



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

**Monday, September 08, 2014 - 7:00 PM**

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**CALL TO ORDER**

**INVOCATION:** Ministerial Alliance

**PLEDGE OF ALLEGIANCE:** Mayor Pro Tem James Daniels

**CITIZENS' COMMENTS:**

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

**CONSENT AGENDA:**

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

- C1. Consider approval of minutes from the City Council Regular Meeting held August 25, 2014.
- C2. Consider a resolution approving the terms and conditions of the City owned tie down T-Spot non-commercial lease at the Lancaster Regional Airport.
- C3. Consider a resolution approving the terms and conditions of the Grant Agreement for the Routine Airport Maintenance Program by and between the City of Lancaster, as Airport Sponsor, and the Texas Department of Transportation, on behalf of the State of Texas; authorizing matching funds in the amount of \$50,000 at the Lancaster Regional Airport.
- C4. Consider a resolution adopting the City of Lancaster financial policy providing for prudent financial management of all funds to enable the city to maintain a long term stable and positive financial condition and provide guidelines for the day-to-day planning and operation of the city's financial matters.
- C5. Consider a resolution adopting the City of Lancaster Investment Policy providing that all funds of the city be managed and invested for safety, liquidity, diversification and yield and that investments be chosen in a manner which promotes diversity by market sector, credit and maturity; providing that this policy serve to satisfy the requirements of Chapter 2256 of the Local Government Code, "Public Funds Investment Act".
- C6. Consider a resolution canceling the City Council Work Session of September 15, 2014 and regular City Council meetings of November 24, 2014, and December 22, 2014.

C7. Consider a resolution providing for the adoption of the new Master Fee Schedule for all fees and charges assessed and collected by the City.

C8. Consider a resolution adopting the Lancaster City Council Rules and Procedures.

**ACTION:**

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

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

11. Consider and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Boardwalk Public Improvement District.

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

13. Consider and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Meadowview Public Improvement District.

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

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

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

17. Discuss and consider a resolution amending 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.

18. Discuss and consider a resolution amending Section 10.700 of the Master Fee Schedule for fees and charges assessed for water and wastewater rates.

19. Discuss and consider an ordinance regarding the proposed revenue increase from levying ad valorem taxes for fiscal year 2014/2015 at \$0.8657 per one hundred dollars assessed valuation on 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.

**PUBLIC HEARING:**

20. Conduct a public hearing and consider an ordinance regarding the proposed budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015.

**ACTION:**

21. Discuss and consider a resolution ratifying the budget for the fiscal year 2014/2015 that results in an increase of revenues by 11.65% from property taxes than the previous year.
22. Consider an ordinance establishing Civil Service classifications within the Police and Fire Departments; prescribing the number of positions in each classification.
23. Discuss and consider annual appointments to City of Lancaster boards and commissions.
24. Consider confirmation of nominations made by the Mayor for appointment to the City of Lancaster Zoning Board of Adjustment.

**ADJOURNMENT**

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

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

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**Certificate**

**I hereby certify the above Notice of Meeting was posted at the Lancaster City Hall on September 5, 2013 @ 6:20 p.m. and copies thereof were provided to the Mayor, Mayor Pro-Tempore, Deputy Mayor Pro-Tempore and Council members.**



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Sorangel O. Arenas  
City Secretary

# **LANCASTER CITY COUNCIL**

## **Agenda Communication**

**September 8, 2014**

Item 1

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**Consider approval of minutes from the City Council Regular Meeting held August 25, 2014.**

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### **Background**

Attached for your review and consideration are minutes from the:

- City Council Regular Meeting held August 25, 2014

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### **Submitted by:**

Sorangel O. Arenas, City Secretary

## **MINUTES**

### **LANCASTER CITY COUNCIL MEETING OF August 25, 2014**

The City Council of the City of Lancaster, Texas, met in Regular session in the Council Chambers of City Hall on August 25, 2014 at 7:00 p.m. with a quorum present to-wit:

#### **Councilmembers Present:**

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

#### **Councilmembers Present:**

Marco Mejia  
Nina Morris

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

Opal Mauldin Robertson, City Manager  
Rona Stringfellow, Assistant City Manager  
Fabrice Kabona, Assistant to the City Manager-Intern  
Thomas Griffith, Fire Chief  
Cheryl Wilson, Police Chief  
Sam Urbanksi, Assistant Police Chief  
Jason Boulton, Assistant Police Chief  
Jim Brewer, Director Public Works  
Cynthia Pearson, Director of Finance  
Baron Sauls, Assistant Director of Finance  
Sean Johnson, Managing Director of Quality of Life and Cultural Services  
Ed Brady, Director of Economic Development  
Alexis Allen, City Attorney  
Angie Arenas, City Secretary

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

Mayor Knight called the meeting to order at 7:00 p.m. on August 25, 2014.

#### **Invocation:**

Deacon Jones with Ministerial Alliance gave the invocation.

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

Mayor Marcus E. Knight led the pledge of allegiance.

#### **Citizens Comments:**

LaToya Flanagan, 1510 Dewberry Blvd apartment 143, asked what assistance will be provided to those who are displaced after the apartments are closed. Mayor Knight shared that questions cannot be answered during citizen's comments but someone would assist her after the meeting.

Elnora Lacey, 1516 Dewberry Blvd apartment 118, shared that they have not had hot water for a week at the apartment complex.

DeAngela Washington, 1518 Dewberry Blvd apartment 214, shared concerns about the conditions of the apartment complex and asked what her rights were as a paying tenant.

Chetaria Williams, 1506 Dewberry Blvd apartment 248, shared concerns about the conditions of the apartment complex and how they are affecting her sick child.

**Consent Agenda:**

City Secretary Arenas read the consent agenda.

- C1. Consider approval of minutes from the City Council Special Meeting held August 4, 2014 and City Council Regular Meeting held August 11, 2014.**
- C2. Consider a resolution approving the terms and conditions of the City owned T-Hangar commercial lease from building 670 at Lancaster Regional Airport.**
- C3. Consider a resolution approving the terms and conditions of the City owned T-Hangar non-commercial lease from building 660 at the Lancaster Regional Airport.**
- C4. Consider a resolution approving the terms and conditions of the City owned tie down T-Spot non-commercial lease at the Lancaster Regional Airport.**
- C5. Consider a resolution casting its vote for Trustee in Places 1, 2, 3 and 4 in the Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election on the Official Ballot; authorizing the Mayor to sign the Official Ballot.**
- C6. Consider a resolution amending the agreement for Banking Services with JP Morgan Chase Bank, N.A.; for Merchant Services.**
- C7. Consider a resolution approving the terms and conditions of the fourth amendment to the interlocal agreement by and between the University of Texas Southwestern Medical Center at Dallas and the City of Lancaster, for services related to the provision of paramedic continuing education.**

**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Councilmember Jaglowski, to approve consent items C1 – C7. The vote was cast 5 for, 0 against [Mejia, Morris absent].

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

Assistant City Manager Stringfellow stated that the district is currently undeveloped and the proposed annual assessment for the Lancaster Mills Public Improvement District (PID) is zero (\$0.00) as there are no budgeted expenses for FY 2014-2015.

Mayor Knight opened the public hearing.

There were no speakers.

**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Councilmember Jaglowski, to close the public hearing. The vote was cast 5 for, 0 against [Mejia, Morris absent].

**9. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Meadowview Public Improvement District.**

Assistant City Manager Stringfellow stated the proposed annual assessment for the Meadowview Public Improvement District (PID) is \$0.10 per \$100 valuation, an increase from last year.

Mayor Knight opened the public hearing.

Diana Melcher, 1520 Golden Grass, did not wish to speak but would like to enter into the record that there was an error in the budget code concerning Meadowview.

There were no speakers.

**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Councilmember Jaglowski, to close the public hearing. The vote was cast 5 for, 0 against [Mejia, Morris absent].

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

Assistant City Manager Stringfellow stated that the proposed annual assessment for the Tribute and Tribute East at Mills Branch Public Improvement District (PID) is \$0.36 per \$100 valuation for lots with completed homes and \$0.50 per \$100 valuation for unimproved lots.

Mayor Knight opened the public hearing.

There were no speakers.

**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Councilmember Jaglowski, to close the public hearing. The vote was cast 5 for, 0 against [Mejia, Morris absent].

**11. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Glendover Estates Public Improvement District.**

Assistant City Manager Stringfellow stated that the proposed annual assessment for the Glendover Estates Public Improvement District (PID) is \$0.24 per \$100 valuation, a decrease from \$0.25 last year.

Mayor Knight opened the public hearing.

There were no speakers.

**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Councilmember Jaglowski, to close the public hearing. The vote was cast 5 for, 0 against [Mejia, Morris absent].

**12. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Rolling Meadows Public Improvement District.**

Assistant City Manager Stringfellow stated that the proposed annual assessment for the Rolling Meadows Public Improvement District (PID) is \$0.25 per \$100 valuation.

Mayor Knight opened the public hearing.

Diana Melcher, 1520 Golden Grass, did not wish to speak but would like to enter into the record that there was an error in the budget code concerning Rolling Meadows.

There were no speakers.

**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Councilmember Jaglowski, to close the public hearing. The vote was cast 5 for, 0 against [Mejia, Morris absent].

**13. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Millbrook East Public Improvement District.**

Assistant City Manager Stringfellow stated that the proposed annual assessment for the Millbrook East Public Improvement District (PID) is \$0.18 per \$100 valuation, a decrease from \$0.22 last year.

Mayor Knight opened the public hearing.

There were no speakers.

**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Councilmember Jaglowski, to close the public hearing. The vote was cast 5 for, 0 against [Mejia, Morris absent].

**14. Conduct a public hearing and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Boardwalk Public Improvement District.**

Assistant City Manager Stringfellow stated that the proposed annual assessment for the Boardwalk Public Improvement District (PID) is \$0.23 per \$100 valuation, a decrease from \$0.24 last year.

Mayor Knight opened the public hearing.

There were no speakers.

**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Councilmember Jaglowski, to close the public hearing. The vote was cast 5 for, 0 against [Mejia, Morris absent].

**15. Conduct a public hearing and discuss and ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Beltline Ashmoore Public Improvement District.**

Assistant City Manager Stringfellow stated that the proposed annual assessment for the Beltline Ashmoore Public Improvement District (PID) is \$0.15 per \$100 valuation.

Mayor Knight opened the public hearing.

Sarah Walden, 1916 Crape Myrtle Drive, requested financial statements from the board, longer notice of meetings, and minutes from meetings.

There were no other speakers.

**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Councilmember Jaglowski, to close the public hearing. The vote was cast 5 for, 0 against [Mejia, Morris absent].

**16. Conduct a public hearing and discuss an ordinance regarding the proposed revenue increase from levying ad valorem taxes for fiscal year 2014/2015 at \$0.8675 per one hundred dollars assessed valuation on 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.**

City Manager Mauldin-Robertson stated that State Truth-in-Taxation law, Local Government Code and the City Charter require that an ordinance levying the ad valorem taxes be read and two public hearings be held where no vote can be held. The city is proposing to maintain the tax rate at \$0.8675 per one hundred dollars assessed valuation. Total tax revenue will increase from properties on the tax roll in the preceding tax year by \$1,486,392 or 11.65% over the previous year.

Mayor Pro Tem Daniels asked for clarification on the item. City Manager Mauldin-Robertson stated that the city received an increase in total valuation overall and is proposing to maintain the tax rate in which \$0.60 would go to maintenance and operations and \$0.26 would go to debt. Individual taxes may decrease or increase depending on the value of their homes.

Mayor Knight opened the public hearing.

There were no other speakers.

**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Councilmember Jaglowski, to close the public hearing. The vote was cast 5 for, 0 against [Mejia, Morris absent].

**17. Conduct a public hearing regarding the proposed fiscal year 2014/2015 budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015.**

City Manager Mauldin-Robertson stated that this item is related to the proposed budget for fiscal year 2014/2015 utilizing the proposed tax rate of \$0.8675 per one hundred dollars assessed valuation.

Mayor Knight opened the public hearing.

There were no other speakers.

**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Councilmember Jaglowski, to close the public hearing. The vote was cast 5 for, 0 against [Mejia, Morris absent].

**MOTION:** Mayor Pro Tem Daniels made a motion, seconded by Councilmember Morris, to adjourn. The vote was cast 5 for, 0 against [Mejia, Morris absent].

The meeting was adjourned at 7:29 p.m.

**ATTEST:**

**APPROVED:**

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Sorangel O. Arenas, City Secretary

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Marcus E. Knight, Mayor

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 2

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**Consider a resolution approving the terms and conditions of the City owned tie down T-Spot non-commercial lease at the Lancaster Regional Airport.**

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Sound Infrastructure**

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### **Background**

The City owns and leases tie down T-Spots on the airport ramp. There are 72 spots that the City rents for aircraft outdoor storage. This agenda item brings forward a non-commercial lease agreement for T-Spot 50 for a tenant, Mr. Ben Wilson.

### **Considerations**

- **Operational** - The City T-Spot non-commercial lease is used for private aircraft owners.
- **Legal** - The lease agreement was reviewed and approved by the City Attorney.
- **Financial** - All rates were approved in the City's Master Fee Schedule. The monthly rate for this T-Spot is \$30.00 per month.
- **Public Information** - There are no public information requirements.

### **Options/Alternatives**

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

### **Recommendation**

Staff recommends approval of the resolution.

### **Attachments**

- Resolution
  - Exhibit "A" Lease Agreement
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**Submitted by:**  
Mark Divita, Airport Manager

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE CITY OWNED TIE DOWN T-SPOT NON-COMMERCIAL LEASE AT LANCASTER REGIONAL AIRPORT; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID LEASE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, Lancaster Regional Airport has aircraft tie down T-spots available for monthly rental for revenue gain; and

**WHEREAS**, the City Council of Lancaster, Texas, desires to authorize the T-spot lease pursuant to the lease listed in Exhibit "A";

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

**SECTION 1.** That the City T-spot lease agreement attached hereto and incorporated herein by reference as Exhibit "A" having been reviewed by the City Council of the City of Lancaster, Texas and found to be acceptable and in the best interest of the City and its citizens, be, and the same is hereby, in all things approved.

**SECTION 2.** That the City Manager is hereby authorized to execute said lease agreement.

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

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 8<sup>th</sup> day of September 2014.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

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

**APPROVED AS TO FORM:**

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



# LANCASTER ReGIONAL AIRPORT

## Agreement for Lease of T-Spot for Storage of Aircraft

### Non-Commercial Tenants

This CONTRACT and AGREEMENT OF LEASE, made this **8th** day of **September 2014**, between the City of Lancaster, Texas, a municipal corporation, ("LESSOR") and **Ben Wilson**, (LESSEE"), evidences the following:

I.

LESSOR leases to LESSEE, and LESSEE takes from LESSOR, the following described premises located at the Lancaster Regional Airport ("Airport"), in the City of Lancaster, Dallas County, Texas, for and in consideration of the uses and for the terms and the rental hereinafter set forth, and subject and in accordance with the standard terms and provisions below.

1. **Premises:** Tie down **T-Spot 50**, located at the Airport, and consisting of approximately 800 square feet ("Leased Premises").
2. **Uses:** The leased premises shall be used and occupied only for the storing of aircraft owned, leased, and/or legally operated by LESSEE and related equipment. The leased premises shall be used and occupied only for the personal, business, and/or private use of the LESSEE. LESSEE shall provide LESSOR with a copy of the FAA Certificate of Aircraft Registration for the aircraft to be stored under this agreement. If the registration is not in the name of LESSEE, a copy of a valid lease or other documentation showing a possessory interest in the aircraft shall be provided. LESSEE shall not store non-aviation items such as house hold goods in leased premises. LESSEE shall not use the leased premises for any on going business or commercial operations warehousing goods or services for sale to third parties.
3. **Term:** The term of this lease will be from month to month, beginning the **8th** day of **September** 2014. Either party may cancel and terminate this agreement by serving thirty (30) days written notice of its election to do so.
4. **Rent:** LESSEE shall pay LESSOR as rent **\$30** per month per T-spot, due and payable in advance on the first day of each month.

- a. All rental payments shall be delivered to LESSOR at the following address:

City of Lancaster  
Finance Department  
P.O. Box 940  
211 N. Henry Street  
Lancaster, TX 75146

- b. All payments not received by the 10<sup>th</sup> of each month shall constitute a default

and breach of this Lease Agreement as set forth in paragraph 10 herein. All payments not received by the 10<sup>th</sup> of each month shall be considered "past due" for purposes of incurring late charges as calculated in subsection (c) herein, and additional late charges will begin to accrue on the 11<sup>th</sup> day of each month.

c. In the event the payment is received after the 10<sup>th</sup> day of the month, there shall be added a late charge of ten percent (10%) of the amount due.

d. LESSEE'S agreement to make rental payments shall be a covenant independent of all other covenants herein.

e. LESSOR retains the right to review the monthly rental rates and to make adjustments to said rental rates to reflect the then current market rental rates charged for similar facilities.

