-Tech Engineering, Inc. for the design including engineering services of Pleasant Run Road which was presented in three phases. Pleasant Run Road was identified as it is a major arterial that is heavily traveled due to access from major residential subdivisions. Plans include saw cutting the existing concrete pavement and curbs that have been identified; removing concrete pavement and compaction of the subgrade prior to the concrete being replaced. This will provide a smoother driving experience for residential drivers and a more sustained roadway for heavier vehicles that travel the roadway. Staff recommended Phase 1, plus additional improvement in Phase 1, but to not to exceed one million nine hundred seventy-five thousand two hundred eighty-nine dollars and seventy-four cents (\$1,975,289.74). This phase is located on Pleasant Run Road between Interstate 35E to Houston School Road. Staff recommended approval of the request, as presented.

Mayor Pro Tem Mejia inquired the number of bids received. Interim Assistant Public Works Director Waits stated that staff only received one.

Mayor Pro Tem Mejia inquired the publication notice for bids. Purchasing Agent Dixon informed that the publication was recorded in the City's official newspaper as well as the state's required website.

Deputy Mayor Pro Tem Jaglowski requested comments from the representative from Dal-Tech Engineering, Inc. Devyn Howell shared that her company has worked on a recent project within the City and is grateful for the opportunity. The McMahon Contracting L. P. submitted their bid and Dal-Tech Engineering recommended that the construction contract for bond program be awarded to McMahon Contracting L. P.

Mayor Pro Tem Mejia requested to reopen the bid for an additional three more weeks to obtain the best price as possible. He inquired what additional publication options are available. City Manager Mauldin-Jones shared that the City places open bids in the City's official newspaper as well as the state's website and noticed in the contractors association. She indicated that McMahon Contracting L. P. is one of the larger firms that are doing work in the region. Based on the project size and the scope of the project, there was limited interest for the project.

Mayor Pro Tem Mejia requested to obtain one more bid and suggested to table the matter. City Manager Mauldin-Jones mentioned that if it is the will of the Council, that item 6 must be rejected and another publication notice must be resubmitted.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Morris to approve item 6. The vote was cast 6 for, 1 against [Mejia].

7. Consider a resolution authorizing a professional services agreement with Siemens Industry, Incorporated for the replacement of the Building Automated System/Heating Ventilation and Air Conditioning BAS/HVAC and the pool unit at the Recreation Center, in an amount not to exceed one million three hundred sixty-four thousand dollars and five hundred and seventy-one dollars (\$1,364,571.00) and authorizing the City Manager to execute said agreement.

City Manager Mauldin-Jones shared that item 7 was previously presented at Work Session.

Mayor Pro Tem Mejia requested the number of proposals submitted. City Manager Mauldin-Jones shared that item 7 is to consider a professional services agreement with Siemens Industry and they received three.

Deputy Mayor Pro Tem Jaglowski requested for the City Manager Mauldin-Jones to explain the professional services agreement. City Manager Mauldin-Jones stated that Siemens conducted an audit of the Lancaster Recreation Center and identified that the existing Building Automated System BAS/HVAC is not working correctly and needs to be replaced the aging air-cooled chiller. The cost of the project is set at a fixed-price.

MOTION: Mayor Pro Tem Mejia made a motion to table item 7. The motion failed due to lack of second.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to approve item 7. The vote was cast 6 for, 1 against [Mejia].

8. Discuss and consider appointments to the Hike and Bike Trails Advisory Committee.

City Manager Mauldin-Jones indicated that in order to continue with the current recommended committee composition Planning and Zoning Commissioner Karen Collins has agreed to serve. Mr. Granger, LISD Superintendent has been contacted to appoint another LISD representative. Superintendent Granger has recommended James Thomas from the school district.

MOTION: Councilmember Strain-Burk made a motion, seconded by Deputy Mayor Pro Tem Jaglowski to appoint Planning and Zoning Commissioner Karen Collins and Lancaster Independent School District Representative James Thomas. The vote was cast 7 for, 0 against.

9. Discuss and receive a presentation on the appointment of a Capital Improvements Advisory Committee (CIAC).

Councilmember Strain-Burk nominated Paul Cummins, Mark Beasley, and Mindy Truly. However, she has not verified with the nominees.

Councilmember Morris nominated Mark Beasley.

City Manager Mauldin-Jones stated that at least five (5) members should be appointed to the Capital Improvements Advisory Committee (CIAC). Per the Texas Local Government Code, the role of the advisory committee is outlined. At least 40% must be representatives of the real estate, development, or building industries, who are not employees or officials of a city or governmental entity. The current makeup of the Planning and Zoning Commission does not include at least one (1) member from the above mentioned real estate, development, or building industry and does not have at least five (5) members; the City Council would need to make additional appointments to the Planning and Zoning Commission that satisfies this requirement. With that being said, City Council could allow the current three (3) Commissioners to serve along with the addition of an ad hoc member that is from the real estate, development, or building industries. She shared that appointment is not required at the meeting and recommendation made be announced so staff may confirm with the nominees.

MOTION: Councilmember Strain-Burk made a motion, seconded by Councilmember Morris to nominate Paul Cummins, Mark Beasley, and the current three (3) Planning and Zoning Commission members. The vote was cast 7 for, 0 against.

10. Discuss and consider a resolution adopting the City of Lancaster Proposed Budget Calendar for Fiscal Year 2018/2019.

City Manager Mauldin-Jones suggested one modification to the schedule and recommended removing August 9, 2018 and proposed Saturday, August 11, 2018 at 9:00 a.m. for a Special Work Session at the Pump Station.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Strain-Burk to approve item 10 with the suggestions. The vote was cast 7 for, 0 against.

MOTION: Councilmember Morris made a motion, seconded by Councilmember Strain-Burk, to adjourn. The vote was cast 7 for, 0 against.

The meeting was adjourned at 10:01 p.m.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

LANCASTER CITY COUNCIL

City Council Regular Meeting

2.

Meeting Date: 09/10/2018

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda.

Goal(s): Professional & Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Consider a resolution canceling the City Council Regular Meeting of September 24, 2018; Work Session of November 19, 2018; Regular Meeting of November 26, 2018; and Regular Meeting of December 24, 2018.

Background:

The City Council generally meets on the second and fourth Monday of each month. The City Charter requires the City Council to meet at least once a month. Setting the meeting schedule for the remainder of the year allows sufficient time for public notice of the revised meeting schedule and is helpful to staff for planning purposes.

The Regular Meeting in September (September 24) occurs during the International City/County Management Association's (ICMA) Annual Conference. The City Manager and Assistant City Manager are scheduled to attend the ICMA Annual Conference, and all business can be accommodated on the September 10th meeting and if needed on September 17th.

Typically, City Council cancels the second Regular Meetings in the month of November and December to accommodate the holiday season. In November, a Work Session Meeting falls on November 19th and the Regular Meeting falls on November 26th. November 19th is the Monday prior to Thanksgiving Day and November 26th is the Monday after Thanksgiving Day. The regular meeting on November 12th is sufficient for City Business in the month of November.

The second Regular Meeting in December is December 24, which is the Monday prior to Christmas Day. The Regular Meeting of December 10th and the Work Session Meeting, if needed, on December 17th provides sufficient opportunity for City business in the month of December.

Operational Considerations:

Essential City business will be completed at the Regular Meeting on September 10th and essential City business may be completed at the Regular or Special meetings on November 5th, November 12th, December 3rd, and December 10th. At any time, City Council may call a properly noticed Special Meeting if an unforeseen matter requires prompt action by the City Council.

Public Information Considerations:

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

Options/Alternatives:

1. City Council may approve the resolution canceling the September 24, 2018 Regular Meeting, November 19, 2018 Work Session, and November 26, 2018 Regular Meeting; and December 24, 2018 Regular Meeting, as presented.
2. City Council may amend the resolution to cancel and/or reschedule certain meeting(s).
3. City Council may deny the resolution and conduct meetings as scheduled.

Recommendation:

Staff recommends approval of the resolution, as presented.

Attachments

Resolution

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, CANCELING THE CITY COUNCIL REGULAR MEETING OF SEPTEMBER 24, 2018; WORK SESSION OF NOVEMBER 19, 2018; REGULAR MEETING OF NOVEMBER 26, 2018; AND REGULAR MEETING OF DECEMBER 24, 2018.

WHEREAS, Section 3.10 (A) of the Lancaster Home Rule Charter provides that the City Council shall hold at least one (1) regular meeting each month and additional meetings as it deems necessary; and

WHEREAS, the Lancaster City Council is of the opinion that all essential City business may be conducted at the regularly scheduled or special meetings of November 5, 2018, November 12, 2018, December 3, 2018 and December 10, 2018; and

WHEREAS, in acknowledging the 2018 City schedule and in the spirit of the holiday season, the Lancaster City Council has determined that the outlined regularly scheduled meetings are not vital to conducting City business.

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

SECTION 1. The Regular Meeting of the City Council set for September 24, 2018; Work Session Meeting set for November 19, 2018; and Regular Meetings of the City Council set for November 26, 2018 and December 24, 2018 are hereby canceled.

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

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 10th day of September, 2018.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

LANCASTER CITY COUNCIL

City Council Regular Meeting

3.

Meeting Date: 09/10/2018

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda.

Goal(s): Healthy, Safe & Engaged Community

Submitted by: Sam Urbanski, Police Chief

Agenda Caption:

Consider a resolution approving the terms and conditions of the 2018 Edward Byrne Memorial Justice Assistance Grant (JAG) Program Funds Sharing and Fiscal Agency Agreement between the City of Lancaster and the County of Dallas, Texas to provide funds to prevent and control crime and to improve the criminal justice system.

Background:

This item is for consideration to approve the 2018 JAG Program Funds Sharing and Fiscal Agency Agreement. This agreement will allow the Lancaster Police Department to be eligible to receive a grant in the amount of \$13,124.00 through the Dallas County Justice Assistance Grant ("JAG"). Pursuant to the Sharing Funds Agreement, the City of Lancaster shall transfer the grant administration fee of \$3,937.20 to Dallas County. An additional amount of \$643.08 must also be transferred to the fiscal agent, the City of Dallas.

Operational Considerations:

Approval of this agreement will provide grant funding from Dallas County JAG for the purchase of Tasers, in an amount of \$8,543.72 after administration and fiscal agent fees.

Legal Considerations:

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

Public Information Considerations:

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

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the resolution, as presented.

Attachments

Resolution

Exhibit "A"

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE 2018 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM FUNDS SHARING AND FISCAL AGENCY AGREEMENT FOR THE SHARING OF FUNDS BETWEEN THE CITY OF LANCASTER AND THE COUNTY OF DALLAS, TEXAS; TO PROVIDE FUNDS THROUGH DALLAS COUNTY JUSTICE ASSISTANCE GRANT (“JAG”); AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Part E of Title 1 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and the Edward Byrne Memorial Justice Assistance Grant Program (the “JAG Program”) authorize the Department of Justice’s Bureau of Justice Assistance (the “BJA”) to make funds (the “JAG Funds”) available to units of local government in order to support a broad range of activities to prevent and control crime and to improve the criminal justice system; and

WHEREAS, the County and the Cities are eligible for 2018 JAG Program Funds and have been certified by the Department of Justice Bureau of Justice Assistance (BJA) as a disparate jurisdiction; and

WHEREAS, for the purposes of simplifying the application process, the JAG Program permits the chief executive officer of one of the eligible units of local government in the disparate jurisdiction to submit a joint application for JAG Funds on behalf of the other eligible units of local governments within that jurisdiction and to act as the fiscal agent for those local governments in administering the JAG Funds; and

WHEREAS, certified disparate jurisdictions must reach an agreement regarding the sharing of JAG Funds prior to submission of the JAG Program application; and

WHEREAS, the County and the Cities agree and acknowledge that as a certified disparate jurisdiction, they must reach an agreement regarding the sharing of JAG Funds prior to submitting a JAG application with the BJA; and

WHEREAS, the County and the Cities hereby agree to name a fiscal agent to administer and distribute the JAG Funds and to designate a share of each jurisdiction’s JAG Funds for administrative costs to be paid to the fiscal agent named below, prior to submission of the joint application for JAG Funds to the BJA; and

WHEREAS, the County and the Cities wish to name Dallas as the fiscal agent to administer and distribute the JAG Funds pursuant to the JAG Program; and

WHEREAS, a unit of local government may transfer up to ten percent (10%) of its allocation of JAG Funds for costs associated with administering the JAG Funds to the fiscal agent; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of the parties, that the undertaking will benefit the public, and that the share of the JAG Funds to each jurisdiction fairly compensates the parties for their respective functions under this Agreement.

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

SECTION 1. The Agreement by and between the City of Lancaster and Dallas County, Texas, attached hereto as Exhibit A, having been reviewed by the City Council of the City of Lancaster, Texas and found to be acceptable and in the best interest of the City and its citizens be and, the same is hereby, in all things approved.

SECTION 2. The City Manager of the City of Lancaster, Texas is hereby authorized to execute said Agreement.

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

SECTION 4. Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be servable.

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

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 10th day of September, 2018.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

**GMS Application # 2018-H3567-TX-DJ
2018 EDWARD BYRNE MEMORIAL
JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FUNDS SHARING AND FISCAL AGENCY AGREEMENT**

THIS AGREEMENT (the "Agreement"), is made and entered into by and between the following parties:

The County of Dallas, Texas (the "County") located at County Administration Building, 2nd Floor, 411 Elm Street, Dallas, Texas 75202, political body recognized as a legal subdivision of the State of Texas pursuant to Article XI, Section 1 of the Texas Constitution; and

The City of Balch Springs, Texas ("Balch Springs"), located at City Hall, 13503 Alexander Road, Balch Springs, Texas 75181, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of Carrollton, Texas ("Carrollton"), located at City Hall, 1945 East Jackson Road, Carrollton, Texas 75006, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of Dallas, Texas ("Dallas"), located at City Hall, Room 7DN, 1500 Marilla Street, Dallas, Texas 75201, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of DeSoto, Texas ("DeSoto"), located at City Hall, 211 East Pleasant Run Road, Suite A, DeSoto, Texas 75115, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution;

The City of Duncanville, Texas ("Duncanville"), located at City Hall, 203 East Wheatland Road, Duncanville, TX 75116, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of Garland, Texas ("Garland"), located at City Hall, 200 North Fifth Street, 4th Floor, Garland, Texas 75040, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of Grand Prairie, Texas ("Grand Prairie"), located at City Hall, 317 College Street, Grand Prairie, Texas 75050, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of Irving, Texas (“Irving”), located at City Hall, 825 West Irving Boulevard, Irving, Texas 75060, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of Lancaster, Texas (“Lancaster”), located at City Hall, 211 North Henry Street, Lancaster, Texas 75146, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of Mesquite, Texas (“Mesquite”), located at City Hall, 757 North Galloway Avenue, Mesquite, Texas 75149, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution; and

The City of Richardson, Texas (“Richardson”), located at City Hall, 411 West Arapaho, Richardson, Texas 75080, a home rule municipality pursuant to Section 5, Article 11 of the Texas Constitution.

The aforementioned Cities shall be referred to collectively in this Agreement as the “Cities.”

W I T N E S S E T H:

WHEREAS, Part E of Title 1 of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, and the Edward Byrne Memorial Justice Assistance Grant Program (the “JAG Program”) authorize the Department of Justice’s Bureau of Justice Assistance (the “BJA”) to make funds (the “JAG Funds”) available to units of local government in order to support a broad range of activities to prevent and control crime and to improve the criminal justice system; and

WHEREAS, the County and the Cities are eligible for 2018 JAG Program Funds and have been certified by the BJA as a disparate jurisdiction; and

WHEREAS, for the purposes of simplifying the application process, the JAG Program permits the chief executive officer of one of the eligible units of local government in the disparate jurisdiction to submit a joint application for JAG Funds on behalf of the other eligible units of local governments within that jurisdiction and to act as the fiscal agent for those local governments in administering the JAG Funds; and

WHEREAS, certified disparate jurisdictions must reach an agreement regarding the sharing of JAG Funds prior to submission of the JAG Program application; and

WHEREAS, the County and the Cities agree and acknowledge that as a certified disparate jurisdiction, they must reach an agreement regarding the sharing of JAG Funds prior to submitting a JAG application with the BJA; and

WHEREAS, the County and the Cities hereby agree to name a fiscal agent to administer and distribute the JAG Funds and to designate a share of each jurisdiction's JAG Funds for administrative costs to be paid to the fiscal agent named below, prior to submission of the joint application for JAG Funds to the BJA; and

WHEREAS, the County and the Cities wish to name Dallas as the fiscal agent to administer and distribute the JAG Funds pursuant to the JAG Program; and

WHEREAS, a unit of local government may transfer up to ten percent (10%) of its allocation of JAG Funds for costs associated with administering the JAG Funds to the fiscal agent; and

WHEREAS, each governing body finds that the performance of this Agreement is in the best interests of the parties, that the undertaking will benefit the public, and that the share of the JAG Funds to each jurisdiction fairly compensates the parties for their respective functions under this Agreement.

NOW THEREFORE, in consideration of the mutual covenants and obligations herein, the parties agree as follows:

SECTION 1. PURPOSE

This Agreement shall set forth the following: (A) the nature of the relationship between the County and the Cities and Dallas as fiscal agent for the County and the Cities; (B) the parties' reporting, legal, and audit obligations; (C) the amount of JAG Funds initially allocated by the BJA to the County and the Cities (the "Initial Allocations"); (D) the amount of the Initial Allocations of the JAG Funds to be transferred from the Cities to the County; (E) the allocation of JAG Funds for each jurisdiction *after* the transfer of a portion of the Initial Allocations of JAG Funds from the Cities to the County (the "Adjusted Allocations"); (F) the amount of the grant administration fees to be paid to Dallas as the fiscal agent for both the County and the Cities; (G) the allocation of JAG Funds for the County and the Cities *after* the grant administration fee has been deducted from the Adjusted Allocations (the "Final Allocations"); and (H) other rights and responsibilities of Dallas, the County, and the Cities with regard to Dallas' application for, administration of, and distribution of the JAG Funds on behalf of the County and the Cities.

SECTION 2. FISCAL AGENT

A. Dallas as Fiscal Agent. The County and the Cities do hereby agree that Dallas shall act as the fiscal agent for purposes of applying for, administering, and distributing the JAG Funds on behalf of both the County and the Cities. In consideration for Dallas acting as the

fiscal agent for purposes of the JAG Program, the County and the Cities, save Dallas, each agree to pay Dallas seven percent (7%) of their Adjusted Allocations for costs associated with administering the JAG Funds. Dallas shall allocate greater than seven percent (7%) of its Adjusted Allocation toward administration; provided, however, the total contribution of Adjusted Allocations toward grant administration, including Dallas' contribution, shall not exceed ten percent (10%) of the total allocation to the parties' disparate jurisdiction. Dallas further agrees to prioritize the expenditure of the grant administration fees to include the following activities: distributing the JAG Funds, monitoring the award, submitting reports to the BJA (including performance measures and program assessment data), and providing ongoing assistance to the County and the Cities as sub-recipients of the JAG Funds.

B. No Additional Funds. The County and the Cities agree that Dallas has no obligation to provide funds to the County and the Cities from any source other than the JAG Program and in any amount other than the Final Allocation of JAG Funds for each party as set forth in this Agreement regardless of whether the JAG Funds are sufficient to fully accomplish the priorities set forth in Section 2.A above. In the event a portion of the JAG grant administration fee remains upon completion of the project set forth in this Agreement, as determined by Dallas, Dallas may expend such funds on other eligible projects under the JAG Program at Dallas's sole discretion.

SECTION 3. REPORTING, LEGAL, AND AUDIT REQUIREMENTS

A. Reports.

(1) Quarterly Reports. The County and the Cities agree to provide Dallas with quarterly financial and programming reports no later than eighteen (18) days after the last day of the calendar quarter that demonstrate the appropriate use and management of the JAG Funds in conformance with the JAG Program and the BJA guidelines.

(2) Semi-Annual Reports. The County and the Cities agree to provide Dallas with semi-annual progress reports in conformance with the JAG Program and the BJA guidelines.

B. Legal Requirements. The County and the Cities agree to act in accordance with the Edward Byrne Memorial Justice Assistance Grant (JAG) Program Fiscal year (FY) 2018 Local Assistance Application, all Office of Justice Programs financial guidelines and the Mandatory Award Terms and Conditions, and all of the requirements of the JAG Program guidance, including but not limited to: Administrative Funds, Disparate Certification, Prohibited and Controlled Uses, Compliance with Applicable Federal Laws, Body-Worn Camera (BWA) purchases, Body Armor, DNA Testing of Evidentiary Materials and Upload of DNA Profiles to a Database, Interoperable Communications, Non-Supplanting of State and Local Funds; Civil Rights Compliance; Anti-Lobbying Act; Financial and Government Audit Requirements,

includes Single Audit Act Requirements; National Environmental Policy Act (NEPA); DOJ Information Technology Standards; Compliance with Office of Justice Programs Financial Guide; and Government Performance and Results Act (GPRA); Federal Funding Accountability and Transparency Act (FFATA) of 2006; and the Uniform Administrative Requirements, Cost Principles, and Audits Requirements of Federal Awards, particularly, those set out at 2 CFR 200.303 and 2 CFR 200.205.

C. Award Terms and Conditions. Cities and County shall comply with the award terms and conditions, and other legal requirements, including but not limited to Office of Management and Budget (OMB), Department of Justice (DOJ), or other federal regulations which will be included in the award and are incorporated by reference into the award and into this Agreement, including, but not limited to, compliance with 8 U.S.C §1373, 1644 and related requirements regarding immigration requests from the Department of Homeland Security.

D. Audit Requirements. The County and the Cities shall maintain records to demonstrate proper expenditure of JAG Program Funds and Dallas, as fiscal agent, has the right to review and audit any and all of such financial and programming records. The County and the Cities shall retain all such records for a minimum of three (3) years following completion of this Agreement. The County and the Cities must require that any of its contractors, subcontractors, vendors, or partner agencies allow Dallas to review and audit their financial records pertaining to any contracts they may have with the County or the Cities utilizing JAG Funds.

SECTION 4. INITIAL ALLOCATIONS

For 2018, the BJA has determined the Initial Allocations of JAG Funds for the parties to this Agreement as follows:

THE COUNTY	\$0.00
BALCH SPRINGS	\$15,844.00
CARROLLTON	\$14,660.00
DALLAS	\$694,378.00
DESOTO	\$12,318.00
DUNCANVILLE	\$12,419.00
GARLAND	\$53,402.00
GRAND PRAIRIE	\$38,540.00

IRVING	\$37,835.00
LANCASTER	\$13,124.00
MESQUITE	\$38,238.00
<u>RICHARDSON</u>	<u>\$12,645.00</u>
TOTAL	\$943,403.00

SECTION 5. AMOUNT OF INITIAL ALLOCATIONS TO BE TRANSFERRED FROM THE CITIES TO THE COUNTY

The Cities shall transfer a portion of their Initial Allocations of JAG Funds to the County pursuant to this Agreement as follows:

THE COUNTY	\$0.00
BALCH SPRINGS	\$4,753.20
CARROLLTON	\$4,398.00
DALLAS	\$208,313.40
DESOTO	\$3,695.40
DUNCANVILLE	\$3,725.70
GARLAND	\$16,020.60
GRAND PRAIRIE	\$11,562.00
IRVING	\$11,350.50
LANCASTER	\$3,937.20
MESQUITE	\$11,471.40
<u>RICHARDSON</u>	<u>\$12,645.00</u>
TOTAL	\$291,872.40

SECTION 6. ADJUSTED ALLOCATIONS

After the transfer of a portion of the Cities' Initial Allocations of JAG Funds to the County, the County and the Cities' Adjusted Allocations of JAG Funds are as follows:

THE COUNTY	\$291,872.40
BALCH SPRINGS	\$11,090.80
CARROLLTON	\$10,262.00
DALLAS	\$464,064.60
DESOTO	\$8,622.60
DUNCANVILLE	\$8,693.30
GARLAND	\$37,381.40
GRAND PRAIRIE	\$26,978.00
IRVING	\$26,484.50
LANCASTER	\$9,186.80
MESQUITE	\$26,766.60
<u>RICHARDSON</u>	<u>\$0.00</u>
TOTAL	\$943,403.00

SECTION 7. FISCAL AGENT GRANT ADMINISTRATION FEES

The County and the Cities other than Dallas agree to transfer grant administration fees equal to seven percent (7%) of each party's Adjusted Allocation of JAG Funds to Dallas, as fiscal agent for the County and the Cities and Dallas shall allocate greater than seven percent (7%) of its Adjusted Allocation toward administration as shown below. The total contribution of Adjusted Allocations toward grant administration, including Dallas' contribution, does not exceed ten percent (10%) of the total allocation to the parties' disparate jurisdiction

THE COUNTY	\$20,431.07
BALCH SPRINGS	\$776.36
CARROLLTON	\$718.34
DALLAS	\$62,326.61
DESOTO	\$603.58
DUNCANVILLE	\$608.53
GARLAND	\$2,616.70
GRAND PRAIRIE	\$1,888.46
IRVING	\$1,853.92
LANCASTER	\$643.08
MESQUITE	\$1,873.66
<u>RICHARDSON</u>	<u>\$0.00</u>
TOTAL	\$94,340.30

SECTION 8. FINAL ALLOCATIONS

The Final Allocations of JAG Funds are the Initial Allocations (1) less the transfer of a portion of the Cities' Initial Allocations of JAG Funds to the County, which are the Adjusted Allocations and (2) less the transfer of the grant administration fees of the Adjusted Allocations to Dallas. Each jurisdiction shall include in its JAG Program application the following Final Allocations of JAG Funds:

THE COUNTY	\$271,441.33
BALCH SPRINGS	\$10,314.44
CARROLLTON	\$9,543.66
DALLAS	\$518,078.29

DESOTO	\$8,019.02
DUNCANVILLE	\$8,084.77
GARLAND	\$34,764.70
GRAND PRAIRIE	\$25,089.54
IRVING	\$24,630.59
LANCASTER	\$8,543.72
MESQUITE	\$24,892.94
<u>RICHARDSON</u>	<u>\$0.00</u>
TOTAL	\$943,403.00

SECTION 9. APPLICATION OF COUNTY FUNDS

The County agrees to prioritize the expenditure of its Final Allocation of Two Hundred Seventy-One Thousand, Four Hundred Forty-One Dollars and Thirty-Three Cents (\$271,441.33) to continue the development and implementation of improvements to the criminal justice system. The Cities agree that the County has no obligation to provide any additional funds under this Agreement, even if the 2018 JAG Funds are insufficient to fully develop or implement the County's chosen improvements to the criminal justice system. In the event any JAG Funds remain upon completion of the development and implementation of improvements to the criminal justice, the County may expend such funds on other eligible projects under the grant at the County's discretion, subject to the approval of the BJA, as required under the JAG Program.

SECTION 10. TERM

The term of this Agreement shall begin on the date the last signature of either the County or the Cities authorizing approving this Agreement is obtained and shall terminate upon final expenditure of the funds in accordance with the JAG Program.

SECTION 11. AGENCY

The County and the Cities agree and acknowledge that each entity is not an agent of any other entity and that each entity is responsible for its acts, forbearance, negligence, and deeds and

each entity is responsible for those acts, forbearance, negligence, and deeds of its agents or employees in conjunction with performance under this Agreement.

SECTION 12. INDEMNIFICATION

The County agrees to be responsible for any liability or damages the County may suffer as a result of claims, demands, costs, or judgments, including all reasonable attorneys' fees, against the County arising out of any performance under this Agreement, or arising from any accident, injury, or damage, whatsoever, to any persons, or to the property of any persons or corporations occurring during the performance of this Agreement and caused by the sole negligence of the County, its agents, officers and employees.

Each City made a party to this Agreement agrees to be responsible for any liability or damages it may suffer as a result of claims, demands, costs, or judgments, including any reasonable attorneys' fees, against that respective City, arising out of any performance under this Agreement, or arising out of the performance of any services to be provided under this Agreement, or arising from any accident, injury, or damage, whatsoever, to any persons, or to the property of any persons or corporations occurring during the performance of the Agreement and caused by the sole negligence of that respective City, their agents, officers, and employees.

The Cities and County agree that any liability or damages as stated above occurring during the performance of this Agreement caused by the joint or comparative negligence of their employees or officers shall be determined in accordance with comparative responsibility laws of the State of Texas, without waiving any governmental immunity available to the parties under Texas law and without waiving any defenses of the parties under Texas law.

SECTION 13. FORMAL APPROVAL

This Agreement is expressly subject to and contingent upon formal approval by the governing bodies of the County and the Cities.

SECTION 14. NO THIRD-PARTY BENEFICIARY ENFORCEMENT

It is expressly understood and agreed that enforcement of the terms and conditions of this Agreement and any right of action relating to such enforcement shall be strictly reserved to the Cities and the County and nothing contained in this Agreement shall be construed to create any rights for any third parties.

SECTION 15. NON-ASSIGNMENT

The parties shall not sell, assign, transfer, or convey this Agreement, in whole or in part, without the prior written consent of the parties.

SECTION 16. NOTICE OF CONTRACT CLAIM

This Agreement is subject to the provisions of Section 2-86 of the Dallas City Code, as amended, relating to requirements for filing a notice of breach of contract claim against the City. Section 2-86 of the Dallas City Code, as amended, is expressly incorporated by reference and made a part of this Agreement. County and Cities shall fully comply with the requirements of this ordinance as a condition precedent to any claim relating to this Agreement, in addition to all other requirements in this Agreement related to claims and notice of claims.

SECTION 17. RESPONSIBILITY

Dallas, the County, and the Cities shall each be responsible for the sole negligent acts of their officers, agents, employees, or separate contractors. In the event of joint and concurrent negligence of the parties to this agreement, responsibility, if any, shall be apportioned comparatively in accordance with the laws of the State of Texas, without waiving any governmental immunity available to the parties under Texas law and without waiving any defenses of the parties under Texas law.

SECTION 18. NOTICE

Any notice, payment, statement, communication, report, or demand required or permitted to be given under this Agreement by any party to another may be effected by personal delivery in writing or deposited in the U.S. mail by certified letter, return receipt requested. Mailed notices shall be addressed to the parties at the addresses appearing below, but each party may change its address by written notice in accordance with this section. Mailed notices shall be deemed communicated as of three (3) days after mailing.

To the County:

Dir. of Criminal Justice, Charlene Randolph
Dallas County – Administration Building
411 Elm Street, 2nd Floor
Dallas, Texas 75202

To Balch Springs:

Chief of Police, Jonathan Haber
Balch Springs Police Department
12500 Elam Road
Balch Springs, Texas 75180

<u>To Carrollton:</u>	Chief of Police, Derick Miller Carrollton Police Department 2025 East Jackson Road Carrollton, Texas 75006
<u>To Dallas:</u>	Chief of Police, U. Renee Hall Dallas Police Department 1400 South Lamar Street Dallas, Texas 75215
<u>To DeSoto:</u>	Chief of Police, Joseph Costa DeSoto Police Department 714 East Belt Line Road DeSoto, Texas 75115
<u>To Duncanville:</u>	Chief of Police, Robert D. Brown, Jr. Duncanville Police Department 203 East Wheatland Rd. Duncanville, Texas 75116
<u>To Garland:</u>	Chief of Police, Mitch Bates Garland Police Department 1891 Forest Lane Garland, Texas 75042
<u>To Grand Prairie:</u>	Chief of Police, Steve Dye Grand Prairie Police Department 1525 Arkansas Lane Grand Prairie, Texas 75052
<u>To Irving:</u>	Chief of Police, Jeff Spivey Irving Police Department P. O. Box 152288 Irving, Texas 75015
<u>To Lancaster:</u>	Chief of Police, Samuel Urbanski Lancaster Police Department 100 Craig Shaw Memorial Parkway PO Box 940 Lancaster, Texas 75146

To Mesquite:

Chief of Police, Charles Cato
Mesquite Police Department
PO Box 850137
Mesquite, Texas 75185-0137

To Richardson:

Chief of Police, Jimmy L. Spivey
Richardson Police Department
P.O. Box 831078
Richardson, Texas 75083

SECTION 19. GOVERNING LAW AND VENUE

The obligations of the parties to this Agreement shall be performed in Dallas County, Texas, and venue for any legal action under this Agreement shall lie exclusively in Dallas County, Texas. In construing this Agreement, the laws and court decisions of the State of Texas shall control.

SECTION 20. LEGAL CONSTRUCTION

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

SECTION 21. COUNTERPARTS

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

SECTION 22. CAPTIONS

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

SECTION 23. AMENDMENTS; ENTIRE AGREEMENT

GMS Application # 2018-H3567-TX-DJ
EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM
FUNDS SHARING AND FISCAL AGENCY AGREEMENT

This Agreement (with all referenced exhibits, attachments, and provisions incorporated by reference) embodies the entire agreement of both parties, superseding all oral or written previous and contemporary agreements between the parties relating to matters set forth in this Agreement. This Agreement may be modified or amended only by written agreement of the parties, to be attached to and made a part of this Agreement.

IN WITNESS WHEREOF, by their signatures hereon, each of the undersigned represents and warrants that they are the duly authorized agents of each entity and have full right and authority to enter into this Agreement. This Agreement is to be effective upon the signature of both County and the Cities.

[SIGNATURES APPEAR ON THE FOLLOWING PAGES]

The County of Dallas, State of Texas, has executed this Agreement pursuant to Commissioners Court Order Number _____ and passed on the _____ day of _____, 2018.

APPROVED BY THE COUNTY OF DALLAS:

Clay Lewis Jenkins, County Judge

APPROVED AS TO FORM*:

FAITH JOHNSON
DISTRICT ATTORNEY

Michael Snipes
Assistant District Attorney

*BY LAW, THE DISTRICT ATTORNEY'S OFFICE MAY ONLY ADVISE OR APPROVE CONTRACTS OR LEGAL DOCUMENTS ON BEHALF OF ITS CLIENTS. IT MAY NOT ADVISE OR APPROVE A LEASE, CONTRACT, OR LEGAL DOCUMENT ON BEHALF OF OTHER PARTIES. OUR REVIEW OF THIS DOCUMENT WAS CONDUCTED SOLELY FROM THE LEGAL PERSPECTIVE OF OUR CLIENT. OUR APPROVAL OF THIS DOCUMENT WAS OFFERED SOLELY FOR THE BENEFIT OF OUR CLIENT. OTHER PARTIES SHOULD NOT RELY ON THIS APPROVAL, AND SHOULD SEEK REVIEW AND APPROVAL BY THEIR OWN RESPECTIVE ATTORNEY(S).

The City of Balch Springs, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____
Dated the ____ day of _____, 2018.

**APPROVED BY THE
CITY OF BALCH SPRINGS:**

RECOMMENDED BY:

Susan Cluse, City Manager

Jonathan Haber, Chief of Police

APPROVED AS TO FORM BY:

Monte Akers, City Attorney

The City of Carrollton, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ Dated the _____ day of _____, 2018.

**APPROVED BY THE
CITY OF CARROLLTON:**

RECOMMENDED BY:

Erin Rinehart, City Manager

Rex D. Redden, Chief of Police

APPROVED AS TO FORM BY:

Meredith A. Ladd, City Attorney

The City of Dallas, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution ____, Minutes_____
Dated the _____ day of _____, 2018.

APPROVED BY THE CITY OF DALLAS:

RECOMMENDED BY:

T. C. Broadnax, City Manager

U. Renee Hall, Chief of Police

APPROVED AS TO FORM:

Larry E. Casto, City Attorney

The City of DeSoto, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ Dated the ____ day of _____, 2018.

APPROVED BY THE CITY OF DESOTO:

RECOMMENDED BY:

Tarron J. Richardson, Ph.D., City Manager

Joseph W. Costa, Chief of Police

APPROVED AS TO FORM BY:

Joseph J. Gorfida, Jr, City Attorney

The City of Duncanville, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ Dated the _____ day of _____, 2018.

**APPROVED BY THE
CITY OF DUNCANVILLE:**

RECOMMENDED BY:

Kevin Hugman, City Manager

Robert D. Brown, Jr., Chief of Police

APPROVED AS TO FORM BY:

Robert Hager, City Attorney

The City of Garland, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ Dated the _____ day of _____, 2018.

**APPROVED BY THE
CITY OF GARLAND:**

RECOMMENDED BY:

Bryan Bradford, City Manager

Mitch Bates, Chief of Police

APPROVED AS TO FORM BY:

Brad Neighbor, City Attorney

The City of Grand Prairie, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ Dated the _____ day of _____, 2018.

**APPROVED BY THE
CITY OF GRAND PRAIRIE:**

RECOMMENDED BY:

Tom Hart, City Manager

Steve Dye, Chief of Police

APPROVED AS TO FORM BY:

Megan Mahan, City Attorney

The City of Irving, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ Dated the _____ day of _____, 2018.

APPROVED BY THE CITY OF IRVING:

RECOMMENDED BY:

Rick Stopfer, Mayor

Jeff Spivey, Chief of Police

APPROVED AS TO FORM BY:

Kuruvilla Oommen, City Attorney

The City of Lancaster, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ Dated the _____ day of _____, 2018.

**APPROVED BY THE
CITY OF LANCASTER:**

RECOMMENDED BY:

Opal Mauldin-Jones, City Manager

Samuel Urbanski, Chief of Police

APPROVED AS TO FORM:

David T. Ritter, City Attorney

The City of Mesquite, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ Dated the _____ day of _____, 2018.

**APPROVED BY THE
CITY OF MESQUITE:**

RECOMMENDED BY:

Cliff Kehely, City Manager

Charles Cato, Chief of Police

APPROVED AS TO FORM BY:

Paula Anderson, City Attorney

The City of Richardson, State of Texas, has executed the Agreement pursuant to duly authorized City Council Resolution _____, Minutes _____ Dated the _____ day of _____, 2018.

**APPROVED BY THE
CITY OF RICHARDSON:**

Dan Johnson, City Manager

RECOMMENDED BY:

Jimmy L. Spivey, Chief of Police

APPROVED AS TO FORM:

Peter G. Smith, City Attorney

LANCASTER CITY COUNCIL

City Council Regular Meeting

4.

Meeting Date: 09/10/2018

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda

Goal(s): Professional & Committed City Workforce

Submitted by: Kenneth L. Johnson, Fire Chief

Agenda Caption:

Consider a resolution approving the terms and conditions of an Interlocal Agreement by and between The University of Texas Southwestern Medical Center (UT Southwestern) and the City of Lancaster, for services related to the provision of paramedic continuing education.

Background:

The State of Texas requires that each Paramedic obtain 40 hours of Continuing Education (CE) every year. This education is broken down into various content areas required by the State and the Lancaster Fire Department Medical Control. To meet these requirements, the University of Texas Southwestern Medical Center (UT Southwestern) has provided Continuing Education to Lancaster for in prior years.

Operational Considerations:

The contract will continue our agreement with UT Southwestern and provide for an advanced CE program for Lancaster paramedics. It also provides the State and Medical Control required training.

Legal Considerations:

The Lancaster Fire Department is required by the State of Texas to provide training to paramedics. The resolution and attached agreement have been reviewed and approved as to form by the City Attorney.

Public Information Considerations:

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

Fiscal Impact:

The total contract amount of thirty-four thousand dollars (\$34,000.00) has been included in the FY 2018/2019 operational budget.

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the resolution, as presented.

Attachments

Resolution

Exhibit "A"

RESOLUTION NO.

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

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

WHEREAS, the University of Texas Southwestern Medical Center desires to continue its agreement and provide said continuing education services to the City of Lancaster; and,

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

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

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

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

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 10th day of September, 2018.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

CONTRACT FOR SERVICES

I. CONTRACTING PARTIES:

This agreement is entered into by and between The University of Texas Southwestern Medical Center, 5323 Harry Hines Blvd., Dallas, Texas 75390, hereinafter referred to as "UT Southwestern," and the City of Lancaster, 100 Craig Shaw Memorial Parkway, Lancaster, TX 75134, hereinafter referred to as "City."

II. STATEMENT OF SERVICES TO BE PERFORMED:

UT Southwestern will provide continuing education services, including the services of a Continuing Education Instructor ("Instructor") to perform continuing education ("CE"), evaluation and record keeping of all paramedic CE related activities, personalized instruction and evaluation, complete all reporting requirements of the Texas Department of State Health Services ("DSHS"), and respond to requested data base queries. Such requirements will include the required DSHS category specific CE.

Services will also include:

- 1) One simulator-based training event;
- 2) Support for American Heart Association BLS and ACLS Certifications;
- 3) Cadaver lab admission for six (6) students per year;
- 4) QA/QI support services; and
- 5) A single complimentary admission to stand-alone CE offerings at UT Southwestern.

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

12 staff meeting days per year

2 retreat days per year when applicable

Average vacation time: 16 days per year

Sick time: 12 days per year are provided (UT Southwestern will provide interim instructor for any absence over 3 weeks)

Holidays: 13 days per year

III. BASIS FOR CALCULATING REIMBURSABLE COSTS:

- A. In consideration for the provision of the Instructor Services, City shall pay to UT Southwestern twenty-five (25) percent of the salary of the assigned EMS Instructor and receive twenty-five (25) percent of the Instructor's monthly time. The total consideration payable by City under this agreement shall not exceed the amount shown in Section III. B, infra.
- B. In consideration of the services as described in Section II (including Instructor Services), City shall pay to UT Southwestern a total contract amount of \$34,000.

IV. PAYMENT FOR SERVICES:

UT Southwestern shall invoice upon execution of this Agreement and City shall pay within 45 days after receipt of such invoice.

V. INDEPENDENT CONTRACTOR:

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

VI. TERM OF CONTRACT:

The term of this contract shall begin October 1, 2018 and shall terminate September 30, 2019 ("Term"), subject to the termination provision set forth in Section IX below.