5. **Utilities:** Utilities are included in LESSEE's rental payment.

## II.

### STANDARD TERMS AND PROVISIONS

1. **Prohibited Uses:** LESSEE shall not use or permit the use of the premises or any part thereof for any purpose or purposes other than those set forth herein. LESSEE shall not commit or cause to be committed any waste in or upon the premises or maintain any public or private nuisance or any other action which may interfere with or disturb the quiet enjoyment of any other tenant of the building or buildings, or permit the use of the premises for any improper or unlawful purposes. Hazardous activities such as, but not limited to: smoking, painting, doping or the other application of hazardous substances are expressly prohibited. Nothing contained in this Section 1 shall, however, prohibit or limit LESSEE's right to use any apparatus, machinery, equipment or devices necessary or useful to LESSEE in the conduct of its activities on or about the premises.

2. **Disabled Aircraft:** LESSEE shall store only the following aircraft on the lease premises under any of the following conditions:

- a. Aircraft in a current airworthy condition according to Federal Aviation Regulations with a current FAA airworthiness certificate and U.S. or foreign registration,
- b. Aircraft with a current FAA airworthiness certificate and registration in a continuing process of overhaul and/or repair showing monthly progress,
- c. Final assembly of amateur built aircraft in preparation to obtain airworthiness certification.

Restoration or construction of an aircraft shall be completed (and an airworthiness certificate issued for amateur built aircraft) within 5 yrs from the beginning of this lease.

Monthly progress is defined as a major component, subcomponent, major system or subsystem is completed or installed on the aircraft every 30 days with appropriate log entries made.

Upon request from the Airport Manager, LESSEE shall provide monthly evidence of progress. Evidence includes but is not limited to: visual inspection of aircraft, photographs and log entries.

Should LESSEE sell the aircraft, LESSEE shall have ninety (90) days to acquire an aircraft to house upon the leased premises or LESSEE shall relinquish said premises to LESSOR.

Any exception to forgoing requirements must be approved by LESSOR'S Airport Manager.

3. **Compliance with Applicable Laws:** LESSEE shall comply with all applicable laws, ordinances, rules, regulations, and orders of any Federal, State, and City law governing the conduct of LESSEE'S activities on or about the premises.

4. **Alterations.** LESSEE shall make no structural or electrical changes or alterations, or construct any permanent additions or improvements, or do any work in connection therewith, on or about the premises without the prior written consent of the LESSOR'S Airport Manager, whose decision shall be final, and which consent shall not be unreasonably withheld. Any permanent improvements or additions to the leased premises shall be deemed to be fixtures and title to said improvements or additions shall vest in the LESSOR immediately upon completion of construction or attachment.

5. **Entry and Inspection:** LESSOR shall have the right to enter upon and inspect the premises from time to time during the term hereof, to make any repairs deemed necessary by the LESSOR for the safety, improvement, or preservation of the leased premises, without abatement of rent; provided however, that LESSOR shall not, during the course of any such inspection or repairs, unreasonably interfere with the LESSEE'S use and enjoyment of the premises. In lieu of an airport lock/key, LESSEE shall provide a copy of a key or lock combination to airport office.

6. **Services Furnished by LESSOR:** LESSOR shall furnish adequate utility power service for night time lighting. LESSOR assumes no liability to LESSEE for failures or interruptions of any and all services or utilities furnished to LESSEE when due to causes beyond the control of LESSOR, including but not limited to floods, fire, and power failures.

7. **Care of Premises by LESSEE:** LESSEE shall keep the leased premises in a safe, neat, clean, and presentable condition at all times and shall promptly repair any damage caused by LESSEE, its officers, agents, employees, or invitees.

8. **Indemnity and Hold Harmless:** LESSEE agrees to indemnify, defend, and hold LESSOR, its officers, agents, employees, or invitees harmless from and against all claims, demands, causes of actions, suits or judgments (including costs and expenses incurred in connection therewith) for injuries to persons or for loss or damage to property arising out of or in connection with the negligent or intentional act or omission of LESSEE, its officers, agents, employees, or invitees related to or

association with the use and occupancy of the Leased Premises and airport facilities including, but not limited to, claims or damage related to or associated with the storage or maintenance of LESSEE's aircraft upon Airport, or from injury or damage caused to any person's property by reason of the operations of said aircraft. LESSEE further covenants and agrees that LESSEE shall not hold LESSOR or any of its officers, agents, or employees responsible for any loss to LESSEE'S aircraft, automobile, personal property, parts, or supplies that may be located or stored in, on, or about the Leased Premises, where such loss is caused by Natural Disaster fire, rain, windstorm, hail.

9. **Disclaimer:** LESSEE agrees to accept all facilities and the leased premises in the condition in which they are found. LESSOR disclaims and LESSEE accepts LESSOR'S disclaimer of any warranty, express or implied, of the conditions or fitness for the use of the leased premises.

10. **Default:** The following events shall be deemed to be events of default by LESSEE under this Lease Agreement:

a. LESSEE shall fail to pay any installment of rent, and such failure shall continue for a period of ten (10) days following the due date of said installment.

b. LESSEE shall fail to comply with any term, provision or covenant of this Lease Agreement, other than the payment of rent, and shall not cure such failure within twenty (20) days after written notice thereof to LESSEE.

c. LESSEE shall fail to provide lock combination or key to lock on assigned hangar to airport administration.

d. LESSEE shall fail to provide accurate and correct contact information as set forth in paragraph 18 – "Notices".

Upon the occurrence of any event of default specified above, LESSOR shall have the option to pursue any one or more of the following remedies without any notice or demand whatsoever:

e. Terminate this Lease Agreement in which event LESSEE shall immediately surrender the premises to LESSOR; and if LESSEE fails to do so, LESSOR may, without prejudice to any other remedy which it may have for possession or arrearages in rent, enter upon and take possession and expel or remove LESSEE, any other person who may be occupying said premises or any part thereof, and contents therein, including LESSEE'S aircraft, by force if necessary, without being liable for prosecution or any claim of damages therefor; and LESSEE agrees to pay to LESSOR on demand the amount of all loss and damage which LESSOR may suffer by reason of such termination, whether through inability to re-let the premises on satisfactory terms or otherwise.

f. Enter upon and take possession of the premises and expel or remove LESSEE and any other person who may be occupying the premises or any part thereof, by force if necessary, without being liable for prosecution or any claim of damages therefor; and if LESSOR so elects, re-let the premises on such terms as LESSOR shall deem advisable and receive the rent thereof; and LESSEE agrees to pay to LESSOR on demand any deficiency that may arise by reason of such re-letting.

g. Enter upon the premises, by force if necessary, without being liable for prosecution or any claim of damages therefor and do whatever LESSEE is obligated to do under the terms of this Lease Agreement; and LESSEE agrees to reimburse LESSOR on demand for any expenses which LESSOR may incur in thus effecting compliance with LESSEE's obligations under this Lease Agreement; and LESSEE further agrees that LESSOR shall not be liable for any damages resulting to LESSEE from such action.

No reentry or taking possession of the premises by LESSOR shall be construed as an election on its part to terminate this Lease Agreement, unless a written notice of such intention be given to LESSEE. Notwithstanding any such re-letting or reentry or taking possession, LESSOR may at any time thereafter elect to terminate this Lease Agreement for a previous default. Pursuit of any of the foregoing remedies shall not preclude pursuit of any of the other remedies herein provided or any other remedies provided by law, nor shall the pursuit of any remedy herein provided constitute a forfeiture or waiver of any rent due to LESSOR hereunder or of any damages accruing to LESSOR by reason of the violation of any of the terms, provisions and covenants herein contained. LESSOR's acceptance of rent following an event of default hereunder shall not be construed as LESSOR's waiver of such event of default. No waiver by LESSOR of any violation or breach of any of the terms, provisions and covenants herein contained shall be deemed or constitute a waiver of any other violation or breach of any of the terms, provisions and covenants herein contained. Forbearance by LESSOR to enforce one or more of the remedies herein provided upon an event of default shall not be deemed or construed to constitute a waiver of such default. The loss or damage that LESSOR may suffer by reason of termination of this Lease Agreement or the deficiency from any re-letting as provided for above shall include the expense of repossession and any repairs or remodeling undertaken following possession. Should LESSOR at any time terminate this Lease Agreement for any default, in addition to any other remedy LESSOR may have, LESSOR may recover from LESSEE all damages LESSOR may incur by reason of such default, including cost of recovering the premises and reasonable attorney's fees expended by reason of default.

**11. Assignment, Encumbrances, and Subletting:** LESSEE shall not assign, pledge, or otherwise encumber this lease or the premises covered thereby. LESSEE shall not sublet the premises or any part thereof, or furnish to any other person any ground space, office space, aircraft storage space, or other right or privilege in or on any Airport property without the prior written consent of the LESSOR's Airport Manager. Said consent shall not be unreasonably withheld. The rental rate paid by the SUBLESSEE shall not be greater than that paid by LESSEE to LESSOR.

It is understood that consent of the LESSOR to any subletting in one instance shall not constitute consent of the LESSOR to any other subletting. Any assignment, sublease, or other such agreements consented to shall be in writing and shall be approved as to form by LESSOR'S City Attorney.

**12. Surrender of Premises:** Upon termination of this lease by either party, or by reason of default or otherwise, LESSEE shall remove itself, aircraft, and all other personal property, debris and equipment stored by LESSEE in and upon the premises. LESSEE shall, at its own expense, repair any damage cause by LESSEE'S use. LESSEE shall, upon termination of this lease, surrender the premises to LESSOR in the same condition as received, ordinary wear and tear excepted. LESSOR will charge a reasonable fee for cleaning and/or disposal

of any items left behind upon the premises.

13. **Rules and Regulations:** LESSEE shall faithfully observe and comply with all rules and regulations of LESSOR, including any rules and regulations promulgated by LESSOR'S Airport Manager, not inconsistent with the provisions of this lease. Such rules and regulations shall be communicated by LESSOR'S Airport Manager, in writing, to LESSEE and necessary for the reputation, safety, care, or appearance of the building, or preservation of good order, the operation or maintenance of equipment, or the comfort or safety of other Airport tenants.

14. **Successors and Assigns:** The terms, covenants, agreements, and conditions contained herein shall be binding upon LESSEE'S heirs, successors, executors, administrators, and assignees. This provision shall not in any way affect the requirements set forth in section II, paragraph 9.

15. **Signs:** LESSEE shall not erect, install, or place any signs on or about the leased premises without the prior written consent and approval of the LESSOR'S Airport Manager.

16. **Ingress and Egress:** LESSEE, its invitees, visitors, and suppliers of materials and services shall have full and free rights of ingress and egress to and from the premises and to and from other Airport buildings subject to rules and regulations of LESSOR and LESSOR'S Airport Manager.

17. **Chemicals and other Toxic Substances:** No chemicals or other toxic substances shall be stored unless in compliance with adopted Lancaster Regional Airport rules and regulations, as amended, which are incorporated herein as is set forth in full and on file with the City Manager or his/her designee.

18. **Notices:** All legal notices given or required in connection with this lease shall be in writing and shall be sent via Mail or E-Mail to the following persons(s):

LESSOR: City of Lancaster  
Lancaster Regional Airport  
P.O. Box 940  
211 N. Henry Street  
Lancaster, TX 75146

LESSEE: Ben Wilson  
  
468 Country Ln.  
  
Coppell, TX 75019  
  
214-385-5422  
  
Benjamin.wilson

19. **Insurance:** LESSEE shall, at its own option, carry its own insurance on its aircraft

and other equipment which LESSEE stores in or on the leased premises.

20. **Waiver of Attorney Fees:** LESSOR and LESSEE covenant and agree that in the event of any litigation arising between the parties to this lease, LESSEE shall be solely responsible for payment of its attorney's fees. In no event shall LESSOR be responsible for LESSEE'S attorney's fees regardless of the outcome of the litigation.

21. **Entire Agreement:** This agreement constitutes the entire understanding between the parties, and, as of its effective date, supersedes all prior or independent agreements covering the LESSEE'S occupation of the leased premises. Any change or modification hereof shall be in writing, signed by both parties. The parties to this agreement hereby agree and acknowledge that they are the principals to the agreement and have the power, right, and authority to enter into this agreement and are not acting on behalf, or as an agent, of any third party.

22. **Severability:** If any provision of this agreement shall be finally declared void or illegal by a court having competent jurisdiction, the entire agreement shall not be void, but the remaining provisions shall continue in effect as nearly as possible in accordance with the original intent of the parties. Venue governed by Texas law except where exempted by Federal law and Rules and Regulations.

23. **Governing Law; Venue:** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. Venue for any disputes arising from or related to the performance of this Agreement shall be in a state district court in Dallas County, Texas.

24. **Captions:** The Captions to the various clauses of this agreement are for informational purposes only and in no way alter the substance of the terms and conditions of this agreement.

25. **Landlord's Lien:** Pursuant to Section 54.021 of the Texas Property Code, LESSOR has a preference lien on the property of the LESSEE or any SUBLESSEE in the building for rent that is due and for rent that is to become due during the current 12 month period succeeding the date of the beginning of the rental agreement or an anniversary of that date.

**IN WITNESS HEREOF**, the parties executed this lease as of the day and year first above written.

CITY OF LANCASTER, LESSOR

LESSEE:

By: \_\_\_\_\_  
Opal Mauldin-Robertson,  
City Manager

\_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 3

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**Consider a resolution approving the terms and conditions of the Grant Agreement for the Routine Airport Maintenance Program by and between the City of Lancaster, as Airport Sponsor, and the Texas Department of Transportation, on behalf of the State of Texas; authorizing matching funds in the amount of \$50,000 at the Lancaster Regional Airport.**

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Sound Infrastructure**

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### **Background**

The Routine Airport Maintenance Program (RAMP) is a 50/50 match grant program designed by TxDOT for smaller Texas airports to assist with the routine maintenance requirements. Lancaster Regional Airport has fully participated in and benefited from this program in past years. This grant program supplements airport revenues in maintenance of the airport and defraying 50% of the cost.

### **Considerations**

- **Operational** - Utilization of the RAMP grant has assisted with the routine maintenance and upkeep on the five city-owned T-hangars. Over the past few years all five roofs have been replaced utilizing RAMP funds. The fiscal year 2015 RAMP grant is planned to be used on the following maintenance and improvement items: pavement repairs, install (3) fuel re-claimers at fuel farm, repairs to buildings, repaint weather station and segmented circle, weather station data & maintenance, and annual fuel meter calibrations.
- **Legal** - The resolution has been approved as to form by the City Attorney.
- **Financial** - The City match is \$50,000 and is included in the FY 2015 budget.
- **Public Information** – 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. Council may approve the resolution as presented.
2. Council may reject the resolution.

**Recommendation**

Staff recommends adoption of the resolution approving the Routine Airport Maintenance Program grant agreement and authorizing matching funds in the amount of \$50,000.

**Attachments**

- Resolution
  - Exhibit "A" FY2015 Grant for Routine Airport Maintenance Program Agreement
- 

**Submitted by:**

Mark Divita, Airport Manager

## RESOLUTION NO.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, APPROVING THE TERMS AND CONDITIONS OF THE GRANT AGREEMENT FOR THE ROUTINE AIRPORT MAINTENANCE PROGRAM BY AND BETWEEN THE CITY OF LANCASTER, AS AIRPORT SPONSOR, AND THE TEXAS DEPARTMENT OF TRANSPORTATION, ON BEHALF OF THE STATE OF TEXAS; AUTHORIZING MATCHING FUNDS IN THE AMOUNT OF \$50,000 AT LANCASTER REGIONAL AIRPORT; AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Texas Department of Transportation provides fifty percent matching grants under the Routine Airport Maintenance Program; and

**WHEREAS**, the Lancaster Regional Airport is in need of ongoing routine maintenance; and

**WHEREAS**, the City Council desires to continue participation in the Routine Airport Maintenance Program;

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

**SECTION 1.** The City Council hereby approves the terms and conditions of the grant agreement for the FY2015 Routine Airport Maintenance Program, by and between the City of Lancaster, Texas, and the Texas Department of Transportation, attached hereto and incorporated herein by reference as Exhibit "A".

**SECTION 2.** The City Manager of the City of Lancaster, Texas is authorized to execute said grant agreement.

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

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

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

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 8<sup>th</sup> day of September 2014.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

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

**APPROVED AS TO FORM:**

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

**TEXAS DEPARTMENT OF TRANSPORTATION  
GRANT FOR ROUTINE AIRPORT MAINTENANCE PROGRAM**

**(State Assisted Airport Routine Maintenance)**

**TxDOT CSJ No.: M1518LNCA**

**Part I - Identification of the Project**

TO:           The City of Lancaster, Texas

FROM:       The State of Texas, acting through the Texas Department of Transportation

This Grant is made between the Texas Department of Transportation, (hereinafter referred to as the "State"), on behalf of the State of Texas, and the City of Lancaster, Texas, (hereinafter referred to as the "Sponsor").

This Grant Agreement is entered into between the State and Sponsor shown above, under the authority granted and in compliance with the provisions of the Transportation Code Chapter 21.

The project is for **airport maintenance** at the Lancaster Regional Airport.

**Part II - Offer of Financial Assistance**

1. For the purposes of this Grant, the annual routine maintenance project cost, Amount A, is estimated as found on Attachment A, Scope of Services, attached hereto and made a part of this grant agreement.

State financial assistance granted will be used solely and exclusively for airport maintenance and other incidental items as approved by the State. Actual work to be performed under this agreement is found on Attachment A, Scope of Services. State financial assistance, Amount B, will be for fifty percent (50%) of the eligible project costs for this project or \$50,000.00, whichever is less, per fiscal year and subject to availability of state appropriations.

Scope of Services, Attachment A, of this Grant, may be amended, subject to availability of state funds, to include additional approved airport maintenance work. Scope amendments require submittal of an Amended Scope of Services, Attachment A.

Services will not be accomplished by the State until receipt of Sponsor's share of project costs.

**Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.**

Work shall be accomplished by August 31, 2015, unless otherwise approved by the State.

2. The State shall determine fair and eligible project costs for work scope. Sponsor's share of estimated project costs, Amount C, shall be as found on Attachment A and any amendments.

It is mutually understood and agreed that if, during the term of this agreement, the State determines that there is an overrun in the estimated annual routine maintenance costs, the State may increase the grant to cover the amount of the overrun within the above stated percentages and subject to the maximum amount of state funding.

The State will not authorize expenditures in excess of the dollar amounts identified in this Agreement and any amendments, without the consent of the Sponsor.

3. Sponsor, by accepting this Grant certifies and, upon request, shall furnish proof to the State that it has sufficient funds to meet its share of the costs. The Sponsor grants to the State the right to audit any books and records of the Sponsor to verify expended funds.

Upon execution of this Agreement and written demand by the State, the Sponsor's financial obligation (Amount C) shall be due in cash and payable in full to the State. State may request the Sponsor's financial obligation in partial payments. Should the Sponsor fail to pay their obligation, either in whole or in part, within 30 days of written demand, the State may exercise its rights under Paragraph V-3. Likewise, should the State be unwilling or unable to pay its obligation in a timely manner, the failure to pay shall be considered a breach and the Sponsor may exercise any rights and remedies it has at law or equity.

The State shall reimburse or credit the Sponsor, at the financial closure of the project, any excess funds provided by the Sponsor which exceed Sponsor's share (Amount C).

4. The Sponsor specifically agrees that it shall pay any project costs which exceed the amount of financial participation agreed to by the State. It is further agreed that the Sponsor will reimburse the State for any payment or payments made by the State which are in excess of the percentage of financial assistance (Amount B) as stated in Paragraph II-1.
5. Scope of Services may be accomplished by State contracts or through local contracts of the Sponsor as determined appropriate by the State. All locally contracted work must be approved by the State for scope and reasonable cost. Reimbursement requests for locally contracted work shall be submitted on forms provided by the State and shall include copies of the invoices for materials or services. Payment shall be made for no more than 50% of allowable charges.

The State will not participate in funding for force account work conducted by the Sponsor.

6. This Grant shall terminate upon completion of the scope of services.

### **Part III - Sponsor Responsibilities**

1. In accepting this Grant, if applicable, the Sponsor guarantees that:
  - a. it will, in the operation of the facility, comply with all applicable state and federal laws, rules, regulations, procedures, covenants and assurances required by the State in connection with this Grant; and
  - b. the Airport or navigational facility which is the subject of this Grant shall be controlled by the Sponsor for a period of at least 20 years; and
  - c. consistent with safety and security requirements, it shall make the airport or air navigational facility available to all types, kinds and classes of aeronautical use without discrimination between such types, kinds and classes and shall provide adequate public access during the period of this Grant; and
  - d. it shall not grant or permit anyone to exercise an exclusive right for the conduct of aeronautical activity on or about an airport landing area. Aeronautical activities include, but are not limited to scheduled airline flights, charter flights, flight instruction, aircraft sales, rental and repair, sale of aviation petroleum products and aerial applications. The landing area consists of runways or landing strips, taxiways, parking aprons, roads, airport lighting and navigational aids; and
  - e. it shall not enter into any agreement nor permit any aircraft to gain direct ground access to the sponsor's airport from private property adjacent to or in the immediate area of the airport. Further, Sponsor shall not allow aircraft direct ground access to private property. Sponsor shall be subject to this prohibition, commonly known as a "through-the-fence operation," unless an exception is granted in writing by the State due to extreme circumstances; and
  - f. it shall not permit non-aeronautical use of airport facilities without prior approval of the State; and
  - g. the Sponsor shall submit to the State annual statements of airport revenues and expenses when requested; and
  - h. all fees collected for the use of the airport shall be reasonable and nondiscriminatory. The proceeds from such fees shall be used solely for the development, operation and maintenance of the airport or navigational facility; and
  - i. an Airport Fund shall be established by resolution, order or ordinance in the

treasury of the Sponsor, or evidence of the prior creation of an existing airport fund or a properly executed copy of the resolution, order, or ordinance creating such a fund, shall be submitted to the State. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole. All fees, charges, rents, and money from any source derived from airport operations must be deposited in the Airport Fund and shall not be diverted to the general revenue fund or any other revenue fund of the Sponsor. All expenditures from the Airport Fund shall be solely for airport purposes. Sponsor shall be ineligible for a subsequent grant or loan by the State unless, prior to such subsequent approval of a grant or loan, Sponsor has complied with the requirements of this subparagraph; and

- j. the Sponsor shall operate runway lighting at least at low intensity from sunset to sunrise; and
  - k. insofar as it is reasonable and within its power, Sponsor shall adopt and enforce zoning regulations to restrict the height of structures and use of land adjacent to or in the immediate vicinity of the airport to heights and activities compatible with normal airport operations as provided in Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Sponsor shall also acquire and retain aviation easements or other property interests in or rights to use of land or airspace, unless sponsor can show that acquisition and retention of such interest will be impractical or will result in undue hardship to Sponsor. Sponsor shall be ineligible for a subsequent grant or loan by the State unless Sponsor has, prior to subsequent approval of a grant or loan, adopted and passed an airport hazard zoning ordinance or order approved by the State.
- 1. mowing services will not be eligible for state financial assistance. Sponsor will be responsible for 100% of any mowing services.
- 2. The Sponsor, to the extent of its legal authority to do so, shall save harmless the State, the State's agents, employees or contractors from all claims and liability due to activities of the Sponsor, the Sponsor's agents or employees performed under this agreement. The Sponsor, to the extent of its legal authority to do so, shall also save harmless the State, the State's agents, employees or contractors from any and all expenses, including attorney fees which might be incurred by the State in litigation or otherwise resisting claim or liabilities which might be imposed on the State as the result of those activities by the Sponsor, the Sponsor's agents or employees.
  - 3. The Sponsor's acceptance of this Offer and ratification and adoption of this Grant shall be evidenced by execution of this Grant by the Sponsor. The Grant shall comprise a contract, constituting the obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the project and the operation and maintenance of the airport.

If it becomes unreasonable or impractical to complete the project, the State may void this agreement and release the Sponsor from any further obligation of project costs.

4. Upon entering into this Grant, Sponsor agrees to name an individual, as the Sponsor's Authorized Representative, who shall be the State's contact with regard to this project. The Representative shall receive all correspondence and documents associated with this grant and shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor, and coordinate schedule for work items as required.
5. By the acceptance of grant funds for the maintenance of eligible airport buildings, the Sponsor certifies that the buildings are owned by the Sponsor. The buildings may be leased but if the lease agreement specifies that the lessee is responsible for the upkeep and repairs of the building no state funds shall be used for that purpose.
6. Sponsor shall request reimbursement of eligible project costs on forms provided by the State. All reimbursement requests are required to include a copy of the invoices for the materials or services. The reimbursement request will be submitted no more than once a month.
7. The Sponsor's acceptance of this Agreement shall comprise a Grant Agreement, as provided by the Transportation Code, Chapter 21, constituting the contractual obligations and rights of the State of Texas and the Sponsor with respect to the accomplishment of the airport maintenance and compliance with the assurances and conditions as provided. Such Grant Agreement shall become effective upon the State's written Notice to Proceed issued following execution of this agreement.

#### **PART IV - Nomination of the Agent**

1. The Sponsor designates the State as the party to receive and disburse all funds used, or to be used, in payment of the costs of the project, or in reimbursement to either of the parties for costs incurred.
2. The State shall, for all purposes in connection with the project identified above, be the Agent of the Sponsor. The Sponsor grants the State a power of attorney to act as its agent to perform the following services:
  - a. accept, receive, and deposit with the State any and all project funds granted, allowed, and paid or made available by the Sponsor, the State of Texas, or any other entity;
  - b. enter into contracts as necessary for execution of scope of services;
  - c. if State enters into a contract as Agent: exercise supervision and direction of the project work as the State reasonably finds appropriate. Where there is an

irreconcilable conflict or difference of opinion, judgment, order or direction between the State and the Sponsor or any service provider, the State shall issue a written order which shall prevail and be controlling;

- d. receive, review, approve and pay invoices and payment requests for services and materials supplied in accordance with the State approved contracts;
- e. obtain an audit as may be required by state regulations; the State Auditor may conduct an audit or investigation of any entity receiving funds from TxDOT directly under this contract or indirectly through a subcontract under this contract. Acceptance of funds directly under this contract or indirectly through a subcontract under this contract acts as acceptance of the authority of the State Auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.
- f. reimburse sponsor for approved contract maintenance costs no more than once a month.

#### **PART V - Recitals**

- 1. This Grant is executed for the sole benefit of the contracting parties and is not intended or executed for the direct or incidental benefit of any third party.
- 2. It is the intent of this grant to not supplant local funds normally utilized for airport maintenance, and that any state financial assistance offered under this grant be in addition to those local funds normally dedicated for airport maintenance.
- 3. This Grant is subject to the applicable provisions of the Transportation Code, Chapters 21 and 22, and the Airport Zoning Act, Tex. Loc. Govt. Code Ann. Sections 241.001 et seq. (Vernon and Vernon Supp.). Failure to comply with the terms of this Grant or with the rules and statutes shall be considered a breach of this contract and will allow the State to pursue the remedies for breach as stated below.
  - a. Of primary importance to the State is compliance with the terms and conditions of this Grant. If, however, after all reasonable attempts to require compliance have failed, the State finds that the Sponsor is unwilling and/or unable to comply with any of the terms of this Grant, the State, may pursue any of the following remedies: (1) require a refund of any financial assistance money expended pursuant to this Grant, (2) deny Sponsor's future requests for aid, (3) request the Attorney General to bring suit seeking reimbursement of any financial assistance money expended on the project pursuant to this Grant, provided however, these remedies shall not limit the State's authority to enforce its rules, regulations or

orders as otherwise provided by law, (4) declare this Grant null and void, or (5) any other remedy available at law or in equity.

- b. Venue for resolution by a court of competent jurisdiction of any dispute arising under the terms of this Grant, or for enforcement of any of the provisions of this Grant, is specifically set by Grant of the parties in Travis County, Texas.
- 4. The State reserves the right to amend or withdraw this Grant at any time prior to acceptance by the Sponsor. The acceptance period cannot be greater than 30 days after issuance unless extended by the State.
- 5. This Grant constitutes the full and total understanding of the parties concerning their rights and responsibilities in regard to this project and shall not be modified, amended, rescinded or revoked unless such modification, amendment, rescission or revocation is agreed to by both parties in writing and executed by both parties.
- 6. All commitments by the Sponsor and the State are subject to constitutional and statutory limitations and restrictions binding upon the Sponsor and the State (including Sections 5 and 7 of Article 11 of the Texas Constitution, if applicable) and to the availability of funds which lawfully may be applied.

**Part VI - Acceptances**

**Sponsor**

The City of Lancaster, Texas, does ratify and adopt all statements, representations, warranties, covenants, agreements, and all terms and conditions of this Grant.

Executed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
The City of Lancaster, Texas

Sponsor

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Sponsor Signature

\_\_\_\_\_  
Witness Title

\_\_\_\_\_  
Sponsor Title

**Certificate of Attorney**

I, \_\_\_\_\_, acting as attorney for the City of Lancaster, Texas, do certify that I have fully examined the Grant and the proceedings taken by the Sponsor relating to the acceptance of the Grant, and find that the manner of acceptance and execution of the Grant by the Sponsor, is in accordance with the laws of the State of Texas.

Dated at \_\_\_\_\_, Texas, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Attorney's Signature

\_\_\_\_\_  
Witness Title

### **Acceptance of the State**

Executed by and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, established policies or work programs and grants heretofore approved and authorized by the Texas Transportation Commission.

STATE OF TEXAS  
TEXAS DEPARTMENT OF TRANSPORTATION

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

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

**Attachment A**  
**Scope of Services**  
**TxDOT CSJ No.:M1518LNCA**

<b>Eligible Scope Item:</b>	<b>Estimated Costs Amount A</b>	<b>State Share Amount B</b>	<b>Sponsor Share Amount C</b>
<b>GENERAL MAINTENANCE</b>	\$100,000.00	\$50,000.00	\$50,000.00
<b>Special Project</b>	\$0.00	\$0.00	\$0.00
<b>Special Project</b>	\$0.00	\$0.00	\$0.00
<b>Special Project</b>	\$0.00	\$0.00	\$0.00
<b>Special Project</b>	\$0.00	\$0.00	\$0.00
<b>Special Project</b>	\$0.00	\$0.00	\$0.00
<b>TOTAL</b>	\$100,000.00	\$50,000.00	\$50,000.00

Accepted by: The City of Lancaster, Texas

\_\_\_\_\_  
Signature

Title: \_\_\_\_\_

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

GENERAL MAINTENANCE: As needed, Sponsor may contract for services/purchase materials for routine maintenance/improvement of airport pavements, signage, drainage, AWOS systems, approach aids, lighting systems, utility infrastructure, fencing, herbicide/application, sponsor owned and operated fuel systems, hangars, terminal buildings and security systems; professional services for environmental compliance, approved project design. Special projects to be determined and added by amendment.

**Only work items as described in Attachment A, Scope of Services of this Grant are reimbursable under this grant.**

## CERTIFICATION OF AIRPORT FUND

TxDOT CSJ No.:     M1518LNCA

The City of Lancaster does certify that an Airport Fund has been established for the Sponsor, and that all fees, charges, rents, and money from any source derived from airport operations will be deposited for the benefit of the Airport Fund and will not be diverted for other general revenue fund expenditures or any other special fund of the Sponsor and that all expenditures from the Fund will be solely for airport purposes. The fund may be an account as part of another fund, but must be accounted for in such a manner that all revenues, expenses, retained earnings, and balances in the account are discernible from other types of moneys identified in the fund as a whole.

\_\_\_\_\_  
The City of Lancaster, Texas  
(Sponsor)

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

Title: \_\_\_\_\_

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

### Certification of State Single Audit Requirements

I, \_\_\_\_\_, do certify that the City of Lancaster will comply with all  
(Designated Representative)

requirements of the State of Texas Single Audit Act if the City of Lancaster spends or receives more than the threshold amount in any grant funding sources during the most recently audited fiscal year. And in following those requirements, the City of Lancaster will submit the report to the audit division of the Texas Department of Transportation. If your entity did not meet the threshold in grant receivables or expenditures, please submit a letter indicating that your entity is not required to have a State Single Audit performed for the most recent audited fiscal year.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

**DESIGNATION OF SPONSOR'S AUTHORIZED REPRESENTATIVE**

TxDOT CSJ Number: M1518LNCA

The City of Lancaster designates, \_\_\_\_\_  
(Name, Title)

as the Sponsor's authorized representative, who shall receive all correspondence and documents associated with this grant and who shall make or shall acquire approvals and disapprovals for this grant as required on behalf of the Sponsor.