VII. INDEMNIFICATION:

- A. **SUBJECT TO THE PROVISIONS OF PART C BELOW, UT SOUTHWESTERN, TO THE EXTENT PERMITTED BY THE CONSTITUTION AND LAWS OF THE STATE OF TEXAS, SHALL INDEMNIFY AND HOLD HARMLESS CITY AND ALL OF ITS OFFICERS, AGENTS, AND EMPLOYEES FROM ANY SUITS, ACTIONS, OR CLAIMS WHATSOEVER THAT MIGHT ARISE ON ACCOUNT OF ANY INJURY OR DAMAGE RECEIVED OR SUSTAINED BY ANY PERSON OR PROPERTY AS A RESULT OF UT SOUTHWESTERN'S CONDUCT OF ANY ACTIVITY OR OPERATION IN CONNECTION WITH UT SOUTHWESTERN'S PROVISION OF SERVICES REQUIRED UNDER THIS AGREEMENT.**
- B. City shall give UT Southwestern prompt notice of any matter covered by Subsection VII (A) above and shall forward to UT Southwestern every demand, notice, summons, or process received in any claim or legal proceeding covered by Subsection VII (A) above.
- C. UT Southwestern shall not be obligated to indemnify or hold harmless City or any of its officers, agents, or employees when the injury or damage to a person or property is caused by the sole negligence of City, its officers, agents, employees, or the negligence of a person or persons not under the supervision or control of UT Southwestern.
- D. No provision of this Agreement shall be interpreted to constitute a waiver of the immunities or limits of liability granted to UT Southwestern or City under the Constitution and laws of the State of Texas, including the Texas Tort Claims Act.

VIII. ASSIGNMENT:

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

IX. TERMINATION:

Either party may, at its option and without prejudice to any other remedy it may be entitled to at law, in equity

or elsewhere under this Agreement, terminate further work under this Agreement, in whole or in part, by giving the other party at least ninety (90) days prior written notice of termination.

X. NOTICES:

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

If intended for City:	Fire Department City of Lancaster 100 Craig Shaw Memorial Parkway PO Box 940 Lancaster, TX 75146
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If intended for UT Southwestern:	Director, Contracts Management The University of Texas Southwestern Medical Center 5323 Harry Hines Blvd. Dallas, TX 75390-9056
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XI. APPLICABLE LAWS:

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

XII. VENUE:

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

XIII. GOVERNING LAW:

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

XIV. LEGAL CONSTRUCTION:

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

XV. COUNTERPARTS:

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

XVI. CAPTIONS:

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

XVII. SUCCESSORS AND ASSIGNS:

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

XVIII. NONSOLICITATION OF PERSONNEL:

Cities agree that they will not, during any term hereof, or for a period of twelve (12) months following the termination of this Agreement, directly or indirectly, through any manner or means, impair or initiate any attempt to impair the relationship which exists between personnel then employed or retained by UT Southwestern through offers of employment or offers of contracts for Services to be rendered by such personnel or otherwise.

XIX. ENTIRE AGREEMENT:

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

Executed this the 10th day of September, 2018, the City of Lancaster signing by and through its _____, duly authorized to execute same by Minute Order _____ adopted by the City council on _____, and The University of Texas Southwestern Medical Center, signing by and through its duly authorized representative, thereby binding themselves, their successors, assigns and representatives for the faithful and full performance of the terms and provisions of this Agreement.

THE UNIVERSITY OF TEXAS
SOUTHWESTERN MEDICAL CENTER

CITY OF LANCASTER

Shawn Cohenour
Director, Contracts Management

Opal Mauldin-Jones,
City Manager

Date: _____

Date: September 10, 2018

LANCASTER CITY COUNCIL

City Council Regular Meeting

5.

Meeting Date: 09/10/2018

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda.

Goal(s): Professional & Committed City Workforce

Submitted by: Dori Lee, Human Resources Director

Agenda Caption:

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

Background:

Pursuant to Title 5, Chapter 143, of the Texas Local Government Code, the City Council must establish the civil service classifications in the Police and Fire Departments and the number of positions in each classification. The proposed ordinance is consistent with the staffing levels discussed in the proposed FY 2018-2019 budget.

Operational Considerations:

The Fire Department staffing includes three (3) additional fire fighters for a total of 65 sworn fire personnel effective October 1, 2018 and 67 sworn fire personnel effective January 1, 2019 with the addition of one (1) captain in the fire prevention division and one (1) captain in the fire suppression division. The Police Department staffing includes three (3) additional police officers for a total of 65 sworn police personnel effective October 1, 2018. The proposed classifications are as follows:

<u>Classification</u>	FIRE PREVENTION	FIRE SUPPRESSION
	Authorized	Authorized
	<u>No. of Positions as of 10/01/2018</u>	<u>No. of Positions as of 10/01/2018</u>
Assistant Chief	0	1
Fire Marshal/Battalion Chief	1	5
Fire Captains	0	9
Fire Engineer	0	21
Fire Fighter	0	28
<hr/>	<hr/>	<hr/>
Total	1	64

	FIRE PREVENTION	FIRE SUPPRESSION
	Authorized	Authorized
<u>Classification</u>	<u>No. of Positions as of 01/01/2019</u>	<u>No. of Positions as of 01/01/2019</u>
Assistant Chief	0	1
Fire Marshal/Battalion Chief	1	5
Fire Inspector/Captains	1	10
Fire Engineer	0	21
Fire Fighter	0	28
<hr/>	<hr/>	<hr/>
Total	2	65

	POLICE
	Authorized
<u>Classification</u>	<u>No. of Positions as of 10/1/2018</u>
Assistant Chief	2
Police Lieutenant	6
Police Sergeant	7
Police Officer	50
<hr/>	<hr/>
Total	65

Public Information Considerations:

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

Fiscal Impact:

Funding is included in the Fiscal Year 2018/2019 Operating Budget.

Options/Alternatives:

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

Recommendation:

Staff recommends approving the ordinance, as presented.

Attachments

Ordinance

ORDINANCE NO. _____

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

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

WHEREAS, the City Council has reviewed and approved a budget for the City for fiscal year beginning October 1, 2018 and ending September 30, 2019; and

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

WHEREAS, it is the express intent of the City Council that the total number of authorized positions within the Lancaster Fire Department increase by three (3) positions effective October 1, 2018 and two (2) additional positions effective January 1, 2019 for a total of five (5) new positions in the fiscal year 2018/2019. The Police Department staffing will increase by three (3) positions effective October 1, 2018; and

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

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

SECTION 1. That City Council hereby establishes the classifications and the number of authorized positions within each classification in the Fire Department. The following strength of force for the Lancaster Fire Department is set forth as follows:

	FIRE PREVENTION	FIRE SUPPRESSION
	Authorized	Authorized
<u>Classification</u>	<u>No. of Positions as of</u>	<u>No. of Positions as of</u>
	<u>10/01/2018</u>	<u>10/01/2018</u>
Assistant Chief	0	1
Fire Marshal/Battalion Chief	1	5
Fire Captains	0	9
Fire Engineer	0	21
Fire Fighter	0	28
<hr/>	<hr/>	<hr/>
Total	1	64

	FIRE PREVENTION	FIRE SUPPRESSION
<u>Classification</u>	Authorized <u>No. of Positions as of</u> <u>01/01/2019</u>	Authorized <u>No. of Positions as of</u> <u>01/01/2019</u>
Assistant Chief	0	1
Fire Marshal/Battalion Chief	1	5
Fire Inspector/Captains	1	10
Fire Engineer	0	21
Fire Fighter	0	28
<hr/> Total	<hr/> 2	<hr/> 65

SECTION 2. That City Council hereby establishes the classifications and the number of authorized positions within each classification in the Police Department. At that time and date, the following strength of force for the Lancaster Police Department is set forth as follows:

	POLICE
<u>Classification</u>	Authorized <u>No. of Positions as of</u> <u>10/1/2018</u>
Assistant Chief	2
Police Lieutenant	6
Police Sergeant	7
Police Officer	50
<hr/> Total	<hr/> 65

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

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

SECTION 5. This ordinance shall take effect on October 1, 2018.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 10th day of September, 2018.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

LANCASTER CITY COUNCIL

City Council Regular Meeting

6.

Meeting Date: 09/10/2018

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda.

Goal(s): Professional & Committed City Workforce

Submitted by: Dori Lee, Civil Service Director

Agenda Caption:

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

Background:

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

Operational Considerations:

The Police Department provides for specialized assignment pay as follows:

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

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

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

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

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

The Fire Department provides for specialized assignment pay as follows:

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

B) The assignment of “Fire Investigator Pay” is a specialized assignment within the Lancaster Fire Department and that assignment involves investigating higher grade arson fire misdemeanors and felonies for prosecution in County and District Court. When a member is designated by the Fire Chief or his designee to serve as “Fire Investigator” for the Department, that member is entitled to receive \$80.00 per pay period as assignment pay.

Proposed in the FY 2018-2019 budget includes providing for specialized assignment pay for both Police and Fire Departments as follows:

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

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

Legal Considerations:

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

Public Information Considerations:

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

Fiscal Impact:

Funding is included in the Fire Department and Police Department Fiscal Year 2018/2019 Operating Budget.

Options/Alternatives:

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

Recommendation:

Staff recommends approving the ordinance, as presented.

Attachments

ORDINANCE NO. _____

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

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

WHEREAS, the City Council has reviewed and approved a budget for the City for fiscal year beginning October 1, 2018 and ending September 30, 2019; and

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

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

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

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

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

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

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

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

SECTION 1. That City Council hereby establishes the assignment pay within each classification for the police department is set forth as follows:

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

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

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

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

designee in writing to serve as "Community Relations Officer" for the Department, that member is entitled to receive \$80.00 per pay period as "CR" assignment pay.

SECTION 2: That City Council hereby establishes the paramedic pay within each classification for the fire department is set forth as follows:

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

B) The assignment of "Fire Investigator Pay" is a specialized function within the Lancaster Fire Department and that assignment involves investigating higher grade arson fire misdemeanors and felonies for prosecution in County and District Court. When a member is designated by the Fire Chief or his designee to serve as "Fire Investigator" for the Department, that member is entitled to receive \$80.00 per pay period as assignment pay.

SECTION 3: That City Council hereby establishes the certification pay within each classification for the fire and police department is set forth as follows:

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

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

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

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

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

SECTION 7. This ordinance shall take effect on October 1, 2018.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 10th day of September, 2018.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

LANCASTER CITY COUNCIL

City Council Regular Meeting

7.

Meeting Date: 09/10/2018

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda.

Goal(s): Professional & Committed City Workforce

Submitted by: Dori Lee, Human Resources Director

Agenda Caption:

Consider a resolution, establishing Language Skills assignment pay within the general government; prescribing the rate in each assignment.

Background:

The governing body of a municipality may authorize assignment pay for general government employees who perform specialized functions in their respective departments. The proposed resolution is consistent with the proposed FY 2018-2019 budget.

Operational Considerations:

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

Legal Considerations:

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

Public Information Considerations:

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

Fiscal Impact:

Funding is included in the Fiscal Year 2018/2019 Operating Budget.

Options/Alternatives:

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

Recommendation:

Staff recommends approving the resolution, as presented.

Attachments

Resolution

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF LANCASTER, TEXAS, ESTABLISHING LANGUAGE SKILLS ASSIGNMENT PAY WITHIN THE GENERAL GOVERNMENT; PRESCRIBING THE DESCRIPTION AND RATES OF PAY FOR EACH SPECIALIZED ASSIGNMENT; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council shall establish certain assignment pay and shall prescribe the rate of pay in each of these classifications by resolution; and

WHEREAS, the City Council has reviewed and approved a budget for the City for fiscal year beginning October 1, 2018 and ending September 30, 2019; and

WHEREAS, such budget contains a program of planned expenditures and for authorized positions within the general government, including programmed changes to the operations and human resources of those departments.

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

WHEREAS, such budget contains a program of planned expenditures and for authorized assignment pay within the general government departments, including programmed changes to the operations and human resources of those departments;

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

SECTION 1. That City Council hereby establishes the language skills assignment pay as follows:

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

SECTION 2. Severability: If any provision, section, clause, sentence, unenforceable or phrase of this resolution is for any reason held to be unconstitutional, void, invalid, or the validity of the remainder of this resolution or its application shall not be affected, it being the intent of the City Council in adopting this resolution that no

portion, provision, or regulation contained herein shall become inoperative or fail by way of reasons of any unconstitutionality or invalidity of any other portion, provision, or regulation.

SECTION 3. Repealer: That all other resolutions, section, or parts of resolutions heretofore adopted by the City of Lancaster in conflict with the provisions set out above in this resolution are hereby expressly repealed or amended as indicated.

SECTION 4. This resolution shall take effect on October 1, 2018.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 10th day of September, 2018.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

LANCASTER CITY COUNCIL

City Council Regular Meeting

8.

Meeting Date: 09/10/2018

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda.

Goal(s): Financially Sound Government
Sound Infrastructure

Submitted by: Rona Stringfellow, Assistant City Manager

Agenda Caption:

Consider a resolution maintaining the rate for certain fees and charges assessed and collected by the City for water service; providing a repealing clause; and providing an effective date.

Background:

A utility rate study was presented to Council on August 18, 2014. At that time, there had been no water or sewer rate increase considered for over three years, even though Dallas Water Utilities and Trinity River Authority had substantially raised rates charged to the City during the same time frame. Projections in the utility rate study indicated that the utility fund would soon have a fund balance deficit if rates were not incrementally increased. Increases in the utility rates were recommended to be implemented by initiating the rate increases in FY 2015 and spreading them over four (4) years; the City can mitigate the impact of increased utility bills on customers.

The proposed 2018-2019 base water bill increase is proposed to remain at \$20.90. The rate per 1,000 gallons up to 14,999 gallons will remain at \$2.67. The rate for 15,000 to 29,999 gallons will remain at \$3.31. The rate for 30,000 or more gallons will remain at \$4.16. The 2018-2019 base sewer bill will remain at \$15.04. The price per 1000 gallons of usage will remain at \$7.73.

The senior citizen discount is proposed to increase to \$2.24 for water and the sewer senior discount is proposed to increase to \$2.06.

Based on the analysis conducted, it was concluded that on a combined basis, the City's current rates revenues were sufficient to fund the projected cost of service. At this time, based upon current information, it is recommended that the City not implement water and sewer rate increases.

Operational Considerations:

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

Legal Considerations:

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

Public Information Considerations:

Prior to the effective date of October 1, 2018 notice of a rate increase, if any will be published in the City's official publication of record, Focus Daily News, on the City website, and on the utility bills.

Fiscal Impact:

The Utility Rate Study was updated after the prior year audit was completed. An increase in rates starting in FY 2019/2020 will be necessary to ensure the City has sufficient financial resources to pay debt service on the projected debt issues, recover the cost of providing service, meet the City's financial policy requirements, and generate needed cash to fund these capital projects.

Water/Waste water	Current	FY 2018/2019
Water		
Minimum Bill	\$20.90	\$20.90
0-15,000	\$2.67	\$2.67
15,001-30,000	\$3.31	\$3.31
30,000+	\$4.16	\$4.16
Senior Citizen Discount	\$1.94	\$2.24
Sewer		
Minimum Bill	\$15.04	\$15.04
Price per 1000 gallons of usage	\$7.73	\$7.73
Senior Discount	\$1.94	\$2.06

Options/Alternatives:

1. City Council may approve the resolution increasing the Senior Citizen Discount and maintaining current water and waste water rates, as presented.
2. City Council may deny the resolution.

Recommendation:

Staff recommends approval of the resolution, as presented.

Attachments

Resolution

Exhibit A

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, AMENDING THE RATE FOR CERTAIN FEES AND CHARGES ASSESSED AND COLLECTED BY THE CITY FOR WATER AND WASTEWATER SERVICE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lancaster desires to provide for certain fees and charges assessed and collected by the City for water and wastewater services; and

WHEREAS, after consideration and review, the City Council finds that the adjustments shall be reflected in the Master Fee Schedule, and should be adopted;

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

SECTION 1. That maintaining the existing rates for water and wastewater and providing a flat rate discount for senior citizens shall be reflected in the Master Fee Schedule, and the same is, hereby adopted to provide for changes to certain fees and charges assessed and collected by the City for water and wastewater services.

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

SECTION 3. This Resolution shall become effective on October 1, 2018, after its passage and as the law and charter in such cases provide.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas on this the 10th day of September, 2018.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

Exhibit “A”

Sec. 10.700 Water Rates - Within City

The following schedule of water charges for residential, commercial, industrial, and multi-family complex customers shall be effective with the first billing of October 2018:

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

Meter Size:	Equivalent Units	Minimum Monthly Meter Charge:
$\frac{5}{8}$ or $\frac{3}{4}$ inch water	1	\$20.90
1-inch water meter	2.5	\$52.26
1 $\frac{1}{2}$ inch water meter	5	\$104.52
2-inch water meter	8	\$167.23
3-inch water meter	16	\$334.45
4-inch water meter	25	\$522.58
6-inch water meter	50	\$1,045.17
8-inch water meter	80	\$1,672.26
10-inch water meter	125	\$2,450.00

(1) Multi-family complexes shall be charged a minimum monthly water charge equal to the greater of (a) the minimum bill for a $\frac{5}{8}$ inch meter, multiplied by the number of units or (b) the minimum monthly meter charge for the size meter(s) serving the account.

(2) A variable rate volume charge of two dollars and sixty-seven cents (\$2.67) shall be charged per each one thousand (1,000) gallons usage. No gallons are included with the monthly minimum charge.

(3) Example of the calculation of a multi-family complex monthly water bill:

Two hundred apartment units with an 8” meter and 600,000 gallons of usage.

Min. charge for 8” meter	\$1,672.26	
200 units @ \$20.90 each	0.00	\$4,180.00
600,000 gallons @ \$2.67/1000	\$1,602.02	\$1,602.02
	\$3,274.28	\$5,782.02

Therefore \$5,782.02 would be billed. ($\$5,782.02 \div 200 = \28.91)

(4) For the purpose of encouraging water conservation, there shall be a 25% increase in the water volume rate for monthly usage in excess of 15,000 gallons by residential and commercial accounts. Usage in excess of 30,000 shall be subject to an additional 25% increase. These increases will not be assessed to industrial or multi-family accounts.

For example:

0 to 15,000 gallons	\$2.67 per 1,000
15,001 to 30,000 gallons	\$3.31 per 1,000
30,000 gallons or more	\$4.16 per 1,000

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

(Resolution 2011-09-80 adopted 9/12/11, effective October 1, 2011)

....

Sec. 10.800 Water Rates - Outside City Limits

Effective with the first billing cycle of October 2015, the rates or the following schedule of water charges for sales of water to customers outside the city limits of Lancaster, Texas, shall be effective with the first billing of October 2015:

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

Meter Size:		Minimum Monthly Meter Charge:
¾ inch or less		\$24.04
1-inch		\$60.10
1 ½ inch		\$120.19
2-inch		\$192.31
3-inch		\$384.62
4-inch		\$600.97
6-inch		\$1,201.94
8-inch		\$1,923.10
10 inch		\$2,450.00

(1) Multi-family complexes shall be charged a minimum monthly water charge equal to the greater of (a) the minimum bill for a ¾ inch meter, multiplied by the number of units or (b) the minimum monthly meter charge for the size meter(s) serving the account.

(2) A variable rate volume charge of two dollars and sixty-seven cents (\$2.67) shall be charged per each one thousand (1,000) gallons usage. No gallons are included with the monthly minimum charge.

(3) Example of the calculation of a multi-family complex monthly water bill:
Two hundred apartment units with an 8" meter and 600,000 gallons of usage.

	Min. charge for 8" meter	\$1,923.10	
	200 units @ \$24.04 each	0.00	\$4,808.00
	600,000 gallons @ \$3.07/1000	\$1,842.00	\$1,842.00
		\$3,765.00	\$6,650.00

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

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

Sec. 10.1000 Wastewater Treatment Services User Charges

The following schedule of charges for residential, commercial, industrial and multi-family complex customers shall be effective with the first billing cycle of October 2018:

(1) Minimum monthly sewer charge (no gallons of usage) for residential, commercial, and industrial is fifteen dollars and four cents (\$15.04) per connection.

(2) Minimum monthly sewer charge for each dwelling unit of a multi-family complex (no gallons) is seven dollars and seventy-three cents (\$7.73) per unit.

(3) Minimum monthly sewer charge for each dwelling unit of a multi-family complex outside of the city limits (no gallons) is eight dollars and eighty-nine cents (\$8.89) per unit.

(4) Variable rate per one thousand (1,000) gallons of water usage for residential, commercial, industrial, and multi-family complexes is seven dollars and seventy-three cents (\$7.73).

(5) The total monthly amount due for "all" sewer accounts shall be the sum of the minimum monthly sewer charge plus the variable rate times the user's water usage for the month. The maximum monthly "residential customer" volume charges shall be based on the average of the three lowest monthly bills in the last twelve. Normally these will be the reading cycles ending in January, February, and March. However, the utility billing department may adjust this forwards or backwards one month.

Industrial and commercial users that install a separate sewer metering system shall be charged for volume according to that meter, plus the minimum rate.

(6) The practice of discounting the computed sewer usage to 95% and 90% as detailed in the Lancaster Code of Ordinances Section 11.608(b) and 11.609(b); was discontinued in 2008.

(7) A discount for senior citizens (age 62 or over) of \$2.06 per month shall be applied to each qualified residential account.

LANCASTER CITY COUNCIL

City Council Regular Meeting

9.

Meeting Date: 09/10/2018

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda

Goal(s): Financially Sound Government
Professional & Committed City Workforce

Submitted by: Sorangel O. Arenas, City Secretary

Agenda Caption:

Consider a resolution providing for the adoption of the Master Fee Schedule for all fees and charges assessed and collected by the City of Lancaster.

Background:

The Master Fee Schedule is adopted by resolution and changes to the fee schedule may be made throughout the year, as needed, by resolution.

Operational Considerations:

Below is information supplied by the various departments regarding proposed fees:

ARTICLE 8.000 LIBRARY FINES AND FEES

(a) <u>Charges for overdue materials</u>	
(1) Books / Magazines	\$0.20 \$0.25 per day / Maximum \$10 per item
(2) Audio Tapes / CDs	\$0.20 \$0.25 per day / Maximum \$10 per item
(3) Interlibrary Loans	\$0.20 \$0.25 per day / Maximum \$10 per item
(c) <u>Copies</u>	
(1) Single Copies, standard black and white copy	\$0.10 \$0.15 per page

ARTICLE 13.000 ADMINISTRATIVE FEES

<u>PUBLIC INFORMATION CHARGES</u>	
(7) Litter Can	\$5.00 / each
(8) Litter Can Replacement Fee	\$90.00 / each
(9) Portable Stage Rental (16' x 16')	\$100.00 / per every 4 hours
(10) Portable Stage Rental (12' x 12')	\$75.00 / per every 4 hours

ARTICLE 10.000 UTILITY RELATED FEES

Sec. 10.700	Water Rates - Within City
(5) A discount for senior citizens (age 62 or over) of \$1.94 \$2.24 per month shall be applied to each qualified residential account.	

Sec. 10.800 Water Rates - Outside City Limits

(4) Discount for senior citizens (age 62 or over) of ~~\$1.94~~ \$2.24 per month shall be applied to each qualified residential account.

Sec. 10.1000 Wastewater Treatment Services User Charges

(7) A discount for senior citizens (age 62 or over) of ~~\$1.94~~ \$2.06 per month shall be applied to each qualified residential account.

ARTICLE 15.000 PARKS AND RECREATION

(a) <u>Athletic Fields</u>	
Concession Stand	\$50.00 / per day
(f) <u>Recreation Center</u>	
Table Clothes	\$4.00 / each
Chair Covers	\$2.00 / each
(h) Non-Profit - For Meetings Only	
(1) Classroom / Youth Room	\$20.00 / hour Resident \$25.00 \$30.00 / hour Non-Resident
(m) <u>Visitors Center & State Auxiliary Museum Rental</u>	
Copies	
Copies, standard black and white copy	\$0.15 per page
Color Copy	\$1.00 per page
Fax/Scan to Email	\$1.00 per page

ARTICLE 16.000 AIRPORT FEES

(c) <u>Other Airport Fees</u>	
(4) Monthly Tie Down Fee	\$80.00 \$60.00 per month
(5) Lease Assignment Fee	\$250.00 per instance

Public Information Considerations:

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

Options/Alternatives:

1. City Council may approve the resolution adopting the Master Fee Schedule as presented with an effective date of October 1, 2018.
2. City Council may modify proposed fee(s) and approve the resolution with an effective date of October 1, 2018.
3. City Council may deny the resolution. Updated fees proposed in the Master Fee Schedule are part of the revenue projections used for the proposed FY 2018-2019 budget.

Recommendation:

Staff recommends approval of the Master Fee Schedule, as presented, with an effective date of October 1, 2018.

Attachments

Resolution

Exhibit "A" (red-lined)

Airport Fee Survey

Parks and Rec Fee Survey

WasteWater Survey

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, PROVIDING FOR ADOPTION OF THE NEW MASTER FEE SCHEDULE FOR ALL FEES AND CHARGES ASSESSED AND COLLECTED BY THE CITY, WHICH IS ATTACHED HERETO AND INCORPORATED HEREIN AS EXHIBIT "A"; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lancaster desires to adopt an updated Master Fee Schedule to provide for the fees and charges assessed and collected by the City; and

WHEREAS, after consideration and review, the City Council finds that the Master Fee Schedule, which is attached hereto and incorporated herein as Exhibit "A," should be adopted.

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

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

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

SECTION 3. This Resolution shall become effective October 1, 2018, from and after its passage, as the law and charter in such cases provide.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas on this the 10th day of September, 2018.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

CITY OF LANCASTER FEE SCHEDULE

ARTICLE 1.000	911 EMERGENCY TELEPHONE SERVICE FEE	2
ARTICLE 2.000	ANIMAL CONTROL FEES	2
ARTICLE 3.000	BUILDING RELATED FEES	3
ARTICLE 4.000	BUSINESSES RELATED FEES	10
ARTICLE 5.000	FIRE SERVICES FEES	12
ARTICLE 6.000	ABATEMENT OF PROPERTY MAINTENANCE NUISANCE	19
ARTICLE 7.000	LIQUID WASTE TRANSPORT PERMIT	19
ARTICLE 8.000	LIBRARY FINES AND FEES	20
ARTICLE 9.000	MUNICIPAL DRAINAGE UTILITY SYSTEM FEES	21
ARTICLE 10.000	UTILITY RELATED FEES	22
ARTICLE 11.000	PLANNING AND ZONING RELATED FEES	31
ARTICLE 12.000	MUNICIPAL COURT	33
ARTICLE 13.000	ADMINISTRATIVE FEES	34
ARTICLE 14.000	POLICE DEPARTMENT	36
ARTICLE 15.000	PARKS AND RECREATION	39
ARTICLE 16.000	AIRPORT FEES	45
ARTICLE 17.000	DEVELOPMENT FEES	46

Effective October 1, 2018
Resolution 2018-09-XX

CITY OF LANCASTER FEE SCHEDULE

ARTICLE 1.000 911 EMERGENCY TELEPHONE SERVICE FEE

There is hereby imposed on each telephone subscriber's local exchange access line, or its equivalent, in the City of Lancaster, a 911 emergency service fee of eighty-two cents (\$0.82) per month for each residential line, and one dollar and fifty-two cents (\$1.52) per month for each business line, or two dollars and fifty cents (\$2.50) per month for each business trunk line. Such fees shall be used only to provide for the purchase, installation, operating and maintenance expenses of 911 emergency services, including required personnel. (Ordinance 2007-08-38, adopted 8/13/07)

ARTICLE 2.000 ANIMAL CONTROL FEES

Sec. 2.100 General

(a) Animal Impound Fee

(1) 1 st Offense	\$45.00
(2) 2 nd Offense	\$55.00
(3) 3 rd Offense	\$85.00
(4) 4 th Offense	\$110.00
(5) Each subsequent offense is increased by	\$50.00

(b) Boarding While Impounded \$10.00 per day

(c) Rabies and Quarantine Observation Fee \$15.00 per day

(d) Adoption Fees

(1) Small Dogs and Puppies	\$15.00
(2) Large Dogs	\$25.00
(3) Cats	\$15.00

(e) Surrender of Animal

(1) Residential Surrender Fee	\$20.00 per animal or litter
(2) Non-residential Surrender Fee	\$25.00

(f) Euthanization / Dogs & Cats Only

(1) At Owner's Request	\$30.00
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(g) Pick Up Deceased Animal for Owner \$30.00

(h) Microchip Fee \$15.00 per animal

(i) Animal Trap Deposit \$50.00 per trap

CITY OF LANCASTER FEE SCHEDULE

Sec. 2.200 Dangerous Dog Registration Fee

The required annual fee for the registration of a dangerous dog shall be fifty dollars (\$50.00).
(1994 Code of Ordinances, Chapter 2, Article 2.600, Section 2.604)

ARTICLE 3.000 BUILDING RELATED FEES

Sec. 3.100 Fees Adopted

(a) Moving Permit Fees

- | | |
|---|---------------|
| (1) Base Fee (structures 200 sq. ft. and over) | Per Table 1-A |
| (2) Inspection Fee (plus .35 cents per mile to building location) | Per Table 1-A |

(b) Residential Portables/Storage Building Permit Fees

- | | |
|---------------------------------|---------------|
| (1) Under 200 sq. ft. base fees | Per Table 1-A |
| (2) Over 200 sq. ft. | Per Table 1-A |

(c) Fence Permit Fees

- | | |
|--|---------------|
| (1) Residential Zoning (New/Replacement) | Per Table 1-A |
| (2) Non-residential | Per Table 1-A |
| (3) A-O Zoning (Agricultural Fencing) | \$25.00 |
| Accessory Structures less than 400 sq. ft. | \$50.00 |
| Accessory Structures greater than 400 sq. ft. | \$100.00 |
| All other construction and related additions or remodeling work will be permitted and charged in accordance with Table 1-A | |

(d) Driveway, Drive Approach, Curb, Gutter and Sidewalk Permit Fees (Bond Required)

- | | |
|---|-------------------------|
| (1) Residential zones, new/repair/replacement | Per Table 1-A |
| (2) Non-residential zones, per approach | \$25.00 + per Table 1-A |

(e) Paving Private/Commercial Property Permit Fees

- | | |
|---|---------------|
| (1) Residential zones, new construction | Per Table 1-A |
| (2) Non-residential zones, per approach | Per Table 1-A |
| (3) Commercial Parking Lots | Per Table 1-A |

(f) Permit Fees

- | | |
|--|---------------|
| (1) Residential zones, new/repair/replacement | Per Table 1-A |
| (2) Single family residence, duplex, multi-family, apartment, condominium townhouse, commercial and remodels per | |
| Table 1-A. Fee assessed per address. | |

CITY OF LANCASTER FEE SCHEDULE

(g) Backflow Test Report

\$25.00

TABLE 1-A

Total Valuation

\$1.00 to \$500.00	\$45.00 (minimum permit fee)
\$501.00 to \$2,000.00	\$45.00 for the first \$500.00 plus \$3.05 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$391.25 for the first \$25,000.00 plus \$10.10 for each additional \$1,000.00 or fraction thereof, to and including \$50,000.00
\$50,001.00 to \$100,000.00	\$643.75 for the first \$50,000.00 plus \$7.00 for each additional \$1,000.00 or fraction thereof, to and including \$100,000.00
\$100,001.00 to \$500,000.00	\$993.75 for the first \$100,000.00 plus \$5.60 for each additional \$1,000.00 or fraction thereof, to and including \$500,000.00
\$500,001.00 to \$1,000,000.00	\$3,233.75 for the first \$500,000.00 plus \$4.75 for each additional \$1,000.00 or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,608.75 for the first \$1,000,000.00 plus \$3.15 for each additional \$1,000.00 or fraction thereof

(h) Sewer/Water/Gas Lines & Replacements

(1) Sewer line repair/install	Per Table 1-A
(2) Sewer line replacement	Per Table 1-A
(3) Water line repair/install	Per Table 1-A
(4) Water line replacement	Per Table 1-A
(5) Gas line repair/install	Per Table 1-A
Additional charge per outlet	
(6) Gas line Replacement	Per Table 1-A
Additional charge per outlet (this fee will be included in the total fee)	

CITY OF LANCASTER FEE SCHEDULE

(7) Drainage, vent system repair/replacement	Per Table 1-A
(8) Water heater replacement	Per Table 1-A
(9) Fixtures, addition/replacement	Per Table 1-A
(10) Grease trap, sand trap, grit trap and other Approved catch basins	Per Table 1-A
(11) Water treatment/water softener	Per Table 1-A
(12) Solar heater	Per Table 1-A
(13) Others as may be required	Per Table 1-A

(i) Electrical Fees

(1) Temporary service pole (not related to construction permit)	Per Table 1-A / \$25.00
To and including 200 amp	Per Table 1-A
Over 200 amp to 1,000 amp	Per Table 1-A
Over 1,000 amp and up	Per Table 1-A
(2) Receptacle, switch and lighting circuits	Per Table 1-A / \$25.00 min.
(3) Lighting fixture and lamp holding device	Per Table 1-A
(4) Residential use appliances (fixed appliances or outlets for same)	Per Table 1-A
(5) Building Rewire	Per Table 1-A
(6) Nonresidential Use Appliances	Per Table 1-A
[Nonresidential use appliances not exceeding 2 horsepower (hp), kilowatt (kw) or kilowatt ampere(kva)]	
(7) Power Apparatus (Base Fee)	Per Table 1-A
Motor over 1 hp, transformer, generator, heating/air conditioning units, heat pumps, cooking/baking	
(8) Equipment-Rated in hp, kw, kva, kvar	Per Table 1-A
Up to and including 1	Per Table 1-A
Over 1-10	Per Table 1-A
Over 10-50	Per Table 1-A
Over 50-100	Per Table 1-A
Over 100	Per Table 1-A
Minimum fee	Per Table 1-A
(9) Signs	
Initial CKT	Per Table 1-A

CITY OF LANCASTER FEE SCHEDULE

Each additional CKT	Per Table 1-A
(10) Busways	
Initial 100 feet	Per Table 1-A
Each additional 100 feet or fraction thereof	Per Table 1-A
(11) Subpanels	
Initial panel	Per Table 1-A
Each subsequent panel	Per Table 1-A
Service charge charge does not include additional circuits required.	
(j) <u>HVAC Installation Fees</u>	
(1) Installing/replacing HVAC system (condensing unit, evaporator, coil, furnace and piping) up to and including 5 tons of air conditioning, and/or 200,000 Btu input of heating per system	Per Table 1-A
(2) Installing/replacing HVAC system over Stans of air conditioning and/or over 200,000 Btu input of heating per system	Per Table 1-A
(3) Component Installation/Replacement.	Per Table 1-A
Condensing unit up to 5 tons	Per Table 1-A
Over 5 tons, \$10.00, plus per ton	Per Table 1-A
Furnace up to 200,000 Btu input	Per Table 1-A
Over 200,000 Btu input, \$10.00 plus per 100,000	Per Table 1-A
(4) Unit heater/suspended heater/duct heater	Per Table 1-A
(5) Ventilation/exhaust fans/hoods - Type I, Type II, Hoods, Exhaust Fans, each	Per Table 1-A
(6) Boilers	Per Table 1-A
(7) Other as may be required by mechanical code	Per Table 1-A
(k) <u>Swimming Pool/Spa/Hot Tub Permit Fees</u>	
(1) In ground pool	Per Table 1-A
(2) Above ground pool	Per Table 1-A
(3) Spa/hot tub	Per Table 1-A
(Above permits include electric and plumbing work, trades must validate)	
(l) <u>Mobile/HUD Manufactured Home Permit Fees</u>	
(1) Pre-June 1976	Per Table 1-A

CITY OF LANCASTER FEE SCHEDULE

(2) June 1976 to present	Per Table 1-A
(m) <u>Industrialized Home Permit Fee</u>	Per Table 1-A
(n) <u>Apartment Registration and Inspection Fee</u>	\$15.00 per apartment unit
(o) <u>Satellite Dish Permit Fees</u>	
(1) Pole style or roof mount	Per Table 1-A
(p) <u>Installation or Removal of Underground Fuel Storage Tank and/or Hazardous Chemicals</u>	
(1) Storage tank permit fees	Per Table 1-A
(q) <u>Repair of Underground Fuel Storage Tank and/or Lines Permit Fees</u>	
(1) Contractor's Registration (per year)	\$100.00
(2) Repairs of underground fuel storage tanks (base fee)	Per Table 1-A
(r) <u>Above Ground LPG Storage Tank System Permit Fees</u>	
(1) Contractor's Registration (per year)	\$100.00
(2) Base Fee (per tank)	Per Table 1-A
(s) <u>Fire Sprinkler and/or Standpipe System Permit Fees</u>	
(1) Contractor's Registration (per year)	\$100.00
(2) Base Fee	Per Table 1-A
(t) <u>Fire Alarm Fees</u>	
(1) Base Fee	Per Table 1-A
(u) <u>Fixed Fire-Extinguishing System Permit Fees</u>	
(1) Contractor's Registration (per year)	\$100.00
(2) Base Fee	Per Table 1-A
(v) <u>Tents and/or Air Support System Permit Fees</u>	
(1) 200 sq. ft. or larger	Per Table 1-A
(w) <u>Grading Filling and Excavating Permit Fees</u>	
(1) Base Fee	Per Table 1-A
(x) <u>Fee Assessment for Traffic Signals</u>	
There shall be an assessment of thirty- five dollars \$35.00	

CITY OF LANCASTER FEE SCHEDULE

per acre for each acre of development so as to provide for future traffic signalization.

(1) New Construction	\$75.00
(2) Existing Structure	\$75.00
(y) <u>Certificate of Occupancy Fees</u>	
(1) New Construction	\$75.00
(2) Existing Structure	\$75.00
(z) <u>Concrete Permit</u>	
(1) All contractors' must submit \$300,000.00 liability insurance made out with the City of Lancaster as a certificate holder.	
(aa) <u>Irrigation Permit Fee</u>	\$125.00
(bb) <u>Administrative Plan Review-Residential</u>	\$250.00
(cc) <u>Administrative Plan Review-Commercial</u>	65% of permit fee
(dd) <u>Utility Verification Permit</u>	\$50.00
(ee) <u>After Hours Inspections</u>	\$47.00 per hour, minimum 2 hours
(ff) <u>Sign Permit Fees</u>	Per Table1-A
(gg) <u>Wind Energy System Permit Fee</u>	Per Table1-A
(hh) <u>Hotel/Motel Property Inspection Fee</u>	\$50.00 per rental unit annually
(ii) <u>Annual Rental Registration and Inspection Fee</u>	\$50.00 per rental unit
(jj) <u>Annual Renal Registration Fee (following initial registration and inspection fee)</u>	\$15.00 per rental unit
<u>Inspection Fee Upon move out</u>	\$55.00 per rental unit
<u>Re-Inspection Fee</u>	\$25.00 per rental unit
(Resolution 2014-06-47 adopted 06/09/14) (Resolution 2016-10-88 adopted 10/10/2016)	

Contractor Registration Fees

(1) Building Contractor Registration	\$100.00 Annually
(2) HVAC Contractor Registration	\$100.00 Annually
(a) Type A License Registration	\$30.00 Annually
(b) Type B License Registration	\$30.00 Annually
(3) General Contractor Registration	\$100.00 Annually

CITY OF LANCASTER FEE SCHEDULE

(4) Fence Contractor Registration	\$100.00 Annually
(5) Sign Contractor Registration	\$100.00 Annually
(6) Concrete Contractor Registration	\$100.00 Annually

Sec. 3.200 When Fees Doubled

Where work for which a permit is required is started or preceded prior to obtaining said permit, the fees above shall be doubled. The payment of a double fee shall not relieve any persons from fully complying with the regulations prescribed in this article in the execution of the work or from any other penalties prescribed herein.

Sec. 3.300 Second Inspections

Where work for which a permit is required and has been issued is inspected by the Inspection Department's Inspector and failed for noncompliance with city codes, and a second inspection is required, an additional fee of fifty dollars (\$50.00) shall be charged for re-inspection and will increase by \$25.00 for each subsequent re-inspection.

Sec. 3.400 Public Schools Exempt From Fee Requirements

Any public school within the City of Lancaster shall be exempt from payment of the fees provided by this article, provided that such public schools shall not be excused from the necessary permit approval process enumerated in this code or in any other code or ordinance of the City of Lancaster. (Ordinance 13-00 adopted 4/24/00)

Sec. 3.500 Excavation Fees

Permit Fees. Permit fees shall be fifty dollars (\$50.00) minimum with a maximum of 2.5% of the construction contract cost. Such fee if paid by check, money order, bank draft or other negotiable instrument, shall be made payable to the city treasurer. If paid by cash, such cash shall be remitted daily to the city treasurer, who shall deposit it to the credit of the general fund. Construction bond for work in a city right-of-way shall be \$10,000.00 bond amount; \$2,000.00 bond amount where work not to exceed \$2,000.00 in value for any one permit that may be acquired for that work within the right-of-way.

(Ordinance 38-99 adopted 11/8/99)

Sec. 3.600 Backflow Prevention Assembly Testers Fees

An annual registration fee of one hundred dollars (\$100.00) shall be paid by each contractor or business for the first certified tester/employee prior to any work commencing with the city. Each additional employee (who is a certified tester) working for a contractor that is registered in the city shall pay an additional fifty dollars (\$50.00) registration fee per tester. (Ordinance 29-00 adopted 7/24/00)

CITY OF LANCASTER FEE SCHEDULE

ARTICLE 4.000 BUSINESSES RELATED FEES

Sec. 4.100 Peddlers, Solicitors and Itinerant Vendors

- (a) Investigation Fee: Each and every person seeking a permit under the provisions of the Lancaster Code of Ordinances, Chapter 4, Article 4.100 "Peddlers, Solicitors and Itinerant Vendors" shall pay a fee of twenty-five dollar (\$25.00) per year for investigation of such application. Such fee shall be prorated, shall be paid in case at the time such application is made and shall not be returned to the applicant regardless of whether or not such permit is issued or denied. Persons representing firms or corporations shall be required to obtain separate permits, but shall pay only a single investigation fee. Persons involved in interstate commerce shall be exempt from payment of the investigation fee, but shall be required to obtain a permit and otherwise fully comply with all provisions of Chapter 4, Article 4.100.
- (b) The permit fee for itinerant vendors on private property is twenty dollars (\$20.00). The City will not require payment of this permit fee by locally-based charitable organizations or organizations engaged in activities such as bake sales or car washes. The permit is issued for a minimum of five (5) days, but not to exceed forty-five (45) days. Each eligible property may only allow use of the property for a temporary business for a maximum of forty-five (45) days per calendar year in accordance with Chapter 4, Article 4.100, Section 4.114.
- (c) Replacement Permits: Should a permittee lose the permit or otherwise need to obtain a replacement permit from the city, the cost of such replacement permit shall be fifteen dollars (\$15.00).