\_\_\_\_\_  
The City of Lancaster, Texas  
(Sponsor)

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

Title: \_\_\_\_\_

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

**DESIGNATED REPRESENTATIVE**

Mailing Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Overnight Mailing Address: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Telephone/Fax Number: \_\_\_\_\_

\_\_\_\_\_

Email address: \_\_\_\_\_

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 4

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**Consider a resolution adopting the City of Lancaster financial policy providing for prudent financial management of all funds to enable the city to maintain a long term stable and positive financial condition and provide guidelines for the day-to-day planning and operation of the city's financial matters.**

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Financially Sound City Government**

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### **Background**

Financial Policy Statements provide guidelines to enable the City to achieve and maintain a long-term stable and positive financial position, and also provide guidelines for the day to day planning and operations of the City's financial affairs. These policy statements are to be reviewed and refined annually as part of the budget preparation process to reflect current laws as well as significant changes in the City which will impact the prevailing policy.

### **Considerations**

- **Operational** – Present fairly and with full disclosure the financial position and results of financial operations of the City in conformity to U.S. generally accepted accounting principles (U.S. GAAP). Demonstrate good fiscal administration of the City's funds and promote accountability to its citizens. Provide precedents for future policy-makers and financial managers on common financial goals and strategies.
- **Legal** – Determine and demonstrate compliance with the finance related legal and contractual issues in accordance with provisions of the City Charter, the Texas Local Government Code and other pertinent legal documents and mandates.
- **Financial** – All changes to the prior year's Financial Policy Statements were presented, reviewed and discussed with Council during the August 18, 2014 Work Session.
- **Public Information** – This item is being considered at a meeting of the City Council noticed in accordance with the Texas Open Meetings Act.

**Options/Alternatives**

1. Approve the item as presented
2. Approve the item with changes

**Recommendation**

Staff recommends approving the item as presented.

**Attachments**

- Resolution
  - Financial Policy
- 

**Submitted by:**

Cynthia A. Pearson, Director of Finance

**RESOLUTION NO.**

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

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

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

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

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

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

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 8<sup>th</sup> day of September, 2014.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

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

**APPROVED AS TO FORM:**

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

## **CITY OF LANCASTER, TEXAS**

### **FINANCIAL MANAGEMENT POLICY STATEMENT**

The overriding goal of the Financial Management Policy is to enable the City to achieve a long-term, stable and positive financial condition. The watchwords of the City's financial management include integrity, prudent stewardship, planning, accountability, and full disclosure. The purpose of the Financial Management Policy is to provide guidelines for planning and directing the City's day to day financial affairs and to assist staff in developing recommendations to the Mayor and City Council. Specifically, this policy framework mandates the pursuit of the following fiscal objectives:

**I. Revenues**

Design, maintain and administer a revenue system that will assure a reliable, equitable, diversified and sufficient revenue stream to support desired City services.

**II. Expenditures**

Identify priority services, establish and define appropriate service levels and administer the expenditure of available resources to assure fiscal stability and the effective and efficient delivery of services.

**III. Fund Balance/Working Capital/ Net Assets**

Maintain the fund balance, working capital and net assets of the various operating funds at levels sufficient to protect the City's credit worthiness as well as its financial position from emergencies.

**IV. Capital Expenditures and Improvements**

Annually review and monitor the condition of the City's capital equipment and infrastructure, setting priorities for its replacement and renovation based on needs, funding alternatives and availability of resources.

**V. Debt Management**

Establish guidelines for debt financing that will provide needed capital equipment and infrastructure improvements while minimizing the impact of debt payments on current and future revenues.

**VI. Cash Management and Investments**

Invest the City's operating cash to ensure the absolute safety of principal, provide for necessary liquidity and optimize yield in accordance with the City's adopted Investment policy.

**VII. Intergovernmental Relations**

Coordinate efforts with other governmental agencies to achieve common policy objectives, share the cost of providing governmental services on an equitable basis and support appropriate favorable legislation at the state and federal level.

**VIII. Grants**

Aggressively investigate, pursue and effectively administer federal, state, local and foundation grants-in-aid, which address and support the City's current priorities and policy objectives.

**IX. Economic Development**

Initiate, encourage and participate in economic development efforts to create job opportunities and strengthen the local economy and tax base.

**X. Fiscal Monitoring**

Prepare and present reports for the current and multi-year periods that analyze, evaluate and forecast the City's financial performance and economic condition.

**XI. Accounting, Auditing and Financial Reporting**

Comply with prevailing federal, state and local statutes and regulations. Conform to generally accepted accounting principles as promulgated by the Governmental Accounting Standards Board (GASB), the American Institute of Certified Public Accountants (AICPA) and the Government Finance Officers Association (GFOA).

**XII. Internal Controls**

Establish a system of internal controls designed to maintain an environment to provide management with reasonable assurance that assets are safeguarded against loss from unauthorized use or disposition.

**XIII. Risk Management**

Prevent and/or reduce the financial impact to the City due to claims and losses through prevention, transfer of liability and/or a program of self-insurance of the liability.

**XIV. Operating Budget**

Develop and maintain a balanced budget for operating funds that presents a clear understanding of the goals of the City Council, service levels and performance standards. A Balanced Budget is defined as revenues and any appropriated fund balance equal expenditures.

**XV. Five Year Plans**

Long term financial planning is intended to ensure sustainability of programs and integrate operating and capital financial planning.

**I. Revenues**

The City shall use the following guidelines to design, maintain and administer a revenue system that will assure a reliable, equitable, diversified and sufficient revenue stream to support desired City services

**A. Balance and Diversification in Revenue Sources**

The City shall strive to maintain a balanced and diversified revenue system to protect the City from fluctuations in any one source due to changes in economic conditions that adversely impact that source.

**B. User Fees**

For services that benefit specific users, where possible the City shall establish and collect fees to recover the cost of those services. Where feasible and desirable, the City shall seek to recover full direct and indirect costs. City staff shall review user fees on a regular basis to calculate their full cost recovery levels, to compare them to the current fee structure and to recommend adjustments where necessary.

**C. Property Tax Revenues/Tax Rate**

The City shall strive to reduce its reliance on residential property tax revenues by revenue diversification, implementation of user fees and economic development. The City shall also strive to minimize tax rate increases.

**D. Utility/Enterprise Funds User Fees**

Utility rates and enterprise funds user fees shall be set at levels sufficient to cover operating expenditures, meet debt obligations, provide additional funding for capital improvements and provide adequate levels of working capital and debt coverage.

**E. Administrative Services Charges**

The City shall prepare a cost allocation plan to determine the administrative services charges due to the General Fund from enterprise funds for overhead and staff support. Where appropriate, the enterprise funds shall pay the General Fund for direct services rendered.

**F. Revenue Estimates for Budgeting**

In order to maintain a stable level of service, the City shall use a conservative, objective and analytical approach when preparing revenue estimates for current and multi-year periods. The process shall include analysis of probable economic changes and their impacts on revenues, historical collection rates and trends in revenues. This approach should reduce the likelihood of actual revenues falling short of budget estimates during the year and should avoid mid-year service reductions.

**G. Revenue Collection and Administration**

The City shall maintain high collection rates for all revenues by keeping the revenue system as simple as possible in order to facilitate payment. In addition, since a revenue should exceed the cost of producing it, the City shall strive to control and reduce administrative costs. The City shall pursue to the full extent allowed by state law all delinquent taxpayers and others overdue in payments to the City. The fees based on user charges shall be reviewed annually to ensure continuing coverage of the cost of services. The City shall revise user fees with review of the City Council to adjust for the costs of inflation and additional recovery increments. The City shall review and adopt utility rates annually that shall generate revenues required to fully cover operating expenditures, meet the legal restrictions of all applicable bond covenants, and provide

for an adequate level of working capital needs. A method is established whereby the General Fund can impose a charge to the Utility Fund(s) for general and administrative services performed on the Enterprise Fund's behalf. The process shall be documented and disclosed to the City's auditors for review. All revenue collections will be consolidated under Finance and be audited annually.

## **II. Expenditures**

The City shall use the following guidelines to identify necessary services, establish appropriate service levels and administer the expenditure of available resources to assure fiscal stability and the effective and efficient delivery of services.

### **Current Funding Basis**

The City shall operate on a current funding basis. Expenditures shall be budgeted and controlled so as not to exceed current revenues plus the planned use of fund balance accumulated through prior year savings.

### **Avoidance of Operating Deficits**

The City shall take timely corrective action if at any time during the fiscal year expenditure and revenue re-estimates are such that an operating deficit is projected at year-end.

### **Maintenance of Capital Assets**

Within the resources available each fiscal year, the City shall maintain capital assets and infrastructure at a sufficient level to protect the City's investment, to minimize future replacement and maintenance costs and to continue service levels.

### **Periodic Program Reviews**

Periodic program reviews for efficiency and effectiveness shall be performed. Programs not meeting efficiency and effectiveness objectives shall be brought up to required standards or be subject to reduction or elimination.

### **Purchasing**

The City shall make every effort to maximize any discounts offered by creditors/vendors. Vendors with balances due the City will have payments due the vendor offset against the amount due the City. The City will follow state law concerning the amount of the purchase requiring formal bidding procedures and approval by the City Council. For purchases where competitive bidding is not required, the City shall seek to obtain the most favorable terms and pricing possible. Every effort will be made to include minority business enterprises in the bidding process.

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

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

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

### **III. Fund Balance/Working Capital/Net Assets**

In accordance with the requirements of Governmental Accounting Standards Board Statement Number 53, the City shall use the following guidelines to explain and define the purpose of fund balance, working capital and retained earnings of the various operating funds. The city will describe fund balance as follows: (1) Unspendable – portion of net resources that cannot be spent, i.e. assets that will never convert to cash or not convert during the current period, or resources that must be maintained intact pursuant to legal or contractual requirements. (2) Restricted – portion of net resources that are required to be reserved by external legal restrictions such as debt covenants, grantors, contributors or other governments. (3) Committed – portion of fund balance that represents resources whose use is constrained by limitations that the City imposes upon itself by council action and require council action to release. (4) Assigned – portion of fund balance that reflects the City's intended use of resources. (5) Unassigned – surplus fund balance.

The City shall use the following guidelines to maintain the fund balance, working capital and net assets of the various operating funds at levels sufficient to protect the City's creditworthiness as well as its financial position from unforeseeable emergencies.

#### **General Fund Unassigned Fund Balance**

The City shall strive to maintain the General Fund unassigned fund balance at an amount equal to a minimum of twelve (12) percent of the general operating budget. The City will maintain an unallocated fund balance of an amount equal to a minimum of twelve (12) percent of the general operating budget. Any excess above the minimum will be designated to the Capital Improvement Program and the Equipment Replacement Program. These designations will be reviewed annually and authorized by the Council. The minimum twelve (12) percent unallocated fund balance will be used to

avoid cash-flow interruptions, generate interest income, reduce need for short-term borrowing and assist in maintaining an investment-grade bond rating.

#### **Other Operating Funds Unrestricted Net Assets; Enterprise Working Capital**

In other operating funds, the City shall strive to maintain a positive unrestricted net assets position to provide sufficient reserves for emergencies and revenue shortfalls. The unallocated fund balance of other funds should be maintained as follows:

<b><u>Fund</u></b>	<b><u>Minimum</u></b>	<b><u>Target</u></b>	<b><u>Maximum</u></b>
Water/Wastewater Fund	12.00%	18.00%	25.00%
Airport Fund	12.00%	18.00%	25.00%
Golf Fund	12.00%	18.00%	25.00%
Debt Service Funds	10% of Current Year Debt Payment		

#### **Use of Fund Balance/ Net Assets**

Fund Balance/ Net Assets shall be used only for emergencies, non-recurring expenditures, major capital purchases that cannot be accommodated through current year savings, and as designated by Council. Should such use reduce the balance below the appropriate level set as the objective for that fund, recommendations will be made on how to restore it.

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

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

### **IV. Capital Infrastructure and Equipment Replacement**

#### **Capital Expenditures and Improvements**

The City shall annually review and monitor the condition of the City's capital equipment and infrastructure, setting priorities for its replacement and renovation based on needs, funding alternatives and availability of resources.

#### **Capital Improvements Program**

The City shall annually review the Capital Improvements Program (CIP), potential new projects and the current status of the City's infrastructure, replacement and renovation needs, updating the program as appropriate. All projects, ongoing and proposed, shall be prioritized based on an analysis of current needs and resource availability. For every

project, all operation, maintenance and replacement expenditures shall be fully costed. The CIP shall also present the City's long-term borrowing plan, debt payment schedules and other debt outstanding or planned, including general obligation bonds, revenue bonds, certificates of obligation and lease/purchase agreements.

#### **Replacement of Capital Assets (Equipment) on a Regular Schedule**

The City shall annually prepare a schedule for the replacement of its non-infrastructure capital assets. Within the resources available each fiscal year, the City shall replace these assets according to this schedule.

#### **Capital Expenditure Financing**

The City recognizes that there are several methods of financing capital requirements. It can budget the funds from current revenues; it can take the funds from fund balance/retained earnings as allowed by the Fund Balance/ Net Assets Policy; it can utilize funds from grants and foundations or it can borrow money through debt. Debt financing includes general obligation bonds, revenue bonds, certificates of obligation, lease/purchase agreements and certificates of participation. Guidelines for assuming debt are set forth in the Debt Policy Statements.

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

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

Assets shall be maintained to protect the government's investment and minimize the future replacement and maintenance costs. The annual operating budget shall provide for adequate maintenance and issuance of all capital plant and equipment.

### **V. Debt Management**

The City shall use the following guidelines for debt financing which will provide needed capital equipment and infrastructure improvements while minimizing the impact of debt payments on current and future revenues.

**Use of Debt Financing**

Debt financing, including general obligation bonds, revenue bonds, certificates of obligation and lease/purchase agreements, shall only be used to purchase capital assets. Debt payments should be structured to provide that capital assets, which are funded by the debt, have a longer life than the debt associated with those assets. Long Term Debt shall not be used for operating purposes. The life of the bonds shall not exceed the useful life of the projects.

**Amortization of Debt**

The City shall structure new debt issue payment schedules to utilize the City's declining debt payment schedules to keep tax increases for debt to a minimum. Capital projects that, by their character or size, are outside the normal core service projects will require careful evaluation of financial feasibility.

**Affordability Targets**

The City shall use an objective analytical approach to determine whether it can afford to assume new debt beyond the amount it retires each year. This process shall compare generally accepted standards of affordability to the current values for the City. These standards shall include debt per capita, debt as a percent of taxable value, debt service payments as a percent of current revenues and current expenditures and the level of overlapping net debt of all local taxing jurisdictions. The process shall also examine the direct costs and benefits of the proposed expenditures as determined in the City's annual update of the Capital Improvements Planning Program. The decision on whether or not to assume new debt shall be based on these costs and benefits and on the City's ability to "afford" new debt as determined by the aforementioned standards. The City shall use cities with similar bond ratings for debt ratio benchmarks.

**Sale Process**

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

**Rating Agencies Presentations**

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

**Continuing Disclosure**

The City is committed to continuing disclosure of financial and pertinent credit information relevant to the City's outstanding securities.

**Debt Refunding**

City staff and the financial advisor shall monitor the municipal bond market for opportunities to obtain interest savings by refunding outstanding debt.

When appropriate, self-supporting revenue bonds shall be issued before general obligation bonds. Interest earnings on bond proceeds shall be credited to the appropriate bond/capital fund. The bonds shall have a provision which allows them to be recalled after the tenth year of issue.

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

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

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

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

**VI. Cash Management and Investments**

The City's available cash shall be invested according to the standard of prudence set forth in Section 2256.006 of the Texas Government Code. The following shall be the objectives of the City of Lancaster Investment Policy listed in their order of importance: preservation of capital and protection of investment principal, maintenance of sufficient liquidity to meet anticipated cash flows, diversification to avoid unreasonable market risks and attainment of a market value rate of return. The investment income derived from pooled investment accounts shall be allocated to contributing funds based upon the proportions of respective average balances relative to total pooled balances.

## **VII. Intergovernmental Relations**

The City shall coordinate efforts with other governmental agencies to achieve common policy objectives, share the cost of providing government services on an equitable basis and support appropriate favorable legislation at the state and federal levels.

### **Interlocal Cooperation in Delivering Services**

In order to promote the effective and efficient delivery of services, the City shall work with other local jurisdictions to share on an equitable basis the costs of services, to share facilities and to develop joint programs to improve service to its citizens.

### **Legislative Program**

The City shall cooperate with other jurisdictions to actively oppose any state or federal regulation or proposal that mandates additional City programs or services and does not provide the funding for implementation.