(Ordinance 2008-06-24; adopted June 23, 2008)

Sec. 4.200 Coin-Operated Machine Fees

- (a) Every owner or operator who owns, controls, possesses, exhibits, displays or permits to be exhibited or displayed in this city any coin-operated machine shall pay and there is hereby levied on each coin-operated machine an annual occupation tax in the amount of twenty-five dollars (\$25.00).

(Ordinance 2002-10-38 adopted 10/14/02)

Sec. 4.300 Reserved for Future Use

Sec. 4.400 Food Service Establishments

The City of Lancaster shall issue a food service permit to the applicant if its inspection reveals that the proposed food service establishment complies with the requirements of Texas Health and Safety Code Chapters 437, Food and Drug Health Regulations, and 121, Local Regulation of Public Health. The permit shall be issued upon payment of a one hundred fifty dollar (\$150.00) annual inspection fee (includes two (2) inspections) set by the Dallas County Department of Health and Human Services plus an administrative fee of fifty dollars (\$50.00), which shall be due and payable on or before October 1 of each year. Such permit shall expire on September 30 of the succeeding year. Such

CITY OF LANCASTER FEE SCHEDULE

permit shall be payable in full if the permit is issued at the beginning of the fiscal year or prorated as deemed appropriate by staff depending upon when it is issued within the year. All food service establishment permits shall expire on September 30 of each year and be issued upon inspection and payment of the required fee, to be effective on October 1. Beginning with the third food establishment inspection or any other food inspection outside of the two yearly inspections, a seventy-five dollar (\$75.00) fee will be assessed for each additional inspection.

Sec. 4.500 Temporary Food Permit Application \$75.00

(Set by the Dallas County Department of Health and Human Services.)

Sec. 4.600 Reserved for Future Use

Sec. 4.700 Temporary Building Use Fees

The permit fees for administering temporary uses within the city shall be as follows:

(1) Real estate sales office	\$100.00
(2) Construction office	\$100.00
(3) Asphalt batching plant	\$100.00
(4) Cement hatching plant	\$100.00
(5) Portable church building	\$100.00
(6) Portable school building	\$100.00
(7) Other temporary use as determined by City Manager (or his/her designated representative)	\$100.00
(8) Cargo container for construction purposes	\$150.00

Sec. 4.800 Taxicab Permits

Each applicant for a license to operate a vehicle for transporting of passengers for hire within the city shall pay a non-refundable fee in the sum of one hundred dollars (\$100.00) to cover the cost of processing the application.

Sec. 4.900 Emergency Ambulance Service Permit

Each applicant shall pay to the City of Lancaster upon submission of his application a non-refundable two hundred dollar (\$200.00) permit fee. Such fee shall be for a permit for the period of January 1 through December 31 of each year, provided that any permit secured during the year shall be valid through December 31 of that year, and such fee shall not be prorated.

CITY OF LANCASTER FEE SCHEDULE

Sec. 4.1000 Limousine Operator Permit

Each limousine service operator shall be subject to a one hundred dollar (\$100.00) non-refundable permit application fee to cover the cost of processing the application. (Ordinance 13-00 adopted 4/24/00)

Sec. 4.1100 Alcoholic Beverage Permit

The City shall assess a local permit fee for each Alcoholic Beverage Permit not to exceed one-half the amount of the state fee in accordance with the Texas Alcoholic Beverage Code. Said fee shall be non-refundable.

(Ordinance No. 2010-11-26, adopted 11/08/10; Resolution No. 2010-11-93, adopted 11/08/ 10)

Sec. 4.1200 Boarding Home Facilities Permit

The License fees are as follows:

- (1) Operational Permit "License" Fee \$500.00 / year
- (2) Fines not to exceed the sum of \$2,000.00 for each offense if fire safety or health and \$500.00 for all other.

(Ordinance No. 2014-06-11, adopted June 23, 2014; Resolution No. 2014-06-50; adopted June 23, 2014)

ARTICLE 5.000 FIRE SERVICES FEES

Sec. 5.100 Apartment Registration and Inspection Fee \$75.00

Sec. 5.200 Installations or Removal of Underground Fuel Storage Tank and/or Hazardous Chemicals

- (1) Storage tank permit fees Per Table 1-A

Repair of Underground Fuel Storage Tank and/or Lines Permit Fees

- (1) Contractor's Registration (per year) \$100.00
- (2) Repairs of underground fuel storage tanks (base fee) Per Table 1-A

Above Ground LPG Storage Tank System Permit Fees

- (1) Contractor's Registration (per year) \$100.00
- (2) Base fees (per tank) Per Table 1-A

CITY OF LANCASTER FEE SCHEDULE

Sec. 5.300 Fire Sprinkler and/or Standpipe System Permit Fees

- | | |
|--|---------------|
| (1) Contractor's Registration (per year) | \$100.00 |
| (2) Base fees (per tank) | Per Table 1-A |

Sec. 5.400 Fire Alarm Fees

- | | |
|--------------------------|---------------|
| (1) Base fees (per tank) | Per Table 1-A |
|--------------------------|---------------|

Fixed Fire-Extinguishing System Permit Fees

- | | |
|--|---------------|
| (1) Contractor's Registration (per year) | \$100.00 |
| (2) Base fees (per tank) | Per Table 1-A |

Sec. 5.500 Tents and/or Air Support System Permit Fees

- | | |
|---------------------------|---------|
| (1) 200 sq. ft. or larger | \$25.00 |
|---------------------------|---------|

Sec. 5.600 When Fees Doubled

Where work for which a permit is required is started or preceded prior to obtaining said permit, the fees above shall be doubled. The payment of a double fee shall not relieve any persons from fully complying with the regulations prescribed in this article in the execution of the work or from any other penalties prescribed herein.

Sec. 5.700 Second Inspections

Where work for which a permit is required and has been issued is inspected by the Inspection Department's Inspector and failed for noncompliance with City codes, and a second inspection is required, an additional fee of fifty dollars (\$50.00) shall be charged for re-inspection and will increase by \$25.00 for each subsequent re-inspection.

Sec. 5.800 Public Schools Exempt From Fee Requirements

Any public school within the City of Lancaster shall be exempt from payment of the fees provided by this article, provided that such public schools shall not be excused from the necessary permit approval process enumerated in this code or in any other code or ordinance of the City of Lancaster. (Ordinance 13-00 adopted 4/24/00)

Sec. 5.900 Emergency Ambulance Service Permit

Upon submission of application, each applicant shall pay to the City of Lancaster a non-refundable two hundred dollar (\$200.00) permit fee. Such fee shall be for a permit for the period of January 1

CITY OF LANCASTER FEE SCHEDULE

through December 31 of each year, provided that any permit secured during the year shall be valid through December 31 of that year, and such fee shall not be prorated.

Sec. 5.1000	Residential Fire Alarm Permit Fee	\$25.00 Annually
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(No Charge if Burglar Alarm Permit is taken out with Police Department) Senior Rate (65 or older)	Exempt
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Sec. 5.1100	Commercial Fire Alarm Permit Fee	\$100.00 Annually
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Sec. 5.1200	Required Annual Operational Permit Fees
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(1) Aerosol products	\$25.00
(2) Amusement buildings	\$100.00
(3) Assisted living operations - Residential	\$100.00
Commercial Assisted Living	\$200.00
Nursing Home	\$200.00
(4) Aviation facilities	\$25.00
(5) Carnivals and fairs	\$75.00
(6) Cellulose nitrate film	\$25.00
(7) Combustible dust-producing operations	\$100.00
(8) Combustible fibers	\$100.00
(9) Compressed gases	\$100.00
(10) Covered mall buildings	\$25.00
(11) Cryogenic fluids	\$100.00
(12) Cutting and welding	\$50.00
(13) Day care operations - Residential	\$50.00
Commercial Day care	\$100.00
(14) Dry cleaning plants	\$25.00
(15) Exhibits and trade shows	\$25.00
(16) Explosives	\$500.00

CITY OF LANCASTER FEE SCHEDULE

(17) Fire hydrants and valves	\$25.00
(18) Flammable and combustible liquids	\$100.00
(19) Floor finishing	\$0.00
(20) Foster home operations	\$50.00
(21) Fruit and crop ripening	\$25.00
(22) Fumigation and thermal insecticidal Fogging	\$25.00
(23) Group home operations Per Sec. 4.1200 Boarding Home Ordinance	\$500.00
(24) Half-way home operations Per Sec. 4.1200 Boarding Home Ordinance	\$500.00
(25) Hazardous materials	\$200.00
(26) HPM facilities	\$100.00
(27) High-piled storage	\$100.00
(28) Hot work operations	\$50.00
(29) Industrial ovens	\$25.00
(30) Lumber yards and woodworking plants	\$50.00
(31) Liquid- or gas-fueled vehicles or equipment in assembly buildings	\$25.00
(32) LP-gas	\$50.00
(33) Magnesium	\$50.00
(34) Miscellaneous combustible storage	\$25.00
(35) Open burning (Exception: Recreational fires)	\$150.00 per burn
(36) Open flames and torches	\$0.00
(37) Open flames and candles	\$0.00
(38) Organic coatings	\$25.00
(39) Places of assembly	\$0.00

CITY OF LANCASTER FEE SCHEDULE

(40) Private fire hydrant installation	\$25.00 per hydrant
(41) Pyrotechnic special effects material	\$100.00
(42) Pyroxylin plastics	\$100.00
(43) Refrigeration equipment	\$25.00
(44) Repair garages and motor fuel- dispensing facilities.	\$0.00
(45) Rooftop heliports	\$25.00
(46) Spraying or dipping	\$25.00
(47) Storage of scrap tires and tire byproducts	\$200.00
(48) Temporary membrane structures, tents and canopies.	\$25.00
(49) Tire-rebuilding plants	\$100.00
(50) Waste handling	\$200.00
(51) Wood products	\$25.00

Required Construction Permits

(1) Automatic fire-extinguishing systems	Per Table 1-A
(2) Battery systems	Per Table 1-A
(3) Compressed gases	Per Table 1-A
(4) Fire alarm and detection systems and related equipment.	Per Table 1-A
(5) Fire pumps and related equipment	\$25.00
(6) Flammable and combustible liquids	Per Table 1-A
(7) Hazardous materials	Per Table 1-A
(8) Industrial ovens	Per Table 1-A
(9) LP-gas	Per Table 1-A
(10) Private fire hydrants	Per Table 1-A
(11) Spraying or dipping	Per Table 1-A
(12) Standpipe systems	Per Table 1-A
(13) Temporary membrane structures, tents and canopies.	\$25.00

CITY OF LANCASTER FEE SCHEDULE

Sec. 5.1300 Ambulance Fees

(1) ALS Emergency Mileage	\$15.00
(2) ALS Non-Emergency Mileage	\$15.00
(3) ALS Supplies - IV Therapy	\$100.00
(4) ALS1 Emergency, Non-Resident	\$1,125.00
(5) ALS1 Emergency, Resident	\$1,050.00
(6) ALS2, Non-Resident	\$1,275.00
(7) ALS2, Resident	\$1,200.00
(8) BLS Emergency, Non-Resident	\$900.00
(9) BLS Emergency, Resident	\$825.00
(10) BLS Emergency Mileage	\$15.00
(11) Treatment / No-Transport	\$150.00

Any resident or non-resident delivered by helicopter transportation shall be charged fees accumulated as if delivered to a medical facility. This is in addition to the fee from the helicopter company

Sec. 5.1400 Local EMS Services

(1) Extra Attendant	\$100.00
(2) Ambulance Stand-By	\$200.00 per hour

Sec. 5.1500 Fire Department Response Fees

(1) Absorbent for Cleanup	\$40.00 per bag
(2) Absorbent Pads	\$50.00 each
(3) Aerial Ladder Truck	\$600.00 per hour on-scene
(4) Air Truck with Cascades System	\$300.00 per hour used
(5) Boat Rescue	\$50.00 per hour
(6) Brush Truck	\$300.00 per hour

CITY OF LANCASTER FEE SCHEDULE

(7) Decon Pond/Spill Containment	\$100.00 per each used
(8) Extrication Tools	\$100.00 per each used
(9) Foam	\$50.00 per gallon
(10) On-Scene Labor	\$48.00 per hour
(11) Engine/Pumper	\$500.00 per hour
(12) Engine/Pumper #2	\$500.00 per hour
(13) Engine/Pumper #3	\$500.00 per hour
(14) Rescue Truck	\$400.00 per hour
(15) Sand	\$400.00 per truck load
(16) Tanker Truck	\$500.00 per hour
(17) Utility Truck	\$150.00 per hour
(18) Firefighting equipment damaged or destroyed as a result of response to the incident or contaminated with hazardous materials will be replaced at cost	

For applicable disasters and emergencies declared by the Mayor, Governor or President, the current adopted FEMA Schedule of Equipment Rates will apply. Information regarding the Fee Schedule can be found at www.fema.gov/schedule-equipme11t-rates. Information regarding the use of the Schedule is contained in 44 CFR § 206.228 Allowable Costs.

Sec. 5.1600 False Alarms with Permit within 12 month period:

1-3	No Charge
4-5	\$200.00
6-7	\$250.00
8 or more	\$300.00 each

False Alarms without Permit within 12 month period:

1-3 Residential	\$50.00 each
1-3 Commercial	\$100.00 each
4-5 Residential	\$75.00 each

CITY OF LANCASTER FEE SCHEDULE

4-5 Commercial	\$200.00 each
6-7 Residential	\$100.00
6-7 Commercial	\$250.00
8 or more - Residential	\$200.00 each
8 or more - Commercial	\$250.00 each
Late Payment for non-payment within 30 days after notification	\$25.00

Sec. 5.1700 Dallas County Response Fees

(1) Ambulance (In-County Calls)	\$450.00 per ambulance run
(2) Dallas County Assisted Fire Run	\$420.00 per fire run

ARTICLE 6.000 ABATEMENT OF PROPERTY MAINTENANCE NUISANCE

The expenses incurred for abatement of the nuisance may be assessed against the real estate on which the work is done or improvements made. To obtain a lien against the property, the mayor, municipal health authority or code enforcement officer must file a statement of expenses with the county clerk of Dallas County, including the name of the property owner, if known, and the legal description of the property. The actual cost of abatement shall include an administrative fee of one hundred fifty dollars (\$150.00). In the event there are obstructions such as trees, shrubs, bushes, excavations, foundations, demolished structures or any similar obstructions, an additional charge shall be levied, assessed and collected against such premises. The lien obtained is security for the expenses and interest accrued thereon at the rate of ten percent (10%) annually on the total amount from the date of payment by the city. The lien is inferior only to tax liens and liens for street improvements. The city may bring a suit for foreclosure of the lien to recover the expenses and interest due. The state of expenses or certified copy of the statement is prima facie proof of the expenses incurred by the city in doing the work or making the improvements. This remedy is cumulative of the fine authorized for violation hereof by Section 1.109 of the code of ordinances. (Ordinance 13-00 adopted 4/24/00)

ARTICLE 7.000 LIQUID WASTE TRANSPORT PERMIT

The city shall not issue a permit to an applicant until the appropriate fee is paid. Initially, a person shall pay a fee of one hundred dollars (\$100.00) for the first vehicle and fifty dollars (\$50.00) for each additional vehicle operated by the person. Each permit must be renewed annually at a rate of seventy-five dollars (\$75.00) for the first vehicle and fifty dollars (\$50.00) for each additional vehicle. (Ordinance 13-00 adopted 4/24/00)

CITY OF LANCASTER FEE SCHEDULE

ARTICLE 8.000 LIBRARY FINES AND FEES

(a) Charges for overdue materials

- (1) Books / Magazines ~~\$0.20~~ \$0.25 per day / Maximum \$10 per item
- (2) Audio Tapes / CDs ~~\$0.20~~ \$0.25 per day / Maximum \$10 per item
- (3) Interlibrary Loans ~~\$0.20~~ \$0.25 per day / Maximum \$10 per item
- (4) Video Tapes / DVDs \$1.00 per day / Maximum \$10 per item

(b) Lost or Damaged Beyond Repair

\$5.00 + replacement cost

(c) Copies

- (1) ~~Single~~ Copies, standard black and white copy ~~\$0.40~~ \$0.15 per page
- (2) Microfilm \$0.25 per page
- (3) Computer Printout \$0.10 per page
- (4) Color Copies \$1.00 per page
- (5) Fax \$1.00 per page

(d) Nonresident Library Card

\$20.00
Picture id required

(e) Lost Card

\$2.00 replacement

(f) Recovery Fee

\$10.00 - if account is sent to third party for collection (value of material + \$10.00)

(g) Non-cardholder one (1) Hour Internet Access

\$3.00 per hour

(h) Microfilm / microfiche rental

Actual cost, plus shipping and \$1.00 handling fee per order

(i) Interlibrary loan service - Postage

\$3.00 per item

(j) Library meeting room [during operating hours]

Deposit, resident/non-resident

\$100.00

Deposit, non-profit

\$50.00

Rental

\$35.00 / hour, Resident
\$55.00 / hour, Non-resident
\$30.00 / hour, Non-profit

Kitchen use per hour

\$25.00 / hour

Set-up Fee

\$50.00

CITY OF LANCASTER FEE SCHEDULE

Projector with screen	\$65.00 / hour, Resident; \$75.00 / hour, Non-resident
(k) <u>Tablets and E-Readers Usage Fee</u>	\$2.00 per hour/ plus replacement cost, if damaged
(l) <u>Institutional Library Card</u>	\$2.00 replacement fee
(m) <u>Hot Spot Fees</u>	
Overdue Fine	\$1.00 per day
Replacement Cost	\$100.00 per unit
Charger Replacement Cost	\$10.00
(n) <u>Mobile Book Fees</u>	\$0.20 per day

ARTICLE 9.000 MUNICIPAL DRAINAGE UTILITY SYSTEM FEES

Account Classification	Rate/SFLUE per Month	Minimum Fee per Month	Maximum Fee per Month
Single Family Residential	\$7.97	\$7.97	\$7.97
Multi-Family Residential	\$7.97	\$7.97	\$7.97
Residents Age 65 and Over	\$3.98	\$3.98	\$3.98
Permanently Disabled Residents	\$3.98	\$3.98	\$3.98
Commercial	\$7.97 (3) \$6.09 (>3-5) \$5.42 (>5-10) \$4.73 (>10-32) \$4.62 (>32)	\$7.97	N/A
City and Other Political Subdivision of the State	\$7.97	\$7.97	\$100.00
Fire Hydrant	\$0.00	\$0.00	\$0.00
Religious Institutions	\$7.97	\$7.97	\$100.00

CITY OF LANCASTER FEE SCHEDULE

Lancaster Independent School Dist.	\$7.97	\$7.97	\$100.00 per each school property
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(Ordinance No. 2002-10-41, adopted 10/14/02)
(Resolution No. 2010-02-11, corrected fees per ordinance)
(Resolution No. 2010-03-27, adopted 03/22/10)

ARTICLE 10.000 UTILITY RELATED FEES

Sec. 10.100 Water and Sewer Extensions

Water and sewer extensions shall be installed by the property owner/developer per city specifications; with approved plans and after paying required permits and fees; all at owner/developer's cost.

Sec. 10.200 Water Meter

(a) Tampering and Criminal Mischief Damages

(1) Damaged meter only \$200.00 plus cost of meter

(2) Damaged service line \$250.00 plus cost of meter

(b) Broken Lock on Meter \$25.00

(c) Pulled Meter \$200.00

(d) Reread Meter at customers request \$20.00

(e) Check for Leaks \$20.00

Sec. 10.300 Extension of Mains into New Areas

Water and sewer extensions shall be installed by the property owner/developer per city specifications; with approved plans and after paying required permits and fees, all at owner/developer's cost.

Sec. 10.400 Industrial Discharge Fee

The City of Lancaster shall pass through to industrial customers the cost of testing services for discharged wastewater into the City's collection system as contracted through the Trinity River Authority (TRA) in accordance with the Fiscal Year 2014 Technical Services Fee Schedule for laboratory analyses, Industrial Inspections and Industrial Sampling, attached to the Master Fee Schedule as Appendix "A" attached hereto.

CITY OF LANCASTER FEE SCHEDULE

Sec. 10.500 Charges for Water Service Connections

The city shall maintain all water service connections in streets, alleys, or easements within the city limits.

Sec. 10.600 Deposits for Water and/or Sewer

After the application for water and/or sewer service is received, the applicant shall pay to the city a deposit in the amount indicated below:

New Fees with Activation Fee

(1) Residential Owner – ¾ inch	\$90.00 + \$10.00 = \$100.00
Residential Renter – ¾ inch	\$150.00 + \$10.00 = \$160.00
*Temporary (30 day) clean-up	\$40.00 + \$10.00 = \$50.00

* (For owners of properties and/or realtors that need the water for a short period of time.)

Water Meter Cost on Existing Taps

¾ inch Meter	\$250.00
1 inch Meter	\$300.00
1 ½ inch Meter	\$470.00
2 inch Meter	\$325.00
3 inch and larger Meters	Owner provides meters approved by the City

Meter Set Fee

Included in cost of meter	
3 inch and larger Meters	Will be set by licensed plumber or bonded contractor. Customer must notify the City when meter is set.

Guidelines in order for customers to receive a refund/credit to their accounts prior to terminating utility service:

- (a) The customer will have to make the request in writing.
- (b) The account will have to be in good standing for a period of two consecutive years before a refund is granted. (The account will have no arrears, penalties or returned checks posted during that time.)
- (c) The refund will be made to the person listed on the account.

CITY OF LANCASTER FEE SCHEDULE

(2) Residential – Bore, Tap and Relocate Fees

Request for Residential Tap Fees for Water

¾ inch Tap	\$890.00
1 inch Tap	\$997.00
1 ½ inch Tap	\$1,250.00
2 inch Tap	\$1,496.00
3 inch and larger	Owner provides Taps and Meters.

***Relocate Existing Water (12' Maximum)** \$650.00

Plus \$35.00 / if for each foot over 35'

* A new tap may be required if existing facilities are not adequate for the requested adjustment.

Request for Residential Tap Fees for Sewer

4 inch Sewer Tap	\$1,250.00
Less than 35' in length and less than 10' in depth	

Any tap larger than 4" is required to be installed by a Bonded Utility Contractor, have engineering plans prepared and Contractor is required to obtain a Construction Permit.

Any tap over 10' depth is required to be installed by a Bonded Utility Contractor, have engineering plans prepared and Contractor is required to obtain a Construction Permit.

***All plans must be reviewed and approved by City officials.**

All taps residential and commercial owner or contractor is responsible for any required bore, encasement and grouting underneath a road. City Right-Of-Way (ROW) permit application is required and regular inspection fees will apply.

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

(4) Public schools and county community colleges are subject to commercial rates, but shall not be required to make a water and/or sewer deposit as required by this section.

(5) Fire Hydrant Meter

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

CITY OF LANCASTER FEE SCHEDULE

New Fees with Activation Fee

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

Backflow Testing and Installation

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

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

Inspection fee per device: \$30.00

Sec. 10.700 Water Rates - Within City

The following schedule of water charges for residential, commercial, industrial, and multi-family complex customers shall be effective upon annual adoption.

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

Meter Size:	Equivalent Units	Minimum Monthly Meter Charge:
5/8 or 3/4 inch water	1	\$20.90
1-inch water meter	2.5	\$52.26
1 ½ - inch water meter	5	\$104.52
2-inch water meter	8	\$167.23
3-inch water meter	16	\$334.45
4-inch water meter	25	\$522.58
6-inch water meter	50	\$1,045.17
8-inch water meter	80	\$1,672.26
10-inch water meter	125	\$2,450.00

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

- (a) the minimum bill for 5/8 inch meter, multiplied by the number of units, or
- (b) the minimum monthly meter charge for the size meter(s) serving the account.

(2) A variable rate volume charge of two dollars and sixty-seven (\$2.67) shall be charged per

CITY OF LANCASTER FEE SCHEDULE

each one thousand (1,000) gallons usage. No gallons are included with the monthly minimum charge.

- (3) Example of the calculation of a multi-family complex monthly water bill: Two hundred apartment units with an 8" meter and 600,000 gallons of usage.

Min. charge for 8 inch meter	\$1,672.26	
200 units @ \$20.90 each	\$0.00	\$4,180.00
600,000 gallons @ \$2.67 / 1000	\$1,602.02	\$1,602.00
	\$3,274.28	\$5,782.02

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

- (4) For the purpose of encouraging water conservation, there shall be a 25% increase in the water volume rate for monthly usage in excess of 15,000 gallons by residential and commercial accounts. Usage in excess of 30,000 shall be subject to an additional 25% increase. These increases will not be assessed to industrial or multi-family accounts.

For Example:

0 to 15,000 gallons	\$2.67 per 1,000
15,001 to 30,000 gallons	\$3.31 per 1,000
30,000 gallons or more	\$4.16 per 1,000

- (5) A discount for senior citizens (age 62 or over) of ~~\$1.94~~ 2.24 per month shall be applied to each qualified residential account.

(Resolution 2011-09-80 adopted 9/12/11, effective October 1, 2011)

(Resolution 2015-09-75 adopted 9/14/15, effective October 1, 2015)

Sec. 10.800 Water Rates - Outside City Limits

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

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

Meter Size:	Minimum Monthly Meter Charge:
3/4 inch or less	\$24.04
1-inch	\$60.10
1 ½ - inch	\$120.19
2-inch	\$192.31

CITY OF LANCASTER FEE SCHEDULE

3-inch	\$384.62
4-inch	\$600.97
6-inch	\$1,201.94
8-inch	\$1,923.10
10-inch	\$2,450.00

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

(a) the minimum bill for a 5/8 inch meter, multiplied by the number of units, or

(b) the minimum monthly meter charge for the size meter(s) serving the account.

(2) A variable rate volume charge of two dollars and sixty-seven (\$2.67) shall be charged per each one thousand (1,000) gallons usage. No gallons are included with the monthly minimum charge.

(3) Example of the calculation of a multi-family complex monthly water bill: Two hundred apartment units with an 8" meter and 600,000 gallons of usage.

Min. charge for 8 inch meter	\$1,923.10	
200 units @ \$24.04 each	\$0.00	\$4,808.00
600,000 gallons @ \$3.07 / 1000	\$1,842.00	\$1,842.00
	\$3,765.00	\$6,650.00

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

(4) Discount for senior citizens (age 62 or over) of ~~\$1.94~~ \$2.24 per month shall be applied to each qualified residential account.

Sec. 10.900 Imposition of Lien for Water Service Charges

In the event that payment of charges for water and/or sewer services furnished by the city is not made by the date specified for cutoff in accordance with the notice sent pursuant to Chapter 13, Article 13.500, Section 13.508, service shall be discontinued. Any customer whose water and/or sewer services are discontinued due to nonpayment may have services resumed by paying all accrued and overdue charges, including the late charge penalty and a reconnection charge as follows: (1994 Code of Ordinances, Chapter 11, Article 11.500, Section 11.509).

(1) Reconnect Fee (Cutoff)	\$45.00
(2) Reconnect Fee (Cutoff) After 5 p.m.	\$55.00
(3) Late Fee	7% of balance due

CITY OF LANCASTER FEE SCHEDULE

(4) NSF Check	\$35.00
(5) Extra Trip Charge (New Connects and Reconnects)	\$25.00
(6) Data log meter	\$25.00

(Ordinance No. 2007-01-01 adopted 01/22/07)

Sec. 10.1000 Wastewater Treatment Services User Charges

The following schedule of charges for residential, commercial, industrial and multi-family complex customers shall be effective upon annual adoption:

- (1) Minimum monthly sewer charge (no gallons of usage) for residential, commercial, and industrial is fifteen dollars and four cents (\$15.04) per connection.
- (2) Minimum monthly sewer charge for each dwelling unit of a multi-family complex (no gallons) is seven dollars and seventy-three cents (\$7.73) per unit.
- (3) Minimum monthly sewer charge for each dwelling unit of a multi-family complex outside of the city limits (no gallons) is eight dollars and eighty-nine cents (\$8.89) per unit.
- (4) Variable rate per one thousand (1,000) gallons of water usage for residential, commercial, industrial, and multi-family complexes is seven dollars and seventy-three cents (\$7.73).
- (5) The total monthly amount due for "all" sewer accounts shall be the sum of the minimum monthly sewer charge plus the variable rate times the user's water usage for the month. The maximum monthly "residential customer" volume charges shall be based on the average of the three lowest monthly bills in the last twelve. Normally these will be the reading cycles ending in December, January, and February. However, the utility billing department may adjust this forwards or backwards one month.

Industrial and commercial users that install a separate sewer metering system shall be charged for volume according to that meter, plus the minimum rate.

- (6) The practice of discounting the computed sewer usage to 95% and 90% as detailed in the Lancaster Code of Ordinances Section 11.608(b) and 11.609(b); was discontinued in 2008.
- (7) A discount for senior citizens (age 62 or over) of ~~\$1.94~~ \$2.06 per month shall be applied to each qualified residential account.

(Resolution 2015-09-75 adopted 9/14/15, effective October 1, 2015)

Sec.10.1100 Water Impact Fee

(Reference Tables 1, 2, 3 and 11 of Ordinance)

(Ordinance 2004-09-27 adopted 9/27/04)

(Ordinance 2012-08-25 adopted 8/27/12)

CITY OF LANCASTER FEE SCHEDULE

Water Impact Fees are imposed upon any new development (which includes expansion of existing facilities) to generate revenue for funding or recouping the costs of capital improvements or facility expansions to these systems necessitated by or attributable to the new developments' demand on these systems. The Water Impact Fees are calculated using Service Units, which are a standardized measure of consumption, use, generation or discharge attributable to an individual living unit equivalent (LUE) of development calculated in accordance with generally accepted engineering or planning standards for water systems' capital improvements or facility expansion. The total impact fee due is based on the meter size(s) used by the development. The meter size is determined by the City of Lancaster within the meter manufacturers optimum flow range based on flows required by the development.

Sec. 10.1200 Sewer Impact Fee

(Reference Table 3.5 of Ordinance)

(Ordinance 2006-07-22 adopted 7/10/06)

(Ordinance 2012-08-25 adopted 8/27/12)

Sewer (Wastewater) Impact Fees are imposed upon any new development (which includes expansion of existing facilities) to generate revenue for funding or recouping the costs of capital improvements or facility expansions to these systems necessitated by or attributable to the new developments' demand on these systems. The Sewer Impact Fees are calculated using Service Units, which are a standardized measure of consumption, use, generation or discharge attributable to an individual living unit equivalent (LUE) of development calculated in accordance with generally accepted engineering or planning standards for sewer systems' capital improvements or facility expansion. The total impact fee due is based on the meter size(s) used by the development. The meter size is determined by the City of Lancaster within the meter manufacturers optimum flow range based on flows required by the development.

Sec. 10.1300 Roadway Impact Fee

(Reference Exhibit B of Ordinance)

(Ordinance 2003-12-42 adopted 12/8/03)

(Ordinance 2012-08-25 adopted 8/27/12)

Roadway Impact Fees are imposed upon any new development (which includes expansion of existing facilities) to generate revenue for funding or recouping the costs of capital improvements or facility expansions to these systems necessitated by or attributable to the new developments' demand on these systems. The Roadway Impact Fees are calculated using Service Units, which are a standardized measure of consumption or use (supply and demand) of the roads in the city by new development and are calculated in accordance with generally accepted engineering or planning standards for Roadway Systems' capital improvements or facility expansion. The total impact fee due is determined by the land use, the location of the development, and the square footage of the building.

Sec. 10.1400 Inspections

(a) Sewer	\$150.00
(b) Final Televised lateral inspection	\$50.00

CITY OF LANCASTER FEE SCHEDULE

Sec. 10.1500 Calibrations

- | | |
|----------------------------------|------------------------------------|
| (a) Pipe < 1 inch | \$50.00 |
| (b) Pipe < 1 inch and < 3 inches | \$50.00 |
| (c) Pipe ≥ 3 inches | \$100.00 Contracted price plus 25% |

(Ordinance 2002-10-38 adopted 10/14/02)

Sec. 10.1600 Reserved for future use.

Sec. 10.1700 Garbage Collection Fees

- | | |
|--|--------------------|
| (a) Residential | \$13.84 |
| Once weekly refuse collection/disposal | |
| Once weekly recycling collection/processing | |
| Every other month brush/bulk item collection | |
| (b) Administrative Processing Fee | \$ 2.50 |
| (c) Extra cart | |
| 2nd cart | \$10.00 |
| 3rd cart | \$15.00 |
| 4th cart | \$20.00 |
| (d) Commercial Hand Collect | \$18.50 |
| Once weekly refuse collection / disposal | |
| (e) Commercial Hand Collect Recycling Collection | \$12.10 |
| Once weekly recycling collection / processing | |
| (f) Special Pick-up – Up to 12 yard | \$66.95 minimum |
| Over 12 yard additional | \$11.85 / per yard |
| (g) Commercial Containers – Price Haul Rates (Disposal costs included) | |
| Rates do not include franchise fees, billing fees or taxes. | |

Size	1 X WK	2 X WK	3 X WK	4 X WK	5 X WK	6 X WK	EXTRA
2 YD	\$67.12	\$124.22	\$172.78	\$221.33	\$269.89	\$318.46	\$77.82
3 YD	\$76.77	\$142.04	\$197.58	\$253.10	\$308.63	\$364.17	\$80.11
4 YD	\$95.98	\$177.63	\$247.02	\$316.69	\$385.77	\$455.14	\$82.40
6 YD	\$115.24	\$213.28	\$296.64	\$380.00	\$463.37	\$546.72	\$86.98
8 YD	\$144.11	\$266.66	\$370.94	\$475.24	\$579.53	\$683.47	\$89.27
Casters	\$8.99/lift						

CITY OF LANCASTER FEE SCHEDULE

Lock Gates	\$8.99/lift						
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Recycling for Small Businesses - Price includes haul & disposal (if business selects to contract with City Contractor)

Size/Pickup	1xWeek	2xWeek	Extra
6 YD	\$91.56	NB	\$71.53
8 YD	\$91.56	NB	\$71.53

Vertical Compactors- Once per week collection Price includes haul & disposal (Emptied by Front End Loaders):

4 YD	\$316.64 / per haul
6 YD	\$441.76 / per haul
8 YD	\$536.74 / per haul

(Resolution 2012-09-76 adopted 9/10/12, effective 10/01/12)

(Resolution 2015-12-102 adopted 12/14/15, effective 12/14/15)

Sec. 10.1800 Wastewater Discharge

There is hereby established a wastewater discharge permit fee of \$450.00 for a three year term by the Water/Wastewater Superintendent of the City of Lancaster.

(1994 Code of Ordinances, Chapter 1, Article 11.1300, Section 11.1300)

Sec. 10.1900 Fees for Cuts to Streets, Alleys, Sidewalks and Drainage Structures

In the event any street, highway or roadway must have an open cut and is approved by the City Engineer in writing for the purpose of installing water or wastewater laterals, or utility repair by a Franchise Utility Company or their subcontractor, a fee of four dollars and fifty cents (\$4.50 sq. ft.) per square foot, with a minimum one hundred dollar (\$100.00) fee will be charged in advance for replacement of such open cut by the city. This fee will be reimbursed if the excavation is restored to like or better condition.

ARTICLE 11.000 PLANNING AND ZONING RELATED FEES

Sec. 11.100 Reserved for Future Use

Sec. 11.200	HLPC Application Review (Certificate of Appropriateness)	\$100.00
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Sec. 11.300 Zoning Board of Adjustment

(a) Variance Request	\$250.00
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CITY OF LANCASTER FEE SCHEDULE

Sec. 11.400 Plats

(a) Preliminary Plat	
50 acres or less	\$500.00 + \$50.00 per acre
More than 50 acres	\$1,000.00 + \$100.00 per acre
(b) Final Plat	\$500.00 + \$10.00 per lot
(c) RePlat	
With property owner notification	\$575.00 + \$35.00 per acre
Without property owner notification	\$450.00 + \$35.00 per acre
(d) Amended Plat	\$200.00 + \$10.00 per acre
(e) Minor Plat	\$400.00
(f) Plat Vacations	\$500.00

Sec.11.500 Zoning

(a) General Zoning Change	\$500.00 + \$10.00 per acre
(b) Specific Use Permit (SUP)	\$500.00 + \$10.00 per acre
(c) Private Club Permit	\$350.00
(d) Amendment to SUP	\$500.00 + \$10.00 per acre
(e) Planned Development	\$1,500.00 + \$10.00 per acre
(f) Amendment to Planned Development	\$1,500.00 + 10.00 per acre
(g) Exceptions	\$250.00

Sec. 11.600 Other Planning & Zoning Fees

(a) Site Plan Review	\$250.00 + \$10.00 per acre
(b) Tree Survey Review	\$25.00
(c) Illegal Tree Cutting Fine	\$125.00 per diameter inch
(d) Dedication/Abandonment of Right-of-Way or Easements	\$150.00 per development for first 5 + \$25.00 for each

CITY OF LANCASTER FEE SCHEDULE

	additional document
(e) Consultant Fees	Hourly Rate of Consultant
(f) Zoning Verification Letter	\$50.00
(g) Subsequent Legal Notices after 1st	\$15.00 per additional notice

Sec. 11.700 Maps, Publications and Miscellaneous Fees

(a) Comprehensive Plan	\$48.00
(b) Copying – 8 ½" x 11", or 8 ½" x 14"	\$0.10 per page. Any request for more than 20 pages may be sent to an outside duplicating facility at requestor expense.
(c) Lancaster Development Code (Zoning Ordinance and Subdivision Regulations)	\$45.00
(d) Zoning Map (24" x 36")	\$20.00

ARTICLE 12.000 MUNICIPAL COURT

Sec. 12.100 Municipal Court Building Security Fund

Any defendant convicted in the municipal court of the City of Lancaster of a misdemeanor offense that occurs after September, 1997 or the passage of this article, shall pay a \$3.00 security fee as a cost of court. The term "convicted" includes any convictions obtained by way of a plea of guilty, a trial and any cases, deferred adjudication, probation or pretrial diversion in order for the defendant to take advantage of one of the alternative programs offered by the municipal court including, but not limited to a driving safety course, deferred adjudication, alcohol awareness and shoplifters alternative. (1994 Code of Ordinances, Chapter 8, Article 8.100, Section 8.1600)

Sec. 12.200 Municipal Court Technology Fund

A defendant convicted of a misdemeanor offense in the municipal court in the City of Lancaster shall pay a technology fee not to exceed four dollars for each conviction as a cost of court. The Municipal Court Clerk shall collect the costs and pay the funds to the Finance Director for deposit in a fund to be known as the "Municipal Court Technology Fund".
(Ordinance 2002-03-12 adopted 3/2/02)

Sec 12.300 Special Expense Fee

There is hereby established a special expense fee in the amount of twenty-five dollars (\$25.00) which shall be collected, after due notice to the defendant, for the issuance and service of a warrant of arrest for an offense under Section 38.10 of the Texas Penal Code titled " Bail Jumping and Failure to

CITY OF LANCASTER FEE SCHEDULE

Appear”; or Section 543.009 of the Texas Transportation Code titled “Compliance With or Violation of Promise to Appear.”

ARTICLE 13.000 ADMINISTRATIVE FEES

PUBLIC INFORMATION CHARGES

(a) Copies, standard paper copy \$0.10 per page

For standard paper copies reproduced by means of an office machine copier or a computer printer. Each side that has recorded information is considered a page.

(b) Copies, nonstandard copy

The charges in this section are to cover the materials onto which information is copied and do not reflect any additional charges, including labor, that may be associated with a particular request. The charges for nonstandard copies are:

(A) Diskette	\$1.00
(B) Magnetic tape	actual cost
(C) Data cartridge	actual cost
(D) Tape cartridge	actual cost
(E) Rewritable CD (CD-RW)	\$1.00
(F) Non-rewritable CD (CD-R)	\$1.00
(G) Digital video disc (DVD)	\$3.00
(H) JAZ drive	actual cost
(I) Other electronic media	actual cost
(J) VHS video cassette	\$2.50
(K) Audio cassette	\$1.00
(L) Oversize paper copy (11 inches by 17 inches, green bar, blue bar, not including maps and photographs using specialty paper)	\$0.50
(M) Specialty paper (Mylar, blueprint, blue line, map, photographic)	actual cost

CITY OF LANCASTER FEE SCHEDULE

(c) Microfiche and Microfilm	actual cost of reproduction
From Master copy of Microfilm	\$0.10 per page
(d) Computer Resource Charge	
Mainframe	\$10 per CPU minute
Midsize	\$1.50 per CPU minute
Client/Server	\$2.20 per clock hour
PC or LAN	\$1.00 per clock hour
(e) Other Public Information Charges	
(A) Computer Programmer	\$28.50 per hour
(B) Personnel Charge (50 or more pages)	\$15.00 per hour
(C) Overhead Charge (50 or more pages)	20% of personnel charge
(D) Remote Document Retrieval Charge	actual cost
(E) Miscellaneous Supplies (labels, boxes)	actual cost
(F) Postage and Shipping Charge	actual cost
(G) Miscellaneous (credit card transaction fee)	actual cost
(f) Certified or Attestation under City Seal	\$2.50
(g) Finance	
(1) Return Check Fee	\$35.00 per check
(2) Budget Book	\$106.00 per
(3) CAFR	book \$50.00 per
(4) Copies - printouts (computer generated)	book \$0.25 per page
(h) Special Events	
(1) Application Fee	\$25.00 (applications submitted 31 days prior to event)
(2) Expedited Review Fee	\$25.00 (expedited fee for applications received within 30 days of the event)
(3) Street Barricade Rental Fee	1 to 25 barricades -\$15.00 25 to 50 barricades - \$30.00 50+ barricades - will require contract services

CITY OF LANCASTER FEE SCHEDULE

(4) Street Cones Rental Fee	1 to 25 cones - \$10.00 25 to 50 cones - \$20.00 50+ cones - will require contract services
(5) Barricade Replacement Fee	\$62.00 per barricade
(6) Cone Replacement Fee	\$39.00 per cone
(7) Litter Can	\$5.00 each
(8) Litter Can Replacement Fee	\$90.00 each
(9) Portable Stage Rental (16' x 16')	\$100.00 / per every 4 hours
(10) Portable Stage Rental (12' x 12')	\$75.00 / per every 4 hours
(11) Reimbursable Costs: Fees associated with City of Lancaster service provision at the request of the applicant will be calculated by the applicable department based on the associated reimbursable cost, the service/equipment requested, and the length of time the service is needed.	
(12) Commercial Filming	\$50.00 {process fee for applications, which include a maximum of two locations) \$250.00 (Processing Fee for applications, which include, but not limited to projects that involve more extensive planning and affect any of the following: <ul style="list-style-type: none">• Multiple street closures• Multiple lane closures• Intermittent traffic control• Require traffic management• Complex scenes• Special Effects

Should filming require the assistance from the Lancaster Police Department and/or Lancaster Fire Rescue Department, a contact from each department will be provided to the applicant. The starting rate for 'off-duty' is \$45.00 / per hour with a four (4) hour minimum.