## **VIII. Grants**

The City shall seek, apply for, obtain and effectively administer federal, state and foundation grants-in-aid that address the City's current and future priorities and policy objectives.

### **Grant Guidelines**

The City shall seek, apply for and obtain those grants that are consistent with priority needs and objectives identified by Council.

### **Grant Review**

The City shall review all grant submittals for their cash or in-kind match requirements, their potential impact on the operating budget and the extent to which they meet the City's policy objectives. If there are cash match requirements, the source of funding shall be identified and approved prior to application, as set forth in the Grant Policy.

## **IX. Economic Development**

The City shall initiate, encourage and participate in economic development efforts to create job opportunities and strengthen the local economy and tax base.

### **Commitment to Expansion and Diversification**

The City shall encourage and participate in economic development efforts to expand Lancaster's economy and tax base, to increase local employment and to invest when there is a defined specific long-term return. These efforts shall not only focus on new areas but on redevelopment of older areas and other established sections of Lancaster where development can generate additional jobs and other economic benefits.

**Increase Non-Residential Share of Tax Base**

The City's economic development program shall seek to expand the non-residential share of the tax base to decrease the tax burden on residential homeowners

**Coordinate Efforts with Other Jurisdictions**

The City's economic development program shall encourage close cooperation with other local jurisdictions to promote the economic well being of this area.

**Use of Other Incentives**

The City shall use tax re-investment zones as allowed by law and shall seek new sources to encourage business expansion. The City shall also coordinate with state and federal agencies on offering any incentive programs they may provide for potential economic expansion.

**X. Fiscal Monitoring**

Reports shall be prepared and presented on a regular basis to analyze, evaluate and forecast the City's financial performance and economic condition for the current year and for multi-years.

**Financial Status and Performance Reports**

Quarterly reports shall be prepared comparing expenditures and revenues to current budget for fiscal year-to-date, and to prior year actual fiscal year-to-date.

**Five-Year Forecast of Revenues and Expenditures**

A five-year forecast of revenues and expenditures, including a discussion of major trends affecting the City's financial position, shall be prepared. The forecast shall examine critical issues facing the City, economic conditions and the outlook for the upcoming budget year. The document shall incorporate elements of the International City Management Association financial trend monitoring system, providing further insight into the City's financial position and alerting the Council to potential problem areas requiring attention.

**XI. Accounting, Auditing and Financial Reporting**

The City shall comply with prevailing local, state and federal regulations. Its accounting practices and financial reporting shall conform to generally accepted accounting principles promulgated by the Governmental Accounting Standards Board (GASB), the American Institute of Certified Public Accountants (AICPA) and the Government Finance Officers Association (GFOA). The City Council shall select an independent firm of certified public accountants to perform an annual audit of all operations. The City shall continue to participate in the Government Finance Officers Association's Certificate of Achievement for Excellence in

Financial Reporting program and the Texas Comptroller's Office Leadership Circle program promoting financial transparency.

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

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

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

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

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

## **XII. Internal Controls**

The Chief Financial Officer is responsible for developing citywide written guidelines on accounting, cash handling, and other financial matters that will be approved by the City Manager. The Chief Financial Officer will assist department heads as needed in tailoring these guidelines into detailed written procedures to fit each department's specific requirements.

Each department head is responsible to ensure that good internal controls are followed throughout his or her department, that all finance department guidelines on accounting and internal controls are implemented, and that all independent auditor internal control recommendations are addressed.

## **XIII. Risk Management**

The City will utilize a safety program, an employee health program and a risk management program to prevent and/or reduce the financial impact on the City from claims and losses. Transfer of liability for claims will be utilized where appropriate via transfer to other entities through insurance and/or by contract. Prevention of claims through the safety program and the employee health program will be employed.

#### **XIV. Operating Budget**

The City shall establish an operating budget, which shall link revenues and expenditures to the goals of the City Council. It will be the City's goal to participate in the Government Finance Officers Association's Distinguished Budget Presentation Award program and to obtain the award annually.

Current operating revenue will be sufficient to support current operating expenditures. Debt or bond financing will not be used to finance current expenditures. Deferrals, short-term loans, or one-time sources shall be avoided as budget balancing techniques. Annually recurring revenue will not be less than annually recurring operating budget expenditures (operating budget minus capital outlay) or Council may authorize the City Manager to utilize unrestricted fund balance to make up the difference.

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

#### **XV. Five Year Financial Plans**

##### **Capital Improvement Plan**

The City shall prepare annually a five year Capital Improvements Plan that incorporates all capital funds, existing and planned, showing planned projects by phase and by fiscal year. The first year of this CIP shall constitute the City's capital budget for the year.

##### **Long Range Financial Forecast**

The City shall prepare annually a Long Range Financial Forecast that projects revenue and expenditures for the General, Utility, Debt Service and any other major fund for a five year period. The forecast shall attempt to determine the impact on future revenue and expenditures from changes in the economy, population change, and implementation of the CIP including planned bond sales.

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 5

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

---

**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Financially Sound City Government**

---

### **Background**

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

### **Considerations**

- **Operational** – No fundamental changes are proposed in the policy.
- **Legal** – The “Public Funds Investment Act”, Chapter 2256 of the Texas Government Code requires the City to adopt its investment policy by resolution. The City Attorney has approved the resolution as to form.
- **Financial** – No individual investment securities are currently owned by the City at this time. We have funds invested in two pools: TexPool and Logic.
- **Public Information** – This item is being considered by a meeting of the City Council in accordance with the Texas Open Meetings Act.

### **Options/Alternatives**

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

### **Recommendation**

Staff recommends approval of the resolution as presented.

**Attachments**

- Resolution
  - Investment Policy
- 

**Submitted by:**

Cynthia A. Pearson, Director of Finance

## **RESOLUTION NO.**

**A RESOLUTION APPROVING AND ADOPTING THE CITY OF LANCASTER INVESTMENT POLICY; PROVIDING THAT ALL FUNDS OF THE CITY BE MANAGED AND INVESTED IN A MANNER THAT SERVES TO SATISFY THE REQUIREMENTS OF THE LOCAL GOVERNMENT CODE CHAPTER 2256, "PUBLIC FUNDS INVESTMENT ACT"; MAKING VARIOUS PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE.**

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

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

**WHEREAS**, the investment officers of the city have attended an investment training course as required by the "Public Funds Investment Act"; and

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

**WHEREAS**, the City council must review and approve such Investment Policy at least once annually; and

**WHEREAS**, the City Council hereby affirms that the written investment policy will continue to protect City assets by identifying investment objectives, addressing the issues of investment risk versus rewards, and providing the framework for the establishment of controls, limitations and responsibilities of City employees in the performance of their fiduciary responsibilities;

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

**SECTION 1.** The City of Lancaster has complied with the requirements of the "Public Funds Investment Act", and the Investment Policy, as amended, attached hereto and incorporated herein by reference as Exhibit "A," is hereby adopted as the investment policy of the City effective September 08, 2014.

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

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 8<sup>th</sup> day of September, 2014.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

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

**APPROVED AS TO FORM:**

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

# City of Lancaster, Texas

## Investment Policy

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

### **I. Purpose**

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

### **II. Policy Statement**

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

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

### **III. Scope**

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

### **IV. Objective and Strategy**

The City shall manage and invest with five primary objectives, listed in order of priority: safety, public trust, liquidity, diversification and yield. Investments are to be chosen in a manner which promotes diversity by market sector, credit and maturity. The choice of high-grade government investments and high-grade money market instruments is designed to assure the marketability of those investments should liquidity needs arise. To match anticipated cash flow requirements the maximum weighted average maturity of the overall portfolio may not exceed six months.

#### **A. Safety**

Safety of principal is the foremost objective of the City. Investments of the City shall be undertaken in a manner that seeks to insure the preservation of capital in the overall portfolio.

**B. Public Trust**

All parties of the City's investment process shall seek to act responsibly as custodians of the public trust. Investment advisors and officials shall avoid any transaction that might impair public confidence in the City's ability to govern effectively and maintain a sound, sustainable city government.

**C. Liquidity**

The City's investment portfolio will be based on a cash flow analysis of needs and will remain sufficiently liquid to enable it to meet all operating and debt/bond requirements which might be reasonably anticipated.

**D. Diversification**

Diversification of the portfolio will include diversification by maturity and market sector and will include the use of a number of broker/dealers for diversification and market coverage. Competitive bidding will be used on each sale and purchase.

**E. Yield**

The City's investment portfolio shall be designed with the objective of attaining a market rate of return, taking into account the City's risk constraints and the cash flow needs of the portfolio. "Market rate of return" may be defined as the average yield of the current six month U.S. Treasury Bill.

Additional priorities are: (1) understanding of the suitability of the investment to the financial requirements of the city; and (2) marketability of the investment if the need arises to liquidate the investment before maturity.

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

**V. Legal Limitations, Responsibilities and Authority**

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

## **VI. Standards of Care**

### **A. Delegation of Investment Authority**

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

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

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

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

#### Authorization Resolution

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

### **B. Prudence**

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

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

#### Limitation of Personal Liability

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

reported in a timely manner and the appropriate action is taken to control adverse market effects.

**C. Internal Controls**

The Director of Finance is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the entity are protected from loss, theft, or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (a) the cost of a control should not exceed the benefits likely to be derived and (b) the valuation of costs and benefits requires estimates and judgments by management. Therefore, the Director of Finance shall establish a process for annual independent review by an external auditor to assure compliance with policies and procedures. Quarterly Investment Reports must be formally reviewed at least annually by the independent auditor and reported to the City Council.

A compliance audit of management controls on investments and adherence to the City's established investment policies will be conducted in conjunction with the City's annual audit by the independent auditor.

Cash Flow Forecasting

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

**D. Ethics and Conflicts of Interest**

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

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

- E. Training** - Investment officials must complete at least 10 hours of investment training within 12 months of taking office or assuming duties, and shall attend an investment training session not less than once in a two year period and receive not

less than 10 hours of instruction relating to investment responsibilities. The City shall provide the training through courses and seminars offered by professional organizations and associations in order to insure the quality and capability of the City's investment personnel making investment decisions in compliance with Public Funds Investment Act (PFIA). Professional organizations and associations that may provide investment training included the Government Treasurer's Organization of Texas, the University of North Texas, the Government Finance Officers Association of Texas, or the Texas Municipal League.

## **VII. Authorizations**

### **A. Authorized Investments**

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

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

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

### **B. Competitive Bidding Requirement**

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

**C. Delivery versus Payment**

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

- D. Exemption for Existing Investments** – Any investment currently held that does not meet the guidelines of this policy, but are authorized investments at the time of purchase, shall be exempted from the requirements of this policy and is not required to be liquidated. At maturity or liquidation, such monies shall be reinvested only as provided by this policy.

**E. Authorized Financial Dealer and Institutions**

All investments made by the City will be made through either the City's banking services bank or a primary dealer. The Investment Officer will review the list of authorized broker/dealers annually. A list of at least three broker/dealers will be maintained in order to assure competitive bidding. The City Council must review, approve and adopt the Authorized List of Brokers on at least an annual basis.

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

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

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

**VIII. Diversification and Maturity Limitations**

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

Security Type	Max % of Portfolio
U.S. Treasury obligations	100%
U.S. Government agencies and instrumentalities	not to exceed 50%
Fully insured or collateralized CDs	not to exceed 30%

Repurchase agreements	100%
Money Market funds	100%
For Bond funds	80%
Local Government Investment Pools	
Liquidity Pools	100%
Maximum percent ownership of pool	not to exceed 20%
For bond funds	not authorized

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

#### **IX. Safekeeping and Collateralization**

The laws of the State and prudent treasury management require that all purchased securities be bought on a delivery versus payment basis and be held in safekeeping by an independent Third Party safekeeping agent.

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

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

##### Collateralization

Collateralization is required on the time and demand deposits over the FDIC insurance coverage of \$250,000 and repurchase agreements.

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

Securities pledged as collateral will be held in the City's name by an independent third party with whom the City has a current custodial agreement. The Investment Officer is responsible for entering into collateralization agreements with third party custodians in compliance with this Policy. The agreements are to specify the

acceptable investment securities for collateral, including provisions relation to possession of the collateral, the substitution or release of investment securities, ownership of securities, and the method of valuation of securities. A clearly marked evidence of ownership (safekeeping receipt) must be supplied to the City and retained. Collateral shall be reviewed at least quarterly to assure that the market value of the pledged securities is adequate.

**X. Performance Evaluation and Reporting**

**A. Methods** – The Investment Officer shall prepare an investment report at least quarterly, including a management summary that provides an analysis of the status of the current investment portfolio and transactions made over the last quarter. This management summary will be prepared in a manner consistent with the requirements of Section 2256.023 (Internal Management Reports) of the PFIA, and that will allow the City to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report should be provided to the City Council.

An independent auditor shall formally review the quarterly reports prepared under this section at least annually, and that auditor shall report the results of the review to City Council.

**B. Performance Standards** – The investment portfolio shall be managed in accordance with the objectives specified in this policy (safety, liquidity, and yield). The portfolio should obtain a market average rate of return during a market/economic environment of stable interest rates. The investment officer shall determine whether market yields are being achieved by comparing the portfolio market yield to the three (3) month U.S. Treasury Bill, the six (6) month U.S. Treasury Bill and the two (2) year U.S. Treasury Note.

**C. Marking to Market** – The market value of the portfolio shall be calculated at least quarterly and a statement of the market value of the portfolio shall be issued at least quarterly. The market value of each investment shall be obtained from a source such as the Wall Street Journal, a reputable brokerage firm or security pricing service and reported on the investment reports.

**XI. Depositories**

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

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

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

**APPROVED:**

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MARCUS E. KNIGHT, MAYOR

**ATTEST:**

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SORANGEL O. ARENAS, CITY SECRETARY

**APPROVED AS TO FORM:**

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ROBERT E. HAGER, CITY ATTORNEY

**EXHIBIT A**

**City of Lancaster, Texas  
Authorized Investment Officials**

Director of Finance

Assistant Finance Director

**EXHIBIT B**

**City of Lancaster, Texas  
Statement of Ethics and Conflicts of Interest**

Investment officials for the City of Lancaster shall refrain from personal business relationships with business organizations that could conflict with the proper execution of the investment program, or which could impair their ability to make partial investment decisions. This would only apply to personal business relationships with business organizations that have been approved by City Council to conduct investment transactions with the City of Lancaster.

An investment official is considered to have a personal business relationship with a business organization if:

- (1) The investment official owns 10 percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business.
- (2) Funds received by the investment official from the business organization exceed 10 percent of the investment official's gross income for the previous year.
- (3) The investment official has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for the personal account of the investment official.

I do hereby certify that I do not have a personal business relationship with any business organization approved to conduct investment transactions with the City of Lancaster, nor am I related within the second degree by affinity or consanguinity, as determined under Chapter 573, to an individual seeking to sell an investment to the City of Lancaster as of the date of this statement.

City of Lancaster  
Investment Officials

\_\_\_\_\_  
Cynthia Pearson, Director of Finance

\_\_\_\_\_  
Date

\_\_\_\_\_  
Baron Sauls, Assistant Finance Director

\_\_\_\_\_  
Date

**EXHIBIT C**

**City of Lancaster, Texas**  
**Approved Broker/Dealers, Financial Institutions and Investment Pools**

**Broker/Dealers**

First Southwest Company

**Public Depositories**

JP Morgan Chase, NA (Primary)

**Investment Pools**

TexPool

LOGIC

Texstar

**EXHIBIT D**

**City of Lancaster, Texas  
Certification by Business Organization**

*(date)*

City of Lancaster, Texas

*(Attn: Designated Investment official)*

211 N. Henry

Lancaster, TX 75146

Dear Mr/s. *(investment official)*:

This certification is executed on behalf of the City of Lancaster, Texas (the Investor) and \_\_\_\_\_ (the Business Organization), pursuant to the Public Funds Investment Act, Chapter 2256, Texas Government Code, (the Act) in connection with investment transactions conducted between the Investor and Business Organization.

The undersigned Registered Principal of the Business Organization hereby certifies on behalf of the Business Organization that:

1. The undersigned is a Registered Principal of the Business Organization offering to enter an investment transaction with the Investor (Note: as such terms are used in the Public Funds Investment Act, chapter 2256, Texas Local Government Code) and;
2. The Registered Principal of the Business Organization has received and reviewed the Investment Policy furnished by the Investor and;
3. The Registered Principal of the Business Organization has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the Business Organization and the Investor that are not authorized by the Investor's investment policy, except to the extent that this authorization is dependent on an analysis of the makeup of the investor's entire portfolio or requires and interpretation of the subjective investment standards.