(Ordinance 2004-06-18 adopted 6/14/04)

ARTICLE 14.000 POLICE DEPARTMENT

Sec. 14.100 Alarm System Permit Fees

(a) Alarm System Permit Fees

Registration Fee - Residential	\$ 50.00
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CITY OF LANCASTER FEE SCHEDULE

Registration Fee - Commercial	\$100.00
Senior Rate (65 or older) - Residential only	Exempt*
Renewal Fee - Residential	\$50.00
Renewal Fee - Commercial	\$100.00
Senior Rate (65 or older)-Residential only	Exempt*
Late Fee after 30 day notice for registration	\$25.00
Late Fee After 30 day notice for renewal	\$25.00

False Alarms with Permit within 12 month period:

1-3	No Charge
4-5	\$ 50.00
6-7	\$ 75.00
8 or more	\$100.00 each

False Alarms without Permit within 12 month period:

1-3 Residential	\$100.00 each
1-3 Commercial	\$200.00 each
4-5 Commercial	\$250.00 each
6-7 Residential	\$175.00
6-7 Commercial	\$250.00
8 or more - Residential	\$200.00 each
8 or more - Commercial	\$250.00 each

Late Payment for non-payment within 30 days after notification \$25.00

False Robbery Alarms within 12 month period:

1-3	\$100.00
4 or more	\$ 200.00

CITY OF LANCASTER FEE SCHEDULE

Late Payment for each False Robbery Alarm not paid within 30 days after notification \$25.00

Appeal:

*Appeal Hearing Fee \$25.00

*(Fee shall be refunded, in its entirety, if appeal is upheld)

Reinstatement:

Reinstatement Fee \$50.00

(Resolution 2007-02-22 adopted 2/26/07)

(b) Accident Reports

(1) Regular Copy \$6.00 per report

(2) Certificate of Regular Copy Addl. \$2.00 per report

(3) Certificate with no information or report on file \$6.00 per report

(c) Offense Reports \$0.10 per page

(d) Fingerprinting

(1) First two (2) fingerprint cards \$10.00

(2) Per fingerprint card thereafter \$5.00

(Resolution 2004-12-102 adopted 12/13/04)

(e) Fines, Costs, and Fees

School Bus Stop Arm Violation Fine \$300.00

30 Day Late Payment Penalty \$50.00

60 Day Late Payment Penalty \$100.00

Non-Sufficient Funds -Returned Check Fee \$35.00

Failure to Appear Penalty \$50.00

Administrative Adjudication Hearing Filing Fee \$25.00

Municipal or JP Court Appeal Hearing Filing Fee \$20.00

Hearing Rescheduling Fee \$20.00

(Resolution 2014-06-48 adopted 06/09/14)

CITY OF LANCASTER FEE SCHEDULE

ARTICLE 15.000 PARKS AND RECREATION

Sec. 15.100 Memberships

(a) Annual Membership Fees (Valid for 1 year from date of purchase)

- | | | |
|---|--|---|
| (1) Recreation (JR) ID Card - (Under 5 yrs) | Free with purchase of adult rec ID card | Must be accompanied by an adult over 18 years of age |
| (2) Recreation ID Card -Youth (5-16 yrs) | \$10.00 / year Resident
\$15.00 / year Non-Resident | Provides access to use of gymnasium and walking track during designated hours. |
| (3) Recreation ID Card - Adult (17-49 yrs) | \$20.00 / year Resident
\$30.00 / year Non-Resident | Provides access to use of gymnasium and walking track during designated hours. |
| (4) Seniors (50 + years) | \$15.00 / year Resident
\$20.00 / year Non-Resident | Provides access to use of gymnasium and walking track during designated hours. |
| (5) Daily Fitness Atrium Admission (17 years and older) | \$5.00 / day | Provides access to fitness atrium during designated hours. |
| (6) Monthly Fitness Atrium Membership (17 years and older) | \$20.00 Resident
\$25.00 Non-Resident | Provides access to the fitness atrium during designated hours. |
| (7) Annual Fitness Atrium Membership (17 years and older) | \$160.00 Resident
\$200.00 Non-Resident | Provides access to use the gymnasium, walking track and the fitness atrium during designated hours. |
| (8) Open Swim Admission | \$5.00 / day Resident
\$7.00 / day Non-Resident | Provides access to use of pool during designated hours. |
| (9) Daily Fitness Swim Admission (17 years and older) | \$3.00 / day Resident
\$5.00 / day Non-Resident | Provides access to use of pool during designated hours. |
| (10) Monthly Fitness Swim Membership (17 years and older) | \$15.00 Resident
\$20.00 Non-Resident | Provides access to use of pool during designated hours. |
| (11) Seasonal Swim Pass(Summer) Individual (16 years and younger) | \$60.00 Resident
\$70.00 Non-Resident | Provides access to use of pool during designated hours. |
| (12) Seasonal Swim | \$70.00 Resident | Provides access to use of pool |

CITY OF LANCASTER FEE SCHEDULE

Pass(Summer) Individual (17 years through adult)	\$80.00 Non-Resident	during designated hours.
(13) Seasonal Swim Pass(Summer) Family 4+	\$180.00 Resident \$200.00 Non-Resident	Provides access to use of pool during designated hours
(14) Annual Fitness Swim Membership (17 years and older)	\$120.00 Resident \$160.00 Non-Resident	Provides access to use of pool during designated hours.
(15) Annual Senior Center Membership (50 + years)	\$3.00 Resident \$5.00 Non-Resident	Provides access to the Senior Center facility and programming.

(a) Corporate Membership Rates

LISD Annual Employee Membership Rate	\$85.00	Provides access to usage of the fitness atrium, walking track, gymnasium and pool during designated hours. Also provides a 10% discount on rentals / reservations of facilities and 10% discount on programs and classes offered by instructors.
(1) Corporate A (5-9)	Agency \$125.00	Individual \$100.00
(2) Corporate B (10+)	\$225.00	\$100.00

Sec. 15.200 Rental Facilities

(a) Athletic Fields

Concession Stand	\$50.00 / per day
Deposit	\$100.00
(1) Cedardale Field Rental / hour	\$25.00 - 2 hour minimum Resident \$35.00 - 2 hour minimum

CITY OF LANCASTER FEE SCHEDULE

	Non-Resident
(2) City Park Field Rental / hour	\$25.00 - 2 hour minimum Resident \$35.00 - 2 hour minimum Non-Resident
(3) Royce Clayton Ballpark / hour	\$25.00 - 2 hour minimum Resident \$35.00 - 2 hour minimum Non-Resident
(4) Youth Football / hour	\$25.00 - 2 hour minimum Resident \$35.00 - 2 hour minimum Non-Resident
(5) Soccer Field / hour	\$25.00 - 2 hour minimum Resident \$35.00 - 2 hour minimum Non-Resident

Additional fees for athletic field rentals with lights are \$15.00 per hour.

(b) Community House

Deposit	\$150.00 Resident \$150.00 Non-Resident
(1) 4 hour rental Resident	\$200.00
(2) 4 hour rental Non-Resident	\$225.00
(3) 6 hour rental Resident	\$300.00
(4) 6 hour rental Non-Resident	\$325.00

(c) Gymnasium

Deposit	\$100.00 Resident \$100.00 Non-Resident
(1) 1/2 Gym	\$50.00 / hour Resident \$65.00 / hour Non-Resident 4 hours minimum after operating hours.
(2) Full Gym	\$75.00 / hour Resident \$90.00 / hour Non-Resident 4 hours minimum after operating

CITY OF LANCASTER FEE SCHEDULE

hours.

(3) Full Gym Tournament Fee

\$100.00 / hour Resident
 \$125.00 / hour Non-Resident
 4 hours minimum after operating
 hours. Allows gate fees charged
 by renter. Must reserve entire
 gymnasium.

(d) Outdoor Facility

Deposit	\$100.00 Resident \$100.00 Non-Resident
(1) City Park Pavilion 1 8:00 a.m. – Noon (12) or 1:00 p.m. – 5:00 p.m.	\$75.00 Resident \$100.00 Non-Resident
(2) City Park Pavilion 2 8:00 a.m. – Noon (12) or 1:00 p.m. – 5:00 p.m.	\$75.00 Resident \$100.00 Non-Resident
(3) Community Park Pavilion 8:00 a.m. – Noon (12) or 1:00 p.m. – 5:00 p.m.	\$75.00 Resident \$100.00 Non-Resident
(4) Heritage Park Gazebo 8:00 a.m. – Noon (12) or 1:00 p.m. – 5:00 p.m.	\$50.00 Resident \$75.00 Non-Resident
(5) Kid Square Park Pavilion 8:00 a.m. – Noon (12) or 1:00 p.m. – 5:00 p.m.	\$75.00 Resident \$100.00 Non-Resident
(6) Bear Creek Park Pavilion	\$75.00 Resident \$100.00 Non-Resident
(7) Rocky Crest Park Pavilion	\$50.00 Resident \$75.00 Non-Resident
(8) Meadowcreek Park Pavilion	\$50.00 Resident \$75.00 Non-Resident
(9) JA Dewberry Park Pavilion	\$50.00 Resident \$75.00 Non-Resident

(e) Pool

(1) Indoor Pool Reservations

Deposit	\$75.00 Resident \$75.00 Non-Resident
(A) Party Room (Semi-Private) 2 hours	\$100.00 Resident \$125.00 Non-Resident

CITY OF LANCASTER FEE SCHEDULE

(B) Private Party A (1 - 50) 2 hours	\$200.00 Resident \$250.00 Non-Resident
(C) Private Party B (51 - 100) 2 hours	\$250.00 Resident \$300.00 Non-Resident
(D) Private Party C (101 - 150) 2 hours	\$300.00 Resident \$350.00 Non-Resident
(E) Private Party D (151 +) 2 hours	\$350.00 Resident \$400.00 Non-Resident

(f) Recreation Center

(1) Grand Banquet Hall

Deposit	\$250.00 Resident \$250.00 Non-Resident
Set-up Fee	\$50.00 Resident \$50.00 Non-Resident
Kitchen	\$30.00 / hour Resident \$30.00 / hour Non-Resident
1,100 sq. ft.	\$50.00 / hour Resident \$75.00 / hour Non-Resident
2,200 sq. ft.	\$75.00 / hour Resident \$100.00 / hour Non-Resident
3,300 sq. ft.	\$100.00 / hour Resident \$125.00 / hour Non-Resident
(2) Aerobic Dance Room / hour	\$40.00 / hour Resident \$60.00 / hour Non-Resident
(3) Classroom / hour	\$30.00/ hour Resident \$50.00/ hour Non-Resident
(4) Conference Room / hour	\$20.00/ hour Resident \$40.00/ hour Non-Resident
(5) Projector Screen/Podium/Sound System Rental	

Deposit	\$200.00 Resident \$200.00 Non-Resident
1 Screen	\$65.00 / day Resident \$75.00 / day Non-Resident
2 Screen	\$75.00 / day Resident \$100.00 / day Non-Resident
Podium	\$35.00 / day Resident \$40.00 / day Non-Resident
Portable Sound System	\$200.00 / day Resident \$275.00 / day Non-Resident
Table Clothes	\$4.00 / each
Chair Covers	\$2.00 / each

CITY OF LANCASTER FEE SCHEDULE

(g) Senior Life Center

Deposit	\$250.00 Resident \$250.00 Non-Resident
Kitchen	\$30.00 / hour Resident \$30.00 / hour Non-Resident
(1) 4 Hour Rental	\$400.00 Resident \$500.00 Non-Resident
(2) 6 Hour Rental	\$600.00 Resident \$750.00 Non-Resident

(h) Non-Profit - For Meetings Only

Deposit	\$75.00 / hour Resident \$75.00 / hour Non-Resident
(1) Classroom / Youth Room	\$20.00 / hour Resident \$25.00 \$30.00 / hour Non-Resident
(2) 1,100 square feet (Grand Hall)	\$50.00 / hour Resident \$60.00 / hour Non-Resident
(3) Conference Room	\$10.00 / hour Resident \$20.00 / hour Non-Resident

(i) Lancaster Youth and Adult Sports Associations Fee

Player participation fee per season	\$15.00
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(j) Programs

Individual Recreation Classes	Range from \$5.00 - \$25.00 per class / per day
Recreation Programs	Range from \$15.00 - \$100.00 Programs vary by week or by month
Recreation Team Sports	Range from \$100.00 - \$400.00 per team / per season

(k) Amphitheater Rental

Deposit	\$150.00 Resident \$150.00 Non-Resident
(1) 4 Hour Rental	\$200.00 Resident \$325.00 Non-Resident
(2) 6 Hour Rental	\$275.00 Resident \$400.00 Non-Resident
(3) Each additional hour after 6 hours	\$50.00 Resident \$75.00 Non-Resident

CITY OF LANCASTER FEE SCHEDULE

(l) Stage Rental

Deposit	\$75.00 Resident \$75.00 Non-Resident
(1) 4 Hour Rental	\$100.00 Resident \$100.00 Non-Resident
(2) Each additional hour after 4 hours	\$35.00 Resident \$35.00 Non-Resident

(m) Visitors Center & State Auxiliary Museum Rental

(After hour rental includes atrium and conference room only)

Deposit	\$250.00 Resident \$250.00 Non-Resident
Set-up Fee	\$50.00 Resident \$50.00 Non-Resident

Copies

Copies, standard black and white copy \$0.15 per page

Color Copy \$1.00 per page

Fax/Scan to Email \$1.00 per page

(1) 3 Hour Rental (After hours) 3 hour minimum and maximum for after hour reservations	\$350.00 Resident \$400.00 Non-Resident
(2) Conference Room (during hours of operation only)	

Deposit	\$100.00 Resident \$100.00 Non-Resident
Hourly rate (2 hour minimum)	\$50.00 Resident \$75.00 Non-Resident

ARTICLE 16.000 AIRPORT FEES

(a) Monthly Hangar Rental

(1) 956 sq. ft. (small T-hangar)	\$220.00 \$0.23 per sq. ft.
(2) 1,018.25 sq. ft. (medium T-hangar)	\$234.00 \$0.23 per sq. ft.
(3) 1,624.33 sq. ft. (large T-hangar)	\$374.00 \$0.23 per sq. ft.

(b) Community Hangar Rental

(1) 956 sq. ft. (small T-hangar)	\$110.00 \$0.12 per sq. ft.
(2) 1,018.25 sq. ft. (medium T-hangar)	\$117.00 \$0.12 per sq. ft.

CITY OF LANCASTER FEE SCHEDULE

(3) 1,624.33 sq. ft. (large T-hangar) \$187.00 | \$0.12 per sq. ft.

(c) Other Airport Fees

(1) Ground Lease (Improved)	\$0.30 per square foot per year
(2) Ground Lease (Unimproved)	\$0.20 per square foot per year
(3) Terminal Building Office Lease	\$12.00 per square foot per year
(4) Monthly Tie Down Fee	\$80.00 \$60.00 per month
(5) Lease Assignment Fee	\$250.00 per instance
(6) Fuel Flowage Fee	\$0.20 per delivered gallon
(7) Cafe Sales	5% of Gross Sales

(Ordinance 2003-10-32 adopted 10/27/03) (Resolution 2009-04-41 adopted April 13, 2009)

ARTICLE 17.000 DEVELOPMENT FEES

	<u>Building Fee</u>	<u>Engineering Fee</u>	<u>Planning Fee</u>
(a) <u>Abandonment Driveway, Drive Approach, Curb, Gutter and Sidewalk Permit Fees</u> (bond required)			
(1) Residential Zones Repair/Replacement	\$25.00	N/A	N/A
(2) Residential Zones, New Construction	\$35.00	N/A	N/A
(3) Nonresidential Zones, per Approach	\$35.00	N/A	N/A
(b) <u>Annexations</u>	N/A	N/A	\$1,000.00 plus filing fee
(c) <u>Appeals to Zoning Board of Adjustments</u>	N/A	N/A	N/A
(d) <u>Building Permits</u>			
Single-Family Residence, Duplex, Multi-Family, Apartment, Condominium & Townhouse, Commercial and remodels) Fees Assessed Per Address			
(e) <u>Consultant Fee-Supplemental</u>	N/A	N/A	N/A
(f) <u>Design/Plan Review</u> Commercial and Industrial Projects	65% of the building permit fee. Section titled	N/A	N/A

CITY OF LANCASTER FEE SCHEDULE

Amendments (Commercial & Industrial) Residential Projects, Amendments (Residential), Minor Design Review "Building Permit" in this schedule

(g) Plats

(1) Preliminary Plat

Fifty (50) acres or less	N/A	N/A	\$500.00 + \$50.00 / acre
More than fifty (50) acres	N/A	N/A	\$1,000.00 + \$100.00 / acre
(2) Final Plat	N/A	N/A	\$500.00 + \$10.00 / lot

(3) Re-Plats

Plat revision with property owner notification	N/A	N/A	\$575.00 + \$35.00 / acre
Plat revision without property owner notification	N/A	N/A	\$450.00 + \$35.00 / acre

(4) Amended Plats

Amended Plats Correcting Errors	N/A	N/A	\$400.00
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(5) Plat Vacations

Plat Vacation increasing lots	N/A	N/A	\$200.00 + \$10.00 / acre
All other plat vacations	N/A	N/A	\$500.00

(6) Miscellaneous Plat Items

Dallas County Clerk's Recording Fee	N/A	N/A	\$33.00 1st page \$10.00 subsequent page
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(7) Re-Plats	N/A	N/A	\$400.00
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(1994 Code of Ordinance, Chapter 9, Article 9.100, Section 9.106)

Building Fee

Engineering Fee

Planning Fee

CITY OF LANCASTER FEE SCHEDULE

(h) Development Inspection Fees

(1)	Special Inspection \$47.00 per hour, minimum 2 hours	1.5 % - 3.5% estimated cost of improvements intended for dedication to the city for water, sewer and streets. Effectively Immediately= 1.5% Effective January 1, 2004 = 3.5% Each additional hour \$47.00 per hour	N/A
	(1) Inspection 2 hours – Travel time of job site and return time to be included outside of normal business hours (min. charge) \$47.00 per hour	N/A	N/A
	(2) Re-inspection fees assessed under provisions of Section 305.8 \$47.00 per hour	N/A	N/A
	(3) Inspection for which no fee is specifically indicated (min. charge - one half hour) \$47.00 per hour	N/A	N/A
	(4) Additional plan review required by changes, additions or revisions to plans (min. charge- one- half hour) \$47.00 per hour	N/A	N/A
(2)	Miscellaneous Case	N/A	\$100.00
(3)	Planned Development	N/A	\$1,500.00 plus

CITY OF LANCASTER FEE SCHEDULE

Review			\$10.00 per acre
(4) Park Fee in Lieu of Dedication (including single-family, dual family, and multi-family residential areas)	N/A	N/A	\$1,400.00 per dwelling unit (Ordinance 2006-10-41 adopted 10/23/06)
(i) <u>Signs</u> (Sec. 3.100 Fee Adopted - Lancaster City Code)			
(1) Permanent Signs, Per Face Based on Sign Area	Table A	N/A	N/A
(2) Temporary Portable Signs, Flags, banners, etc. (good for two weeks)	\$25.00	N/A	N/A
(3) Sign contractor registration	\$100.00	N/A	N/A
(j) <u>Site Plan Review</u>	N/A	N/A	\$250.00 plus \$10 per acre
(k) <u>Subdivision Name Change</u>	N/A	N/A	\$200.00
(l) <u>Street Lighting Escrow</u>	N/A	N/A	N/A
(m) <u>Tree Survey/Preservation Plan</u>	N/A	N/A	\$25.00 administration processing fee with \$125.00 per inch mitigation fee
(n) <u>Small cell application fee</u> <u>(This fee shall not exceed and is capped by statutory limits)</u>	N/A	\$500.00 (1-5 network nodes; \$250.00 (each additional network node); \$1,000.00 per pole	N/A
Small cell user fees (This fee shall not exceed and is capped by statutory limits)	N/A	\$250.00 annually for each network node; \$20.00 per year for city pole attachment	N/A
Transport Facility monthly user	N/A	\$28.00 multiplied by	N/A

CITY OF LANCASTER FEE SCHEDULE

fees (This fee shall not exceed
and is capped by statutory limits)

the number of the
network provider's
network nodes
located in the public
right-of-way for
which the installed
transport facilities
provide backhaul,
until the time the
network provider's
payment to the City
exceeds its monthly
aggregate per month
compensation to the
City.

CITY OF LANCASTER FEE SCHEDULE

Revision References

**Effective October 1, 2007 (Annual update)
Resolution 2007-09-108**

**Revised January 14, 2008 (Water/waste water services rate)
Resolution 2008-01-07**

**Revised June 23, 2008 (Garbage collection fees)
Resolution 2008-06-54**

**Revised September 8, 2008 (Water service rate)
Resolution 2008-09-82**

**Revised September 8, 2008 (Waste/water service rate)
Resolution 2008-09-83**

**Effective October 1, 2008 (Annual update)
Resolution 2008-09-84**

**Revised October 27, 2008 (Multi-Family Rental Property Registration and Inspection Fee)
Resolution 2008-10-91**

**Revised November 10, 2008 (Food Inspections & Administrative Fee)
Resolution 2008-11-100**

**Revised December 8, 2008 (Irrigation Permit Fee)
Resolution 2008-12-105**

**Revised April 13, 2009 (Municipal Airport Fees)
Resolution 2009-04-41**

**Revised April 27, 2009 (Cargo Container Fees)
Resolution 2009-04-51**

**Effective October 1, 2009 (Annual Update)
Resolution 2009-08-84**

**Revised October 26, 2009 (Park land dedication fee per ordinance 2006-10-41)
Resolution 2009-10-102**

**Revised December 14, 2009 (Sec. 10.1700 Garbage Collection Fees)
Resolution 2009-12-125**

CITY OF LANCASTER FEE SCHEDULE

**Amended February 8, 2010 (Article 9.000 Drainage Utility Systems Fees to reflect Rates as adopted 10/14/02 Ordinance No. 2002-10-41)
Resolution 2010-02-11**

**Revised March 22, 2010 (Article 9.000 Drainage Utility System Fees)
Resolution 2010-03-27**

**Revised June 28, 2010 (Repealed Cargo Container Fee for Agricultural Purposes)
Resolution 2010-06-58**

**Revised June 28, 2010 (Established Wind Energy System Permit Fee; Ordinance No. 2010-04-09)
Resolution 2010-06-59**

~~Resolution 2010-09-75 (repealed in its entirety)~~

**Effective October 1, 2010 (Annual Update; Corrected Section 10.700 Water Rates – Within City)
Resolution 2010-09-82**

**Revised November 8, 2010 (Includes fee for Local Alcohol Permit)
Resolution 2010-11-93**

**Revised September 12, 2011 (Sec. 10.1700 Garbage Collection Rates)
Resolution 2011-09-79**

**Revised September 12, 2011 (Sec. 10.700 Water Rates – Within City and Sec. 10.1000 Wastewater Treatment Services User Charges)
Resolution 2011-09-80**

**Effective October 1, 2011 (Annual Update)
Resolution 2011-09-81**

**Effective October 10, 2011 (Sec. 4.400 Food Service Establishments fees)
Resolution 2011-10-86**

**Effective February 27, 2012 (Revised Article 16.000 Airport Fees to add rental rates for community hangars)
Resolution 2012-02-17**

**Effective August 27, 2012 (Updated Water/Wastewater and Roadway Impact Fees)
Ordinance 2012-08-25**

**Effective October 1, 2012 (Annual Update)
Resolution 2012-08-69**

**Effective December 1, 2012 (Industrial Discharge Fee – reference Appendix “A”)
Resolution 2012-09-79**

CITY OF LANCASTER FEE SCHEDULE

Effective October 1, 2013 (Annual Update)
Resolution 2013-08-68

Effective January 1, 2014 (Hotel/Motel Property Annual Inspection Fee)
Resolution 2013-07-61
Effective June 9, 2014 (Fines, costs, and fees for School Bus Stop Arm Violations)
Resolution 2014-06-48

Effective June 23, 2014 (Boarding Home Facilities Permit)
Resolution 2014-06-50

Effective October 1, 2014 (Annual Update)
Resolution 2014-09-77

Effective October 1, 2015 (Water and Wastewater Rates)
Resolution 2015-09-74

Effective October 1, 2015 (Annual Update)
Resolution 2015-09-67

Effective December 14, 2015 (Solid Waste Disposal)
Resolution 2015-12-102

Effective October 1, 2016 (Annual Update)
Resolution 2016-09-71

Effective October 10, 2016 (Rental Registration)
Resolution 2016-10-88

Effective August 28, 2017 (Small Cell Antennas or Distributed Antenna Systems)
Resolution 2017-08-61

Effective October 1, 2017 (Annual Update)
Resolution 2017-09-62

Effective November 13, 2017 (Microchip Fees)
Resolution 2017-11-79

Effective April 23, 2018 (Sec. 10.1700 Garbage Collection Rates)
Resolution 2018-04-36

Effective October 1, 2018 (Annual Update and Water and Wastewater Rates)
Resolution 2018-09-XX

Airport Fees Survey - 2018																											
Airport	T-Hangars - Small				T-Hangars - Medium				T-Hangars - Large				Box Hangars				Tie Down Spot	Ground Lease		Terminal Building Office Space	Fuel Flowage Fee (per gal)	Replied to Survey?					
	Wing-Span (35-39ft)	Sqft	Current Mo. Rate	Sqft Rate	Wing-Span (40-49ft)	Sqft	Current Mo. Rate	Sqft Rate	Wing-Span (50-60ft)	Sqft	Current Mo. Rate	Sqft Rate	Wing-Span	Sqft	Current Mo. Rate	Sqft Rate	Current Mo. Rate	Improved	Unimproved								
																		\$/sqft per yr	\$/sqft per yr								
Addison	n/a	n/a	n/a	n/a	40	800	\$345	\$0.43	57	1,600	\$700	\$0.44	n/a	n/a	n/a	n/a	n/a	#	\$0.45-0.65		Public: \$0.12 Non-public: \$0.20	n					
					42	1,122	\$460	\$0.41																			
Arlington	36	890	\$230	\$0.26	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	\$50	\$0.22-0.43	\$0.18-0.22	\$20-24	*	Y					
Cleburne	36	940	\$200	\$0.21	45	1,274	\$250	\$0.20	n/a	n/a	n/a	n/a	50	3,025	\$484	\$0.16	\$50	\$0.11	\$0.11	n/a	n/a	Y					
													50	3,641	\$182	\$0.05											
													50	5,678	\$625	\$0.11											
													50	4,200	\$420	\$0.10											
													100	12,109	\$1,332	\$0.11											
													200	38,164	\$4,198	\$0.11											
Dallas Exec.	n/a	n/a	n/a	n/a	40	n/a	\$325	n/a	50	n/a	\$600	n/a	n/a	n/a	\$900+	n/a	\$100	\$0.40	\$0.30		0.07 ♣	Y					
Denton	39	990	\$325	\$0.33	42	1,350	\$550	\$0.41	n/a	n/a	n/a	n/a	39	1,287	\$475	\$0.37	n/a	n/a	0.27		n/a	n					
	39	1,138	\$375	\$0.33	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a		n/a						
Grand Prairie	39	855	\$215	\$0.25	40	920	\$225	\$0.24	53	2,650	\$500	\$0.19	40	2,500	\$467	\$0.19	\$30	\$0.20	\$0.17	\$20.00	\$0.20 ◇	Y					
	39	928	\$215	\$0.23	40	940	\$225	\$0.24					60	2,650	\$550	\$0.21											
	39	948	\$225	\$0.24	40	1,400	\$225	\$0.16					60	5,400	\$1,100	\$0.20											
	39	1,387	\$225	\$0.16	40	1,540	\$338	\$0.22					114	10,113	\$1,934	\$0.19											
	n/a	n/a	n/a	n/a	41	1,090	\$304	\$0.28					n/a	n/a	n/a	n/a					\$30		\$0.20	\$0.17		\$0.25 ♦	
					41	1,252	\$342	\$0.27																			
					41	1,497	\$401	\$0.27																			
					41	1,509	\$403	\$0.27																			
					47	1,438	\$439	\$0.31																			
					47	1,671	\$500	\$0.30																			
					47	1,950	\$572	\$0.29																			
Lancaster	36	956	\$220	\$0.23	40	1,018	\$234	\$0.23	50	1,624	\$374	\$0.23	n/a	n/a	n/a	n/a	\$80	\$0.30	\$0.20	\$12.00	\$0.20	Y					
McKinney	n/a	n/a	n/a	n/a	40	n/a	\$398	n/a	60	n/a	\$650	n/a	59	2,714	\$1,000	\$0.37	\$80	\$0.45	\$0.65		\$0.12-0.20**	n					
					50	n/a	\$585	n/a																			
Mecham	n/a	n/a	n/a	n/a	40	907	\$390	\$0.43	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	\$80	\$0.42		n/a	\$0.15	Y					
Mesquite	n/a	n/a	n/a	n/a	40	910	\$220	\$0.24	n/a	n/a	n/a	n/a	55	3,600	\$800-925	n/a	\$75	\$0.30	n/a	n/a	n/a	Y					
					42	1,300	\$250	\$0.19					64	3,315	\$1,250	\$0.38											
					44	1428-1680	\$320-\$410	\$0.22					80	10,000	\$750	\$0.08											
													90	7,200	\$2,780	\$0.39											
Midway	n/a	n/a	n/a	n/a	40	1,040	\$255	\$0.25	n/a	n/a	n/a	n/a	59	4,620	\$900	\$0.19	\$50	\$0.30	\$0.25	n/a	\$0.11	Y					
					45	1,350	\$388	\$0.29					62	3,111	\$774	\$0.25											
					47	1,268	\$300	\$0.24					68	4,225	\$1,545	\$0.37											
Spinks	n/a	858	\$300	\$0.35	n/a	1,110	\$375	\$0.34	n/a	1,650	\$425	n/a	n/a	3,000	\$850	\$0.28	\$55	\$0.29†	\$0.27‡	n/a	\$0.15	Y					
	n/a	1,008	\$325	\$0.32	n/a	1,386	\$400	\$0.29	n/a	1,698	\$450	n/a	n/a	6,600	\$1,800	\$0.27											
Avg Rate:			\$259.55	\$0.26			\$359.20	\$0.28			\$528.43	\$0.29			\$1,170.75	\$0.22	\$65.00	\$0.31	\$0.28	\$16.00	\$0.15						

Notes:
ADS improved ground lease rates vary depending on the value and condition of the improvements.
Per gallon received
*GKY FBO, Harrison Aviation, pays an annual lump sum "right to sell" fuel fee of \$25,099.69
^FTW does not differentiate between improved and unimproved
† & ‡ FWS †West side; ‡East Side -- lower rate as an incentive to develop on the East side(do not differentiate between improved and unimproved)
◇ Public
♦ Corporate (non-public)
**TKI \$0.20 for self-fueling, which is currently not done and is discouraged.
••JWY will be changing ground lease rates.
♣ RBD rates will increase after construction of Rwy 13/31 in 2017 is completed.
Grey text is old data due to lack of response from airport.

City of Lancaster Fee Schedule - Quality of Life and Cultural Services - Parks and Recreation FY 2018-2019																		
MEMBERSHIP	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Cedar Hill	Coppell	Desoto	Grand Prairie	Duncanville	Farmers Branch	Haltom City	Keller	Rockwall	Rowlett	The Colony	
GYMNASIUM																		
Deposit		\$100	\$100		No change	No change							\$50	\$50				
1/2 Gym		\$50/hr.	\$65/hr.		No change	No change	\$30	\$40 M \$45 NM \$50 NR	\$50/hr.	\$30/hr R \$45/hr NR		\$30/HR R \$50/HR NR		\$40		\$50	\$25	
Full Gym		\$75/hr.	\$90/hr.		No change	No change	\$60		\$75/hr.	\$60/hr R \$100/hr NR		\$50/HR R \$75/HR NR	\$50/hr.	\$50		\$100	\$50	
Full Gym Tournament Fee		\$100/hr.	\$125/hr.		No change	No change				NA	NA						\$60 after an hour	
OUTDOOR FACILITIES																		
Deposit		\$75	\$100		No change	No change		\$100.00	\$50	\$0	\$100	\$30	\$30			\$35-\$75	\$50	
City Park Pavilion 1							\$25/hr.	\$50 to \$200		\$75/day R- \$225 NR		\$15/hr R \$20/hr NR	\$10/hr	\$30/3hr R \$40/3hr NR	Only Residents			
8am - 12Noon or 1pm - 5pm		\$75	\$100		No change	No change		\$50 to \$200	\$75-\$100 R \$100- \$250 NR		\$30 R \$50 NR				\$40/6hr	\$75/half R \$150 NR	\$10 R \$15 NR	
City Park Pavilion 2																		
8am - 12Noon or 1pm - 5pm		\$75	\$100		No change	No change		\$50 to \$200	\$75-\$100 R \$100- \$250 NR	\$75/day R- \$225 NR	\$30 R \$50 NR	\$15/hr R \$20/hr NR	\$10/hr	\$30/3hr R \$40/3hr NR	\$40/6hr	\$75/half R \$150 NR	\$10 R \$15 NR	
Community Park Pavilion																		
8am - 12Noon or 1pm - 5pm		\$75	\$100		No change	No change		\$50 to \$200	\$75-\$100 R \$100- \$250 NR		\$30 R \$50 NR	\$15/hr R \$20/hr NR	\$10/hr	\$30/3hr R \$40/3hr NR	\$40/6hr	\$75/half R \$150 NR	\$10 R \$15 NR	
Heritage Park Gazebo																		
8am - 12Noon or 1pm - 5pm		\$50	\$75		No change	No change		\$50 to \$200	\$75-\$100 R \$100- \$250 NR	\$50/day R- \$150 NR	\$20 R \$40 NR	\$150/hr	\$10/hr	\$30/3hr R \$40/3hr NR	\$40/6hr	\$75/half R \$150 NR	\$10 R \$15 NR	
Amphitheater		\$150	\$250		No Change	No Change	\$200 Dep \$20 R \$30 NR		\$100 Dep \$175	NA	\$100 Dep \$60 R \$120 NR	NA			\$100 R / \$200 NR			
Kid Square Park Pavilion																		
8am - 12Noon or 1pm - 5pm		\$75	\$100		No change	No change		\$50 to \$200	\$100 R \$150 NR	\$50/day R- \$150 NR	\$50 R \$75 NR	\$15/hr R \$20/hr NR		\$30/3hr R \$40/3hr NR	\$40/6hr	\$75/half R \$150 NR	\$10 R \$15 NR	
Bear Creek Park Pavilion		\$75	\$100		No change	No change		\$50 to \$200	\$100 R \$150 NR		\$30 R \$50 NR	\$25/hr R \$35/hr NR		\$30/3hr R \$40/3hr NR	\$40/6hr	\$75/half R \$150 NR	\$10 R \$15 NR	
Rocky Crest Park Pavilion		\$50	\$75		No change	No change		\$50 to \$200	\$100 R \$150 NR	\$50/day R- \$150 NR	\$20 R \$40 NR	\$15/hr R \$20/hr NR		\$30/3hr R \$40/3hr NR	\$40/6hr	\$75/half R \$150 NR		
Meadowcreek Park Pavilion		\$50	\$75		No change	No change		\$50 to \$200	\$100 R \$150 NR	\$50/day R- \$150 NR	\$10 R \$20 NR			\$30/3hr R \$40/3hr NR	\$40/6hr	\$75/half R \$150 NR		
JA Dewberry Park Pavilion		\$50	\$75		No change	No change		\$50 to \$200	\$100 R \$150 NR	\$50/day R- \$150 NR				\$30/3hr R \$40/3hr NR	\$40/6hr	\$75/half R \$150 NR		
Pool		\$5	\$7		No Change	No Change	\$2	\$5 R - \$9 NR	\$4 R - \$5 NR		NA		NA	\$7 R - \$9 NR	\$1 R - \$2 NR	\$9.50 child - \$10.50 adult	\$4	
INDOOR POOL RESERVATIONS																		
Deposit	\$75.00	\$75	\$75	\$0.00	No Change	No Change	No Deposit	No Deposit	No Deposit	No Deposit	No Deposit	No Deposit	No Deposit	No Deposit	No Deposit	No Information	No Information	
Party Room (Semi-Private) 2hours		\$100	\$125		No Change	No Change	NA			\$75		No Deposit \$150						
Private Party A (1-50) 2 hours		\$200	\$250		No Change	No Change	\$150	25 Swimmers \$140/NR 170	\$150 for 10 Guests	\$125	\$110/Hour	\$300/2 Hours	350-490	\$250 indoor (up to 12 guest)	\$100/ hour	\$125	\$85-\$215 for 50 people	
									\$15 Additional Per Guests		NA NA		NA NA	\$600 outdoor (up to 200 guest) same				
Private Party B (51-100) 2 hours		\$250	\$300		No Change	No Change	\$200		NA	NA	\$160/hour	NA	NA	same	NA			
Private Party C (101-150) 2 hours		\$300	\$350		No Change	No Change	\$250		NA	NA	\$210/hour	NA		same	NA			
Private Party D (151+) 2 hours		\$350	\$400		No Change	No Change	\$300		NA	NA				same	NA			
GRAND BANQUET HALL																		
Deposit		\$250	\$250		No change	No change	\$150 M \$200 NM \$250 NR	\$100 room/\$500 alcohol	\$100	No Deposit	\$250	\$200	30-Cash	\$25 key deposit	\$100-\$200	\$100		
Set-up Fee					\$50	\$50	\$300	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	
Kitchen		\$30/hr.	\$30/hr.		No change	No change	\$30		\$40/hr. \$75 hr.	\$25/hr R \$45/hr NR	Can only be rented w/room	Can only be rented w/ the room	NA	\$25		\$75 Deposit \$20 R \$30 NR	NA	

City of Lancaster Fee Schedule - Quality of Life and Cultural Services - Parks and Recreation FY 2018-2019																	
MEMBERSHIP	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Cedar Hill	Coppel	Desoto	Grand Prairie	Duncanville	Farmers Branch	Halton City	Keller	Rockwall	Rowlett	The Colony
1,100 sq. ft.		\$50/hr.	\$75/hr.		No change	No change	Sun-Fri \$40/hr. Fri-Sat \$50/hr.	\$130 M \$140 NM \$170 NR	WD \$95/hr. WE \$180/hr.	\$20/hr R \$50/hr NR	\$75 R \$125 NR	\$50 Deposit \$30/HR R \$40/HR NR	\$30 Deposit \$20/hr.	\$145 R \$170 NR (2 hrs.)	BH \$50 R \$100 NR		\$30
2,200 sq. ft.		\$75/hr.	\$100/hr.		No change	No change	Sun-Fri \$55/hr. Fri-Sat \$65/hr.	\$90 M \$100 NM \$110 NR	WD \$285/hr. WE \$540/hr.	\$25/hr R \$75/hr NR		\$50 Deposit \$30/HR R \$40/HR NR	\$50 Deposit \$40/hr.	\$240 R \$260 NR (2 hrs.)	NBH \$65 R \$130 NR		
3,300 sq. ft.		\$100/hr.	\$125/hr.		No change	No change	Sun-Fri \$75/hr. Fri-Sat \$85/hr.	\$105 M \$115 NM \$125 NR	WD \$300/hr. WE \$460/hr.		\$100 R \$150 NR	\$200 Deposit \$30/HR R \$40/HR NR		\$320 R \$340 NR (2 hrs.)	\$80 R \$125 NR	\$65 R \$130 NR	
Aerobic Dance Room/hour		\$40/hr.	\$60/hr.		No change	No change	Ages 0 - 30 \$30/hr.			NA		\$50 Deposit \$30/HR R \$40/HR NR					
Classroom/hour		\$30/hr.	\$50/hr.		No change	No change		\$55 M \$60 NM \$65 NR		\$20/hr R \$50/hr NR							
Conference Room		\$20/hr.	\$40/hr.		No change	No change		\$55 M \$60 NM \$65 NR		\$25/hr R \$60/hr NR		\$50 Deposit \$30/HR R \$40/HR NR					
SENIOR LIFE CENTER																	
Kitchen		\$30/hr.	\$30/hr.		No Change.	No Change.	Non Rental	None	Non Rental	Non Rental	Non Rental	NA	Non Rental	Non Rental	None	Non Rental	None
Deposit		\$250	\$250		No Change.	No Change.		\$400 both Resident & Non Resident				NA				\$200 both Resident & Non Resident	
4 Hour Rental		\$400	\$500		No Change.	No Change.											
6 Hour Rental		\$600	\$750		No Change.	No Change.											
Non-Profit - For Meetings Only																	
Deposit		\$75/hr.	\$75/hr.		No change	No change				NA		NA					
Classroom/Youth Room		\$20/hr.	\$20/hr.		No change	No change		\$100 M \$140 NM \$170 NR		NA		NA	\$40/hr.				\$30 R \$40 NR
3,300 square feet (Grand Hall)		\$50/hr.	\$50/hr.		No change	No change				\$75/hr Mem \$100/h Non		NA					
Conference Room		\$10/hr.	\$10/hr.		No change	No change		\$55 M \$60 NM \$65 NR		\$75/hr Mem \$100/h Non		NA					
Lancaster Youth and Adult Sports Association Fee No Rec ID Card Required																	
(All Participants must purchase Recreation ID Card)					No Change.	No Change.	NA	10% Adult Revenue	\$10 R		?		NA	NA	\$0 R	NA	\$10 R
Player participation fee per season							No fees	Did not obtain	\$10 R / \$20 NR		\$60 per team / \$10 NR	No fees	\$5 R & NR Free	\$30 per NR	no charge	\$7.50 R / \$9.00 NR	no charge
Programs							\$4 per Child /Uses a Staff Member	NA	NA	NA	NA	Inluded in Membership	w/Membershi p	\$5 per Child per day	NA	\$3 per Day or \$20 Punch Card	Included in Membership
Individual Recreation Classes		Range from\$5 - \$25 per class/per day	Range from \$5 - \$25 per class/per day		No Change.	No Change.		Range from \$50 - \$150 per class/per day		Range from \$10-\$65 per class/per day	Range from \$35-\$75 per class/per day	Range from \$27 -\$85 per class/per month	Range from \$45-\$100 per class/per day	Range from \$65-\$200 per class/per day	Range from \$89-\$160 per class/per day	Range from \$35- \$110 per class/per day	Range from \$60- \$150 per class/per day