**Registered Principal**

**Broker Assigned to the Account**

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

\_\_\_\_\_

Printed Name \_\_\_\_\_

\_\_\_\_\_

Title \_\_\_\_\_

\_\_\_\_\_

Date \_\_\_\_\_

\_\_\_\_\_

# **LANCASTER CITY COUNCIL**

## **Agenda Communication**

**September 8, 2014**

Item 6

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**Consider a resolution canceling the City Council Work Session of September 15, 2014 and regular City Council meetings of November 24, 2014, and December 22, 2014.**

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Civic Engagement**

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### **Background**

The City Council generally meets on the second and fourth Mondays of each month. The City Charter only 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 Work Session in September (September 15) 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 conference.

Typically City Council cancels the second regular meetings in November and December to accommodate the holiday season. In November, the regular Council meeting falls on November 24. November 24 is the Monday prior to Thanksgiving Day.

The second regular meeting in December is December 22, the Monday prior to Christmas Day on December 25. The regular meeting of December 8 and work session, if needed, on December 15 provide sufficient opportunity for the City's business in December.

### **Considerations**

Essential City business can be completed at the regular or special meetings on September 22, November 10 and December 15. At any time, City Council may call a properly noticed Special Meeting if an unforeseen matter requires prompt action by the Council.

**Options/Alternatives**

1. Approve the resolution canceling the September 15, November 25, and December 23 meetings as presented.
2. Amend the resolution to cancel and/or reschedule certain meeting(s).
3. Deny the resolution and conduct meetings as scheduled.

**Recommendation**

Staff recommends approval of the resolution as presented.

**Attachments**

- Resolution
- 

**Submitted by:**  
Sorangel O. Arenas, City Secretary

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, CANCELING THE CITY COUNCIL WORK SESSION FOR SEPTEMBER 15, 2014 AND REGULAR CITY COUNCIL MEETINGS SCHEDULED FOR NOVEMBER 24, 2014 AND DECEMBER 22, 2014.**

**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 and special meetings of September 22, 2014, November 10, 2014 and December 15, 2014; and

**WHEREAS**, in acknowledging the 2014 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, THAT:**

**SECTION 1.** The regularly scheduled meetings of the City Council set for September 15, 2014, November 24, 2014 and December 22, 2014 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 8<sup>th</sup> day of September 2014.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

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

**APPROVED AS TO FORM:**

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

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 7

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

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

**Goal: Financially Sound City Government**

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### **Background**

At the August 18, 2014 work session, City Council discussed proposed changes to the City's Master Fee Schedule. No changes were suggested to the proposed the Fee Schedule. The Master Fee Schedule is adopted by resolution. Changes to the fee schedule may be made throughout the year, as needed, by resolution.

### **Considerations**

A summary of proposed changes is listed below. The redlined fee schedule is attached.

#### ***Article 5.000 Fire Services Fees*** (reference page 17)

Sec. 5.4000 Ambulance Fees:

Proposed increases to the following ambulance fees include:

- |                                  |                                    |
|----------------------------------|------------------------------------|
| (4) ALS1 Emergency, Non-Resident | <del>\$ 800.00</del> \$ 1125.00    |
| (5) ALS1 Emergency, Resident     | <del>\$ 750.00</del> \$ 1050.00    |
| (6) ALS2, Non-Resident           | <del>\$ 1,000.00</del> \$ 1,275.00 |
| (7) ALS2, Resident               | <del>\$ 950.00</del> \$ 1200.00    |
| (8) BLS Emergency, Non-Resident  | <del>\$ 650.00</del> \$ 900.00     |
| (9) BLS Emergency, Resident      | <del>\$ 600.00</del> \$ 825.00     |

**Article 8.000 Library Fines and Fees** (reference pages 19, 20)

Charges for overdue materials for books, magazines, audio tapes, CD's and interlibrary loans have been changed from up to the cost to a maximum \$10 per item. A fee for faxing has been added at \$1.00 per page.

The resident/non-resident deposit fees for the Library meeting room have been struck.

A chart comparing charges by survey cities is attached.

**Article 10.000 Utility Related Fees** (reference page 22, 23, 24, and 26)

Sec. 10.200 (2)Water Meter – Damaged service line:

- |     |  |                    |
|-----|--|--------------------|
| (d) | Reread Meter at customers request  | \$20.00            |
| (e) | Check for Leaks  | \$20.00            |
| (f) | <del>Meter Testing by manufacturer if requested by customer; no charge if meter is found defective</del> | <del>\$50.00</del> |

Sec. 10.400 Industrial Discharge Fee:

The year has been updated to reflect the Fiscal Year 2014 Technical Services Fee Schedule for laboratory analyses rather than 2013.

Sec. 10.500 Charges for Water Service Connections:

The following statement has been struck.

~~The property owner or developer shall install the approved meter, per city materials and specifications, after paying the required permits and fees, all at owner's expense.~~

Sec. 10.600 Deposits for Water and/or Sewer

**Water Meter Cost on Existing Taps**

3/4" Meter \$ 250.00

1" Meter \$ 300.00

1 1/2" Meter \$ 470.00

2" Meter \$ 625.00

3" and Larger Meters - Owner provides meters approved by the City

**Meter Set Fee**

Included in cost of meter

3" and Larger Meters – Will be set by licensed plumber or bonded contractor.  
 Customer must notify the City when meter is set.

(2) Residential – Bore, Tap and Relocate Fees

~~Water tap fee (3/4" up to 2") \$450~~  
~~Sewer tap fee (4") \$400~~  
~~Relocate meter costs same cost as installation~~

**Request for Residential Tap Fees for Water**

3/4" Tap \$ 890.00  
 1" Tap \$ 997.00  
 1 1/2" Tap \$ 1,250.00  
 2" Tap \$ 1,496.00  
 3" and larger - Owner provides Taps and Meters

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

Plus \$35/lf 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" Sewer Tap  
 Less than 35' in length and less than  
 10' in depth \$ 1,250.00

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.**

~~Contractor is responsible for preparing area and City will make the tap.~~ All taps residential and commercial owner or contractor is responsible for any required ~~pavement & concrete cuts~~, bore, encasement and grouting underneath a road. City Right-Of-Way (ROW) permit application is required and regular inspection fees will apply.

(6) Commercial – 3/4 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. 10.900 Imposition of Lien for Water Service Charges (reference page 26)

A data log meter fee has been added for \$25.00.

Sec. 10.100 Wastewater Treatment services User Charges

The following statement has been struck and replaced:

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

**Article 15.000 Parks and Recreation** (reference pages 35, 36, 37, 39, 40, and 41 )

Adjustments have been made as follows:

5. Daily Fitness Atrium Admission (17 years and older)	\$5/day	Provides access to fitness atrium during designated hours. <del>Must have current recreation ID card.</del>
6. Monthly Fitness Atrium Membership (17 years and older)	\$20 Resident \$25 Non Resident	Provides access to the fitness atrium during designated hours. <del>Must have current recreation ID card to purchase a fitness membership.</del>

7. Annual Fitness Atrium Membership (17 years and older)	\$160 Resident \$200 Non Resident	Provides access to use the gymnasium, walking track and the fitness atrium during designated hours. <del>Annual Fitness Atrium membership includes recreation ID card.</del>
8. Open Swim Admission	\$5/ day Resident \$7/day Non Resident	Provides access to use of pool during designated hours.
9. Daily Fitness Swim Admission (17 years and older)	\$3/ day Resident \$5/day Non Resident	Provides access to use of pool during designated hours. <del>(Must have current recreation ID card).</del>
10. Monthly Fitness Swim Membership (17 yrs and older)	\$15 Resident \$20 Non Resident	Provides access to use of pool during designated hours. <del>(Must have current recreation ID card).</del>
11. Seasonal Swim Pass (Summer) Individual (16 yrs and younger)	\$60 Resident \$70 Non Resident	Provides access to use of pool during designated hours. <del>(Must have current recreation ID card).</del>
12. Seasonal Swim Pass (Summer) Individual (17 yrs through adult)	\$70 Resident \$80 Non Resident	Provides access to use of pool during designated hours. <del>(Must have current recreation ID card).</del>
13. Seasonal Swim Pass (Summer) Family 4+	\$180 Resident \$200 Non Resident	Provides access to use of pool during designated hours. <del>(Must have current recreation ID card).</del>
14. Annual Fitness Swim Membership (17 years and older)	\$120 Resident \$160 Non Resident	Provides access to use of pool during designated hours. <del>Annual Fitness Swim membership includes recreation ID card.</del>

#### Sec. 15.200 Rental Facilities

(a) Proposed increases to Athletic Field rental fees and deposit include:

Deposit	<del>\$50.00</del> -\$100.00
---------	------------------------------

- |                                  |  |
|----------------------------------|--|
| (1) Cedardale Field Rental/ hour | <del>\$20.00</del> 2 hr minimum Resident<br><del>\$25.00</del><br><br><del>\$30.00</del> 2 hr minimum Non<br>Resident <del>\$35.00</del> |
| (2) City Park Field Rental/ hour | <del>\$20.00</del> 2 hr minimum Resident<br><del>\$25.00</del><br><br><del>\$30.00</del> 2 hr minimum Non<br>Resident <del>\$35.00</del> |
| (3) Royce Clayton Ballpark/ hour | <del>\$20.00</del> 2 hr minimum Resident<br><del>\$25.00</del><br><br><del>\$30.00</del> 2 hr minimum Non<br>Resident <del>\$35.00</del> |
| (4) Youth Football/ hour         | <del>\$20.00</del> 2 hr minimum Resident<br><del>\$25.00</del><br><br><del>\$30.00</del> 2 hr minimum Non<br>Resident <del>\$35.00</del> |
| (5) Soccer Field/ hour           | <del>\$20.00</del> 2 hr minimum Resident<br><del>\$25.00</del><br><br><del>\$30.00</del> 2 hr minimum Non<br>Resident <del>\$35.00</del> |

Additional fees for ~~athletic field rentals with lights are \$15.00 per hour (i.e. lights, lining fields, concessions, etc.) will be determined by the Parks and Recreation Director, based on cost incurred by the City.~~

Fees for the use of the projector screens, podium and sound system at the Grand Hall have been proposed. (reference page 38)

(d) Outdoor Facility

Proposed increase resident rental fee from \$75.00 to \$100.00.

(f) Recreation Center

(5) Projector Screen/Podium/Sound System Rental

Decrease in non-resident fee from \$300.00 to \$200.00.

(i) Lancaster Youth and Adult Sports Association Fee

Participants no longer need to purchase a recreation ID card.

Rental rates for the amphitheater have been adjusted as follows:

(k) Amphitheater Rental

	Resident	Non Resident
Deposit	\$150.00	<del>\$250.00</del> \$150.00
4 hour rental	<del>\$150.00</del> \$200.00	<del>\$300.00</del> \$325.00
6 hour rental	<del>\$225.00</del> \$275.00	<del>\$375.00</del> \$400.00
<del>8 hour rental</del>	<del>\$300.00</del>	<del>\$450.00</del>
Each additional hour after <del>8</del> 6 hrs.	<del>\$ 25.00</del> \$50.00	<del>\$ 35.00</del> \$75.00

A recreation/facility fee survey is attached.

(l) Visitors Center & State Auxiliary Museum Rental

(After hour rental includes atrium and conference room only)

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

- (1) 3 Hour Rental (After hours) \$350.00 \$400.00  
3 hour minimum and maximum for after hour reservations

- (2) Conference Room (during hours of operation only)

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

**Article 16.000 Airport Fees** (reference page 41)

- (1) 956 sq. ft. (small T-hangar) ~~\$180.00~~ ~~\$0.19 per sq ft~~  
\$190.00 / \$0.20 per sq ft
- (2) 1,018.25 sq. ft. (medium T-hangar) \$205.00 \$0.20 per sq ft
- (3) 1,624.33 sq. ft. (large T-hangar) ~~\$290.00~~ ~~\$0.18 per sq ft~~  
\$305.00 / \$0.19 per sq ft

(b) Community Hangar Rental

- |  |  |
|--|--|
| (1) 956 sq. ft. (small T-hangar)       | <del>\$ 90.00</del> <del>\$0.10 per sq ft</del><br>\$ 95.00 / \$0.10 per sq ft |
| (2) 1,018.25 sq. ft. (medium T-hangar) | \$103.00 \$0.09 per sq ft  |
| (3) 1,624.33 sq. ft. (large T-hangar)  | <del>\$145.00</del> <del>\$0.09 per sq ft</del><br>\$153.00 / \$0.10 per sq ft |
| (c) <u>Other Airport Fees</u>          |  |
| (4) Monthly Tie Down Fee               | <del>\$30.00 per month</del><br>\$75.00 per month                              |

### **Options/Alternatives**

1. Council may approve the resolution adopting the Master Fee Schedule as presented with an effective date of October 1, 2014.
2. Council may modify proposed fee(s) and approve the resolution.
3. Council may deny the resolution. Updated fees proposed in the Master Fee Schedule are part of the revenue projections used for the proposed FY 2014-2015 budget.

### **Recommendation**

Staff recommends approval of the Master Fee Schedule as presented with an effective date of October 1, 2014.

### **Attachments**

- Resolution
- Redlined Master Fee Schedule
- Airport Fee Survey
- Fire Fee Survey
- Utility Fee Survey
- Library Fee Survey
- Recreation/Facilities Survey

---

### **Submitted by:**

Sorangel O. Arenas, City Secretary

**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 THAT:**

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

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

**SECTION 3.** This Resolution shall become effective October 1, 2014, 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 8<sup>th</sup> day of September 2014.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

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

**APPROVED AS TO FORM:**

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

## **CITY OF LANCASTER FEE SCHEDULE**

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<b>ARTICLE 3.000 BUILDING RELATED FEES</b>	<b>3</b>
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*Effective October 1, 2013*

*Resolution 2013-08-68*

**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) 1st Offense \$45.00
  - (2) 2nd Offense \$55.00
  - (3) 3rd Offense \$85.00
  - (4) 4th Offense \$110.00
  - (5) Each subsequent offense is increased by \$50.00
- (b) 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) Nonresidential Surrender Fee \$25.00
- (f) Euthanization/Dogs & Cats Only
  - (1) At Owner's Request \$30.00
- (g) Pick Up Deceased Animal for Owner \$30.00
- (h) Microchip and/or Registration Fee
  - \$15.00 if spayed/neutered
  - \$25.00 not spayed/neutered

## **CITY OF LANCASTER FEE SCHEDULE**

### **Sec. 2.200    Dangerous Dog Registration Fee**

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

## **ARTICLE 3.000 BUILDING RELATED FEES**

### **Sec. 3.100    Fees Adopted**

(a)    **Moving Permit Fees**

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

(b)    **Residential Portable/Storage Building Permit Fees**

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

(c)    **Fence Permit Fees**

- |     |                                      |               |
|-----|--------------------------------------|---------------|
| (1) | Residential Zoning (New/Replacement) | Per Table 1-A |
| (2) | Nonresidential                       | Per Table 1-A |
| (3) | A-O Zoning (Agricultural Fencing)    | \$25.00       |

Accessory Structures less than 400 sq. ft.      \$50.00

Accessory Structures greater than 400 sq. ft.      \$100.00

All other construction and related additions or  
remodeling work will be permitted and  
charged in accordance with Table 1-A

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

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

## CITY OF LANCASTER FEE SCHEDULE

(e) Paving Private/Commercial Property Permit Fees

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

(f) 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.

**TABLE 1-A**

<u>Total Valuation</u>	<u>Fee</u>
\$1.00 to \$500.00	\$25.00 (minimum permit fee)
\$501.00 to \$2,000.00	\$25.00 for the first \$500.00 plus \$3.05 for each additional \$100.00 or fraction thereof, to and including \$2,000.00
\$2,001.00 to \$25,000.00	\$69.25 for the first \$2,000.00 plus \$14.00 for each additional \$1,000.00 or fraction thereof, to and including \$25,000.00
\$25,001.00 to \$50,000.00	\$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

## CITY OF LANCASTER FEE SCHEDULE

(g) Sewer/Water/Gas Lines & Replacements

(1)	Sewer line repair/install	Per Table 1-A
(2)	Sewer line replacement	Per Table 1-A
(3)	Water line repair/install	Per Table 1-A
(4)	Water line replacement	Per Table 1-A
(5)	Gas line repair/install Additional charge per outlet	Per Table 1-A
(6)	Gas line Replacement Additional charge per outlet (this fee will be included in the total fee)	Per Table 1-A
(7)	Drainage, vent system repair/replacement	Per Table 1-A
(8)	Water heater replacement	Per Table 1-A
(9)	Fixtures, addition/replacement	Per Table 1-A
(10)	Grease trap, sand trap, grit trap and other Approved catch basins	Per Table 1-A
(11)	Water treatment/water softener	Per Table 1-A
(12)	Solar heater	Per Table 1-A
(13)	Others as may be required	Per Table 1-A

(h) Electrical Fees

(1)	Temporary service pole (not related to 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

## CITY OF LANCASTER FEE SCHEDULE

- (6) Nonresidential Use Appliances Per Table 1-A

[Nonresidential use appliances not exceeding 2 horsepower (hp), kilowatt (kw) or kilowatt ampere(kva)]

- (7) Power Apparatus (Base Fee) Per Table 1-A

Motor over 1 hp, transformer, generator, heating/air conditioning units, heat pumps, cooking/baking

- (8) Equipment – Rated in hp, kw, kva, kvar

Up to and including 1 Per Table 1-A

Over 1-10 Per Table 1-A

Over 10-50 Per Table 1-A

Over 50-100 Per Table 1-A

Over 100 Per Table 1-A

Minimum fee Per Table 1-A

- (9) Signs

Initial CKT Per Table 1-A

Each additional CKT Per Table 1-A

- (10) Busways

Initial 100 feet Per Table 1-A

Each additional 100 feet or fraction thereof Per Table 1-A

- (11) Subpanels

Initial panel Per Table 1-A

Each subsequent panel Per Table 1-A

Service change charge does not include additional circuits required.

- (i) HVAC Installation Fees

- (1) Installing/replacing HVAC system Per Table 1-A  
(condensing unit, evaporator, coil, furnace and piping) up to and including 5 tons of air conditioning, and/or 200,000 Btu input of heating per system

## CITY OF LANCASTER FEE SCHEDULE

- (2) Installing/replacing HVAC system over 5 tons Per Table 1-A  
of air conditioning and/or over 200,000 Btu  
input of heating per system
  
- (3) Component Installation/Replacement.
 

Condensing unit up to 5 tons	Per Table 1-A
Over 5 tons, \$10.00, plus per ton	Per Table 1-A
Furnace up to 200,000 Btu input	Per Table 1-A
Over 200,000 Btu input, \$10.00 plus per 100,000	Per Table 1-A
  
- (4) Unit heater/suspended heater/duct heater Per Table 1-A
- (5) Ventilation/exhaust fans/hoods – Type I, Type II, Hoods, Exhaust Fans, each Per Table 1-A
- (6) Boilers Per Table 1-A
- (7) Other as may be required by mechanical code Per Table 1-A
  
- (j) Swimming Pool/Spa/Hot Tub Permit Fees. Per Table 1-A
  - (1) In ground pool Per Table 1-A
  - (2) Above ground pool Per Table 1-A
  - (3) Spa/hot tub Per Table 1-A

(Above permits include electric and plumbing work, trades must validate)
  
- (k) Mobile/HUD Manufactured Home Permit Fees
  - (1) Pre-June 1976 Per Table 1-A
  - (2) June 1976 to present Per Table 1-A
  
- (l) Industrialized Home Permit Fee Per Table 1-A
  
- (m) Apartment Registration and Inspection Fee \$15.00 per apartment unit
  
- (n) Satellite Dish Permit Fees

Pole style or roof mount	Per Table 1-A
--------------------------	---------------
- (o) Installation or Removal of Underground Fuel Storage Tank and/or Hazardous Chemicals
  - (1) Storage tank permit fees Per Table 1-A

## CITY OF LANCASTER FEE SCHEDULE

- (p) 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 |
- (q) Above Ground LPG Storage Tank System Permit Fees
- |  |               |
|--|---------------|
| (1) Contractor's Registration (per year) | \$100.00      |
| (2) Base fee (per tank)                  | Per Table 1-A |
- (r) Fire Sprinkler and/or Standpipe System Permit Fees
- |  |               |
|--|---------------|
| (1) Contractor's Registration (per year) | \$100.00      |
| (2) Base Fee                             | Per Table 1-A |
- (s) Fire Alarm Fees
- |               |               |
|---------------|---------------|
| (1) Base Fees | Per Table 1-A |
|---------------|---------------|
- (t) Fixed Fire-Extinguishing System Permit Fees
- |  |               |
|--|---------------|
| (1) Contractor's Registration (per year) | \$100.00      |
| (2) Base Fee                             | Per Table 1 A |
- (u) Tents and/or Air Support System Permit Fees
- |                           |               |
|---------------------------|---------------|
| (1) 200 sq. ft. or larger | Per Table 1-A |
|---------------------------|---------------|
- (v) Grading Filling and Excavating Permit Fees
- |              |               |
|--------------|---------------|
| (1) Base Fee | Per Table 1-A |
|--------------|---------------|
- (w) Fee Assessment for Traffic Signals. There shall be an assessment of thirty-five dollars \$35.00 per acre for each acre of development so as to provide for future traffic signalization.
- |                        |         |
|------------------------|---------|
| (1) New Construction   | \$75.00 |
| (2) Existing Structure | \$75.00 |
- (x) Certificate of Occupancy Fees
- |                        |         |
|------------------------|---------|
| (1) New Construction   | \$75.00 |
| (2) Existing Structure | \$75.00 |

## CITY OF LANCASTER FEE SCHEDULE

(y) Concrete Permit

(1) All contractors' must submit \$300,000.00 liability insurance made out with the City of Lancaster as a certificate holder.

(z)	<u>Irrigation Permit Fee</u>	\$125.00
(aa)	<u>Administrative Plan Review-Residential</u>	\$250.00
(bb)	<u>Administrative Plan Review-Commercial</u>	65% of permit fee
(cc)	<u>Utility Verification Permit</u>	\$50.00
(dd)	<u>After Hours Inspections</u>	\$47.00 per hour, minimum 2 hours
(ee)	<u>Sign Permit Fees</u>	Per Table 1-A
(ff)	<u>Wind Energy System Permit Fee</u>	Per Table 1-A
(gg)	Hotel/Motel Property Inspection Fee	\$50.00 per rental unit annually

### **Contractor Registration Fees**

(1)	Building Contractor Registration	\$100.00 Annually
(2)	Plumbing Business Registration	\$100.00 Annually
(3)	Electrical Contractor Registration	\$100.00 Annually
	(a) Master License Registration	\$30.00 Annually
	(b) Journeyman License Registration	\$20.00 Annually
	(c) House Wireman License Registration	\$10.00 Annually
(4)	HVAC Contractor Registration	\$100.00 Annually
	(a) Type A License Registration	\$30.00 Annually
	(b) Type B License Registration	\$30.00 Annually
(5)	General Contractor Registration	\$100.00 Annually
(6)	Fence Contractor Registration	\$100.00 Annually
(7)	Sign Contractor Registration	\$100.00 Annually
(8)	Concrete Contractor Registration	\$100.00 Annually

## **CITY OF LANCASTER FEE SCHEDULE**

### **Sec. 3.200 When Fees Doubled**

Where work for which a permit is required is started or proceeded 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)

## **ARTICLE 4.000 BUSINESS RELATED FEES**

### **Sec. 4.100 Peddlers, Solicitors and Itinerant Vendors**

(a) Investigation Fee Each and every person seeking a permit under the provisions of the Lancaster Code of Ordinances, Chapter 4, Article 4.100 "Peddlers, Solicitors and Itinerant Vendors" shall pay a fee of twenty-five dollar (\$25.00) per year for investigation of such application. Such fee shall be

## **CITY OF LANCASTER FEE SCHEDULE**

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 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.

<b>Sec. 4.500 Temporary Food Permit Application</b>	<b>\$75.00</b>
(Set by the Dallas County Department of Health and Human Services.)	

## **CITY OF LANCASTER FEE SCHEDULE**

### **Sec. 4.600 Reserved for Future Use**

### **Sec. 4.700 Temporary Building Use Fees**

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

(1)	Real estate sales office	\$100.00
(2)	Construction office	\$100.00
(3)	Asphalt batching plant	\$100.00
(4)	Cement batching plant	\$100.00
(5)	Portable church building	\$100.00
(6)	Portable school building	\$100.00
(7)	Other temporary use as determined by City Manager (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.

### **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 2010-11-93, adopted 11/08/10)

# CITY OF LANCASTER FEE SCHEDULE

## ARTICLE 5.000 FIRE SERVICES FEES

**Sec. 5.100**     **Apartment Registration and Inspection Fee**     \$15.00 per apartment unit

**Sec. 5.200**     **Installation 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

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

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

**Sec. 5.400**     **Fire Alarm Fees**

(1)     Base fees     Per Table 1-A

**Fixed Fire-Extinguishing System Permit Fees**

(1)     Contractor's Registration (per year)     \$100.00  
(2)     Base Fees     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 proceeded 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.

## **CITY OF LANCASTER FEE SCHEDULE**

### **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 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.

<b>Sec. 5.1000    <u>Residential Fire Alarm Permit Fee</u></b>	\$ 25.00 Annually
(No Charge if Burglar Alarm Permit is taken out with Police Department)	
Senior Rate (65 or older)	Exempt

<b>Sec. 5.2000    <u>Commercial Fire Alarm Permit Fee</u></b>	\$100.00 Annually
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### **Sec. 5.3000    Required Annual Operational Permit Fees**

1	Aerosol products	\$ 25.00
2	Amusement buildings	\$100.00
3	Assisted living operations	\$ 50.00
4	Aviation facilities	\$ 25.00
5	Carnivals and fairs	\$ 75.00
6	Cellulose nitrate film	\$ 25.00
7	Combustible dust-producing operations	\$ 25.00
8	Combustible fibers	\$ 25.00
9	Compressed gases	\$ 25.00

## **CITY OF LANCASTER FEE SCHEDULE**

10	Covered mall buildings	\$ 25.00
11	Cryogenic fluids	\$100.00
12	Cutting and welding	\$ 25.00
13	Day care operations	\$ 25.00
14	Dry cleaning plants	\$ 25.00
15	Exhibits and trade shows	\$ 25.00
16	Explosives	\$500.00
17	Fire hydrants and valves	\$ 25.00
18	Flammable and combustible liquids	\$ 25.00
19	Floor finishing	\$ 0.00
20	Foster home operations	\$ 25.00
21	Fruit and crop ripening	\$ 25.00
22	Fumigation and thermal insecticidal Fogging	\$ 25.00
23	Group home operations	\$ 50.00
24	Half-way home operations	\$ 50.00
25	Hazardous materials	\$200.00
26	HPM facilities	\$100.00
27	High-piled storage	\$100.00
28	Hot work operations	\$ 0.00
29	Industrial ovens	\$ 25.00
30	Lumber yards and woodworking plants	\$ 25.00
31	Liquid- or gas-fueled vehicles or equipment in assembly buildings	\$ 25.00
32	LP-gas	\$ 25.00
33	Magnesium	\$ 25.00
34	Miscellaneous combustible storage	\$ 25.00

## CITY OF LANCASTER FEE SCHEDULE

35	Open burning (Exception: Recreational fires)	\$ 25.00 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
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	\$ 25.00
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

## CITY OF LANCASTER FEE SCHEDULE

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	\$ 25.00 per hydrant
11	Spraying or dipping	Per Table 1-A
12	Standpipe systems	\$ 25.00
13	Temporary membrane structures, tents and canopies.	\$ 25.00

### **Sec. 5.4000    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	<del>\$ 800.00</del> \$ 1125.00
(5)	ALS1 Emergency, Resident	<del>\$ 750.00</del> \$ 1050.00
(6)	ALS2, Non-Resident	<del>\$ 1,000.00</del> \$ 1,275.00
(7)	ALS2, Resident	<del>\$ 950.00</del> \$ 1200.00
(8)	BLS Emergency, Non-Resident	<del>\$ 650.00</del> \$ 900.00
(9)	BLS Emergency, Resident	<del>\$ 600.00</del> \$ 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. 5.5000    Local EMS Services**

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

### **Sec. 5.6000    Fire Department Response Fees**

(1)	Absorbent for Cleanup	\$ 40.00 per bag
(2)	Absorbent Pads	\$ 50.00 each

## CITY OF LANCASTER FEE SCHEDULE

(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
(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-equipment-rates](http://www.fema.gov/schedule-equipment-rates). Information regarding the use of the Schedule is contained in 44 CFR § 206.228 Allowable Costs.*

### **Sec. 5.7000    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	\$ 50.00 each
1-3 Commercial	\$100.00 each
4-5 Residential	\$ 75.00 each
4-5 Commercial	\$200.00 each
6-7 Residential	\$100.00 each
6-7 Commercial	\$250.00 each
8 or more – Residential	\$200.00 each

## **CITY OF LANCASTER FEE SCHEDULE**

8 or more – Commercial \$300.00 each

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

### **Sec. 5.8000 Dallas County Response Fees**

(1) Ambulance (In-County Calls) \$375.00 per ambulance run

(2) Dallas County Assisted Fire Run \$395.00 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)

### **ARTICLE 8.000 LIBRARY FINES AND FEES**

#### **(a) Charges for overdue materials**

(1) Books/Magazines \$0.20 per day ~~up to cost~~ /  
Maximum \$10 per item

(2) Audio Tapes/CDs \$0.20 per day ~~up to cost~~ /

## CITY OF LANCASTER FEE SCHEDULE

	Maximum \$10 per item
(3) Interlibrary Loans	\$0.20 per day <del>up to cost</del> / Maximum \$10 per item
(4) Video Tapes/DVDs	\$1.00 per day <del>up to cost</del> / Maximum \$10 per item
(b) <u>Lost or Damaged Beyond Repair</u>	\$5.00 + replacement cost
(c) <u>Copies</u>	
(1) Single	\$0.10 per page
(2) Microfilm	\$0.25 per page
(3) Computer Printout	\$0.10 per page
(4) Color Copies	\$1.00 per page
(5) Fax	\$1.00 per page
(d) <u>Nonresident Library Card</u>	\$20.00 Picture id required
(e) <u>Lost Card</u>	\$1.00 replacement
(f) <u>Recovery Fee</u>	\$10.00 - if account is sent to third party for collection (value of material + \$10.00)
(g) <u>Non-cardholder one (1) Hour Internet Access</u>	\$3.00 per hour
(h) <u>Microfilm / microfiche rental</u>	Actual cost, plus shipping and \$1.00 handling fee per order
(i) <u>Interlibrary loan service - Postage</u>	\$3.00 per item
(j) <u>Library meeting room</u> [during operating hours]	
Deposit, resident/non-resident	<del>\$250</del> \$100
Deposit, non-profit	\$ 50
Rental	\$35/hour, resident \$55/hour, non-resident \$30/hour, non-profit
Kitchen use per hour	\$25/hour
Set up Fee	\$50
Projector with screen	\$65/hour, resident; \$75/hour, non-resident

# CITY OF LANCASTER FEE SCHEDULE

## **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	\$0	\$0
Religious Institutions	\$7.97	\$7.97	\$100.00
Lancaster Independent School Dist.	\$7.97	\$7.97	\$100.00
			Per each school property

(Ordinance No. 2002-10-41, adopted 10/14/02)  
(Resolution No. 2010-02-11, corrected fees per ordinance)  
(Resolution No. 2010-03-27, adopted 03/22/10)

## ARTICLE 10.000 UTILITY RELATED FEES

## **Sec. 10.100 Water and Sewer Extensions**

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

## **Sec. 10.200 Water Meter**

- |     |   |                             |
|-----|---|-----------------------------|
| (a) | Tampering and Criminal Mischief Damages |                             |
| (1) | Damaged meter only                      | \$200.00 plus cost of meter |

## CITY OF LANCASTER FEE SCHEDULE

(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 <del>at customers request</del>	\$20.00
(e)	Check for Leaks	\$20.00
(f)	<del>Meter Testing by manufacturer if requested by customer; no charge if meter is found defective</del>	<del>\$50.00</del>

### 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 ~~2013~~ 2014 Technical Services Fee Schedule for laboratory analyses, Industrial Inspections and Industrial Sampling, attached to the Master Fee Schedule as Appendix "A" attached hereto.