City of Lancaster Fee Schedule - Quality of Life and Cultural Services - Parks and Recreation FY 2018-2019																	
MEMBERSHIP	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Cedar Hill	Coppell	Desoto	Grand Prairie	Duncanville	Farmers Branch	Haltom City	Keller	Rockwall	Rowlett	The Colony
Individual Recreation Classes		Range from\$15 - \$100 per class/per day	Range from\$15 - \$100 per class/per day		No Change.	No Change.	Range from \$25-\$70 per class/per Month	Range from \$30-\$180 per class/per Month	Range from \$35-\$75 per class/per month	Range from \$10-\$65 per class/per day	Range from \$20-\$50 per class/per month	Range from \$27 -\$85 per class/per month	Range from \$25-\$75 per class/per month	Range from \$45-\$150 per class/per month	Range from \$25-\$75 per class/per month significant discount for resident	Range from \$25-\$54 per class/per month	Range from \$40-\$100 per class/per month
Football League		NA	NA	\$300	\$300	\$325	100-150	\$290	\$140- \$240	\$95-145	\$55 R / \$75 NR	\$160	\$70-\$120	NA	\$375	NA	NA
Football Camp		NA	NA	\$75	\$75	\$90	NA	NA	NA	NA	\$50	NA	NA	90-126	\$70R-\$98NR	NA	NA
Basketball League		\$305	SAME	SAME	\$350	\$375	\$ 300.00	\$400 OR 60 PER KID	NA	\$300/team	\$65 R / \$75	NA	NA	NA	\$70R-\$98NR	\$65/\$75R-\$80NR	\$50/\$65R-\$60/\$75NR
Basketball Camp		\$25 Weekly	NA	\$25 Weekly			NA	NA	NA	NA	NA	\$ 60.00	NA	90-126	NA	\$110	NA
Soccer League		\$105	\$105		No Change	No Change	\$80	\$80	\$85r / \$120NR	\$81	\$70-\$90	\$60-\$85	NA	NA	\$ 75.00	\$115	\$55-\$85
Soccer Camp		NA	NA	\$50	No Change	No Change	free	NA	NA	\$ 85.00	NA	NA	NA	NA	NA	NA	NA
Baseball League		\$85	NA	\$100	\$100	\$115	NA	\$ 395.00	\$60- \$174	\$300/Team	\$105 / \$125	\$ 150.00	\$275-\$390	\$45	\$55-\$99	\$65	\$40/\$55R-\$50/\$65NR
Baseball Camp		\$25	NA	\$75	\$75	\$90	NA	NA	Free	NA	NA	\$10-\$25	NA	NA	NA	NA	NA
Volleyball League		NA	NA	\$45	\$45	\$60	NA	\$ 200.00	NA	\$55	NA	NA	\$55	104-138	NA	NA	\$55R-\$65NR
Volleyball Camp		\$25 Monthly			\$45	\$60	NA	NA	NA	NA	NA	NA	\$71-\$81	90-126	NA	\$115	NA

Library Fines & Fees	Lancaster Current Rate	Proposed change	Cedar Hill & Desoto	Coppell	Duncanville	Farmers Branch	Grand Prairie	Haltom City	Keller	Rockwall	Rowlett	The Colony
Charges for Overdue Materials												
Books/Magazines	\$0.20 per day up to cost	\$0.25/day	\$0.20/day (\$5.00 max per item)	\$0.10/day	\$0.25/day	\$0.10	\$0.25	\$0.20/day	\$0.20/day	\$0.15/day	\$0.20/day; \$10 max	\$0.00/day
Magazine only		\$0.25/day	\$0.20/day (\$5.00 max per item)	\$0.10/day	\$0.25/day	\$0.10	\$0.25	\$0.20/day	\$0.20/day	n/a	\$0.20/day; \$10 max	\$0.00/day
Audio Tapes/CD's	\$0.20 per day up to cost	\$0.25/day	\$0.20/day (\$5.00 max per item)	\$0.10/day	\$0.25/day	\$0.10	\$0.25	\$0.20/day	\$0.20/day	\$0.15	\$0.20/day; \$10 max	\$0.00/day
Interlibrary Loans	\$0.20 per day up to cost	\$0.25/day	\$0.20/day (\$5.00 max per item)	No charge	\$0.25/day	\$0.10	\$0.25	\$0.20/day	\$0.20/day	\$0.15	\$0.20/day; \$10 max	\$0.00/day
Video Tapes/ DVD's	\$1.00 per day up to cost	No change	\$1.00/day (\$5.00 max per item)	\$1.00/day	\$0.25/day \$0.25 per item per day up to cost of item	\$1.00/day	\$1.00/day	\$0.20/day Cost of Item (refundable if found and undamaged)	\$1.00/day	\$0.50	\$0.20/day; \$10 max	\$0.00/day
Lost or Damaged Beyond Repair	\$5.00 + Replacement cost	No change	Replacement cost	Cost of item	\$5.00 + Replacement cost	\$5.00 + Replacement cost	\$5.00 + Replacement cost		n/a	\$7.00 + Replacement cost	\$5.00 + Replacement cost	\$0.00/day
Laptops	n/a	n/a	\$5.00 per day offsite	n/a	\$1.00 per hr. inhouse/ \$2.00 per hr. offsite use	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Virtual Reality Goggles	n/a	n/a	\$5.00 per day offsite	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Tablets and eReaders	n/a	n/a	\$5.00 per day offsite	n/a	\$2.00 per hr.	n/a	n/a	n/a	n/a	n/a	n/a	n/a
B/W Copies	\$0.10	\$0.15	\$0.20 B/W	\$0.15	\$0.10	\$0.15	\$0.10 B/W	\$0.10	\$0.10	\$0.15	\$0.15	\$0.10
Microfilm	\$0.25	no change	n/a	\$0.15	n/a	No charge	No charge	n/a	\$0.10	\$0.15	n/a	Microfilm/fiche reader prints to computer printers - First 5 pages free, \$0.10 for subsequent pages
Computer Printout	\$0.10 per page	\$0.15	\$0.10 B/W; \$0.50 Color	\$0.15	\$0.10	\$0.05	\$0.10 B/W; \$0.25 Color	\$0.10	\$0.10	\$0.15	\$0.15	\$0.10
Color Copies	\$1.00	no change	\$0.50	\$0.25	n/a	n/a	\$0.25	\$0.50	\$0.25	n/a	\$1.00	\$0.40
Fax/ Scan to email	\$1.00 per page fax	\$0.50 scan to email	\$1.00 per page fax	n/a	\$0.25 per page fax	n/a	\$1.75 first pg, \$1.00 ea additional pg. (credit/debit accepted only)	\$1.00 per page fax	n/a fax; No charge scans	n/a	n/a	\$1.50 1st pg. \$1.00 for subsequent pages

[illegible]

Institutional Library Card Fees	\$2.00 replacement fee	no change	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Hot Spot Fees	Overdue fine \$1.00 per day. \$100.00 Hot spot replacement cost. \$10.00 charger replacement cost.	n/a	\$5.00 per day offsite	n/a	\$5.00 late fee per day.	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Mobile Book Fees	\$0.20 per day late fee for mobile trailer books.	\$0.25 per day late fee for mobile trailer books.	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Exam Proctoring	n/a	consider offering this service	Free	n/a	n/a	n/a	n/a	n/a	\$20 per exam (conditional)	n/a	n/a	\$15.00 per exam proctored
Notary Services	n/a	consider offering this service	n/a	n/a	\$1.00 per signature (conditional)	n/a	n/a	n/a	n/a	n/a	n/a	n/a
3-D Printing Services	n/a	n/a	By weight \$1 min	n/a	n/a	\$0.15/gram and \$1.50 minimum	\$.15/gram		n/a to public use	n/a	n/a	\$0.10/gram and \$1 minimum
Computer diskette/CD	n/a	n/a	n/a	n/a	n/a	n/a	n/a	\$1.00 ea.	n/a	n/a	n/a	n/a
Flash drives	n/a	n/a	n/a	n/a	\$5.00 ea.	n/a	n/a	\$6.50 ea.	\$8.00	n/a	n/a	n/a
Earbuds	n/a	n/a	n/a	n/a	\$1.00 ea.	n/a	n/a	\$2.00 ea.	n/a	n/a	n/a	n/a

WASTEWATER REVENUE REQUIREMENTS

1,126 Seniors @ \$1.00	2019	2020	2021	2022	2023
Rate Revenue	7,923,340	8,187,623	8,379,709	8,576,954	8,779,496
Rate Revenue Requirement	8,320,627	8,706,123	9,250,529	10,181,279	11,257,368
Over / Under (\$)	(397,287)	(518,500)	(870,820)	(1,604,325)	(2,477,872)
1,200 Seniors @ \$1.00					
Rate Revenue	7,923,340	8,187,623	8,379,709	8,576,954	8,779,496
Rate Revenue Requirement	8,320,831	8,706,327	9,250,733	10,181,483	11,257,572
Over / Under (\$)	(397,491)	(518,704)	(871,024)	(1,604,529)	(2,478,076)
1,300 Seniors @ \$1.00					
Rate Revenue	7,923,340	8,187,623	8,379,709	8,576,954	8,779,496
Rate Revenue Requirement	8,321,107	8,706,603	9,251,009	10,181,759	11,257,848
Over / Under (\$)	(397,767)	(518,980)	(871,300)	(1,604,805)	(2,478,352)
1,400 Seniors @ \$1.00					
Rate Revenue	7,923,340	8,187,623	8,379,709	8,576,954	8,779,496
Rate Revenue Requirement	8,321,383	8,706,879	9,251,285	10,182,035	11,258,124
Over / Under (\$)	(398,043)	(519,256)	(871,576)	(1,605,081)	(2,478,628)
1,500 Seniors @ \$1.00					
Rate Revenue	7,923,340	8,187,623	8,379,709	8,576,954	8,779,496
Rate Revenue Requirement	8,321,659	8,707,155	9,251,561	10,182,311	11,258,400
Over / Under (\$)	(398,319)	(519,532)	(871,852)	(1,605,357)	(2,478,904)
1,126 Seniors @ \$2.00	2019	2020	2021	2022	2023
Rate Revenue	7,923,340	8,187,623	8,379,709	8,576,954	8,779,496
Rate Revenue Requirement	8,321,753	8,707,249	9,251,655	10,182,405	11,258,494
Over / Under (\$)	(398,413)	(519,626)	(871,946)	(1,605,451)	(2,478,998)
1,200 Seniors @ \$2.00					
Rate Revenue	7,923,340	8,187,623	8,379,709	8,576,954	8,779,496
Rate Revenue Requirement	8,322,031	8,707,527	9,251,933	10,182,683	11,258,772
Over / Under (\$)	(398,691)	(519,904)	(872,224)	(1,605,729)	(2,479,276)
1,300 Seniors @ \$2.00					
Rate Revenue	7,923,340	8,187,623	8,379,709	8,576,954	8,779,496
Rate Revenue Requirement	8,322,407	8,707,903	9,252,309	10,183,059	11,259,148
Over / Under (\$)	(399,067)	(520,280)	(872,600)	(1,606,105)	(2,479,652)
1,400 Seniors @ \$2.00					
Rate Revenue	7,923,340	8,187,623	8,379,709	8,576,954	8,779,496
Rate Revenue Requirement	8,322,783	8,708,279	9,252,685	10,183,435	11,259,524
Over / Under (\$)	(399,443)	(520,656)	(872,976)	(1,606,481)	(2,480,028)
1,500 Seniors @ \$2.00					
Rate Revenue	7,923,340	8,187,623	8,379,709	8,576,954	8,779,496
Rate Revenue Requirement	8,323,159	8,708,655	9,253,061	10,183,811	11,259,900
Over / Under (\$)	(399,819)	(521,032)	(873,352)	(1,606,857)	(2,480,404)
1,126 Seniors @ \$3.00	2019	2020	2021	2022	2023
Rate Revenue	7,923,340	8,187,623	8,379,709	8,576,954	8,779,496
Rate Revenue Requirement	8,322,879	8,708,375	9,252,781	10,183,531	11,259,620
Over / Under (\$)	(399,539)	(520,752)	(873,072)	(1,606,577)	(2,480,124)
1,200 Seniors @ \$3.00					
Rate Revenue	7,923,340	8,187,623	8,379,709	8,576,954	8,779,496
Rate Revenue Requirement	8,323,231	8,708,727	9,253,133	10,183,883	11,259,972
Over / Under (\$)	(399,891)	(521,104)	(873,424)	(1,606,929)	(2,480,476)
1,300 Seniors @ \$3.00					
Rate Revenue	7,923,340	8,187,623	8,379,709	8,576,954	8,779,496
Rate Revenue Requirement	8,323,707	8,709,203	9,253,609	10,184,359	11,260,448
Over / Under (\$)	(400,367)	(521,580)	(873,900)	(1,607,405)	(2,480,952)
1,400 Seniors @ \$3.00					
Rate Revenue	7,923,340	8,187,623	8,379,709	8,576,954	8,779,496
Rate Revenue Requirement	8,324,183	8,709,679	9,254,085	10,184,835	11,260,924
Over / Under (\$)	(400,843)	(522,056)	(874,376)	(1,607,881)	(2,481,428)
1,500 Seniors @ \$3.00					
Rate Revenue	7,923,340	8,187,623	8,379,709	8,576,954	8,779,496
Rate Revenue Requirement	8,324,659	8,710,155	9,254,561	10,185,311	11,261,400
Over / Under (\$)	(401,319)	(522,532)	(874,852)	(1,608,357)	(2,481,904)

Senior Discount Increase by:		Senior Discount Water Current Rate \$1.94	Senior Discount Sewer Current Rate \$1.76	Total Cost	Number of Seniors Water 1126 Sewer 1126		Total Revenue Impact
Current		\$ 1.94	\$ 1.76	\$ 3.70	\$ 2,184.44	\$ 1,981.76	\$ 4,166.20
\$	0.10	\$ 2.04	\$ 1.86	\$ 3.90	\$ 2,297.04	\$ 2,094.36	\$ 4,391.40
\$	0.20	\$ 2.14	\$ 1.96	\$ 4.10	\$ 2,409.64	\$ 2,206.96	\$ 4,616.60
\$	0.30	\$ 2.24	\$ 2.06	\$ 4.30	\$ 2,522.24	\$ 2,319.56	\$ 4,841.80
\$	0.40	\$ 2.34	\$ 2.16	\$ 4.50	\$ 2,634.84	\$ 2,432.16	\$ 5,067.00
\$	0.50	\$ 2.44	\$ 2.26	\$ 4.70	\$ 2,747.44	\$ 2,544.76	\$ 5,292.20
\$	0.60	\$ 2.54	\$ 2.36	\$ 4.90	\$ 2,860.04	\$ 2,657.36	\$ 5,517.40
\$	0.70	\$ 2.64	\$ 2.46	\$ 5.10	\$ 2,972.64	\$ 2,769.96	\$ 5,742.60
\$	0.80	\$ 2.74	\$ 2.56	\$ 5.30	\$ 3,085.24	\$ 2,882.56	\$ 5,967.80
\$	0.90	\$ 2.84	\$ 2.66	\$ 5.50	\$ 3,197.84	\$ 2,995.16	\$ 6,193.00
\$	1.00	\$ 2.94	\$ 2.76	\$ 5.70	\$ 3,310.44	\$ 3,107.76	\$ 6,418.20
\$	1.10	\$ 3.04	\$ 2.86	\$ 5.90	\$ 3,423.04	\$ 3,220.36	\$ 6,643.40
\$	1.20	\$ 3.14	\$ 2.96	\$ 6.10	\$ 3,535.64	\$ 3,332.96	\$ 6,868.60
\$	1.30	\$ 3.24	\$ 3.06	\$ 6.30	\$ 3,648.24	\$ 3,445.56	\$ 7,093.80
\$	1.40	\$ 3.34	\$ 3.16	\$ 6.50	\$ 3,760.84	\$ 3,558.16	\$ 7,319.00
\$	1.50	\$ 3.44	\$ 3.26	\$ 6.70	\$ 3,873.44	\$ 3,670.76	\$ 7,544.20
\$	1.60	\$ 3.54	\$ 3.36	\$ 6.90	\$ 3,986.04	\$ 3,783.36	\$ 7,769.40
\$	1.70	\$ 3.64	\$ 3.46	\$ 7.10	\$ 4,098.64	\$ 3,895.96	\$ 7,994.60
\$	1.80	\$ 3.74	\$ 3.56	\$ 7.30	\$ 4,211.24	\$ 4,008.56	\$ 8,219.80
\$	1.90	\$ 3.84	\$ 3.66	\$ 7.50	\$ 4,323.84	\$ 4,121.16	\$ 8,445.00
\$	2.00	\$ 3.94	\$ 3.76	\$ 7.70	\$ 4,436.44	\$ 4,233.76	\$ 8,670.20
\$	2.10	\$ 4.04	\$ 3.86	\$ 7.90	\$ 4,549.04	\$ 4,346.36	\$ 8,895.40
\$	2.20	\$ 4.14	\$ 3.96	\$ 8.10	\$ 4,661.64	\$ 4,458.96	\$ 9,120.60
\$	2.30	\$ 4.24	\$ 4.06	\$ 8.30	\$ 4,774.24	\$ 4,571.56	\$ 9,345.80
\$	2.40	\$ 4.34	\$ 4.16	\$ 8.50	\$ 4,886.84	\$ 4,684.16	\$ 9,571.00
\$	2.50	\$ 4.44	\$ 4.26	\$ 8.70	\$ 4,999.44	\$ 4,796.76	\$ 9,796.20
\$	2.60	\$ 4.54	\$ 4.36	\$ 8.90	\$ 5,112.04	\$ 4,909.36	\$ 10,021.40
\$	2.70	\$ 4.64	\$ 4.46	\$ 9.10	\$ 5,224.64	\$ 5,021.96	\$ 10,246.60
\$	2.80	\$ 4.74	\$ 4.56	\$ 9.30	\$ 5,337.24	\$ 5,134.56	\$ 10,471.80
\$	2.90	\$ 4.84	\$ 4.66	\$ 9.50	\$ 5,449.84	\$ 5,247.16	\$ 10,697.00
\$	3.00	\$ 4.94	\$ 4.76	\$ 9.70	\$ 5,562.44	\$ 5,359.76	\$ 10,922.20

LANCASTER CITY COUNCIL

City Council Regular Meeting

10.

Meeting Date: 09/10/2018

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda.

Goal(s): Financially Sound Government

Submitted by: Fabrice Kabona, Assistant to the City Manager

Agenda Caption:

Discuss and consider a resolution approving a negotiated settlement between the Atmos Cities Steering Committee ("ACSC") and Atmos Energy Corp., Mid-Tex Division regarding the company's 2018 rate review mechanism filings; declaring existing rates to be unreasonable; adopting tariffs that reflect rate adjustments consistent with the negotiated settlement.

Background:

The City of Lancaster, along with 171 other Mid-Texas cities served by Atmos Energy Corporation, Mid-Tex Division ("Atmos Mid-Tex" or "Company"), is a member of the Atmos Cities Steering Committee ("ACSC"). In 2007, ACSC and Atmos Mid-Tex settled a rate application filed by the Company pursuant to Section 104.301 of the Texas Utilities Code for an interim rate adjustment commonly referred to as a GRIP filing (arising out of the Gas Reliability Infrastructure Program legislation). That settlement created a substitute rate review process, referred to as Rate Review Mechanism ("RRM"), as a substitute for future filings under the GRIP statute.

The filing Atmos made with the Cities reflects a system-wide cost of service of \$41.9 million, \$29.9 million of which would be applicable to ACSC and cities other than Dallas ("Settled Cities"). However, the Company's alleged cost of service is irrelevant to the RRM process. Applying the tariff each ACSC member, including the City of Lancaster, adopted earlier this year to create a new RRM process reduces the Company's system-wide request to \$27.4 million, \$19.4 million of which would be applicable to ACSC members. After reviewing ACSC's consultants' report, Atmos acknowledged several errors identified by your consultants and offered to settle for \$25.9 million. After further settlement discussions, Atmos agreed to reduce their offer by \$1 million. Pending your approval, the consultants accepted the \$24.9 million system-wide offer. \$18.1 million will be applicable to ACSC. The consultants' recommendation to ACSC members is to accept the \$18.1 million settlement offer to resolve the pending RRM filing.

Operational Considerations:

The purpose of this item is to approve a negotiated settlement between the Atmos Steering Committee and Atmos Energy Corp.

Since 2007, there have been several modifications to the original RRM Tariff. The most recent iteration of an RRM Tariff was reflected in a Resolution adopted by ACSC members earlier this year. On or about April 1, 2018, the Company filed a rate request pursuant to the RRM Tariff adopted by ACSC members. The Company claimed that its cost-of-service in a test year ending December 31, 2017, entitled it to additional system-wide revenues of \$42.0 million. Application of the standards set forth in ACSC's RRM Tariff required Atmos to reduce its request to \$27.4 million. After review of the consultants' report, the Company offered to settle for a system-wide increase of \$25.9 million. Following further negotiations, ACSC's Executive Committee agreed to recommend a system-wide rate increase of \$24.9 million. That

increase when allocated to ACSC members results in an increase of \$17.8 million. The Effective Date for new rates is October 1, 2018. ACSC members should take action approving the Resolution before the end of September.

Legal Considerations:

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

Public Information Considerations:

This resolution is being considered at a Regular Meeting at City Council, in accordance with the Texas Open Meetings Act.

Fiscal Impact:

Given the fact that ACSC demanded that Atmos reflect reduced federal income taxes in its cost-of-service, as reflected in the RRM Tariff adopted earlier this year, Atmos reduced its rates in March. The rate increase associated with the Resolution is largely offset by the lowered federal income tax rates, such that out-of-pocket expense to consumers should be roughly the same under new rates as what was experienced by consumers last winter. A bill impact comparison is attached as Attachment 2.

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the resolution, as presented.

Attachments

Resolution

Attachments

Consumer Rate Impact

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER TEXAS, APPROVING A NEGOTIATED SETTLEMENT BETWEEN THE ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND ATMOS ENERGY CORP., MID-TEX DIVISION REGARDING THE COMPANY’S 2018 RATE REVIEW MECHANISM FILINGS; DECLARING EXISTING RATES TO BE UNREASONABLE; ADOPTING TARIFFS THAT REFLECT RATE ADJUSTMENTS CONSISTENT WITH THE NEGOTIATED SETTLEMENT; FINDING THE RATES TO BE SET BY THE ATTACHED SETTLEMENT TARIFFS TO BE JUST AND REASONABLE AND IN THE PUBLIC INTEREST; APPROVING AN ATTACHED EXHIBIT ESTABLISHING A BENCHMARK FOR PENSIONS AND RETIREE MEDICAL BENEFITS; APPROVING AN ATTACHED EXHIBIT REGARDING AMORTIZATION OF REGULATORY LIABILITY; REQUIRING THE COMPANY TO REIMBURSE ACSC’S REASONABLE RATEMAKING EXPENSES; DETERMINING THAT THIS RESOLUTION WAS PASSED IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; ADOPTING A SAVINGS CLAUSE; DECLARING AN EFFECTIVE DATE; AND REQUIRING DELIVERY OF THIS RESOLUTION TO THE COMPANY AND THE ACSC’S LEGAL COUNSEL.

WHEREAS, the City of Lancaster, Texas (“City”) is a gas utility customer of Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), and a regulatory authority with an interest in the rates and charges of Atmos Mid-Tex; and

WHEREAS, the City is a member of the Atmos Cities Steering Committee (“ACSC”), a coalition of similarly-situated cities served by Atmos Mid-Tex (“ACSC Cities”) that have joined together to facilitate the review of, and response to, natural gas issues affecting rates charged in the Atmos Mid-Tex service area; and

WHEREAS, ACSC and the Company worked collaboratively to develop a new Rate Review Mechanism (“RRM”) tariff that allows for an expedited rate review process by ACSC Cities as a substitute to the Gas Reliability Infrastructure Program (“GRIP”) process instituted by

the Legislature, and that will establish rates for the ACSC Cities based on the system-wide cost of serving the Atmos Mid-Tex Division; and

WHEREAS, the RRM tariff was adopted by the City in a rate ordinance earlier this year; and

WHEREAS, on about April 1, 2018, Atmos Mid-Tex filed its 2018 RRM rate request with ACSC Cities based on a test year ending December 31, 2017; and

WHEREAS, ACSC coordinated its review of the Atmos Mid-Tex 2018 RRM filing through its Executive Committee, assisted by ACSC's attorneys and consultants, to resolve issues identified in the Company's RRM filing; and

WHEREAS, the Executive Committee, as well as ACSC's counsel and consultants, recommend that ACSC Cities approve an increase in base rates for Atmos Mid-Tex of \$24.9 million on a system-wide basis (\$17.8 million of which is applicable to ACSC members); and

WHEREAS, the attached tariffs (Exhibit A) implementing new rates are consistent with the recommendation of the ACSC Executive Committee, are agreed to by the Company, and are just, reasonable, and in the public interest; and

WHEREAS, the Exhibit A rate tariffs incorporate the federal income tax rates that became effective January 1, 2018; and

WHEREAS, the settlement agreement sets a new benchmark for pensions and retiree medical benefits (Exhibit B) and

WHEREAS, the settlement agreement establishes an amortization schedule for regulatory liability (Exhibit C); and

WHEREAS, the RRM Tariff contemplates reimbursement of ACSC's reasonable expenses associated with RRM applications;

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

SECTION 1. That the findings set forth in this Resolution are hereby in all things approved.

SECTION 2. That the City Council finds that the settled amount of an increase in revenues of \$24.9 million on a system-wide basis represents a comprehensive settlement of gas utility rate issues affecting the rates, operations, and services offered by Atmos Mid-Tex within the municipal limits arising from Atmos Mid-Tex's 2018 RRM filing, is in the public interest, and is consistent with the City's authority under Section 103.001 of the Texas Utilities Code.

SECTION 3. That the existing rates for natural gas service provided by Atmos Mid-Tex are unreasonable. The new tariffs attached hereto and incorporated herein as Exhibit A, are just and reasonable, and are designed to allow Atmos Mid-Tex to recover annually an additional \$24.9 million in revenue on a system-wide basis over the amount allowed under currently approved rates. Such tariffs are hereby adopted.

SECTION 4. That the ratemaking treatment for pensions and retiree medical benefits in Atmos Mid-Tex's next RRM filing shall be as set forth on Exhibit B, attached hereto and incorporated herein.

SECTION 5. That amortization of regulatory liability shall be consistent with the schedule found in attached Exhibit C attached hereto and incorporated herein.

SECTION 6. That Atmos Mid-Tex shall reimburse the reasonable ratemaking expenses of the ACSC in processing the Company's 2018 RRM filing.

SECTION 7. That to the extent any resolution or ordinance previously adopted by the Council is inconsistent with this Resolution, it is hereby repealed.

SECTION 8. That the meeting at which this Resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code, Chapter 551.

SECTION 9. That if any one or more sections or clauses of this Resolution is adjudged to be unconstitutional or invalid, such judgment shall not affect, impair, or invalidate the remaining provisions of this Resolution, and the remaining provisions of the Resolution shall be interpreted as if the offending section or clause never existed.

SECTION 10. That consistent with the City Ordinance that established the RRM process, this Resolution shall become effective from and after its passage with rates authorized by attached tariffs to be effective for bills rendered on or after October 1, 2018.

SECTION 11. That a copy of this Resolution shall be sent to Atmos Mid-Tex, care of Chris Felan, Vice President of Rates and Regulatory Affairs Mid-Tex Division, Atmos Energy Corporation, 5420 LJB Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas on this the 10th day of September, 2018.

ATTEST:

Sorangel O. Arenas, City Secretary

APPROVED:

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

ATMOS ENERGY CORP., MID-TEX DIVISION
 PROPOSED TARIFF STRUCTURE (BEFORE RATE CASE EXPENSE RECOVERY)
 TEST YEAR ENDING DECEMBER 31, 2017

Line No.	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)	(k)
1	Proposed Change In Rates:		\$ 24,900,000		Schedule A						
2	Proposed Change In Rates without Revenue Related Taxes:		\$ 23,357,466		Ln 1 divided by Tax factor on WP_F-5.1						
3											
4											
5											
6		Revenue									
7	Residential	Requirements	Allocations								
8		\$ 336,431,466	77.95%		Per GUD 10170 Final Order						
9	Commercial	84,223,622	19.40%		Per GUD 10170 Final Order						
10	Industrial and Transportation	11,490,316	2.65%		Per GUD 10170 Final Order						
11	Net Revenue Requirements GUD No. 10170	\$ 434,145,424	100.00%								
12											
13											
14											
15											
16	Increase to Customer Classes per GUD 10170 Final Order:										
17											
18	Customer Charges	Current	Prospective	Revenues							
19											
20	Residential Base Charge	\$ 18.35	\$ 0.50	\$ 9,103,979	Residential Base Charge	\$ 0.50	\$ 0.156,798	\$ 18.85	\$ 345,211,285		
21	Residential Consumption Charge	\$ 0.13734	\$ 0.01118	\$ 9,103,979	Residential Consumption Charge	\$ 0.01112	\$ 9,051,644	\$ 0.14646	\$ 120,846,626		
22	Commercial Base Charge	\$ 41.95	\$ 1.54	\$ 2,265,858	Commercial Base Charge	\$ 1.55	\$ 2,278,481	\$ 43.50	\$ 83,944,478		
23	Commercial Consumption Charge	\$ 0.08746	\$ 0.00421	\$ 2,265,858	Commercial Consumption Charge	\$ 0.00419	\$ 2,253,573	\$ 0.09165	\$ 46,293,546		
24	I&T Base Charge	\$ 752.00	\$ 32.12	\$ 309,095	I&T Base Charge	\$ 32.00	\$ 307,968	\$ 784.00	\$ 7,545,216		
25	I&T Consumption Charge Tier 1 MMBTU	\$ 0.3172	\$ 0.0140	\$ 144,166	I&T Consumption Charge Tier 1 MMBTU	\$ 0.0140	\$ 144,244	\$ 0.3312	\$ 3,412,408		
26	I&T Consumption Charge Tier 2 MMBTU	\$ 0.2322	\$ 0.0102	\$ 118,336	I&T Consumption Charge Tier 2 MMBTU	\$ 0.0103	\$ 118,980	\$ 0.2425	\$ 2,801,237		
27	I&T Consumption Charge Tier 3 MMBTU	\$ 0.0496	\$ 0.0022	\$ 46,570	I&T Consumption Charge Tier 3 MMBTU	\$ 0.0022	\$ 46,631	\$ 0.0520	\$ 1,102,180		
28	Total			\$ 23,357,466	Total		\$ 23,356,519		\$ 594,156,976		
29											

Attachment 2

**ATMOS ENERGY CORP., MID-TEX DIVISION
AVERAGE BILL COMPARISON - BASE RATES
TEST YEAR ENDING DECEMBER 31, 2017**

Line							October 1, 2018	
							PROPOSED	CHANGE
1	Rate R @ 45 Ccf					CURRENT		
2	Customer charge					\$ 18.35		
3	Consumption charge	45.0	CCF	X \$ 0.13734	=	6.18		
4	Rider GCR Part A	45.0	CCF	X \$ 0.28533	=	12.84		
5	Rider GCR Part B	45.0	CCF	X \$ 0.30630	=	13.78		
6	Subtotal					\$ 51.15		
7	Rider FF & Rider TAX		\$ 51.15	X 0.06604	=	3.38		
8	Total					<u>\$ 54.53</u>		
9								
10	Customer charge						\$ 18.85	
11	Consumption charge	45.0	CCF	X \$ 0.14846	=	6.68		
12	Rider GCR Part A	45.0	CCF	X \$ 0.28533	=	12.84		
13	Rider GCR Part B	45.0	CCF	X \$ 0.30630	=	13.78		
14	Subtotal					\$ 52.15		
15	Rider FF & Rider TAX		\$ 52.15	X 0.06604	=	3.44		
16	Total					<u>\$ 55.59</u>	\$	1.06
17								1.94%
18								
19	Rate C @ 346.5 Ccf					CURRENT	PROPOSED	CHANGE
20	Customer charge					\$ 41.95		
21	Consumption charge	346.5	CCF	X \$ 0.08746	=	30.31		
22	Rider GCR Part A	346.5	CCF	X \$ 0.28533	=	98.88		
23	Rider GCR Part B	346.5	CCF	X \$ 0.22105	=	76.60		
24	Subtotal					\$ 247.74		
25	Rider FF & Rider TAX		\$ 247.74	X 0.06604	=	16.36		
26	Total					<u>\$ 264.10</u>		
27								
28	Customer charge						\$ 43.50	
29	Consumption charge	346.5	CCF	X \$ 0.09165	=	31.76		
30	Rider GCR Part A	346.5	CCF	X \$ 0.28533	=	98.88		
31	Rider GCR Part B	346.5	CCF	X \$ 0.22105	=	76.60		
32	Subtotal					\$ 250.74		
33	Rider FF & Rider TAX		\$ 250.74	X 0.06604	=	16.56		
34	Total					<u>\$ 267.30</u>	\$	3.20
35								1.21%

Attachment 2

						CURRENT	PROPOSED	CHANGE
36	Rate I @ 3907 MMBTU							
37	Customer charge					\$ 752.00		
38	Consumption charge	1,500	MMBTU	X \$ 0.3172	=	475.80		
39	Consumption charge	2,407	MMBTU	X \$ 0.2322	=	558.79		
40	Consumption charge	0	MMBTU	X \$ 0.0498	=	-		
41	Rider GCR Part A	3,907	MMBTU	X \$ 0.2922	=	1,141.41		
42	Rider GCR Part B	3,907	MMBTU	X \$ 0.4881	=	1,906.68		
43	Subtotal					\$ 4,834.68		
44	Rider FF & Rider TAX		\$ 4,834.68	X 0.06604	=	319.28		
45	Total					\$ 5,153.96		
46								
47	Customer charge						\$ 784.00	
48	Consumption charge	1,500	MMBTU	X \$ 0.3312	=	496.80		
49	Consumption charge	2,407	MMBTU	X \$ 0.2425	=	583.58		
50	Consumption charge	0	MMBTU	X \$ 0.0520	=	-		
51	Rider GCR Part A	3,907	MMBTU	X \$ 0.2922	=	1,141.41		
52	Rider GCR Part B	3,907	MMBTU	X \$ 0.4881	=	1,906.68		
53	Subtotal					\$ 4,912.47		
54	Rider FF & Rider TAX		\$ 4,912.47	X 0.06604	=	324.42		
55	Total					\$ 5,236.89	\$ 82.93	1.61%
56								
57	Rate T @ 3907 MMBTU							
58	Customer charge					\$ 752.00		
59	Consumption charge	1,500	MMBTU	X \$ 0.3172	=	475.80		
60	Consumption charge	2,407	MMBTU	X \$ 0.2322	=	558.79		
61	Consumption charge	0	MMBTU	X \$ 0.0498	=	-		
62	Rider GCR Part B	3,907	MMBTU	X \$ 0.4881	=	1,906.68		
63	Subtotal					\$ 3,693.27		
64	Rider FF & Rider TAX		\$ 3,693.27	X 0.06604	=	243.90		
65	Total					\$ 3,937.17		
66								
67	Customer charge						\$ 784.00	
68	Consumption charge	1,500	MMBTU	X \$ 0.3312	=	496.80		
69	Consumption charge	2,407	MMBTU	X \$ 0.2425	=	583.58		
70	Consumption charge	0	MMBTU	X \$ 0.0520	=	-		
71	Rider GCR Part B	3,907	MMBTU	X \$ 0.4881	=	1,906.68		
72	Subtotal					\$ 3,771.06		
73	Rider FF & Rider TAX		\$ 3,771.06	X 0.06604	=	249.04		
74	Total					\$ 4,020.10	\$ 82.93	2.11%
75								

**ATMOS ENERGY CORP., MID-TEX DIVISION
PROPOSED SETTLEMENT
TEST YEAR ENDING DECEMBER 31, 2017**

	Systemwide	Settled Cities
Filed Amount	\$41.9M	\$29.9M
Proposed Settlement	\$24.9M	\$18.1M

Rates Effective October 1st:

Description		Current ICL	Proposed ICL
Rate R			
Customer Charge per month		\$ 18.35	\$ 18.85
Consumption Charge per CCF		\$ 0.13734	\$ 0.14846
Rate C			
Customer Charge per month		\$ 41.95	\$ 43.50
Consumption Charge per CCF		\$ 0.08746	\$ 0.09165
Rate I & T			
Customer Charge per month		\$ 752.00	\$ 784.00
Consumption Charge per MMBTU:			
First	1,500 MMBTU	\$ 0.3172	\$ 0.3312
Next	3,500 MMBTU	\$ 0.2322	\$ 0.2425
Over	5,000 MMBTU	\$ 0.0498	\$ 0.0520

LANCASTER CITY COUNCIL

City Council Regular Meeting

11.

Meeting Date: 09/10/2018

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda.

Goal(s): Financially Sound Government

Submitted by: Opal Mauldin-Jones, City Manager

Agenda Caption:

Discuss and consider an ordinance regarding the proposed fiscal year 2018/2019 budget for the fiscal year beginning October 1, 2018 ending September 30, 2019 providing that expenditures for said fiscal year shall be in accordance with said budget.

Background:

State Truth-in-Taxation and the City Charter require the City of Lancaster to conduct a public hearing on the proposed annual budget. The proposed total tax rate required to provide revenue for maintenance and operations and interest and sinking fund requirements is \$0.8675 cents per one hundred dollars (\$100.00) assessed valuation. The approval of the proposed ordinance will adopt the FY 2018/2019 budget and appropriate necessary funds for the City's operation, maintenance and debt service requirements.

The proposed budget was presented to the Lancaster City Council at meetings and work sessions held on August 6, 2018, August 11, 2018, August 13, 2018, August 20, 2018, and August 27, 2018.

The first public hearing was conducted on Monday, August 20, 2018 at the City Council Special Meeting to receive comment from the public regarding the FY 2018/2019 proposed budget. There were no speakers.

The second and final public hearing was conducted on Monday, August 27, 2018 at the City Council Regular Meeting to receive comment from the public regarding the FY 2018/2019 proposed budget. There were no speakers.

Operational Considerations:

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

Legal Considerations:

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

Public Information Considerations:

Notice regarding the public hearing was posted in accordance with state law in the City's newspaper of record, Focus Daily News on August 08, 2018 and on the City of Lancaster website.

Fiscal Impact:

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

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the ordinance adopting the FY 18/19 budget.

Attachments

Ordinance

Exhibit A

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING AND ADOPTING A BUDGET FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE IN ACCORDANCE WITH SAID BUDGET; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Manager of the City of Lancaster has submitted to the City Council a proposed budget of the revenues and expenditures for conducting the affairs of the City and providing a complete financial plan for fiscal year 2018-2019; and

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

WHEREAS, THIS BUDGET WILL RAISE MORE TOTAL PROPERTY TAXES THAN LAST YEAR'S BUDGET BY \$2,609,355 OR 13.15%, AND OF THAT AMOUNT, \$946,982 IS TAX REVENUE TO BE RAISED FROM NEW PROPERTY ADDED TO THE TAX ROLL THIS YEAR.

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

SECTION 1. That the Budget of the revenues and expenditures necessary for conducting the affairs of the City of Lancaster and providing a financial plan for the ensuing fiscal year beginning October 1, 2018 and ending September 30, 2019, as submitted by the City Manager, after the required public hearing, be and the same is hereby adopted as the Budget of the City of Lancaster for the fiscal year beginning October 1, 2018 and ending September 30, 2019 a copy of which is maintained in the office of the City Secretary, and; said budget contains all of the proposed projects and expenditures in accordance with law. (Exhibit A)

SECTION 2. That the appropriation for the fiscal year including the budgets of the Lancaster Economic Development Corporation (Type A) and Lancaster Recreational Development Corporation (Type B), which are hereby approved beginning October 1, 2018, and ending September 30, 2019, for the various funds and purposes of the City of Lancaster, which is attached hereto and incorporated herein as Exhibit A and is summarized as follows:

<u>Fund</u>	<u>2018-2019 Budget Expenditures</u>
General Fund	\$29,031,373
G.O. Debt Service	\$4,887,248
Water/Wastewater	\$14,308,572
Airport	\$455,842
Hotel/Motel	\$65,542
LEDC/4A	\$1,582,599
LRDC/4B	\$3,446,284
Golf Course	\$725,656
Sanitation	\$1,746,094
E911	\$213,028
Stormwater	\$1,576,407
Total	\$58,038,645

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

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

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

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

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 10th day of September, 2018.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

CITY-WIDE OPERATING FUND TOTALS

Fund Summary as of: 8/4/2018

TOTAL REVENUES		2016	2017	2018		2019
Fund Number	Fund	Actual	Actual	Year to Date	Budget	Proposed
	1 General Fund	25,058,916	27,033,240	24,752,000	26,243,463	29,032,709
	2 G.O. Debt Service	6,010,687	12,408,278	6,324,086	5,878,623	5,822,623
	5 WaterWastewater	16,738,112	17,950,222	14,690,864	16,292,577	16,499,447
	9 Airport	1,992,197	494,610	314,837	451,000	482,600
	14 HotelMotel	130,366	139,955	94,007	86,000	187,544
	16 LEDC/4A	1,139,622	1,264,079	2,118,919	1,030,000	1,372,321
	17 LRDC/4B	2,904,437	3,333,935	2,383,331	2,988,000	3,255,142
	18 Golf Course	70,170	114,785	341,748	627,000	686,506
	19 Sanitation	2,374,798	2,698,959	2,090,203	2,279,298	2,321,649
	21 E911	309,456	284,429	242,106	218,800	218,800
	53 Stormwater	1,522,759	1,796,829	1,472,065	1,412,000	1,612,000
Total		\$ 58,251,521	\$ 67,519,320	\$ 54,824,167	\$ 57,506,761	\$ 61,491,341
TOTAL EXPENDITURES		2016	2017	2018		2019
Fund Number	Fund	Actual	Actual	Year to Date	Budget	Proposed
	1 General Fund	23,859,143	24,807,289	21,500,000	26,637,033	29,031,373
	2 G.O. Debt Service	5,804,491	11,467,210	4,668,431	4,727,599	4,887,248
	5 WaterWastewater	14,417,325	14,282,254	13,415,450	15,181,043	14,308,572
	9 Airport	459,451	(175,245)	300,881	425,840	455,842
	14 HotelMotel	44,397	43,169	35,715	68,012	65,542
	16 LEDC/4A	755,477	861,344	900,972	1,567,619	1,582,599
	17 LRDC/4B	2,762,564	2,924,430	2,711,562	3,374,557	3,446,284
	18 Golf Course	142,666	179,867	703,745	765,042	725,656
	19 Sanitation	1,620,072	1,681,087	1,459,447	1,790,842	1,746,094
	21 E911	116,762	116,341	172,038	205,575	213,028
	53 Stormwater	1,166,833	1,366,846	816,943	1,315,591	1,576,407
Total		\$ 51,149,181	\$ 57,554,592	\$ 46,685,185	\$ 56,058,752	\$ 58,038,645
Net Gain (Loss)		\$ 7,102,340	\$ 9,964,728	\$ 8,138,981	\$ 1,448,009	\$ 3,452,696
BALANCES		2016	2017	2018		2019
		Actual	Actual	Year to Date	Budget	Proposed
	Net Gain (Loss)	7,102,340	9,964,728	8,138,981	1,448,009	3,452,696
	Beginning Balance	9,167,699	16,270,039	26,234,767	34,333,141	34,373,748
	Ending Balance	16,270,039	26,234,767	34,373,748	35,781,150	37,826,444
	Fund Balance (audited)	27,844,362	23,006,965			
Ending Balance as % of Expenditures		31.81%	45.58%	73.63%	63.83%	65.17%

LANCASTER CITY COUNCIL

City Council Regular Meeting

12.

Meeting Date: 09/10/2018

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda.

Goal(s): Financially Sound Government

Submitted by: Opal Mauldin-Jones, City Manager

Agenda Caption:

Discuss and consider a resolution ratifying the budget for the fiscal year 2018/2019 that results in an increase of revenues by 8.5% from property taxes than the previous year.

Background:

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

It also requires cities and counties that will be raising more revenue from property taxes than in the previous year, to have a separate vote of the governing body to ratify the tax increase reflected in the budget. The FY 2018/2019 budget and tax rate results in an increase in revenues by 8.5% (percentage by which the tax rate will be higher than effective rate calculated under Chapter 26, Tax Code) from property taxes compared to the previous year.

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

Operational Considerations:

Resolution and action must be approved for adoption of the fiscal year 2018/2019 budget.

Legal Considerations:

The motion and resolution are pursuant to State law. The resolution has been reviewed and approved as to form.

Public Information Considerations:

All public notices and hearings were provided and published in accordance with state law.

Options/Alternatives:

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

Recommendation:

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

Attachments

Resolution

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, RATIFYING THE BUDGET FOR THE FISCAL YEAR 2018/2019 THAT RESULTS IN AN INCREASE OF REVENUES BY 8.5% FROM PROPERTY TAXES THAN THE PREVIOUS YEARS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, following public notice duly posted and published in all things as required by law, a public hearing was held, by and before the City Council of the City of Lancaster, the subject of which was the proposed budget for the City of Lancaster for Fiscal Year 2018/2019; and

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

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

SECTION 1. The City Council hereby ratifies, by a record vote, the adoption of a budget for Fiscal Year 2018/2019 which results in an increase of revenues from property taxes than the previous years.

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

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 10th day of September, 2018.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

LANCASTER CITY COUNCIL

City Council Regular Meeting

13.

Meeting Date: 09/10/2018

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda.

Goal(s): Financially Sound Government

Submitted by: Opal Mauldin-Jones, City Manager

Agenda Caption:

Discuss and consider approval of an ordinance regarding the proposed revenue increase from levying ad valorem taxes for fiscal year 2018/2019 at \$0.8675 per one hundred dollars assessed valuation of all taxable property within the corporate limits to provide revenues for current maintenance and operation expenses and interest and sinking fund requirements; providing due and delinquent dates; penalties and interest; providing a homestead exemption and disability exemption.

Background:

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

The tax rate for fiscal year 2018/2019 is proposed at \$0.8675 per one hundred dollars assessed valuation on taxable property within the corporate limits. These tax dollars provide revenue for current operating and maintenance expenses and interest and sinking fund requirements. The total tax revenue will increase from properties on the tax roll in the preceding tax year by 8.5% (percentage by which the tax rate will be higher than effective tax rate calculated under Chapter 26, Tax Code.) Individual taxes may increase or decrease at a rate greater or lesser depending on the change in the taxable value of each property.

A public hearing was conducted on Monday, August 20, 2018 at the City Council Special Meeting and Monday, August 27, 2018 at the City Council Regular Meeting to receive comment from the public regarding the proposed tax rate. There were no speakers. The governing body could not adopt the tax rate at either of the public hearings.

Operational Considerations:

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

Legal Considerations:

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

Public Information Considerations:

Public notices were published in the official City publication of record, Focus Daily News and on the City of Lancaster website. The first public hearing was conducted on Monday, August 20, 2018. The second public hearing was conducted on Monday, August 27, 2018. Information regarding the proposed tax rate is being made available in accordance with state law and the City Charter.

Fiscal Impact:

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

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the ordinance with the following motion that is required by state law: I move that the property tax rate be increased by the adoption of a tax rate of 0.867500, which is effectively a 8.5 percent increase in the tax rate.

Attachments

Ordinance

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS LEVYING AD VALOREM TAXES FOR FISCAL YEAR 2018/2019 AT \$0.8675 PER ONE HUNDRED DOLLARS ASSESSED VALUATION OF ALL TAXABLE PROPERTY WITHIN THE CORPORATE LIMITS TO PROVIDE REVENUES FOR CURRENT MAINTENANCE AND OPERATIONAL EXPENSES AND INTEREST AND SINKING FUND REQUIREMENTS; PROVIDING DUE AND DELINQUENT DATES; PENALTIES AND INTEREST; PROVIDING A HOMESTEAD EXEMPTION AND DISABILITY EXEMPTION; AND PROVIDING AN EFFECTIVE DATE.

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

RECITALS: On Monday, August 20, 2018 and Monday, August 27, 2018 City Council read the ordinance and conducted a public hearing to receive comment regarding the proposed ad valorem tax rate of \$0.8675 per one hundred dollars assessed valuation. No comments were received on August 20, 2018 and # of comments was received on August 27, 2018. The public hearing and meetings were noticed in accordance with the Texas Open Meetings Act, Tax Code, Truth-In-Taxation and Lancaster Home Rule Charter.

SECTION 1. There be and is hereby levied for the fiscal year 2018/2019 on all taxable property, real, personal and mixed, situated within the corporate limits of the City of Lancaster, Texas, and not exempt by the Constitution of the State and valid State laws, a tax of eighty-six and seventy-five one thousandths cents (\$0.8675) on each one hundred dollars (\$100.00) assessed value of taxable property, and shall be apportioned and distributed as follows: \$0.6012 for the purpose of paying maintenance and operation, and, defraying the expenses of current operations, and \$0.2663 for interest and sinking fund requirements of the municipal government of the City.

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

SECTION 3. THE TAX RATE WILL EFFECTIVELY BE RAISED BY 8.06 PERCENT AND WILL RAISE TAXES FOR MAINTENANCE AND OPERATIONS ON A \$100,000 HOME BY APPROXIMATELY \$0.00.

SECTION 4. All 2018/2019 ad valorem taxes shall become due and payable on October 1, 2018, shall become delinquent after January 31, 2019. If any person fails to pay the ad valorem taxes on or before the 31st day of January 2019, the penalties and interest as set forth under Section 33.01 of the Texas State Property Tax Code shall apply.

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

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

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

SECTION 8. In accordance with the Texas State Property Tax Code, and effective with the passage of the ordinance, there is hereby provided an exemption of \$30,000 on homestead property for those head-of-household persons who have attained the age of 65 years prior to January 1, 2019 and an exemption of \$30,000 on disability designations.

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

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

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 10th day of September, 2018.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

LANCASTER CITY COUNCIL

City Council Regular Meeting

14.

Meeting Date: 09/10/2018

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda.

Goal(s): Financially Sound Government

Submitted by: Sam Urbanski, Police Chief

Agenda Caption:

Discuss and consider an ordinance approving the proposed fiscal year 2018/2019 budget for proceeds of seized property for the Lancaster Police Department for the fiscal year beginning October 1, 2018 and ending September 30, 2019; providing that expenditures for said fiscal year shall be in accordance with said budget.

Background:

Pursuant to the agreements signed by the Lancaster Police Department and the State Attorney General and United States Department of Justice to share the use of property and/or proceeds from seizures in connection with combined law enforcement activities, the Police Chief is submitting to the City Council a proposed budget of the expenditures for conducting the affairs of the Lancaster Police Department throughout the fiscal year beginning October 1, 2018 and ending September 30, 2019.

Operational Considerations:

The proposed detail budget is outlined below.

Fund	2018-2019 Budget Expenditures
Police Seized Funds - State	\$60,022.43
Police Seized Funds - Federal	\$36,171.02
Total	\$96,193.45

Legal Considerations:

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

Public Information Considerations:

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

Fiscal Impact:

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

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the ordinance, as presented.

Attachments

Ordinance

Exhibit A

Exhibit B

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING AND ADOPTING A BUDGET FOR PROCEEDS OF SEIZED PROPERTY FOR THE LANCASTER POLICE DEPARTMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2018 AND ENDING SEPTEMBER 30, 2019; PROVIDING THAT EXPENDITURES FOR SAID FISCAL YEAR SHALL BE IN ACCORDANCE WITH SAID BUDGET; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Lancaster Police Department has signed certain agreements with the State Attorney General and United States Department of Justice to share the use of property and/or proceeds from seizures in connection with combined law enforcement activities; and

WHEREAS, the Chief of Police of the City of Lancaster Police Department has submitted to the City Council a proposed budget of the expenditures for utilizing such funds in accordance with the law for the benefit of law enforcement activities of the department for fiscal year 2018-2019; and

WHEREAS, the City Council has received the Chief of Police's proposed seizure budget, a copy of which proposed seizure budget is attached hereto and incorporated herein as Exhibits A and B, and has been filed with the City Secretary of the City of Lancaster;

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

SECTION 1. That the budget of expenditures as set forth in the attachments hereto as Exhibits A and B, for conducting the affairs of the Lancaster Police Department and providing a financial plan for the ensuing fiscal year beginning October 1, 2018 and ending September 30, 2019, is hereby approved as the adopted budget for proceeds of seized property on behalf of the Lancaster Police Department; and, the Department shall expend those funds in accordance with Agreements recited herein and applicable law.

SECTION 2. That the appropriations for the fiscal year are hereby approved beginning October 1, 2018, and ending September 30, 2019, for the various funds and purposes of the Lancaster Police Department, which is attached hereto and incorporated herein as Exhibit A and is summarized as follows:

Exhibit "A"

		2018-2019
		Budget
		Expenditures
<u>Fund</u>		
Police Seized Funds – State		\$60,022.43

Exhibit "B"

Police Seized Funds – Federal	\$36,171.02
Total	\$96,193.45

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

SECTION 4. That all provisions of the ordinances of the City of Lancaster in conflict with the provisions of this ordinance be and the same are hereby repealed, and all other provisions of the ordinances of the City of Lancaster not in conflict with the provisions of this ordinance shall remain in full force and effect.

SECTION 5. That should any sentence, paragraph, subdivision, clause, phase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part so decided to be invalid, illegal or unconstitutional.

DULY PASSED and approved by the City Council of the City of Lancaster, Texas, on this the 10th day of September, 2018.

ATTEST:

APPROVED:

Sorangel O. Arenas, City Secretary

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

bdpbrqst fk3880

13:37 04/12/18

Fund: 11 POLICE SEIZED FUNDS - STATE

Dept: 14 POLICE

City of Lancaster

Detailed Budget Request Report

Fiscal Year: 2019

Revision level: 2 No Pay Increase Benefits

Exhibit "A"

Page 1

Prog: POLICE DEPARTMENT		Account Type Selected: E Expenses	
Account Number	Description	Budget Reference	Comment
11-0102-14-00	SALARIES PART TIME		
			Totals: .00 *
11-0107-14-00	FICA		
			Totals: .00 *
11-0109-14-00	SALARIES WELL PAY		
			Totals: .00 *
11-0110-14-00	DENTAL INSURANCE		
			Totals: .00 *
11-0112-14-00	SALARIES OUT OF CLASS/FTO PAY		
			Totals: .00 *
11-0114-14-00	SALARIES ASSIGNMENT PAY		
			Totals: .00 *
11-0115-14-00	CERTIFICATION PAY		
			Totals: .00 *
11-0116-14-00	SALARIES EDUCATION PAY		
			Totals: .00 *
11-0117-14-00	SALARIES SECOND LANGUAGE		
			Totals: .00 *
11-0120-14-00	GROUP LIFE INSURANCE		
			Totals: .00 *
11-0130-14-00	WORKERS COMPENSATION		
			Totals: .00 *
11-0169-14-00	ELLIS COUNTY PROGRAM FEE		
			Totals: .00 *
11-0170-14-00	ELLIS COUNTY SAL REIMB		
			Totals: .00 *
11-0172-14-00	BLOCK GRANT OVERTIME		
			Totals: .00 *
11-0201-14-00	OFFICE SUPPLIES		
			Totals: .00 *
11-0202-14-00	UNIFORMS AND CLOTHING		
			Totals: 10,583.00 *
11-0203-14-00	MOTOR VEHICLE SUPPLIES		
			Totals: .00 *
11-0204-14-00	MINOR EQUIPMENT		
			Totals: .00 *
11-0210-14-00	FOOD/BEV-MEETING/FUNCTIONS		
			Totals: .00 *
11-0211-14-00	OTHER OPERATIONAL SUPPLIES		
			Totals: .00 *
11-0212-14-00	AMMUNITION		
			Totals: .00 *
11-0219-14-00	DATA PROCESSING SUPPLIES		
			Totals: .00 *
11-0220-14-00	INVESTIGATION SUPPLIES		

bdpbrqst fk3880

13:37 04/12/18

Fund: 11 POLICE SEIZED FUNDS - STATE

Dept: 14 POLICE

City of Lancaster

Detailed Budget Request Report

Fiscal Year: 2019

Revision level: 2 No Pay Increase Benefits

Page 2

Prog: POLICE DEPARTMENT		Account Type Selected: E Expenses	
Account Number	Description	Budget Reference	Comment
			Totals: .00 *
11-0302-14-00	MAINT-MOTOR VEHICLES		Totals: .00 *
11-0314-14-00	MAINT-RADIO EQUIPMENT		Totals: .00 *
11-0318-14-00	MAINT-OFFICE EQUIPMENT		Totals: .00 *
11-0342-14-00	MAINT-DATA PROCESSING EQUIP		Totals: .00 *
11-0401-14-00	TELEPHONE & COMMUNICATIONS		Totals: .00 *
11-0402-14-00	RENTAL OF EQUIPMENT		Totals: .00 *
11-0404-14-00	COURT COSTS		Totals: .00 *
11-0405-14-00	DISTRICT ATTORNEY		Totals: .00 *
11-0407-14-00	SPECIAL SERVICES		Totals: .00 *
11-0409-14-00	TRAVEL & EDUCATION		Totals: 10,583.00 *
11-0414-14-00	DUES & SUBSCRIPTIONS		Totals: .00 *
11-0416-14-00	OTHER/PROFESSIONAL SERVICES		Totals: .00 *
11-0421-14-00	PRINTING		Totals: .00 *
11-0430-14-00	OTHER CITIES		Totals: .00 *
11-0442-14-00	COMPUTER PROFESSIONAL SERVICES		Totals: .00 *
11-0450-14-00	ADMINISTRATIVE FEES		Totals: .00 *
11-0462-14-00	CELLULAR TELEPHONE		Totals: .00 *
11-0546-14-00	REFUNDS		Totals: .00 *
11-0602-14-00	CAPITAL-BUILDING & STRUCTURE		Totals: .00 *
11-0608-14-00	CAPITAL-FURNITURE & FIXTURES		Totals: .00 *
11-0615-14-00	CAPITAL-COMMUNICATION EQUIP		Totals: .00 *
11-0617-14-00	CAPITAL-OFFICE EQUIPMENT		Totals: .00 *
11-0618-14-00	CAPITAL-COMPUTER EQUIPMENT		

Dept: 14 POLICE

Revision level: 2 No Pay Increase Benefits

Account Type Selected: E Expenses

13:37 04/12/18

Fund: 11 POLICE SEIZED FUNDS - STATE

Dept: 14 POLICE

City of Lancaster

Detailed Budget Request Report

Fiscal Year: 2019

Revision level: 2 No Pay Increase Benefits

Page 4

Prog: 1 STATE SEIZED FUNDS

Account Type Selected: E Expenses

Account Number	Description	Budget Reference	Comment		
11-0101-14-01	SALARIES REGULAR				
				Totals:	.00 *
11-0103-14-01	SALARIES OVERTIME				
				Totals:	.00 *
11-0104-14-01	SALARIES LONGEVITY				
				Totals:	.00 *
11-0105-14-01	GROUP HEALTH INSURANCE				
				Totals:	.00 *
11-0106-14-01	TMRS				
				Totals:	.00 *
Program 1 - STATE SEIZED FUNDS Totals:					.00 *
Department 14 - POLICE Totals:					21,166.00 **
Expenditure	Totals:				21,166.00 ****
Fund 11 - POLICE SEIZED FUNDS - STATE Totals:					21,166.00 ***
***** End of Report *****					

13:38 04/12/18

Fund: 12 POLICE SEIZED FUNDS - FEDERAL

Dept: 14 POLICE DEPARTMENT

City of Lancaster

Detailed Budget Request Report

Fiscal Year: 2019

Revision level: 2 No Pay Increase Benefits

Prog: POLICE DEPT EXPENDITURES		Account Type Selected: E Expenses	
Account Number	Description	Budget Reference	Comment
12-0201-14-00	SUPPLIES		
			Totals: .00 *
12-0202-14-00	UNIFORMS AND CLOTHING		
			Totals: 421.00 *
12-0204-14-00	MINOR EQUIP/TOOLS		
			Totals: .00 *
12-0301-14-00	MAINTENANCE		
			Totals: .00 *
12-0407-14-00	SERVICES		
			Totals: .00 *
12-0409-14-00	TRAVEL & EDUCATION		
			Totals: 421.00 *
12-0414-14-00	DUES & SUBSCRIPTIONS		
			Totals: .00 *
12-0416-14-00	OTHER/PROFESSIONAL SERVICES		
			Totals: .00 *
12-0421-14-00	PRINTING		
			Totals: .00 *
12-0620-14-00	CAPITAL-SOFTWARE		
			Totals: .00 *
12-0625-14-00	CAPITAL - EQUIPMENT		
			Totals: .00 *
Program 0 - POLICE DEPT EXPENDITURES Totals:			842.00 *
Department 14 - POLICE DEPARTMENT Totals:			842.00 **
Expenditure	Totals:		842.00 ****
Fund 12 - POLICE SEIZED FUNDS - FEDERAL Totals:			842.00 ***
***** End of Report *****			

LANCASTER CITY COUNCIL

City Council Regular Meeting

15.

Meeting Date: 09/10/2018

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda.

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

Submitted by: Rona Stringfellow, Assistant City Manager

Agenda Caption:

Discuss and consider an ordinance amending the Tribute at Mills Branch Public Improvement District Five Year Service Plan, adopted by Ordinance No. 2017-09-42, as hereby amended by increasing the Tribute at Mills Branch Public Improvement District Five Year Service Plan for the current fiscal year 2017/2018 by a total of \$23,570.00.

Background:

On September 11, 2017, the Lancaster City Council approved the Tribute at Mills Branch Public Improvement District (PID) Five Year Service Plan for the 2017/2018 budget year. In the FY 2017/2018 the Tribute at Mills Branch PID Board did not allocate enough funds in specific line items for Insurance, Water Purchases, Contract Mowing, Management fees, and Dallas County tax collection. The PID has a fund balance available and wishes to utilize those funds.

Operational Considerations:

This budget amendment is to allow Tribute at Mills Branch Public Improvement District Board to increase their FY 2017/2018 Five Year Service Plan, adopted by Ordinance Number 2017-09-42 increasing the Insurance by \$354.00, the Water Purchases by \$6,370.00, the Contract Mowing by \$11,526.00, the Administrative Management fee by \$4,800.00 and the Dallas County Tax Collection Services by \$520.00 for a total of \$23,570.00 from their fund balance. The PID currently has \$39,692.03 available within their fund balance.

Legal Considerations:

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

Public Information Considerations:

This meeting was properly noticed and is being held in accordance with the Texas Open Meetings Act.

Fiscal Impact:

The ordinance requests the amendment of the FY 2017/2018 Tribute at Mills Branch Public Improvement District Five Year Service Plan as adopted by Ordinance 2017-09-42 on September 11, 2017. This amendment seeks to increase the Insurance line item to \$354; the Water Purchases line item to \$6,370, the Contract Mowing line item to \$11,526, the Administrative Management fee line item to \$4,800, and the Dallas County Tax Collection Services fee to \$520. All cumulative amendments to the Five Year Service Plan for fiscal year 2017/2018 total an increase of \$23,570.

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the ordinance, as requested.

Attachments

Ordinance

5 year service plan with budget amendment

ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, AMENDING THE TRIBUTE AT MILLS BRANCH PUBLIC IMPROVEMENT DISTRICT FIVE YEAR SERVICE PLAN, ADOPTED BY ORDINANCE NO. 2017-09-42, IS HEREBY AMENDED BY INCREASING THE TRIBUTE AT MILLS BRANCH PUBLIC IMPROVEMENT DISTRICT FIVE YEAR SERVICE PLAN BY A TOTAL OF \$23,570; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Lancaster, Texas is a home rule city under its Charter adopted by the electorate pursuant to Article XI, Section 5 of the Texas Constitution and Chapter 9 of the Local Government Code; and

WHEREAS, the City Council of the City of Lancaster previously approved Ordinance Number 2017-09-42 on September 11, 2017, officially adopting the Tribute at Mills Branch Public Improvement District Five-Year Service Plan; and

WHEREAS, the Tribute at Mills Branch Public Improvement District Board approved amendments to the Five Year Service Plan to account for additional insurance, utilities, contract mowing, audit services, printing, administrative management fees, and Dallas County Tax Collection Services increasing the Five Year Service Plan by \$23,570.

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

SECTION 1. That the 2017-2018 Tribute at Mills Branch Public Improvement District Five Year Service Plan, adopted by Ordinance Number 2017-09-42, is hereby amended by increasing the Five Year Service Plan in total by \$23,570.

SECTION 2. That the 2017-2018 Tribute at Mills Branch Public Improvement District Five Year Service Plan, adopted by Ordinance Number 2017-09-42, is hereby amended, by increasing the Insurance line item by \$354, Water Purchases line item by \$6,370, Contract Mowing line item by \$11,526, Administrative Management fee line item by 4,800, and the Dallas County Tax Collection Services line item by \$520.00 for a total of \$23,570 from their fund balance.

SECTION 3. That except as amended hereby, or as heretofore amended, the provisions of Ordinance Number 2017-09-42 shall remain in full force and effect.

SECTION 4. That should any sentence, paragraph, subdivision, clause, phrase or section of this ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this ordinance as a whole, or any part or provision thereof other than the part decided to be invalid, illegal or unconstitutional.

SECTION 5. That this ordinance shall take effect immediately from and after its passage as the law in such cases provides.

DULY PASSED by the City Council of the City of Lancaster, Texas on this the 10th day of September, 2018.

ATTEST:

Sorangel O. Arenas, City Secretary

APPROVED:

Clyde C. Hairston, Mayor

APPROVED AS TO FORM:

David T. Ritter, City Attorney

Account	Description	2018 FY Budget	2018 FY Actual	2018 Proposed Budget Amendment	2018 Revised Budget w/Amendment	2019 FY Budget	2020 FY Budget	2021 FY Budget	2022 FY Budget
61-0201-04-00	SUPPLIES	300.00	106.09	0.00	300.00	600.00	600.00	600.00	600.00
61-0211-04-00	MISCELLANEOUS					1500.00	1500.00	1500.00	1500.00
61-0214-04-00	POSTAGE	580.00	382.82	0.00	580.00	1000.00	1000.00	1000.00	1000.00
61-0225-04-00	LANDSCAPING								
Subtotal:		880.00	488.91	0.00	880.00	3100.00	3100.00	3100.00	3100.00
61-0301-04-00	GENERAL MAINTENANCE					11000.00	11000.00	11000.00	11000.00
61-0303-04-00	MAINTENANCE - MISCELLANEOUS					15073.00	15073.00	15073.00	15073.00
61-0351-04-00						5823.00	5823.00	5823.00	5823.00
61-0371-04-00	LANDSCAPING REPAIR & MAINT					20000.00	20000.00	20000.00	20000.00
61-0372-04-00	IRRIGATION SYS REPAIR & MAINT					2500.00	2500.00	2500.00	2500.00
Subtotal:		0.00	0.00	0.00	0.00	54396.00	54396.00	54396.00	54396.00
61-0403-04-00	INSURANCE	1400.00	1753.99	354.00	1754.00	1300.00	1300.00	1300.00	1300.00
61-0410-04-00	UTILITIES ELECTRICITY	1000.00	459.02	0.00	1000.00	1000.00	1000.00	1000.00	1000.00
61-0411-04-00	WATER PURCHASES PID		3958.88	6370.00	6370.00	7500.00	7500.00	7500.00	7500.00
61-0421-04-00	PRINTING	39.00		0.00	39.00	75.00	75.00	75.00	75.00
61-0423-04-00	CONTRACT MOWING	17652.00	17376.50	11526.00	29178.00	17652.00	17652.00	17652.00	17652.00
61-0434-04-00	SPECIAL EVENTS								
61-0436-04-00	LANDSCAPE IMPROVEMENTS					300.00	300.00	300.00	300.00
61-0437-04-00	AUDIT SERVICES	300.00	0.00	0.00	300.00	720.00	720.00	720.00	720.00
61-0450-04-00	ADMINISTRATIVE MANAGEMENT FEE		0.00	4800.00	4800.00	7200.00	7200.00	7200.00	7200.00
61-0469-04-00	STORAGE					240.00	240.00	240.00	240.00
Subtotal:		20391.00	23548.39	23050.00	43441.00	35987.00	35747.00	35747.00	35747.00
61-0537-04-00	DALLAS COUNTY TAX COLL SVCS		519.75	520.00	520.00	500.00	500.00	500.00	500.00
Subtotal:		0.00	519.75	520.00	520.00	500.00	500.00	500.00	500.00
Program number:		21271.00	24557.05	23570.00	44841.00	93983.00	93743.00	93743.00	93743.00
Department number:	OPERATIONS	21271.00	24557.05	23570.00	44841.00	93983.00	93743.00	93743.00	93743.00
Fund number:	55 TRIBUTE MILLS - PID	21271.00	24557.05	23570.00	44841.00	93983.00	93743.00	93743.00	93743.00
*****	End of Report *****								

LANCASTER CITY COUNCIL

City Council Regular Meeting

16.

Meeting Date: 09/10/2018

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Baron Sauls, Director of Finance

Agenda Caption:

An ordinance authorizing and ordering the issuance of City of Lancaster, Texas, General Obligation Bonds, Series 2018; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; awarding the sale thereof; authorizing the preparation and distribution of an official statement to be used in connection with the sale of the bonds; making other provisions regarding such bonds, including use of the proceeds thereof, and matters incident thereto.

Background:

The 2007 issuance of the bonds was approved by the voters on November 6, 2007 Election, Resolution No. 2007-11-130, adopted on November 14, 2007. Subsequently, staff met with the rating agencies and our ratings have been confirmed as "AA-" from Standard & Poor's.

Operational Considerations:

Approving this ordinance authorizes the City to issue General Obligation, Series 2018. The proceeds from the sale of the bonds will be used for planning, designing, constructing, reconstruction, improving, extending and expanding streets, thoroughfares, freeways, alleys, sidewalks, bridges, pedestrianways, trolleyways and other multi-modal transportation facilities, including related storm drainage facilities and improvements, signalization, signage, video roadside cameras, and other traffic and signal controls, street lighting, landscaping, streetscape and median improvements and the acquisition of land therefor; and to pay the costs associated with the issuance of the bonds.

Legal Considerations:

The attached draft ordinance has been prepared by West and Associates, LLP, the City's Bond Counsel.

Public Information Considerations:

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

Fiscal Impact:

The issuance of this debt will not impact the city's tax rate. All fees are included in the debt issuance; no additional funds need to be budgeted. Bond issuance costs are paid at closing from the proceeds of the bond issue; therefore, no out of pocket costs are incurred.

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the ordinance authorizing the issuance of City of Lancaster, Texas, General Obligation Bonds, Series 2018.

Attachments

2018 GO Bond Issuance

CERTIFICATE OF THE SECRETARY

Ordinance No: _____

THE STATE OF TEXAS §

COUNTY OF DALLAS §

CITY OF LANCASTER §

We, the undersigned officers of the City of Lancaster, Texas (the “City”), hereby certify as follows:

1. The City Council of the City convened in a regular meeting on September 10, 2018, at the regular meeting place thereof, within the City, and the roll was called of the duly constituted officers and members of the City Council, to wit:

Clyde Hairston	Mayor
Marco Mejia	Mayor Pro Tem
Stanley Jaglowski	Deputy Mayor Pro Tem
Carol Strain-Burk	Councilwoman
Derrick D. Robinson	Councilman
Racheal Hill	Councilwoman
Nina Morris	Councilwoman

and all of such persons were present, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

ORDINANCE AUTHORIZING AND ORDERING THE ISSUANCE OF CITY OF LANCASTER, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2018; PRESCRIBING THE TERMS AND FORM THEREOF; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL THEREOF AND INTEREST THEREON; AWARDING THE SALE THEREOF; AUTHORIZING THE PREPARATION AND DISTRIBUTION OF AN OFFICIAL STATEMENT TO BE USED IN CONNECTION WITH THE SALE OF THE BONDS; MAKING OTHER PROVISIONS REGARDING SUCH BONDS, INCLUDING USE OF THE PROCEEDS THEREOF, AND MATTERS INCIDENT THERETO.

(the “Ordinance”) was duly introduced for the consideration of the City Council and read in full. It was then duly moved and seconded that the Ordinance be adopted and, after due discussion, such motion, carrying with it the adoption of the Ordinance, prevailed and carried by the following vote:

AYES: __

NAYS: __

ABSTENTIONS: __

2. That a true, full and correct copy of the Ordinance adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that the Ordinance has been duly recorded in the City Council's minutes of such meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the City Council's minutes of such meeting pertaining to the adoption of the Ordinance; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the City council as indicated therein; that each of the officers and members of the City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and subject of the aforesaid meeting, and that the Ordinance would be introduced and considered for adoption at such meeting, and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; that such meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of such meeting was given as required by the open meetings law, Chapter 551, Texas Government Code, as amended.

IN WITNESS WHEREOF, I have hereunto signed my name officially and affixed the seal of said City, this the 10th day of September, 2018.

ATTEST:

By: _____
Sorangel O. Arenas, City Secretary

By: _____
Clyde Hairston, Mayor

(Seal)

[DRAFT]

ORDINANCE NO. _____

ORDINANCE AUTHORIZING AND ORDERING THE ISSUANCE OF CITY OF LANCASTER, TEXAS, GENERAL OBLIGATION BONDS, SERIES 2018; PRESCRIBING THE TERMS AND FORM THEREOF; PROVIDING FOR THE PAYMENT OF THE PRINCIPAL THEREOF AND INTEREST THEREON; AWARDING THE SALE THEREOF; AUTHORIZING THE PREPARATION AND DISTRIBUTION OF AN OFFICIAL STATEMENT TO BE USED IN CONNECTION WITH THE SALE OF THE BONDS; MAKING OTHER PROVISIONS REGARDING SUCH BONDS, INCLUDING USE OF THE PROCEEDS THEREOF, AND MATTERS INCIDENT THERETO.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LANCASTER:

ARTICLE I

FINDINGS AND DETERMINATIONS

Section 1.1: Findings and Determinations. The City Council hereby officially finds and determines that:

- (a) The City of Lancaster, Texas (the “*City*”), acting through its City Council, is authorized by the laws of the State of Texas, particularly Chapter 1331 of the Texas Government Code, as amended, to issue bonds for the purpose of making needed public improvements;
- (b) The issuance of the bonds herein authorized was approved by the voters of the City at an election held for such purpose on November 6, 2007 (the “*2007 Election*”);
- (c) The City Council canvassed the returns of the 2007 Election and by Resolution No. 2007-11-130 adopted November 14, 2007, declared the results to be in favor of the issuance of such bonds;
- (d) The City has determined that it is necessary and advisable to authorize, issue and deliver a series of such bonds consisting of the City’s General Obligation Bonds, Series 2018 (the “*Bonds*”), issued in the aggregate principal amount of [\$____,____,____];

- (e) After the issuance of the Bonds (and the application of premium received on the sale of the Bonds), [\$____,____] principal amount of authorization will remain pursuant to the 2007 Election;
- (f) The City Council is of the opinion and hereby affirmatively finds that it is in the best interest of the City to issue bonds in the amount and for the purposes herein stated.

ARTICLE II

DEFINITIONS AND INTERPRETATIONS

Section 2.1: Definitions. As used herein, the following terms shall have the meanings specified, unless the context clearly indicates otherwise:

“Act” shall mean Chapter 1331, Texas Government Code, as amended.

“Attorney General” shall mean the Attorney General of the State of Texas.

“Bond” or “Bonds” shall mean any or all of the City of Lancaster, Texas, General Obligation Bonds, Series 2018, authorized by this Ordinance.

“City” shall mean the City of Lancaster, Texas and, where appropriate, its City Council.

“City Council” shall mean the governing body of the City.

“Code” shall mean the Internal Revenue Code of 1986, as amended.

“Comptroller” shall mean the Comptroller of Public Accounts of the State of Texas.

“Construction Fund” shall mean the General Obligation Bonds, Series 2018 Construction Fund established by the City and described in section 5.3 of this Ordinance.

“Debt Service Fund” shall mean the General Obligation Bonds, Series 2018 Debt Service Fund established by the City and described in section 5.2 of this Ordinance.

“DTC” shall mean The Depository Trust Company, New York, New York, or any successor securities depository.

“DTC Participant” shall mean brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created to hold securities to facilitate the clearance and settlement of securities transactions among DTC Participants.

“2007 Election” shall mean the election held November 6, 2007 which authorized the issuance of (i) \$37,545,695 for permanent public improvements, to to-wit: planning, designing, constructing, reconstructing, improving, extending and expanding streets, thoroughfares, freeways, alleys, sidewalks, bridges, pedestrianways, trolleyways and other multi-modal transportation facilities, including related storm drainage facilities and improvements, signalization, signage, video roadside cameras, and other traffic and signal controls, street

lighting, landscaping, streetscape and median improvements, the acquisition of land therefore, and the levy of taxes to provide for the payment thereof and interest thereon.

“Fiscal Year” shall mean the City’s then designated fiscal year, which currently is the twelve-month period beginning on the first day of October of a calendar year and ending on the last day of September of the next succeeding calendar year, and each such period may be designated with the number of the calendar year in which such period ends.

“Interest Payment Date,” when used in connection with any Bond, shall mean February 15, 2019, and each August 15 and February 15 thereafter until maturity or earlier redemption of such Bond.

“Issuance Date” shall mean the date on which the Bonds are delivered to and paid for by the Purchaser.

“Ordinance” shall mean this Ordinance and all amendments hereof and supplements hereto.

“Outstanding,” when used with reference to the Bonds, shall mean, as of a particular date, all Bonds theretofore and thereupon delivered pursuant to this Ordinance except: (a) any Bonds canceled by or on behalf of the City at or before such date; (b) any Bonds defeased pursuant to the defeasance provisions of this Ordinance or otherwise defeased as permitted by applicable law; and (c) any Bonds in lieu of or in substitution for which a replacement Bond shall have been delivered pursuant to this Ordinance.

“Paying Agent/Registrar” shall mean The Bank of New York Mellon Trust Company, N.A., Dallas, Texas, and its successors in that capacity.

“Paying Agent/Registrar Agreement” shall mean the agreement between the City and the Paying Agent/Registrar as described more particularly in Section 6.1 hereof.

“Purchaser” shall mean the entity specified in Section 7.1 hereof.

“Record Date” shall mean the close of business on the last business day of the month next preceding the applicable Interest Payment Date.

“Register” shall mean the registration books for the Bonds kept by the Paying Agent/Registrar in which are maintained the names and addresses of, and the principal amounts registered to, each Registered Owner of Bonds.

“Registered Owner” shall mean the person or entity in whose name any Bond is registered in the Register.

Section 2.2: Interpretations. All terms defined herein and all pronouns used in this Ordinance shall be deemed to apply equally to singular and plural and to all genders. The titles and headings of the articles and sections of this Ordinance have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof. This Ordinance and all the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein and to sustain the

validity of the Bonds and the validity of the levy of ad valorem taxes to pay the principal of and interest on the Bonds.

ARTICLE III

TERMS OF THE BONDS

Section 3.1: Amount, Purpose and Authorization. The Bonds shall be issued in fully registered form, without coupons, under and pursuant to the authority of the Act in the total authorized aggregate principal amount of [NINE MILLION FIFTY-FIVE THOUSAND AND NO/100 DOLLARS] (\$9,050,000) for the purpose of providing all or part of the funds for the following purposes: (i) planning, designing, constructing, reconstruction, improving, extending and expanding streets, thoroughfares, freeways, alleys, sidewalks, bridges, pedestrianways, trolleyways and other multi-modal transportation facilities, including related storm drainage facilities and improvements, signalization, signage, video roadside cameras, and other traffic and signal controls, street lighting, landscaping, streetscape and median improvements and the acquisition of land therefor; and (ii) to pay the costs associated with the issuance of the Bonds.

Section 3.2: Designation, Date and Interest Payment Dates. The Bonds shall be designated as the “City of Lancaster, Texas, General Obligation Bonds, Series 2018,” and shall be dated September 1, 2018 (the “*Dated Date*”). The Bonds shall bear interest at the rates set forth in Section 3.3 below, from the later of the Dated Date, or the most recent Interest Payment Date to which interest has been paid or duly provided for, calculated on the basis of a 360-day year of twelve 30-day months, payable on February 15, 2019, and each August 15 and February 15 thereafter until maturity or earlier redemption.

If interest on any Bond is not paid on any Interest Payment Date and continues unpaid for thirty (30) days thereafter, the Paying Agent/Registrar shall establish a new record date for the payment of such interest, to be known as a Special Record Date. The Paying Agent/Registrar shall establish a Special Record Date when funds to make such interest payment are received from or on behalf of the City. Such Special Record Date shall be fifteen (15) days prior to the date fixed for payment of such past due interest, and notice of the date of payment and the Special Record Date shall be sent by United States mail, first class, postage prepaid, not later than five (5) days prior to the Special Record Date, to each affected Registered Owner as of the close of business on the day prior to mailing of such notice.

Section 3.3: Numbers, Denomination, Interest Rates and Maturities. The Bonds shall be initially issued bearing the numbers, in the principal amounts and bearing interest at the rates set forth in the following schedule, and may be transferred and exchanged as set out in this Ordinance. The Bonds shall mature on February 15 in each of the years and in the amounts set out in such schedule. Bonds delivered in transfer of or in exchange for other Bonds shall be numbered in order of their authentication by the Paying Agent/Registrar, shall be in the denomination of \$5,000 or integral multiples thereof and shall mature on the same date and bear interest at the same rate as the Bond or Bonds in lieu of which they are delivered.

<u>Bond Number</u>	<u>Year of Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
R-1	2019		
R-2	2020		
R-3	2021		
R-4	2022		
R-5	2023		
R-6	2024		
R-7	2025		
R-8	2026		
R-9	2027		
R-10	2028		
R-11	2029		
R-12	2030		
R-13	2031		
R-14	2032		
R-15	2033		
R-16	2034		
R-17	2035		
R-18	2036		
R-19	2037		
R-20	2038		

Section 3.4: Redemption Prior to Maturity.

(a) The Bonds maturing on and after February 15, 2029, are subject to redemption prior to maturity, at the option of the City, in whole or in part, on February 15, 2028, or any date thereafter, at par plus accrued interest to the date fixed for redemption.

(b) Bonds may be redeemed in part only in integral multiples of \$5,000. If a Bond subject to redemption is in a denomination larger than \$5,000, a portion of such Bond may be redeemed, but only in integral multiples of \$5,000. In selecting portions of Bonds for redemption, each Bond shall be treated as representing that number of Bonds of \$5,000 denomination which is obtained by dividing the principal amount of such Bond by \$5,000. Upon presentation and surrender of any Bond for redemption in part, the Paying Agent/Registrar, in accordance with the provisions of this Ordinance, shall authenticate and deliver in exchange therefor a Bond or Bonds of like maturity and interest rate in an aggregate principal amount equal to the unredeemed portion of the Bond so surrendered.

(c) Not less than thirty (30) days prior to a redemption date for the Bonds, a notice of redemption will be sent by U.S. mail, first class postage prepaid, in the name of the City to each Owner of a Bond to be redeemed in whole or in part at the address of such Owner appearing on the Register at the close of business on the business day next preceding the date of mailing. Such notices shall state the redemption date, the redemption price, the place at which Bonds are to be surrendered for payment and, if less than all Bonds Outstanding are to be redeemed, the numbers of Bonds or portions thereof to be redeemed. Any notice of redemption so mailed as provided in this Section will be conclusively presumed to have been duly given, whether or not

the Registered Owner receives such notice. By the date fixed for redemption, due provision shall be made with the Paying Agent/Registrar for payment of the redemption price of the Bonds or portions thereof to be redeemed. When Bonds have been called for redemption in whole or in part and notice of redemption has been given as herein provided, the Bonds or portions thereof so redeemed shall no longer be regarded to be Outstanding, except for the purpose of receiving payment solely from the funds so provided for redemption, and interest which would otherwise accrue after the redemption date on any Bond or portion thereof called for redemption shall terminate on the date fixed for redemption.

(d) With respect to any optional redemption of the Bonds, unless all prerequisites to such redemption required by this Ordinance have been met, including moneys sufficient to pay the principal of the Bonds to be redeemed having been received by the Paying Agent/Registrar prior to the giving of notice of such redemption, such notice shall state that said redemption may, at the option of the City, be conditional upon the satisfaction of all prerequisites and receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, and if such prerequisites to the redemption and sufficient moneys are not received, such notice shall be of no force and effect, the City shall not redeem such Bonds and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Bonds have not been redeemed.

Section 3.5: Manner of Payment, Characteristics, Execution and Authentication. The Paying Agent/Registrar is hereby appointed the paying agent for the Bonds. The Bonds shall be payable, shall have the characteristics and shall be executed, sealed, registered and authenticated, all as provided and in the manner indicated in the **FORM OF BOND** set forth in Article IV of this Ordinance. If any officer of the City whose manual or facsimile signature shall appear on the Bonds shall cease to be such officer before the authentication of the Bonds or before the delivery of the Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes as if such officer had remained in such office.

The approving legal opinion of West & Associates, LLP, Dallas Texas, Bond Counsel to the City, and Orrick Herrington & Sutcliffe, Austin, Texas, Special Tax Counsel to the City, may be printed on the back of the Bonds over the certification of the City Secretary, which may be executed in facsimile. CUSIP numbers also may be printed on the Bonds, but errors or omissions in the printing of either the opinion or the numbers shall have no effect on the validity of the Bonds.

Section 3.6: Authentication. Except for the Bonds to be initially issued, which need not be authenticated by the Paying Agent/Registrar, only such Bonds as shall bear thereon a certificate of authentication, substantially in the form provided in Article IV of this Ordinance, manually executed by an authorized representative of the Paying Agent/Registrar, shall be entitled to the benefits of this Ordinance or shall be valid or obligatory for any purpose. Such duly executed certificate of authentication shall be conclusive evidence that the Bond so authenticated was delivered by the Paying Agent/Registrar hereunder.

Section 3.7: Ownership. The City, the Paying Agent/Registrar and any other person may treat the person in whose name any Bond is registered as the absolute owner of such Bond for the purpose of making and receiving payment of the principal thereof and interest thereon and for all other purposes, whether or not such Bond is overdue, and neither the City nor the

Paying Agent/Registrar shall be bound by any notice or knowledge to the contrary. All payments made to the person deemed to be the Registered Owner of any Bond in accordance with this Section shall be valid and effective and shall discharge the liability of the City and the Paying Agent/Registrar upon such Bond to the extent of the sums paid.

Section 3.8: Registration. Transfer and Exchange. The Paying Agent/Registrar is hereby appointed the registrar for the Bonds. So long as any Bond remains Outstanding, the Paying Agent/Registrar shall keep the Register at its office in Dallas, TX in which, subject to such reasonable regulations as it may prescribe, the Paying Agent/Registrar shall provide for the registration and transfer of the Bonds in accordance with the terms of this Ordinance.

Each Bond shall be transferable only upon the presentation and surrender thereof at the principal corporate trust office of the Paying Agent/Registrar, accompanied by an assignment duly executed by the Registered Owner or his authorized representative in form satisfactory to the Paying Agent/Registrar. Upon due presentation of any Bond for transfer, the Paying Agent/Registrar shall authenticate and deliver in exchange therefor, within seventy-two (72) hours after such presentation, a new Bond or Bonds, registered in the name of the transferee or transferees, in authorized denominations and of the same maturity and aggregate principal amount and bearing interest at the same rate as the Bond or Bonds so presented and surrendered.

All Bonds shall be exchangeable upon the presentation and surrender thereof at the office of the Paying Agent/Registrar for a Bond or Bonds, maturity and interest rate and in any authorized denomination, in an aggregate principal amount equal to the unpaid principal amount of the Bond or Bonds presented for exchange. The Paying Agent/Registrar shall be and is hereby authorized to authenticate and deliver exchange Bonds in accordance with the provisions of this Section. Each Bond delivered by the Paying Agent/Registrar in accordance with this Section shall be entitled to the benefits and security of this Ordinance to the same extent as the Bond or Bonds in lieu of which such Bond is delivered.

All Bonds issued in transfer or exchange shall be delivered to the Registered Owners thereof at the principal corporate trust office of the Paying Agent/Registrar or sent by United States mail, first class, postage prepaid.

The City or the Paying Agent/Registrar may require the Registered Owner of any Bond to pay a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with the transfer or exchange of such Bond. Any fee or charge of the Paying Agent/Registrar for such transfer or exchange shall be paid by the City.

The Paying Agent/Registrar shall not be required to transfer or exchange any Bond called for redemption in whole or in part during the forty-five (45) day period immediately prior to the date fixed for redemption; provided, however, that this restriction shall not apply to the transfer or exchange by the Registered Owner of the unredeemed portion of a Bond called for redemption in part.

Section 3.9: Book-Entry Only System.

(a) The definitive Bonds shall be initially issued in the form of a separate single fully registered Bond for each of the maturities thereof. Upon initial issuance, the ownership of each such Bond shall be registered in the name of Cede & Co., as nominee of DTC, and except

as provided in subsection (b) hereof, all of the Outstanding Bonds shall be registered in the name of Cede & Co., as nominee of DTC. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks being mailed to the Owner at the close of business on the Record Date, the word "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

With respect to Bonds registered in the name of Cede & Co., as nominee of DTC, the City and the Paying Agent/Registrar shall have no responsibility or obligation to any DTC Participant or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds. Without limiting the immediately preceding sentence, the City and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (a) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Bonds, (b) the delivery to any DTC Participant or any other person, other than a holder of the Bond, as shown on the Register, of any notice with respect to the Bonds, including any notice of redemption or (c) the payment to any DTC Participant or any other person, other than a holder of the Bond, as shown in the Register of any amount with respect to principal of Bonds, premium, if any, or interest on the Bonds.

Except as provided in subsection (c) of this Section 3.9, the City and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Register as the absolute owner of such Bond for the purpose of payment of principal of, premium, if any, and interest on Bonds, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfer with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of Bonds, premium, if any, and interest on the Bonds only to or upon the order of the respective owners, as shown in the Register as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than an owner shall receive a Bond evidencing the obligation of the City to make payments of amounts due pursuant to this Ordinance.

(b) Payments and Notices to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, as long as any Bonds are registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on the Bonds, and all notices with respect to such Bonds shall be made and given, respectively, in the manner provided in the representation letter of the City to DTC.

(c) Successor Securities Depository; Transfer Outside Book-Entry Only System. In the event that the City or the Paying Agent/Registrar determines that DTC is incapable of discharging its responsibilities described herein and in the representation letter of the City to DTC, and that it is in the best interest of the beneficial owners of the Bonds that they be able to obtain certified Bonds, the City or the Paying Agent/Registrar shall (a) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository or (b) notify DTC of the availability through DTC of Bonds and transfer one or more separate Bonds to DTC

Participants having Bonds credited to their DTC accounts. In such event, the Bonds shall no longer be restricted to being registered in the Register in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names holders of the Bonds transferring or exchanging Bonds shall designate, in accordance with the provisions of this Ordinance.

Section 3.10: Replacement Bonds. Upon the presentation and surrender to the Paying Agent/Registrar of a damaged or mutilated Bond, the Paying Agent/Registrar shall authenticate and deliver in exchange therefor a replacement Bond, of the same maturity, interest rate and principal amount, bearing a number not contemporaneously outstanding. The City or the Paying Agent/Registrar may require the Registered Owner of such Bond to pay a sum sufficient to cover any tax or other governmental charge that may be imposed in connection therewith and any other expenses connected therewith, including the fees and expenses of the Paying Agent/Registrar and the City.

If any Bond is lost, apparently destroyed or wrongfully taken, the City, pursuant to the applicable laws of the State of Texas and ordinances of the City, and in the absence of notice or knowledge that such Bond has been acquired by a bona fide purchaser, shall execute, and the Paying Agent/Registrar shall authenticate and deliver, a replacement Bond of the same maturity, interest rate and principal amount, bearing a number not contemporaneously outstanding, provided that the Registered Owner thereof shall have:

- (a) furnished to the City and the Paying Agent/Registrar satisfactory evidence of the ownership of and the circumstances of the loss, destruction or theft of such Bond;
- (b) furnished such security or indemnity as may be required by the Paying Agent/Registrar and the City to save and hold them harmless;
- (c) paid all expenses and charges in connection therewith, including, but not limited to, printing costs, legal fees, fees of the Paying Agent/Registrar and any tax or other governmental charge that may be imposed; and
- (d) met any other reasonable requirements of the City and the Paying Agent/Registrar.

If, after the delivery of such replacement Bond, a bona fide purchaser of the original Bond in lieu of which such replacement Bond was issued presents for payment such original Bond, the City and the Paying Agent/Registrar shall be entitled to recover such replacement Bond from the person to whom it was delivered or any person taking therefrom, except a bona fide purchaser, and shall be entitled to recover upon the security or indemnity provided therefor to the extent of any loss, damage, cost or expense incurred by the City or the Paying Agent/Registrar in connection therewith.

If any such mutilated, lost, apparently destroyed or wrongfully taken Bond has become or is about to become due and payable, the City in its discretion may, instead of issuing a replacement Bond, authorize the Paying Agent/Registrar to pay such Bond.

Each replacement Bond delivered in accordance with this Section shall be entitled to the benefits and security of this Ordinance to the same extent as the Bond or Bonds in lieu of which such replacement Bond is delivered.

Section 3.11: Cancellation. All Bonds paid or redeemed in accordance with this Ordinance, and all Bonds in lieu of which exchange Bonds or replacement Bonds are authenticated and delivered in accordance herewith, shall be canceled and destroyed upon the making of proper records regarding such payment or redemption. The Paying Agent/Registrar shall periodically furnish the City with certificates of destruction of such Bonds.

ARTICLE IV

FORM OF BOND

The Bonds, including the Form of Comptroller's Registration Certificate, Form of Paying Agent/Registrar's Authentication Certificate, Statement of Insurance, if any, and Form of Assignment, shall be in substantially the form of Exhibit A hereto, with such omissions, insertions and variations as may be necessary or desirable, and not prohibited by this Ordinance.

ARTICLE V

SECURITY FOR THE BONDS

Section 5.1: Pledge and Levy of Taxes; Appropriation.

(a) To provide for the payment of principal of and interest on the Bonds, there is hereby levied, within the limits prescribed by law, for the current year and each succeeding year thereafter, while the Bonds or any part of the principal thereof and the interest thereon remain Outstanding and unpaid, an ad valorem tax upon all taxable property within the City sufficient to pay the interest on the Bonds and to create and provide a sinking fund of not less than 2% of the principal amount of the Bonds or not less than the principal payable out of such tax, whichever is greater, with full allowance being made for tax delinquencies and the costs of tax collection, and such taxes, when collected, shall be applied to the payment of principal of and interest on the Bonds by deposit to the Debt Service Fund and to no other purpose.

(b) The City hereby declares its purpose and intent to provide and levy a tax legally sufficient to pay the principal of and interest on the Bonds, it having been determined that the existing and available taxing authority of the City for such purpose is adequate to permit a legally sufficient tax. As long as any Bonds remain Outstanding, all moneys on deposit in, or credited to, the Debt Service Fund shall be secured by a pledge of security, as provided by law for cities in the State of Texas.

(c) To pay the debt service coming due on the Bonds prior to receipt of the taxes levied to pay such debt service, there is hereby appropriated from current funds on hand, which are hereby certified to be on hand and available for such purpose, an amount sufficient to pay such debt service.

Section 5.2: Debt Service Fund. The General Obligation Bonds, Series 2018 Debt Service Fund (the "*Debt Service Fund*") is hereby created as a special fund solely for the benefit

of the Bonds. The City shall establish and maintain such fund at an official City depository and shall keep such fund separate and apart from all other funds and accounts of the City. Any amount on deposit in the Debt Service Fund shall be maintained by the City in trust for the Registered Owners of the Bonds. Such amount, plus any other amounts deposited by the City into such fund and any and all investment earnings on amounts on deposit in such fund, shall be used only to pay the principal of, premium, if any, and interest on the Bonds.

Section 5.3: Construction Fund. The General Obligation Bonds, Series 2018 Construction Fund (the "*Construction Fund*") is hereby created as a special fund of the City. Money in deposit in the Construction Fund shall be used only for the purposes set forth in Section 3.1 of this Ordinance. Money on deposit in the Construction Fund may, at the option of the City, be invested as permitted by Texas law, provided that all such deposits and investments shall be made in such manner that the money required to be expended from the Construction Fund will be available at the proper time or times.

Section 5.4: Further Proceedings. After the Bonds to be initially issued have been executed, it shall be the duty of the Mayor to deliver the Bonds to be initially issued and all pertinent records and proceedings to the Attorney General for examination and approval. After the Bonds to be initially issued shall have been approved by the Attorney General, they shall be delivered to the Comptroller for registration. Upon registration of the Bonds to be initially issued, the Comptroller (or a deputy lawfully designated in writing to act for the Comptroller) shall manually sign the Comptroller's registration certificate prescribed herein to be affixed or attached to the Bonds to be initially issued, and the seal of said Comptroller shall be impressed, or placed in facsimile, thereon.

ARTICLE VI

CONCERNING THE PAYING AGENT/REGISTRAR

Section 6.1: Acceptance. The Bank of New York Mellon Trust Company, N.A., Dallas, TX, is hereby appointed as the initial Paying Agent/Registrar for the Bonds pursuant to the terms and provisions of the Paying Agent/Registrar Agreement by and between the City and the Paying Agent/Registrar. The Paying Agent/Registrar Agreement, in substantially the form presented with this Ordinance, is hereby approved, and the Mayor is hereby authorized to execute and deliver such Paying Agent/Registrar Agreement on behalf of the City in multiple counterparts and the City Secretary is hereby authorized to attest thereto and affix the City's seal. Such initial Paying Agent/Registrar and any successor Paying Agent/Registrar, by undertaking the performance of the duties of the Paying Agent/Registrar hereunder, and in consideration of the payment of any fees pursuant to the terms of any contract between the Paying Agent/Registrar and the City and/or the deposits of money pursuant to this Ordinance, shall be deemed to accept and agree to abide by the terms of this Ordinance.

Section 6.2: Trust Funds. All money transferred to the Paying Agent/Registrar in its capacity as Paying Agent/Registrar for the Bonds under this Ordinance (except any sums representing Paying Agent/Registrar's fees) shall be held in trust for the benefit of the City, shall be the property of the City and shall be disbursed in accordance with this Ordinance.

Section 6.3: Bonds Presented. Subject to the provisions of Section 6.4, all matured Bonds presented to the Paying Agent/Registrar for payment shall be paid without the necessity of further instructions from the City. Such Bonds shall be canceled as provided herein.

Section 6.4: Unclaimed Funds Held by the Paying Agent/Registrar. Funds held by the Paying Agent/Registrar that represent principal of and interest on the Bonds remaining unclaimed by the Registered Owner thereof after the expiration of three years from the date such funds have become due and payable (a) shall be reported and disposed of by the Paying Agent/Registrar in accordance with the provisions of Title 6 of the Texas Property Code, as amended, to the extent such provisions are applicable to such funds, or (b) to the extent such provisions do not apply to the funds, such funds shall be paid by the Paying Agent/Registrar to the City upon receipt by the Paying Agent/Registrar of a written request therefor from the City.

The Paying Agent/Registrar shall have no liability to the Registered Owners of the Bonds by virtue of actions taken in compliance with this Section.

Section 6.5: Paying Agent/Registrar May Own Bonds. The Paying Agent/Registrar in its individual or any other capacity, may become the owner or pledgee of Bonds with the same rights it would have if it were not the Paying Agent/Registrar.

Section 6.6: Successor Paying Agents/Registrars. The City covenants that at all times while any Bonds are Outstanding it will provide a legally qualified bank, trust company, financial institution or other agency to act as Paying Agent/Registrar for the Bonds. The City reserves the right to change the Paying Agent/Registrar for the Bonds on not less than sixty (60) days' written notice to the Paying Agent/Registrar, as long as any such notice is effective not less than 60 days prior to the next succeeding principal or interest payment date on the Bonds. Promptly upon the appointment of any successor Paying Agent/Registrar, the previous Paying Agent/Registrar shall deliver the Register or a copy thereof to the new Paying Agent/Registrar, and the new Paying Agent/Registrar shall notify each Registered Owner, by United States mail, first class, postage prepaid, of such change and of the address of the new Paying Agent/Registrar. Each Paying Agent/Registrar hereunder, by acting in that capacity, shall be deemed to have agreed to the provisions of this Ordinance.

ARTICLE VII

PROVISIONS CONCERNING SALE AND APPLICATION OF PROCEEDS OF BONDS

Section 7.1: Sale of Bonds. Pursuant to a public sale for the Bonds, the bid submitted by [\$_____]. (herein referred to as the "*Purchaser*") is declared to be the best bid received producing the net effective interest rate to the City, and the sale of the Bonds to said Purchaser at a price equal to [\$_____] (representing the principal amount of the Bonds, plus a cash premium of [\$_____], less an underwriter's discount of [\$_____], with no accrued interest) is hereby approved and confirmed. Delivery of the Bonds to the Purchaser shall occur upon payment being made therefor in accordance with the terms of sale.

Section 7.2: Approval, Registration and Delivery. The Mayor is hereby authorized to have control and custody of the Bonds and all necessary records and proceedings pertaining thereto pending their delivery, and the Mayor and other officers and employees of the City are

hereby authorized and directed to make such certifications and to execute such instruments as may be necessary to accomplish the delivery of the Bonds and to assure the investigation, examination and approval thereof by the Attorney General and the registration of the initial Bonds by the Comptroller. Upon registration of the Bonds, the Comptroller (or a deputy lawfully designated in writing to act for the Comptroller) shall manually sign the Comptroller's Registration Bonds prescribed herein to be attached or affixed to each Bond initially delivered and the seal of the Comptroller shall be impressed or printed or lithographed thereon. **The Bonds shall be initially registered in the name of the Purchaser.**

Section 7.3: Offering Documents; Ratings. The City Council hereby approves (a) the form and content of the Official Notice of Sale and Preliminary Official Statement relating to the Bonds, in the form presented to the City Council, and (b) the final Official Statement, substantially in the form of the Preliminary Official Statement with such additions and modifications as are required to reflect the terms of the Purchaser's bid, and any addenda, supplement or amendment thereto; and, the City Council ratifies and approves the distribution of such Preliminary Official Statement and Official Statement in the offer and sale of the Bonds and in the reoffering of the Bonds by the Purchaser, with such changes therein or additions thereto as the officials executing same may deem advisable. It is further hereby officially found, determined and declared that the statements and information contained in the Official Notice of Sale, Preliminary Official Statement and final Official Statement are true and correct in all material respects, to the best knowledge and belief of the City Council, and that, as of the date thereof, the Preliminary Official Statement was an official statement of the City with respect to the Bonds that was deemed "final" by an authorized official of the City except for the omission of no more than the information permitted by subsection (b)(1) of Rule 15c2-12 of the United States Securities and Exchange Commission.

Further, the City Council hereby ratifies, authorizes and approves the actions of the Mayor, the City's financial advisor and other consultants in seeking ratings on the Bonds from S&P Global Ratings, a division of Standard & Poor's Financial Services LLC and such actions are hereby ratified and confirmed.

Section 7.4: Application of Proceeds of Bonds. Proceeds from the sale of the Bonds shall, promptly upon receipt by the City, be applied as follows:

- (1) Proceeds in the amount of [\$_____] shall be applied to pay expenses arising in connection with the issuance of the Bonds;
- (2) Proceeds in the amount of [\$_____] shall be deposited into the Construction Fund created in Section 5.3 of this Ordinance; and
- (3) Any proceeds remaining in the Construction Fund after completion of the purposes described in Section 3.1 hereof shall be transferred to the Debt Service Fund and used to pay debt service on the Bonds.

Section 7.5: [Tax Exemption. *The City intends that the interest on the Bonds shall be excludable from gross income of the owners thereof for federal income tax purposes pursuant to Sections 103 and 141 through 150 of the Internal Revenue Code of 1986, as amended, (the "Code") and all applicable temporary, proposed and final regulations (the "Regulations") and procedures promulgated thereunder and applicable to the Bonds. For this purpose, the City*

covenants that it will monitor and control the receipt, investment, expenditure and use of all gross proceeds of the Bonds (including all property the acquisition, construction or improvement of which is to be financed directly or indirectly with the proceeds of the Bonds) and take or omit to take such other and further actions as may be required by Sections 103 and 141 through 150 of the Code and the Regulations to cause interest on the Bonds to be and remain excludable from the gross income, as defined in Section 61 of the Code, of the owners of the Bonds for federal income tax purposes. Without limiting the generality of the foregoing, the City shall comply with each of the following covenants:

(a) The City shall not use, permit the use of or omit to use Gross Proceeds or any other amounts (or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with Gross Proceeds) in a manner which, if made or omitted, respectively, would cause the interest on any Bond to become includable in the gross income, as defined in Section 61 of the Code, of the owner thereof for federal income tax purposes. Without limiting the generality of the foregoing, unless and until the City shall have received a written opinion of counsel nationally recognized in the field of municipal bond law to the effect that failure to comply with such covenant will not adversely affect the exemption from federal income tax of the interest on any Bond, the City shall comply with each of the specific covenants in this Section.

(b) Except as permitted by Section 141 of the Code and the regulations and rulings thereunder, the City shall, at all times prior to the last stated maturity of the Bonds,

(1) exclusively own, operate, and possess all property the acquisition, construction, or improvement of which is to be financed directly or indirectly with Gross Proceeds of such series of the Bonds and not use or permit the use of such Gross Proceeds or any property acquired, constructed, or improved with such Gross Proceeds in any activity carried on by any person or entity other than a state or local government, unless such use is solely as a member of the general public, or

(2) not directly or indirectly impose or accept any charge or other payment for use of Gross Proceeds of such series of the Bonds or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with such Gross Proceeds.

(c) Except to the extent permitted by Section 141 of the Code and the regulations and rulings thereunder, the City shall not use Gross Proceeds of the Bonds to make or finance loans to any person or entity other than a state or local government. For purposes of the foregoing covenant, Gross Proceeds are considered to be "loaned" to a person or entity if (1) property acquired, constructed or improved with Gross Proceeds is sold or leased to such person or entity in a transaction which creates a debt for federal income tax purposes, (2) capacity in or service from such property is committed to such person or entity under a take-or-pay, output, or similar contract or arrangement, or (3) indirect benefits, or burdens and benefits of ownership, of such Gross Proceeds or such property are otherwise transferred in a transaction which is the economic equivalent of a loan.

(d) Except to the extent permitted by Section 148 of the Code and the regulations and rulings thereunder, the City shall not, at any time prior to the earlier of the final stated maturity or final payment of the Bonds, directly or indirectly invest Gross Proceeds of

such Bonds in any Investment (or use such Gross Proceeds to replace money so invested), if as a result of such investment the Yield of all Investments allocated to such Gross Proceeds whether then held or previously disposed of, exceeds the Yield on the Bonds.

(e) Based on all of the facts and estimates now known or reasonably expected to be in existence on the date the Bonds are delivered, the City reasonably expects that the proceeds of the Bonds (to the extent any of such proceeds remain unexpended) will not be used in a manner that would cause the Bonds or any portion thereof to be “arbitrage bonds” within the meaning of Section 148 of the Code.

(f) At all times while the Bonds are outstanding, the City will identify and properly account for all amounts constituting gross proceeds of the Bonds in accordance with the Regulations. The City will monitor the yield on the investments of the proceeds of the Bonds and, to the extent required by the Code and the Regulations, will restrict the yield on such investments to a yield which is not materially higher than the yield on the Bonds. To the extent necessary to prevent the Bonds from constituting “arbitrage bonds,” the City will make such payments as are necessary to cause the yield on all yield restricted nonpurpose investments allocable to the Bonds to be less than the yield that is materially higher than the yield on the Bonds.

(g) The City will not take any action or knowingly omit to take any action, if taken or omitted, would cause the Bonds to be treated as “federally guaranteed” obligations for purposes of Section 149(b) of the Code;

(h) The City represents that not more than fifty percent (50%) of the proceeds of the Bonds will be invested in nonpurpose investments (as defined in Section 148(f)(6)(A) of the Code) having a substantially guaranteed yield for four years or more within the meaning of Section 149(g)(3)(A)(ii) of the Code, and the City reasonably expects that at least eighty-five percent (85%) of the spendable proceeds of the Bonds will be used to carry out the governmental purpose of the Bonds within the three-year period beginning on the respective dates of issue of the Bonds.

(i) The City will take all necessary steps to comply with the requirement that certain amounts earned by the City on the investment of the gross proceeds of the Bonds, if any, be rebated to the federal government. Specifically, the City will (i) maintain records regarding the receipt, investment, and expenditure of the gross proceeds of the Bonds as may be required to calculate such excess arbitrage profits separately from records of amounts on deposit in the funds and accounts of the City allocable to other obligations of the City or moneys which do not represent gross proceeds of any obligations of the City and retain such records for at least six years after the day on which the last outstanding Bond is discharged, (ii) account for all gross proceeds under a reasonable, consistently applied method of accounting, not employed as an artifice or device to avoid in whole or in part, the requirements of Section 148 of the Code, including any specified method of accounting required by applicable Regulations to be used for all or a portion of any gross proceeds, (iii) calculate, at such times as are required by applicable Regulations, the amount of excess arbitrage profits, if any, earned from the investment of the gross proceeds of the Bonds and (iv) timely pay, as required by

applicable Regulations, all amounts required to be rebated to the federal government. In addition, the City will exercise reasonable diligence to assure that no errors are made in the calculations required by the preceding sentence and, if such an error is made, to discover and promptly correct such error within a reasonable amount of time thereafter, including payment to the federal government of any delinquent amounts owed to it, interest thereon and any penalty.

(j) The City will not directly or indirectly pay any amount otherwise payable to the federal government pursuant to the foregoing requirements to any person other than the federal government by entering into any investment arrangement with respect to the gross proceeds of the Bonds that might result in a reduction in the amount required to be paid to the federal government because such arrangement results in smaller profit or a larger loss than would have resulted if such arrangement had been at arm's length and had the yield on the Bonds not been relevant to either party.

(k) The City will timely file or cause to be filed with the Secretary of the Treasury of the United States the information required by Section 149(e) of the Code with respect to the Bonds on such form and in such place as the Secretary may prescribe.

(l) The City will not issue or use the Bonds as part of an "abusive arbitrage device" (as defined in Section 1.148-10(a) of the Regulations). Without limiting the foregoing, the Bonds are not and will not be a part of a transaction or series of transactions that attempts to circumvent the provisions of Section 148 of the Code and the Regulations, by (i) enabling the City to exploit the difference between tax-exempt and taxable interest rates to gain a material financial advantage, or (ii) increasing the burden on the market for tax-exempt obligations.

(m) Proper officers of the City charged with the responsibility for issuing the Bonds are hereby directed to make, execute and deliver certifications as to facts, estimates or circumstances in existence as of the Issue Date and stating whether there are facts, estimates or circumstances that would materially change the City's expectations. On or after the Issue Date, the City will take such actions as are necessary and appropriate to assure the continuous accuracy of the representations contained in such certificates.

(n) The covenants and representations made or required by this Section are for the benefit of the Bondholders and any subsequent Bondholder, and may be relied upon by the Bondholder and any subsequent Bondholder and bond counsel to the City.

In complying with the foregoing covenants, the City may rely upon an unqualified opinion issued to the City by nationally recognized bond counsel that any action by the City or reliance upon any interpretation of the Code or Regulations contained in such opinion will not cause interest on the Bonds to be includable in gross income for federal income tax purposes under existing law.

Notwithstanding any other provision of this Ordinance, the City's representations and obligations under the covenants and provisions of this Section 7.5 shall survive the defeasance and discharge of the Bonds for as long as such matters are relevant to the exclusion of interest on the Bonds from the gross income of the owners for federal income tax purposes.

Section 7.6: Qualified Tax-Exempt Obligations. *The City hereby designates the Bonds as “qualified tax-exempt obligations” as defined in Section 265(b)(3) of the Code. With respect to such designation, the City represents the following: (a) that during the calendar year 2018, the City (including all entities which issue obligations on behalf of the City), has not designated nor will designate obligations, which when aggregated with the Bonds will result in more than \$10,000,000 of “qualified tax-exempt obligations” being issued, and (b) that the City has examined its financing needs for the calendar year 2018, and reasonably anticipates that the amount of bonds, leases, loans or other obligations, together with the Bonds and any other tax-exempt obligations heretofore issued by the City (plus those of all entities which issue obligations on behalf of the City) during the calendar year 2018, when the higher of the face amount or the issue price of each such tax-exempt obligation issued for the calendar year 2018 by the City is taken into account, will not exceed \$10,000,000.*

Section 7.7: Related Matters. *In order that the City shall satisfy in a timely manner all of its obligations under this Ordinance, the Mayor, City Secretary and all other appropriate officers, agents, representatives and employees of the City are hereby authorized and directed to take all other actions that are reasonably necessary to provide for the issuance and delivery of the Bonds, including, without limitation, executing and delivering on behalf of the City all certificates, consents, receipts, requests, notices, and other documents as may be reasonably necessary to satisfy the City’s obligations under this Ordinance and to direct the transfer and application of funds of the City consistent with the provisions of this Ordinance.]*

ARTICLE VIII

CONTINUING DISCLOSURE UNDERTAKING

Section 8.1: Annual Reports. The City shall provide annually to the MSRB, within six (6) months after the end of each fiscal year and in an electronic format prescribed by the MSRB, financial information and operating data with respect to the City of the general type described in the Official Statement and identified in **Exhibit B** hereto. Any financial statements so to be provided shall be (a) prepared in accordance with generally accepted accounting principles for governmental units as prescribed by the Government Accounting Standards Board from time to time, as such principles may be changed from time to time to comply with state or federal law or regulation and (b) audited, if the City commissions an audit of such statements and the audit is completed within the period during which they must be provided. If audited financial statements are not available at the time the financial information and operating data must be provided, then the City shall provide unaudited financial statements for the applicable fiscal year to the MSRB and shall provide to the MSRB audited financial statements, when and if the same become available.

If the City changes its Fiscal Year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the City otherwise would be required to provide financial information and operating data pursuant to this Section.

The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document (including an official statement or other offering document), if it is available to the public (i) on the MSRB’s Internet Web Site or (ii) filed with the SEC.

Section 8.2: Event Notices. The City shall notify the MSRB, in a timely manner (not in excess of ten (10) business days after the occurrence of the event), of any of the following events with respect to the Bonds or the City:

- (a) Principal and interest payment delinquencies;
- (b) Non-payment related defaults, if material;
- (c) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (d) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (e) Substitution of credit or liquidity providers, or their failure to perform;
- (f) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (g) Modifications to rights of holders of the Bonds, if material;
- (h) Bond calls, if material, and tender offers;
- (i) Defeasances;
- (j) Release, substitution, or sale of property securing repayment of the Bonds, if material;
- (k) Rating changes;
- (l) Bankruptcy, insolvency, receivership or similar event of the City;
- (m) The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
- (n) Appointment of a successor or additional Paying Agent/Registrar or the change of name of Paying Agent/Registrar, if material.

For the purposes of the event identified in clause (l), the event is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent or similar officer for an obligated person in a proceeding under the U.S. Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the obligated person, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement or liquidation by a court or governmental

authority having supervision or jurisdiction over substantially all of the assets or business of the obligated person.

The City shall notify the MSRB in an electronic format prescribed by the MSRB, in a timely manner, of any failure by the City to provide financial information or operating data in accordance with Section 8.1 of this Ordinance.

Section 8.3: Identifying Information. All documents provided to the MSRB shall be accompanied by identifying information, as prescribed by the MSRB.

Section 8.4: Limitations, Disclaimers and Amendments. The City shall be obligated to observe and perform the covenants specified in this Article for so long as, but only for so long as, the City remains an “obligated person” with respect to the Bonds within the meaning of the Rule, except that the City in any event will give the notice required by Section 8.2 of any Bond calls and defeasance that cause the City to be no longer such an “obligated person.”

The provisions of this Article are for the sole benefit of the holders and beneficial owners of the Bonds, and nothing in this Article, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The City undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Article and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the City’s financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Article or otherwise, except as expressly provided herein. The City does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

UNDER NO CIRCUMSTANCES SHALL THE CITY BE LIABLE TO THE HOLDER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE CITY, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS ARTICLE, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

No default by the City in observing or performing its obligations under this Article shall constitute a breach of or default under the Ordinance for purposes of any other provision of this Ordinance.

Nothing in this Article is intended or shall act to disclaim, waive, or otherwise limit the duties of the City under federal and state securities laws.

The provisions of this Article may be amended by the City from time to time to adapt the changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the City, but only if (1) the provisions of this Article, as so amended, would have permitted an underwriter to purchase or sell the Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule to the date of such amendment, as well as

such changed circumstances, and (2) either (a) the holders of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the Outstanding Bonds consent to such amendment or (b) a person that is unaffiliated with the City (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interests of the holder and beneficial owners of the Bonds. If the City so amends the provisions of this Article, it shall include with any amended financial information or operating data next provided in accordance with Section 8.1 an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information or operating data so provided. The City may also amend or repeal the provisions of this Article if the SEC amends or repeals the applicable provisions of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, and the City also may amend the provisions of this Article in its discretion in any other manner or circumstance, but in either case only if and to the extent that the provisions of this sentence would not have prevented an underwriter from lawfully purchasing or selling Bonds in the primary offering of the Bonds.

Section 8.5: Definitions. As used in this Article, the following terms have the meanings ascribed to such terms below:

“MSRB” means the Municipal Securities Rulemaking Board.

“Rule” means SEC Rule 15c2-12, as amended from time to time.

“SEC” means the United States Securities and Exchange Commission.

ARTICLE IX

MISCELLANEOUS

Section 9.1: Defeasance. The City may defease the provisions of this Ordinance and discharge its obligations to the Registered Owners of any or all of the Bonds to pay the principal of and interest thereon in any manner now or hereafter permitted by law

However, that if any of the Bonds are to be redeemed prior to their respective dates of maturity, provision shall have been made for giving notice of redemption as provided in this Ordinance. Upon such deposit, such Bonds shall no longer be regarded to be Outstanding or unpaid. Any surplus amounts not required to accomplish such defeasance shall be returned to the City.

Section 9.2: Application of Chapter 1208, Government Code. Chapter 1208, Government Code, applies to the issuance of the Bonds and the pledge of the taxes granted by the City under Section 5.1 of this Ordinance, and such pledge is therefore valid, effective and perfected. If Texas law is amended at any time while the Bonds are outstanding and unpaid such that the pledge of the taxes granted by the City under Section 5.1 of this Ordinance is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, then in order to preserve to the Registered Owners of the Bonds the perfection of the security interest in said pledge, the City agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing to perfect the security interest in said pledge to occur.

Section 9.3: Ordinance a Contract - Amendments. This Ordinance shall constitute a contract with the Registered Owners from time to time, be binding on the City, and shall not be amended or repealed by the City so long as any Bond remains Outstanding except as permitted in this Section. The City may, without the consent of or notice to any Registered Owners, from time to time and at any time, amend this Ordinance in any manner not detrimental to the interests of the Registered Owners, including the curing of any ambiguity, inconsistency, or formal defect or omission herein. In addition, the City may, with the consent of Registered Owners who own in the aggregate a majority of the principal amount of the Bonds then Outstanding, amend, add to, or rescind any of the provisions of this Ordinance; provided that, without the consent of all Registered Owners of Outstanding Bonds, no such amendment, addition, or rescission shall (i) extend the time or times of payment of the principal of and interest on the Bonds, reduce the principal amount thereof, the redemption price, or the rate of interest thereon, or in any other way modify the terms of payment of the principal of or interest on the Bonds, (ii) give any preference to any Bond over any other Bond, or (iii) reduce the aggregate principal amount of Bonds required to be held by Registered Owners for consent to any such amendment, addition, or rescission.

Section 9.4: Legal Holidays. In any case where the date interest accrues and becomes payable on the Bonds or principal of the Bonds matures or the date fixed for redemption of any Bonds or a Record Date shall be in the City a Saturday, Sunday, legal holiday or a day on which banking institutions are authorized by law to close, then payment of interest or principal need not be made on such date, or the Record Date shall not occur on such date, but payment may be made or the Record Date shall occur on the next succeeding day which is not in the City a Saturday, Sunday, legal holiday or a day on which banking institutions are authorized by law to close with the same force and effect as if (i) made on the date of maturity or the date fixed for redemption and no interest shall accrue for the period from the date of maturity or redemption to the date of actual payment or (ii) the Record Date had occurred on the fifteenth day of that calendar month.

Section 9.5: No Recourse Against City Officials. No recourse shall be had for the payment of principal of or interest on any Bonds or for any claim based thereon or on this Ordinance against any official of the City or any person executing any Bonds.

Section 9.6: Further Proceedings. The Mayor, City Secretary and other appropriate officials of the City are hereby authorized and directed to do any and all things necessary and/or convenient to carry out the terms of this Ordinance.

Section 9.7: Power to Revise Form of Documents. Notwithstanding any other provision of this Ordinance, the Mayor is hereby authorized to make or approve such revisions, additions, deletions, and variations to this Ordinance and in the form of the documents attached hereto as exhibits as, in the judgment of the Mayor, and in the opinion of Bond Counsel, may be necessary or convenient to carry out or assist in carrying out the purposes of this Ordinance, or as may be required for approval of the Bonds by the Attorney General; provided, however, that any changes to such documents resulting in substantive amendments to the terms and conditions of the Bonds or such documents shall be subject to the prior approval of the City Council.

Section 9.8: Severability. If any Section, paragraph, clause or provision of this Ordinance shall for any reason be held to be invalid or unenforceable, the invalidity or

unenforceability of such Section, paragraph, clause or provision shall not affect any of the remaining provisions of this Ordinance.

Section 9.9: Open Meeting. It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of the meeting of the City Council at which this Ordinance was adopted was posted at a place convenient and readily accessible at all times to the general public at City Hall for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Ordinance and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

Section 9.10: Repealer. All orders, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 9.11: Effective Date. This Ordinance shall be in force and effect from and after its passage on the date shown below.

[Remainder of this page intentionally left blank]

PASSED AND ADOPTED this September 10, 2018 at _____ a.m. / p.m..

CITY OF LANCASTER, TEXAS

Mayor

ATTEST

City Secretary

(SEAL)

Exhibits:

Exhibit A - Form of Bond

Exhibit B - Description of Annual Financial Information

EXHIBIT A

FORM OF BOND

UNITED STATES OF AMERICA
STATE OF TEXAS

CITY OF LANCASTER, TEXAS,
GENERAL OBLIGATION BOND, SERIES 2018

NUMBER	PRINCIPAL AMOUNT
R-__ ¹	\$_____
REGISTERED	REGISTERED

INTEREST RATE:	DATED DATE:	MATURITY DATE:	CUSIP: ²
_____% ²	September 1, 2018	February 15, ____ ²	_____

REGISTERED OWNER: _____

PRINCIPAL AMOUNT: _____ DOLLARS

THE CITY OF LANCASTER, TEXAS, a municipal corporation of the State of Texas (the "City"), for value received, hereby promises to pay to the Registered Owner identified above or its registered assigns, on the maturity date specified above (or on earlier redemption as herein provided), upon presentation and surrender of this Bond at the principal corporate trust office of The Bank of New York Mellon Trust Company, Dallas, Texas or its successor (the "Paying Agent/Registrar"), the principal amount identified above (or so much thereof as shall not have been paid or deemed to have been paid upon prior redemption) payable in any coin or currency of the United States of America which on the date of payment of such principal is legal tender for the payment of debts due to the United States of America, and to pay interest thereon at the rate shown above, calculated on a basis of a 360-day year composed of twelve 30-day months, from the later of the Dated Date identified above or the most recent interest payment date to which interest has been paid or duly provided for.³ Interest on this Bond is payable on February

¹ The Initial Bond shall be numbered I-1.

² Omitted from the Initial Bond.

³ The first sentence of the Initial Bond shall read as follows:

"THE CITY OF LANCASTER, TEXAS, a municipal corporation of the State of Texas (the "City"), for value received, hereby promises to pay to the Registered Owner identified above or its registered assigns, on February 15 of each of the years set forth in the following schedule: [Insert information regarding years of maturity, principal amounts and interest rates from Section 3.3 of the Ordinance.] (or on earlier redemption as herein provided), upon presentation and surrender of this Bond at the principal corporate trust office of The Bank of New York Mellon Trust Company, Dallas, Texas or its successor (the "Paying Agent/Registrar"), the principal

15, 2019, and each August 15 and February 15 thereafter until maturity or earlier redemption of this Bond, by check sent by United States mail, first class, postage prepaid, by the Paying Agent/Registrar to the Registered Owner of record as of the close of business on the last business day of the month next preceding the applicable interest payment date, as shown on the registration books kept by the Paying Agent/Registrar. Any accrued interest payable at maturity or earlier redemption shall be paid upon presentation and surrender of this Bond at the office of the Paying Agent/Registrar.

THIS BOND IS ONE OF A DULY AUTHORIZED SERIES OF BONDS (the “Bonds”) in the aggregate principal amount of [\$9,050,000] issued pursuant to an ordinance adopted by the City Council of the City on September 10, 2018 (the “Ordinance”) for the purpose of providing funds for permanent public improvements in the City, under and pursuant to the authority of Chapter 1331, Texas Government Code, as amended, and an election held on November 6, 2007. Proceeds of the Bonds will also be used to pay costs of issuance of the Bonds.

THE CITY RESERVES THE RIGHT, at its option, to redeem, prior to their maturity, Bonds maturing on and after February 15, [2029], in whole or in part, on February 15, [2028], or any date thereafter, at par plus accrued interest to the date fixed for redemption.

BONDS MAY BE REDEEMED IN PART only in integral multiples of \$5,000. If a Bond subject to redemption is in a denomination larger than \$5,000, a portion of such Bond may be redeemed, but only in integral multiples of \$5,000. In selecting portions of Bonds for redemption, each Bond shall be treated as representing that number of Bonds of \$5,000 denomination which is obtained by dividing the principal amount of such Bond by \$5,000. Upon surrender of any Bond for redemption in part, the Paying Agent/Registrar, in accordance with the provisions of the Ordinance, shall authenticate and deliver in exchange therefor a Bond or Bonds of like maturity and interest rate in an aggregate principal amount equal to the unredeemed portion of the Bond so surrendered.

NOTICE OF ANY REDEMPTION shall be given at least thirty (30) days prior to the date fixed for redemption by first class U.S. mail, postage prepaid, addressed to the registered owner of each Bond to be redeemed in whole or in part at the address shown on the books of registration kept by the Paying Agent/Registrar. When Bonds or portions thereof have been called for redemption, and due provision has been made to redeem the same, the amounts so redeemed shall be payable solely from the funds provided for redemption, and interest which would otherwise accrue on the amounts called for redemption shall cease to accrue on the date fixed for redemption.

amounts identified above (or so much thereof as shall not have been paid or deemed to have been paid upon prior redemption) payable in any coin or currency of the United States of America which on the date of payment of such principal is legal tender for the payment of debts due to the United States of America, and to pay interest thereon at the rates shown above, calculated on a basis of a 360-day year composed of twelve 30-day months, from the later of the Dated Date identified above or the most recent interest payment date to which interest has been paid or duly provided for.”

WITH RESPECT TO ANY OPTIONAL REDEMPTION OF THE BONDS, unless all prerequisites to such redemption required by this Ordinance have been met, including moneys sufficient to pay the principal of the Bonds to be redeemed having been received by the Paying Agent/Registrar prior to the giving of notice of such redemption, such notice shall state that said redemption may, at the option of the City, by conditional upon the satisfaction of all prerequisites and receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, and if such prerequisites to the redemption and sufficient moneys are not received, such notice shall be of no force and effect, the City shall not redeem such Bonds and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Bonds have not been redeemed.

THIS BOND IS TRANSFERABLE only upon presentation and surrender at the principal corporate trust office of the Paying Agent/Registrar, accompanied by an assignment duly executed by the Registered Owner or its authorized representative, subject to the terms and conditions of the Ordinance.

THIS BOND IS EXCHANGEABLE at the principal corporate trust office of the Paying Agent/Registrar for a Bond or Bonds of the same maturity and interest rate and in the principal amount of \$5,000 or any integral multiple thereof, subject to the terms and conditions of the Ordinance.

THE PAYING AGENT/REGISTRAR is not required to accept for transfer or exchange any Bond called for redemption, in whole or in part, during the forty-five (45) day period immediately prior to the date fixed for redemption; provided, however, that such limitation shall not apply to the transfer or exchange by the Registered Owner of an unredeemed portion of a Bond called for redemption in part.

THE CITY OR PAYING AGENT/REGISTRAR may require the Registered Owner of any Bond to pay a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with the transfer or exchange of a Bond. Any fee or charge of the Paying Agent/Registrar for a transfer or exchange shall be paid by the City.

THE REGISTERED OWNER of this Bond by acceptance hereof, acknowledges and agrees to be bound by all the terms and conditions of the Ordinance.

THIS BOND shall not be valid or obligatory for any purpose or be entitled to any benefit under the Ordinance unless this Bond is authenticated by the Paying Agent/Registrar by due execution of the authentication certificate endorsed hereon.⁴

IT IS HEREBY DECLARED AND REPRESENTED that this Bond has been duly and validly issued and delivered; that all acts, conditions and things required or proper to be

⁴ In the Initial Bond, this paragraph shall read:

“THIS BOND shall not be valid or obligatory for any purpose or be entitled to any benefit under the Ordinance unless this Bond is registered by the Comptroller of Public Accounts of the State of Texas by due execution of the registration certificate endorsed hereon.”

performed, exist and to be done precedent to or in the issuance and delivery of this Bond have been performed, exist and have been done in accordance with law; that the Bonds do not exceed any constitutional or statutory limitation; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due and such principal matures, have been levied and ordered to be levied, within the limits prescribed by law, against all taxable property in the City and have been irrevocably pledged for such payment.

REFERENCE IS HEREBY MADE TO THE ORDINANCE, a copy of which is filed with the Paying Agent/Registrar, for the full provisions thereof, to all of which the Registered Owners of the Bonds assent by acceptance of the Bonds.

IN WITNESS WHEREOF, the City has caused its corporate seal to be impressed or placed in facsimile hereon and this Bond to be signed by the Mayor and countersigned by the City Secretary by their manual, lithographed or printed facsimile signatures.

CITY OF LANCASTER, TEXAS

Mayor

(SEAL)

COUNTERSIGNED:

City Secretary

* * *

FORM OF COMPTROLLER'S REGISTRATION CERTIFICATE

The following form of Comptroller's Registration Bond shall be attached or affixed to each of the Bonds initially delivered:

OFFICE OF THE COMPTROLLER
OF PUBLIC ACCOUNTS
THE STATE OF TEXAS

§
§
§

REGISTER NO. _____

I hereby certify that this Bond has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS MY SIGNATURE AND SEAL OF OFFICE this _____.

(SEAL)

Comptroller of Public Accounts
of the State of Texas

* * *

FORM OF PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE

The following form of authentication certificate shall be printed on the face of each of the Bonds:

AUTHENTICATION CERTIFICATE

This Bond is one of the Bonds described in and delivered pursuant to the within mentioned Ordinance; and, except for the Bonds initially delivered, this Bond has been issued in exchange for or replacement of a Bond, Bonds, or a portion of a Bond or Bonds of an issue which originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

THE BANK OF NEW YORK MELLON
TRUST COMPANY, N.A.

By _____
Authorized Signature

Date of Authentication: _____

* * *

FORM OF ASSIGNMENT

The following form of assignment shall be printed on the back of each of the Bonds:

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto

(Please print or type name, address, and zip code of Transferee)

(Please insert Social Security or Taxpayer Identification Number of Transferee)
the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints
_____ attorney to transfer such bond on the books kept for
registration thereof, with full power of substitution in the premises.

DATED: _____

Signature Guaranteed:

NOTICE: Signature must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

Registered Owner

NOTICE: The signature above must correspond to the name of the Registered Owner as shown on the face of this Bond in every particular, without any alteration, enlargement or change whatsoever.

* * *

EXHIBIT B

DESCRIPTION OF ANNUAL FINANCIAL INFORMATION

The following information is referred to in Section 8.1 of this Ordinance.

Annual Financial Statements and Operating Data

The financial information and operating data with respect to the City to be provided annually in accordance with such Section are as specified (and included in the Appendix or under the headings of the Official Statement referred to) below:

1. The audited financial statements of the City, but for the most recently concluded fiscal year, and, to the extent that such statements are not completed and available, unaudited financial statements for such fiscal year.
2. The quantitative financial information and operating data identified in the Official Statement under Tables numbered 1 through 6 and 8 through 15 and in Appendix B.

Accounting Principles

The accounting principles referred to in such Section are the accounting principles described in the notes to the financial statements referred to in paragraph 1 above.

LANCASTER CITY COUNCIL

City Council Regular Meeting

17.

Meeting Date: 09/10/2018

Policy Statement: This request supports the City Council 2017-2018 Policy Agenda

Goal(s): Financially Sound Government

Submitted by: Baron Sauls, Director of Finance

Agenda Caption:

An ordinance authorizing the issuance of "City of Lancaster, Texas General Obligation Bonds, Taxable Series 2018A" in an aggregate principal amount of \$500,000; and other matters related thereto.

Background:

The 2007 issuance of the bonds was approved by the voters on November 6, 2007 Election, Resolution No. 2007-11-130, adopted on November 14, 2007. Subsequently, staff met with the rating agencies and our ratings have been confirmed as "AA-" from Standard & Poor's.

Operational Considerations:

Approving this ordinance authorizes the City to issue General Obligation, Series 2018A. The proceeds from the sale of the bonds will be used for planning, designing, constructing, reconstruction, improving, extending and expanding streets, thoroughfares, freeways, alleys, sidewalks, bridges, pedestrian-ways, trolley-ways and other multi-modal transportation facilities, including related storm drainage facilities and improvements, signalization, signage, video roadside cameras, and other traffic and signal controls, street lighting, landscaping, streetscape and median improvements and the acquisition of land therefor; and to pay the costs associated with the issuance of the bonds.

Legal Considerations:

The attached draft ordinance has been prepared by West and Associates, LLP, the City's Bond Counsel.

Public Information Considerations:

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

Fiscal Impact:

The issuance of this debt will not impact the city's tax rate. All fees are included in the debt issuance; no additional funds need to be budgeted. Bond issuance costs are paid at closing from the proceeds of the bond issue; therefore, no out of pocket costs are incurred.

Options/Alternatives:

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

Recommendation:

Staff recommends approval of the ordinance authorizing the issuance of City of Lancaster, Texas, General Obligation Bonds, Series 2018.

Attachments

Ordinance 2018A (draft)

CERTIFICATE OF THE SECRETARY

Ordinance No: _____

THE STATE OF TEXAS §
COUNTY OF DALLAS §
CITY OF LANCASTER §

We, the undersigned officers of the City of Lancaster, Texas (the “City”), hereby certify as follows:

1. The City Council of the City convened in a regular meeting on September 10, 2018, at the regular meeting place thereof, within the City, and the roll was called of the duly constituted officers and members of the City Council, to wit:

Clyde Hairston	Mayor
Marco Mejia	Mayor Pro Tem
Stanley Jaglowski	Deputy Mayor Pro Tem
Carol Strain-Burk	Councilwoman
Derrick D. Robinson	Councilman
Racheal Hill	Councilwoman
Nina Morris	Councilwoman

and all of such persons were present, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF LANCASTER, TEXAS GENERAL OBLIGATION BONDS, TAXABLE SERIES 2018A” IN AN AGGREGATE PRINCIPAL AMOUNT OF \$500,000; AND OTHER MATTERS RELATED THERETO

(the “Ordinance”) was duly introduced for the consideration of the City Council and read in full. It was then duly moved and seconded that the Ordinance be adopted and, after due discussion, such motion, carrying with it the adoption of the Ordinance, prevailed and carried by the following vote:

AYES: ____ NAYS: ____ ABSTENTIONS: ____

2. That a true, full and correct copy of the Ordinance adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that the Ordinance has been duly recorded in the City Council’s minutes of such meeting; that the above and foregoing paragraph is a true, full and correct excerpt from the City Council’s minutes of such meeting pertaining to the adoption of the Ordinance; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of the

City Council as indicated therein; that each of the officers and members of the City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and subject of the aforesaid meeting, and that the Ordinance would be introduced and considered for adoption at such meeting, and each of such officers and members consented, in advance, to the holding of such meeting for such purpose; that such meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of such meeting was given as required by the Open Meetings Law, Chapter 551, Texas Government Code, as amended.

IN WITNESS WHEREOF, I have hereunto signed my name officially and affixed the seal of said City, this the 10th day of September, 2018.

ATTEST:

By: _____
Sorangel O. Arenas, City Secretary

By: _____
Clyde Hairston, Mayor

(Seal)

ORDINANCE NO. _____

ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF LANCASTER, TEXAS GENERAL OBLIGATION BONDS, TAXABLE SERIES 2018A” IN AN AGGREGATE PRINCIPAL AMOUNT OF \$500,000; AND OTHER MATTERS RELATED THERETO

THE STATE OF TEXAS §
COUNTY OF DALLAS §
CITY OF LANCASTER §

WHEREAS, it is deemed necessary and advisable that the bonds hereinafter authorized be issued and delivered pursuant to Chapter 1331, Texas Government Code, as amended, to issue bonds for the purpose of making needed public improvements; and

WHEREAS, the issuance of the bonds herein authorized was approved by the voters of the City at an election held for such purpose on November 6, 2007 (the “*2007 Election*”); and

WHEREAS, the City Council canvassed the returns of the 2007 Election and by Resolution No. 2007-11-130 adopted November 14, 2007, declared the results to be in favor of the issuance of such bonds; and

WHEREAS, the City has determined that it is necessary and advisable to authorize, issue and deliver a series of such bonds consisting of the City’s General Obligation Bonds, Taxable Series 2018A (the “*Bonds*”), issued in the aggregate principal amount of \$500,000; and

WHEREAS, after the issuance of the Bonds \$_____ principal amount of authorization will remain pursuant to the 2007 Election; and

WHEREAS, the City Council is of the opinion and hereby affirmatively finds that it is in the best interest of the City to issue bonds in the amount and for the purposes herein stated.

WHEREAS, the City Council hereby retains West & Associates, L.L.P. to serve as Bond Counsel (“*Bond Counsel*”), Orrick Herrington & Sutcliffe to serve as Special Tax Counsel (“*Special Tax Counsel*”) and Hilltop Securities Inc. to serve as financial advisor; and

WHEREAS, it is officially found, determined, and declared that the meeting at which this Ordinance has been adopted was open to the public and public notice of the time, place and subject matter of the public business to be considered and acted upon at said meeting, including this Ordinance, was given, all as required by the applicable provisions of Chapter 551, Texas Government Code.

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

Section 1. Definitions. Unless the context shall indicate a contrary meaning or intent, the terms below defined, for all purposes of this Ordinance, or any Ordinance amendatory

or supplemental hereto, shall be construed, are used, and are intended to have meanings as follows:

“City Council” means the City Council of the Issuer.

“Bonds” means the “City of Lancaster, Texas General Obligation Bonds, Taxable Series 2018A” dated September 1, 2018, authorized by this Ordinance. “Bonds” shall mean and include collectively the Bond initially issued and delivered pursuant to this Ordinance and all substitute Bonds exchanged therefor, as well as all other substitute Bonds and replacement Bonds issued pursuant hereto.

“Bond Counsel” means West & Associates, L.L.P., or such other firm of attorneys of nationally recognized standing in the field of law relating to municipal bonds selected by the Issuer.

“Business Day” means any day that is not a Saturday, Sunday, legal holiday, or a day on which banking institutions in the State or in the city where the Paying Agent/Registrar is located are authorized by law or executive order to close.

“City” means the City of Lancaster, Texas, a municipal corporation and political subdivision of the State.

“Code” means the Internal Revenue Code of 1986, and any amendments thereto.

“Issuer” means the City of Lancaster, Texas, a municipal corporation and political subdivision of the State.

“Ordinance” means this ordinance and all amendments hereof and supplements hereto.

“Paying Agent/Registrar” means the bank, trust company, financial institution or other entity so named in accordance with the provisions of Section 5 of this Ordinance.

“Purchaser” means the initial purchaser of the Bonds designated in Section 15 of this Ordinance.

“Registered Owner” means the registered owner of the Bonds from time to time as shown in the books kept by the Paying Agent/Registrar as bond registrar and transfer agent.

“State” means the State of Texas.

Section 2. Recitals, Amount, and Purpose of the Bonds. The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section. The Bonds are hereby authorized to be issued and delivered in the aggregate principal amount of \$500,000 for the purpose of a) planning, designing, constructing, reconstructing, improving, extending and expanding streets, thoroughfares, freeways, alleys, sidewalks, bridges, pedestrianways, trolleyways, and other multi-modal transportation facilities, including related storm drainage facilities and improvements, signalization, signage, video roadside cameras, and other traffic and signal controls, street lighting, landscaping, streetscape

and median improvements and the acquisition of land therefor; and b) paying costs of issuing the Bonds.

Section 3. Designation, Date, Denominations, Numbers, and Maturities of Bonds. Each Bond issued pursuant to this Ordinance shall be designated: "CITY OF LANCASTER, TEXAS GENERAL OBLIGATION BOND, TAXABLE SERIES 2018A," and initially there shall be issued, sold and delivered hereunder one fully registered Bond, without interest coupons, with the Bonds being dated _____, 2018, and with any Bond issued in replacement thereof being in the denomination and principal amount of \$500,000 (or such amount as remains outstanding from time to time taking into account the installment payments of the Bond by the Issuer) and numbered consecutively from R-1 upward, payable to the registered owner thereof, or to the registered assignee or assignees of said bonds or any portion or portions thereof (in each case, the "*Registered Owner*"), and said bonds shall mature and be payable in the amounts and on the dates specified in the FORM OF BONDS set forth in this Ordinance.

The term "Bonds" as used in this Ordinance shall mean and include collectively the bond initially issued and delivered pursuant to this Ordinance and all substitute bonds exchanged therefor, as well as all other substitute bonds and replacement bonds issued pursuant hereto, and the term "Bond" shall mean any of the Bonds.

Section 4. Interest. The Bonds shall bear interest from the Delivery Date specified in the FORM OF BONDS set forth in this Ordinance to February 15, 2020 at the rate equal _____% per annum (the "*Interest Rate*"). The foregoing notwithstanding, upon the occurrence of a default in the payment of principal or interest on the Bonds, the Bonds thereafter will bear interest at the rate of 8.00% per annum (the "*Default Rate*") until the payment default has been cured or the Bonds have been paid in full.

Section 5. Characteristics of the Bonds. (a) Registration, Transfer, Conversion and Exchange; Authentication. The Issuer shall keep or cause to be kept at the office of J.P. MORGAN CHASE BANK, N.A. (the "*Paying Agent/Registrar*"), books or records for the registration of the transfer of the Bonds (the "*Registration Books*"), and the Issuer hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers under such reasonable regulations as the Issuer and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations and transfers as herein provided within three days of presentation in due and proper form. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the Registered Owner of the Bonds to which payments with respect to the Bonds shall be mailed, as herein provided; but it shall be the duty of the Registered Owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The Issuer shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Issuer shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration and transfer of a substitute Bond. Registration of assignments and transfers of the Bonds shall be made in the manner provided and with the effect stated in the FORM OF

BONDS set forth in this Ordinance. Each substitute Bond shall bear a letter and/or number to distinguish it from each other Bond.

Except with respect to the initial Bond, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Bond, date and manually sign said Bond, and no such Bond shall be deemed to be issued or outstanding unless such Bond is so executed. The Paying Agent/Registrar promptly shall cancel a Bond surrendered for transfer or the Bond when paid in full. No additional ordinances, orders or resolutions need be passed or adopted by the governing body of the Issuer or any other body or person so as to accomplish the foregoing transfer of any Bond or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution and delivery of the substitute Bond in the manner prescribed herein. Pursuant to Subchapter D, Chapter 1201, Texas Government Code, the duty of transfer of the Bond as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Bond, said Bond shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Bond that initially was issued and delivered pursuant to this Ordinance, approved by the Attorney General, and registered by the Comptroller of Public Accounts.

(b) Payment of Bonds and Interest. The Issuer hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Bonds, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the Issuer and the Paying Agent/Registrar with respect to the Bonds and shall properly and accurately record all payments on the Bonds on the Registration Books, and shall keep proper records of all transfers of Bonds, and all replacements of Bonds, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "*Special Record Date*") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of the Registered Owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(c) In General. The Bonds (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Bonds to be payable only to the Registered Owner thereof, (ii) may be transferred and assigned, (iii) shall have the characteristics, (iv) shall be signed, sealed, executed and authenticated, (v) shall be payable with respect to principal and interest, and (vi) shall be administered and the Paying Agent/Registrar and the Issuer shall have certain duties and responsibilities with respect to the Bonds, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF BONDS set forth in this Ordinance. The Bond initially issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Bond issued in exchange for any Bond the Paying Agent/Registrar shall execute the PAYING AGENT/REGISTRAR'S AUTHENTICATION BOND, in the form set forth in the FORM OF BONDS.

(d) Substitute Paying Agent/Registrar. The Issuer covenants with the Registered Owner of the Bonds that at all times while the Bonds are outstanding the Issuer will provide a competent and legally qualified bank, trust company, financial institution or other agency to act as and perform the services of Paying Agent/Registrar for the Bonds under this Ordinance, and that the Paying Agent/Registrar will be one entity. The Issuer reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 40 days written notice to the Paying Agent/Registrar, to be effective not later than 30 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the Issuer covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Bonds, to the new Paying Agent/Registrar designated and appointed by the Issuer. Upon any change in the Paying Agent/Registrar, the Issuer promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to the Registered Owner of the Bonds, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(e) Limitation on Transfers. Notwithstanding any provision of this Ordinance to the contrary, the Bonds may be transferred only in whole, and the Bonds may not be transferred to any person, firm or other entity, unless prior to such transfer the Registered Owner of the Bonds obtains and delivers to the Issuer a certificate, executed by the person, firm or other entity to whom the Bonds are to be transferred (the “*Transferee*”) and in form acceptable to the Issuer, certifying that: (a) the Transferee is an “accredited investor” within the meaning of Regulation D promulgated by the Securities and Exchange Commission under the Securities Act of 1933, as amended, or a state or national bank organized under the laws of the United States; (b) the Transferee has sufficient knowledge and experience in financial and business matters, including purchase and ownership of tax-exempt municipal obligations, to be able to evaluate the economic risks and merits of the investment represented by the purchase of the Bonds; (c) the Transferee has made its own inquiry and analysis with respect to the Bonds and the security therefor, and other material factors affecting the security and payment of the Bonds, and has not relied upon any statement by the Issuer’s financial consultants or legal advisors in connection with such inquiry or analysis or in connection with the offer and sale of the Bonds; (d) the Transferee has either been furnished with or has had access to all necessary information that it desires in order to enable it to make an informed decision concerning the investment evidenced by the Bonds, and the Transferee has had the opportunity to ask questions and receive answers from knowledgeable individuals concerning the purpose for which the proceeds of the Bonds will be utilized, and the security therefor, so that it has been able to make an informed decision to purchase the Bonds; (e) the Transferee is purchasing the Bonds for its own account and not with a view to, and with no then present intention of, distributing or reselling the Bonds or any part thereof and that in the event the Transferee sells or otherwise disposes of the Bonds that such sale or disposition shall be made only to an investor described in (a), above, and that such investor shall execute and provide to the Transferee and to the Issuer a certificate as required by

and to the effect provided in this subsection; and (f) the Transferee further acknowledges that it is responsible for consulting with its advisors concerning any obligations, including, but not limited to, any obligations pursuant to federal and state securities and income tax laws, it may have with respect to subsequent purchasers of the Bonds if and when any such future disposition of the Bonds may occur. Upon receipt and acceptance of said certificate, the Issuer shall notify the Paying Agent/Registrar in writing that the requirements of this section have been satisfied and the name of the person, firm or other entity to whom the Bonds are to be transferred.

(f) Closing. On the closing date, the initial Bond No. R-1 representing the entire principal amount of the Bonds, payable to the Purchaser, executed by manual or facsimile signature of the Mayor and City Secretary of the Issuer, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State of Texas, and with the date of delivery inserted thereon by the Paying Agent/Registrar, will be delivered to the Purchaser or its designee.

Section 6. Form of Bonds. The form of the Bonds, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Bond initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as provided in Exhibit A hereto, with such appropriate variations, omissions, or insertions as are permitted or required by this Ordinance.

Section 7. Interest and Sinking Fund; Tax Levy. A special "Interest and Sinking Fund" is hereby created and shall be established and maintained by the Issuer at an official depository bank of the Issuer. Said Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of the Issuer, and shall be used only for paying the interest on and principal of the Bonds. All ad valorem taxes levied and collected for and on account of the Bonds shall be deposited, as collected, to the credit of said Interest and Sinking Fund. During each year while any part of the Bonds is outstanding and unpaid, the governing body of the Issuer shall compute and ascertain a rate and amount of ad valorem tax that will be sufficient to raise and produce the money required to pay the interest on the Bonds as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal installments of the Bonds as such principal matures or is subject to mandatory sinking fund redemption (but never less than 2% of the original amount of the Bonds as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of the Issuer, with full allowances being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in the Issuer, for each year while any part of the Bonds are outstanding and unpaid, and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of the Bonds, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law. Chapter 1208, Texas Government Code, applies to the issuance of the Bonds and the pledge of the ad valorem taxes granted by the issuer in this Ordinance and such pledge is therefore valid, effective and perfected.

Section 8. Remedies of Registered Owner. In addition to all rights and remedies of any Registered Owner of the Bonds provided by the laws of the State of Texas, the Issuer and the

City Council covenant and agree that in the event the Issuer defaults in the payments of the principal of or interest on the Bonds when due, or fails to make the payments required by this Ordinance, the Registered Owner of the Bonds shall be entitled to a writ of mandamus issued by a court of proper jurisdiction compelling and requiring the City Council and other officers of the Issuer to observe and perform any covenant, obligation or condition prescribed in this Ordinance. No delay or omission by any Registered Owner to exercise any right or power accruing to him upon default shall impair any such right or power, or shall be construed to be a waiver of any such default or acquiescence therein, and every such right or power may be exercised from time to time and as often as may be deemed expedient. The specific remedies mentioned in this Ordinance shall be available to the Registered Owner of the Bonds and shall be cumulative of all other existing remedies.

Section 9. Use of Bond Proceeds. The proceeds of the issuance of the Bonds shall be deposited in a special account of the Issuer and used for the purposes for which the Bonds are hereby authorized to be issued as provided in Section 2 hereof.

Section 10. Security for Funds. All deposits authorized or required by this Ordinance shall be secured to the fullest extent required by law for the security of public funds.

Section 11. Issuer Officers' Duties. (a) The Mayor is hereby instructed and directed to do any and all things necessary in reference to the issuance of the Bonds and to make money available for the payment of the Bonds in the manner provided by law and this Ordinance.

(b) The Mayor and City Secretary are authorized to execute the Bonds on behalf of the Issuer and to do any and all things proper and necessary to carry out the intent hereof.

Section 12. Defeasance of Bonds. (a) The Bonds and the interest thereon shall be deemed to be paid, retired, and no longer outstanding ("*Defeased Bonds*") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Bonds, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "*Future Escrow Agreement*") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the Issuer with the Paying Agent/Registrar for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as Bonds shall be deemed to be Defeased Bonds hereunder, as aforesaid, such Bonds and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the tax herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities. Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem the Defeased Bonds that is made in conjunction with the payment arrangements specified in (i) or (ii) above in this paragraph shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the Issuer

expressly reserves the right to call the Defeased Bonds for redemption; (2) gives notice of the reservation of that right to the Registered Owners of the Defeased Bonds immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Issuer also be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Bonds and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Issuer, or deposited as directed in writing by the Issuer. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Bonds may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in (i) or (ii) of paragraph (a) of this Section. All income from such Defeasance Securities received by the Paying Agent/Registrar which is not required for the payment of the Defeased Bonds, with respect to which such money has been so deposited, shall be remitted to the Issuer or deposited as directed in writing by the Issuer.

(c) The term “Defeasance Securities” means (i) direct, noncallable obligations of the United States of America, including obligations that are unconditionally guaranteed by the United States of America, (ii) noncallable obligations of an agency or instrumentality of the United States of America, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date of the purchase thereof are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the governing body of the Issuer adopts or approves the proceedings authorizing the financial arrangements are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent.

(d) Until the Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bond the same as if it had not been defeased, and the Issuer shall make proper arrangements to provide and pay for such services as required by this Ordinance.

Section 13. Damaged, Mutilated, Lost, Stolen, or Destroyed Bonds. (a) Replacement Bonds. In the event a Bond is damaged, mutilated, lost, stolen, or destroyed, the Paying Agent/Registrar shall cause to be printed, executed, and delivered, a new Bond of the same principal amount, maturity, and interest rate, as the damaged, mutilated, lost, stolen, or destroyed Bond, in replacement for such Bond in the manner hereinafter provided.

(b) Application for Replacement Bond. Application for replacement of damaged, mutilated, lost, stolen, or destroyed Bond shall be made by the Registered Owner thereof to the Paying Agent/Registrar. In every case of loss, theft, or destruction of a Bond, the Registered Owner applying for a replacement Bond shall furnish to the Issuer and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them

harmless from any loss or damage with respect thereto. Also, in every case of loss, theft, or destruction of a Bond, the Registered Owner shall furnish to the Issuer and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft, or destruction of such Bond, as the case may be. In every case of damage or mutilation of a Bond, the Registered Owner shall surrender to the Paying Agent/Registrar for cancellation the Bond so damaged or mutilated.

(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event a Bond shall have matured, and no default has occurred which is then continuing in the payment of the principal of or interest on the Bonds, the Issuer may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Bond) instead of issuing a replacement Bond, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Bond. Prior to the issuance of a replacement Bond, the Paying Agent/Registrar shall charge the Registered Owner of such Bond with all legal, printing, and other expenses in connection therewith. Every replacement Bond issued pursuant to the provisions of this Section by virtue of the fact that the Bond is lost, stolen, or destroyed shall constitute a contractual obligation of the Issuer whether or not the lost, stolen, or destroyed Bond shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance.

(e) Authority for Issuing Replacement Bond. In accordance with Subchapter B, Chapter 1206, Texas Government Code, this Section shall constitute authority for the issuance of any such replacement Bond without necessity of further action by the governing body of the Issuer or any other body or person, and the duty of the replacement of such Bond is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Bond in the form and manner and with the effect, as provided in Section 5(a) of this Ordinance for Bond issued in conversion and exchange for other Bond.

Section 14. Custody, Approval, and Registration of Bonds; Bond Counsel's Opinion; Engagement of Bond Counsel. The Mayor of the Issuer is hereby authorized to have control of the Bonds issued and delivered hereunder and all necessary records and proceedings pertaining to the Bonds pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Bonds said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Bonds. The approving legal opinion of the Issuer's Bond Counsel and the assigned CUSIP numbers, if any, may, at the option of the Issuer, be printed on the Bonds issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the registered owners of the Bonds. In addition, if bond insurance is obtained, the Bonds may bear an appropriate legend as provided by the insurer.

The obligation of the initial purchaser to accept delivery of the Bonds is subject to the initial purchaser being furnished with the final opinions of West & Associates, L.L.P., Bond Counsel to the Issuer, which opinions shall be dated as of and delivered on the date of initial

delivery of the Bonds to the initial purchaser. The engagement of such firm as Bond Counsel to the Issuer in connection with issuance, sale and delivery of the Bonds is hereby approved and confirmed. The execution and delivery of an engagement letter between the Issuer and such firm, with respect to such services as Bond Counsel, is hereby authorized in such form as may be approved by the Mayor and the Mayor is hereby authorized to execute such engagement letter.

Section 15. Sale of Bonds. The Bonds are hereby sold at the purchase price of \$500,000 and shall be delivered to J.P. Morgan Chase Bank, N.A. (the “*Purchaser*”), subject to the provisions of Section 2 hereof and pursuant to the purchase agreement (the “*Purchase Agreement*”) dated the date of final passage of this Ordinance with the Mayor or Mayor pro-tem is hereby authorized to execute and deliver. It is hereby officially found, determined, and declared that the terms of this sale are the most advantageous reasonably obtainable. The Bonds shall initially be registered in the name of the Purchaser or its designee.

Section 16. Further Procedures. The Mayor, Mayor Pro-tem, City Secretary and City Manager and all other officers, employees and agents of the Issuer, and each of them, shall be and they are hereby expressly authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and under the corporate seal and on behalf of the Issuer a Paying Agent/Registrar Agreement with the Paying Agent/Registrar, substantially in the form attached hereto as **Exhibit B**, and all other instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Bonds and the sale of the Bonds. In case any officer whose signature shall appear on the Bonds shall cease to be such officer before the delivery of such Bonds, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 17. No Continuing Disclosure Undertaking. The sale of the Bonds is exempt from Securities and Exchange Commission Rule 15c2-12. Consequently, the Issuer makes no undertaking with respect to such Rule or with respect to the provision of on-going financial and operating data. Notwithstanding the foregoing, the Issuer may agree to provide in the Purchase Agreement such disclosure to the Purchaser as it deems appropriate.

Section 18. Method of Amendment. The Issuer hereby reserves the right to amend this Ordinance subject to the following terms and conditions, to-wit:

(a) The Issuer may from time to time, without the consent of the Registered Owner, except as otherwise required by paragraph (b) below, amend or supplement this Ordinance to (i) cure any ambiguity, defect or omission in this Ordinance that does not materially adversely affect the interests of the Registered Owner, (ii) grant additional rights or security for the benefit of the Registered Owner, (iii) add events of default as shall not be inconsistent with the provisions of this Ordinance and that shall not materially adversely affect the interests of the Registered Owner, (v) qualify this Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect, or (iv) make such other provisions in regard to matters or questions arising under this Ordinance as shall not be materially inconsistent with the provisions of this Ordinance and that shall not, in the opinion of nationally recognized bond counsel, materially adversely affect the interests of the Registered Owner.

(b) Except as provided in paragraph (a) above, the Registered Owner shall have the right from time to time to approve any amendment hereto that may be deemed necessary or desirable by the Issuer; provided, however, that without the consent of the Registered Owner, nothing herein contained shall permit or be construed to permit amendment of the terms and conditions of this Ordinance or the Bonds so as to:

- (i) Make any change in the maturity of the Bonds;
- (ii) Reduce the rate of interest borne by the Bonds;
- (iii) Reduce the amount of the principal of, or redemption premium, if any, payable on the Bonds;
- (iv) Modify the terms of payment of principal or of interest on the Bonds or impose any condition with respect to such payment; or
- (v) Change the requirement of with respect to Registered Owner consent to such amendment.

(c) If at any time the Issuer shall desire to amend this Ordinance under this Section, the Issuer shall send by U.S. mail to the Registered Owner of the Bonds a copy of the proposed amendment.

(d) Whenever at any time within one year from the date of mailing of such notice the Issuer shall receive an instrument or instruments executed by the Registered Owner, which instrument or instruments shall refer to the proposed amendment and which shall specifically consent to and approve such amendment, the Issuer may adopt the amendment in substantially the same form.

(e) Upon the adoption of any amendatory Ordinance pursuant to the provisions of this Section, this Ordinance shall be deemed to be modified and amended in accordance with such amendatory Ordinance, and the respective rights, duties, and obligations of the Issuer and the Registered Owner of the Bonds shall thereafter be determined, exercised, and enforced, subject in all respects to such amendment.

(f) Any consent given by the Registered Owner of the Bonds pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of the such consent and shall be conclusive and binding upon all future Registered Owner of the Bonds during such period. Such consent may be revoked at any time after six months from the date of said consent by the Registered Owner who gave such consent, or by a successor in title, by filing notice with the Issuer.

(g) For the purposes of establishing ownership of the Bonds, the Issuer shall rely solely upon the registration of the ownership of such Bonds on the Registration Books kept by the Paying Agent/Registrar.

Section 19. Effective Date of Ordinance. In accordance with the provisions of Section 1201.028, Texas Government Code, this Ordinance shall be effective immediately upon its adoption by the City Council on first and final reading.

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EXHIBIT A

Form of Bonds

THIS BOND MAY BE TRANSFERRED ONLY IN WHOLE, AND TRANSFER OF OWNERSHIP OF THIS BOND IS SUBJECT TO CERTAIN OTHER LIMITATIONS SET FORTH IN THE BOND ORDINANCE. REFERENCE IS HEREBY MADE TO THE BOND ORDINANCE FOR A DESCRIPTION OF SUCH LIMITATIONS.

NO. R-1

**UNITED STATES OF AMERICA
STATE OF TEXAS
CITY OF LANCASTER, TEXAS
GENERAL OBLIGATION BOND, TAXABLE SERIES 2018A**

PRINCIPAL
AMOUNT
\$500,000

Interest Rate	Delivery Date	Final Maturity Date
____%	October 11, 20178	February 15, 2020

REGISTERED OWNER: J.P. MORGAN CHASE BANK, N.A.

PRINCIPAL AMOUNT: FIVE HUNDRED THOUSAND AND NO/100 DOLLARS

THE CITY OF LANCASTER, in Dallas County, Texas (the “*Issuer*”), being a political subdivision of the State of Texas, hereby promises to pay to the Registered Owner set forth above, or registered assigns (hereinafter called the “Registered Owner”), the Principal Amount shown above, in installments paid on the dates set forth in the following schedule:

<u>Date</u>	<u>Principal Installment</u>
-------------	----------------------------------

*final maturity

The Issuer promises to pay interest on each unpaid principal installment hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the Delivery Date at the Interest Rate (as defined in the Ordinance hereinafter referenced) set forth above.. Interest is payable on February 15, 2019, and each August 15 thereafter until the Maturity Date; except that, if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Bond, if any, for which this Bond is being exchanged is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full. The foregoing notwithstanding, upon the occurrence of a default in the payment of principal or interest on the Bonds, the Bonds thereafter will bear interest at the rate of 8.00% per annum (the "*Default Rate*") until the payment default has been cured or the Bonds have been paid in full.

THE PRINCIPAL OF AND INTEREST ON this Bond are payable in lawful money of the United States of America, without exchange or collection charges. The principal of and interest on this Bond shall be payable to the Registered Owner by check or draft mailed by J.P. Morgan Chase Bank, N.A. (the "*Paying Agent/Registrar*"), to the person in whose name this Bond is registered at the close of business on the Record Date for each payment date, which shall be the fifteenth day (whether or not a business day) of the calendar month next preceding such payment date; provided payment of the final amount due on this Bond shall be made only upon presentation and surrender of this Bond to the Paying Agent/Registrar. In addition, interest and principal may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Registered Owner. In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "*Special Record Date*") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the Issuer. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of the Registered Owner of a Bond appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

IF THE DATE for the payment of the principal of or interest on this Bond shall be a Saturday, Sunday, a legal holiday, or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday, or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS BOND is one of a series of Bonds dated September 1, 2018, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of \$500,000 for the purpose of a) planning, designing, constructing, reconstructing, improving,

extending and expanding streets, thoroughfares, freeways, alleys, sidewalks, bridges, pedestrianways, trolleyways, and other multi-modal transportation facilities, including related storm drainage facilities and improvements, signalization, signage, video roadside cameras, and other traffic and signal controls, street lighting, landscaping, streetscape and median improvements and the acquisition of land therefor; and b) paying costs of issuing the Bonds..

THIS BOND IS issuable solely as a fully registered Bond, without interest coupons, in the denomination of the aggregate principal hereof. As provided in the Bond Ordinance, this Bond may, at the request of the Registered Owner or the assignee or assignees hereof, be assigned and transferred for a like fully registered Bond, without interest coupons, payable to the appropriate Registered Owner, assignee or assignees, as the case may be, upon surrender of this Bond to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Bond Ordinance. Among other requirements for such assignment and transfer, this Bond must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Bond to the assignee or assignees in whose name this Bond is to be registered. The form of Assignment printed or endorsed on this Bond may be executed by the Registered Owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Bond from time to time by the Registered Owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for assigning and transferring this Bond will be paid by the Issuer. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment and transfer, as a condition precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or, (ii) within 15 days prior to a redemption date.

IN THE EVENT any Paying Agent/Registrar for the Bonds is changed by the Issuer, resigns, or otherwise ceases to act as such, the Issuer has covenanted in the Bond Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the Registered Owner of the Bonds.

IT IS HEREBY certified, recited, and covenanted that this Bond has been duly and validly authorized, issued, and delivered; that all acts, conditions, and things required or proper to be performed, exist, and be done precedent to or in the authorization, issuance, and delivery of this Bond have been performed, existed, and been done in accordance with law; that this Bond is a general obligation of said Issuer, issued on the full faith and credit thereof; and that annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Bond, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said Issuer and have been pledged for such payment, within the limit prescribed by law, all as provided in the Bond Ordinance.

THE ISSUER ALSO HAS RESERVED THE RIGHT to amend the Bond Ordinance as provided therein, and under some (but not all) circumstances amendments thereto must be approved by the Registered Owner of the Bonds.

BY BECOMING the Registered Owner of this Bond, the Registered Owner thereby acknowledges all of the terms and provisions of the Bond Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Bond Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the Issuer, and agrees that the terms and provisions of this Bond and the Bond Ordinance constitute a contract between each Registered Owner hereof and the Issuer.

IN WITNESS WHEREOF, the Issuer has caused this Bond to be signed with the manual or facsimile signature of the Mayor of the Issuer and countersigned with the manual or facsimile signature of the City Secretary of the Issuer, and has caused the official seal of the Issuer to be duly impressed, or placed in facsimile, on this Bond.

City Secretary

Mayor

(CITY SEAL)

[FORM OF PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE]

PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE

(To be executed if this Bond is not accompanied by an executed Registration Certificate of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Bond has been issued under the provisions of the Bond Ordinance described in the text of this Bond; and that this Bond has been issued in replacement of, or in exchange for, a Bond which originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated: _____

J.P. MORGAN CHASE BANK, N.A.,
Paying Agent/Registrar

By _____
Authorized Representative

[FORM OF ASSIGNMENT]

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto

Please insert Social Security or Taxpayer
Identification Number of Transferee

(Please print or typewrite name and address,
including zip code, of Transferee)

_____, the
within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints
_____, attorney, to register the transfer of the
within Bond on the books kept for registration thereof, with full power of substitution in the
premises.

Dated: _____

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed
by an eligible guarantor institution
participating in a securities transfer
association recognized signature guarantee
program.

NOTICE: The signature above must
correspond with the name of the registered
owner as it appears upon the front of this
Bond in every particular, without alteration
or enlargement or any change whatsoever.

**[FORM OF REGISTRATION CERTIFICATE OF
THE COMPTROLLER OF PUBLIC ACCOUNTS]**

COMPTROLLER'S REGISTRATION CERTIFICATE

OFFICE OF THE COMPTROLLER §
OF PUBLIC ACCOUNTS §
OF THE STATE OF TEXAS §

REGISTER NO. _____

I hereby certify that this Bond has been examined, certified as to validity, and
approved by the Attorney General of the State of Texas, and that this Bond has been registered
by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this _____.

Comptroller of Public Accounts of the State of Texas

(COMPTROLLER'S SEAL)

EXHIBIT B

Form of Paying Agent/Registrar Agreement

See Tab __