### Sec. 10.500 Charges for Water Service Connections

The city shall maintain all water service connections in streets, alleys, or easements within the city limits. ~~The property owner or developer shall install the approved meter, per city materials and specifications, after paying the required permits and fees, all at owner's expense.~~

### Sec. 10.600 Deposits for Water and/or Sewer

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

		New Fees with Activation Fee
(1)	Residential Owners – ¾ inch	\$90.00 + \$10.00 = \$100.00
	Residential Renter – ¾ inch	\$150.00 + \$10.00 = \$160.00
	*Temporary (30 day) clean up	\$40.00 + \$10.00 = \$50.00

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

### Water Meter Cost on Existing Taps

3/4" Meter	\$ 250.00
1" Meter	\$ 300.00
1 ½" Meter	\$ 470.00
2" Meter	\$ 625.00
3" and Larger Meters	- Owner provides meters approved by the City

## CITY OF LANCASTER FEE SCHEDULE

### Meter Set Fee

Included in cost of meter

3" 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.
- (2) Residential – Bore, Tap and Relocate Fees

<del>Water tap fee (3/4" up to 2")</del>	<del>\$450</del>
<del>Sewer tap fee (4")</del>	<del>\$400</del>
<del>Relocate meter costs</del>	<del>same cost as installation</del>

### Request for Residential Tap Fees for Water

3/4" Tap \$ 890.00  
1 "Tap \$ 997.00  
1 1/2" Tap \$ 1,250.00  
2" Tap \$ 1,496.00  
3" and larger - Owner provides Taps and Meters

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

Plus \$35/lf 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" Sewer Tap  
Less than 35' in length and less than  
10' in depth \$ 1,250.00

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.

## CITY OF LANCASTER FEE SCHEDULE

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

~~Contractor is responsible for preparing area and City will make the tap.~~ All taps residential and commercial owner or contractor is responsible for any required ~~pavement & concrete cuts~~, 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

- (6) Commercial – ¾ inch New Fee with Activation Fee
  - (A) 1 inch \$125.00 + \$10.00 = \$135.00
  - (B) 1 ½ inch \$150.00 + \$10.00 = \$160.00
  - (C) 2 inch \$200.00 + \$10.00 = \$210.00
  - (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 with the first billing of October 2011:

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

Meter Size:	Equivalent Units	Minimum Monthly Meter Charge:
5/8 or 3/4 inch water	1	\$19.60

## CITY OF LANCASTER FEE SCHEDULE

1-inch water meter	2.5	\$49.00
1 ½ inch water meter	5	\$98.00
2-inch water meter	8	\$156.80
3-inch water meter	16	\$313.60
4-inch water meter	25	\$490.00
6-inch water meter	50	\$980.00
8-inch water meter	80	\$ 1,568.00
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 ½ 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 fifty cents (\$2.50) shall be charged per each one thousand (1,000) gallons usage. No gallons are included with the monthly minimum charge.

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

Min. charge for 8" meter	\$1,568.00	
200 units @ \$19.60 each	0.00	\$3,920.00
600,000 gallons @ \$2.50/1000	\$1,500.00	\$1,500.00
	\$3,068.00	\$5,420.00

Therefore \$5,420.00 would be billed. ( $\$5,420.00 \div 200 = \$27.10$ )

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

For example:

0 to 14,999 gallons	\$2.50 per 1,000
15,000 to 29,999 gallons	\$3.10 per 1,000
30,000 gallons or more	\$3.90 per 1,000

(5) A discount for senior citizens (age 65 or over) of \$1.74 per month shall be applied to each qualified residential account.

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

## **CITY OF LANCASTER FEE SCHEDULE**

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

Effective with the first billing cycle of October 1992, the rates or sales of water to customers outside the city limits of Lancaster, Texas, will be determined by multiplication of the rates set out in Chapter 13, Article 13.500, Section 13.504 by one hundred fifteen (115) percent. (1994 Code of Ordinances, Chapter 11, Article 11.500, Section 11.505).

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

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

(1)	Reconnect Fee (Cutoff)	\$45.00
(2)	Reconnect Fee (Cutoff) After 5 p.m.	\$55.00
(3)	Late Fee	7% of balance due
(4)	NSF Check	\$35.00
(5)	Extra Trip Charge (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 with the first billing cycle of October 2011:

- (1) Minimum monthly sewer charge (no gallons of usage) for residential, commercial, and industrial is fourteen dollars and ten cents (\$14.10) per connection.
- (2) Minimum monthly sewer charge for each dwelling unit of a multi-family complex (no gallons) is seven dollars and twenty-five cents (\$7.25) per unit.
- (3) Variable rate per one thousand (1,000) gallons of water usage for residential, commercial, industrial, and multi-family complexes is seven dollars and twenty-five cents (\$7.25).
- (4) The total monthly amount due for "all" sewer accounts shall be the sum of the minimum monthly sewer charge plus the variable rate times the user's water usage for the month. ~~The maximum monthly "residential customer" volume charges shall be based on the average of the three lowest monthly bills in the last twelve. Normally these will be the reading cycles ending in January, February, and March. The maximum monthly "residential customer" volume charges shall be based on average water consumption of the preceding December, January, and February.~~ However, the utility billing department may adjust this forwards or backwards one month.

## **CITY OF LANCASTER FEE SCHEDULE**

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

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

(6) A discount for senior citizens (age 65 or over) of \$0.76 per month shall be applied to each qualified residential account.

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

### **Sec. 10.1100 Water Impact Fee**

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

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

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

### **Sec. 10.1200 Sewer Impact Fee**

(Reference Table 3.5 of Ordinance)

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

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

### **Sec. 10.1300 Roadway Impact Fee**

(Reference Exhibit B of Ordinance)

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

Roadway Impact Fees are imposed upon any new development (which includes expansion of existing facilities) to generate revenue for funding or recouping the costs of capital improvements or facility expansions to these systems necessitated by or attributable to the new developments' demand on these systems. The Roadway Impact Fees are calculated using Service Units, which are a standardized

## CITY OF LANCASTER FEE SCHEDULE

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

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

Size	1 X WK	2 X WK	3 X WK	4 X WK	5 X WK	6 X WK	EXTRA
2YD	\$64.61	\$119.56	\$166.30	\$206.03	\$239.79	\$268.55	\$27.69
3YD	\$73.89	\$136.72	\$190.18	\$235.64	\$274.26	\$307.19	\$41.54
4YD	\$92.38	\$170.98	\$237.76	\$294.61	\$342.95	\$384.06	\$55.38
6YD	\$110.94	\$205.29	\$285.54	\$353.85	\$411.92	\$461.38	\$69.21
8YD	\$138.71	\$256.66	\$357.05	\$442.43	\$515.06	\$576.88	\$83.06

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

## **CITY OF LANCASTER FEE SCHEDULE**

### **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

### **Sec. 11.300 Zoning Board of Adjustment**

(a) Variance Request \$250.00

### **Sec. 11.400 Plats**

- |                                     |                               |
|-------------------------------------|-------------------------------|
| (a) Preliminary Plat                |                               |
| 50 acres or less                    | \$500.00 + \$50.00 per acre   |
| More than 50 acres                  | \$1000.00 + \$100.00 per acre |
| (b) Final Plat                      | \$500.00 + \$10.00 per lot    |
| (c) Re Plat                         |                               |
| With property owner notification    | \$575.00 + \$35.00 per acre   |
| Without property owner notification | \$450.00 + \$35.00 per acre   |
| (d) Amended Plat                    | \$200.00 + \$10.00 per acre   |
| (e) Minor Plat                      | \$400.00                      |
| (f) Plat Vacations                  | \$500.00                      |

## **CITY OF LANCASTER FEE SCHEDULE**

### **Sec. 11.500 Zoning**

(a) General Zoning Change	\$500.00 + \$10.00 per acre
(b) Specific Use Permit	\$500.00 + \$10.00 per acre
(c) Private Club Permit	\$350.00
(d) Amendment to SUP	\$500.00 + \$10.00 per acre
(e) Planned Development	\$1500.00 + \$10.00 per acre
(f) Amendment to Planned Development	\$1,500.00 + 10.00 per acre
(g) Exceptions	\$250.00

### **Sec. 11.600 Other Planning & Zoning Fees**

(a) Site Plan Review	\$250.00 + \$10.00 per acre
(b) Tree Survey Review	\$25.00
(c) Illegal Tree Cutting Fine	\$125.00 per diameter inch
(d) Dedication/Abandonment of Right-of-Way or Easements	\$150.00 per development for first 5 + \$25.00 for each additional document
(e) Consultant Fees	Hourly Rate of Consultant
(f) Zoning Verification Letter	\$50.00
(h) Subsequent Legal Notices after 1 <sup>st</sup>	\$15.00 per additional notice

### **Sec. 11.700 Maps, Publications and Miscellaneous Fees**

(a) Comprehensive Plan	\$48.00
(b) Copying – 8½" x 11", or 8½" 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

## **CITY OF LANCASTER FEE SCHEDULE**

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)

### **SECTION 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 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

## CITY OF LANCASTER FEE SCHEDULE

(L) Oversize paper copy (11 inches by 17 inches, greenbar, bluebar, not including maps and photographs using specialty paper)	\$0.50
(M) Specialty paper (Mylar, blueprint, blueline, map, photographic)	actual cost
(c) Microfiche and Microfilm From Master copy of Microfilm	actual cost of reproduction \$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 book
(3) CAFR	\$50.00 per book
(4) Copies – printouts (computer generated)	\$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
(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

## **CITY OF LANCASTER FEE SCHEDULE**

- (7) Reimbursable Costs: Fees associated with City of Lancaster service provision at the request of the applicant will be calculated by the applicable department based on the associated reimbursable cost, the service/equipment requested, and the length of time the service is needed.

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

### **ARTICLE 14.000 POLICE DEPARTMENT**

(a) Alarm System Permit Fees

Alarm System Permit Fees

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

False Alarms with Permit within 12 month period:

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

False Alarms without Permit within 12 month period:

1-3 Residential	\$100.00 each
1-3 Commercial	\$200.00 each
4-5 Commercial	\$250.00 each
6-7 Residential	\$175.00 each
6-7 Commercial	\$275.00 each
8 or more – Residential	\$200.00 each
8 or more – Commercial	\$300.00 each
Late Payment for Non-payment within 30 days after notification	\$25.00
False Robbery Alarms within 12 month period:	
1-3	\$100.00

## **CITY OF LANCASTER FEE SCHEDULE**

4 or more	\$200.00
Late Fee for Each False Robbery Alarm not paid within 30 days after notification	\$25.00

### Appeal:

Appeal Hearing Fee*	\$25.00
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\*(Fee shall be refunded, in its entirety, if appeal is upheld)

### Reinstatement:

Reinstatement Fee	\$50.00
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(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) <u>Offense Reports</u>	\$0.10 per page
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### (d) Fingerprinting

(1) First two (2) fingerprint cards	\$10.00
(2) Per fingerprint card thereafter	\$ 5.00

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

## **ARTICLE 15.000 PARKS AND RECREATION**

### **Sec. 15.100 Memberships**

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

1. Recreation (JR) ID Card – (Under 5 yrs)	Free w/ purchase of adult rec ID card	Must be accompanied by an adult over 18 years of age
2. Recreation ID Card - Youth (5-16 yrs)	\$10/yr Resident \$15/yr Non Resident	Provides access to use of gymnasium and walking track during designated hours.
3. Recreation ID Card - Adult (17-49 yrs)	\$20/yr Resident \$30/yr Non Resident	Provides access to use of gymnasium and walking track during designated hours.

## CITY OF LANCASTER FEE SCHEDULE

4. Seniors (50 + years)	\$15/yr Resident	Provides access to use of gymnasium and walking track during designated hours.
	\$20/yr Non Resident	
5. Daily Fitness Atrium Admission (17 years and older)	\$5/day	Provides access to fitness atrium during designated hours. <del>Must have current recreation ID card.</del>
6. Monthly Fitness Atrium Membership (17 years and older)	\$20 Resident	Provides access to the fitness atrium during designated hours. <del>Must have current recreation ID card to purchase a fitness membership.</del>
	\$25 Non Resident	
7. Annual Fitness Atrium Membership (17 years and older)	\$160 Resident	Provides access to use the gymnasium, walking track and the fitness atrium during designated hours. <del>Annual Fitness Atrium membership includes recreation ID card.</del>
	\$200 Non Resident	
8. Open Swim Admission	\$5/ day Resident	Provides access to use of pool during designated hours.
	\$7/day Non Resident	
9. Daily Fitness Swim Admission (17 years and older)	\$3/ day Resident	Provides access to use of pool during designated hours. <del>(Must have current recreation ID card).</del>
	\$5/day Non Resident	
10. Monthly Fitness Swim Membership (17 yrs and older)	\$15 Resident	Provides access to use of pool during designated hours. <del>(Must have current recreation ID card).</del>
	\$20 Non Resident	
11. Seasonal Swim Pass (Summer) Individual (16 yrs and younger)	\$60 Resident	Provides access to use of pool during designated hours. <del>(Must have current recreation ID card).</del>
	\$70 Non Resident	
12. Seasonal Swim Pass (Summer) Individual (17 yrs through adult)	\$70 Resident	Provides access to use of pool during designated hours. <del>(Must have current recreation ID card).</del>
	\$80 Non Resident	
13. Seasonal Swim Pass (Summer) Family 4+	\$180 Resident	Provides access to use of pool during designated hours. <del>(Must have current recreation ID card).</del>
	\$200 Non Resident	
14. Annual Fitness Swim Membership (17 years and older)	\$120 Resident	Provides access to use of pool during designated hours. <del>Annual Fitness Swim membership includes recreation ID card.</del>
	\$160 Non Resident	
15. Annual Senior Center Membership (50 + years)	\$3 Resident	Provides access to the Senior Center facility and programming.
	\$5 Non Resident	

## CITY OF LANCASTER FEE SCHEDULE

### (b) Corporate Membership Rates

	Agency	Individual
(1) Corporate A (5-9)	\$125.00	\$100.00
(2) Corporate B (10+)	\$225.00	\$100.00

### Sec. 15.200 Rental Facilities

#### (a) Athletic Fields

	Deposit	<del>\$50.00</del> -\$100.00
(1) Cedardale Field Rental/ hour	<del>\$20.00</del> \$25.00	2 hr minimum Resident
	<del>\$30.00</del> \$35.00	2 hr minimum Non Resident
(2) City Park Field Rental/ hour	<del>\$20.00</del> \$25.00	2 hr minimum Resident
	<del>\$30.00</del> \$35.00	2 hr minimum Non Resident
(3) Royce Clayton Ballpark/ hour	<del>\$20.00</del> \$25.00	2 hr minimum Resident
	<del>\$30.00</del> \$35.00	2 hr minimum Non Resident
(4) Youth Football/ hour	<del>\$20.00</del> \$25.00	2 hr minimum Resident
	<del>\$30.00</del> \$35.00	2 hr minimum Non Resident
(5) Soccer Field/ hour	<del>\$20.00</del> \$25.00	2 hr minimum Resident
	<del>\$30.00</del> \$35.00	2 hr minimum Non Resident

Additional fees for athletic field rentals with lights are \$15.00 per hour (~~i.e. lights, lining fields, concessions, etc.) will be determined by the Parks and Recreation Director, based on cost incurred by the City.~~

## CITY OF LANCASTER FEE SCHEDULE

### (b) Community House

Deposit	Resident	\$150.00	Non Resident	\$150.00
(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	Resident	\$100.00	Non Resident	\$100.00
(1) ½ Gym	\$50/hour Resident		4 hours min. after operating hours.	
	\$65/ hour Non Resident			
(2) Full Gym	\$75/hour Resident		4 hours min. after operating hours.	
	\$90/ hour Non Resident			
(3) Full Gym Tournament Fee	\$100/hour Resident		4 hours minimum after operating hours. Allows gate fees charged by renter. Must reserve entire gymnasium.	
	\$125/ hour Non Resident			

### (d) Outdoor Facility

Deposit	Resident	<del>\$75.00</del> \$100	Nonresident	\$100.00
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#### (1) City Park Pavilion 1

8 am - 12 noon or 1 pm - 5 pm

(A) Resident	\$75.00
(B) Non Resident	\$100.00

#### (2) City Park Pavilion 2

8 am – 12 noon or 1 pm - 5 pm

(A) Resident	\$75.00
(B) Non Resident	\$100.00

## CITY OF LANCASTER FEE SCHEDULE

(3) Community Park Pavilion

8 am – 12 noon or 1 pm - 5 pm

(A) Resident	\$75.00
(B) Non Resident	\$100.00

(4) Heritage Park Gazebo

8 am – 12 noon or 1 pm - 5 pm

(A) Resident	\$50.00
(B) Non Resident	\$75.00

(5) Kid Square Park Pavilion

8 am – 12 noon or 1 pm - 5 pm

(A) Resident	\$75.00
(B) Non Resident	\$100.00

(6) Bear Creek Park Pavilion

(A) Resident	\$75.00
(B) Non Resident	\$100.00

(7) Rocky Crest Park Pavilion

(A) Resident	\$50.00
(B) Non Resident	\$75.00

(8) Meadowcreek Park Pavilion

(A) Resident	\$50.00
(B) Non Resident	\$75.00

(8) JA Dewberry Park Pavilion

(A) Resident	\$50.00
(B) Non Resident	\$75.00

## CITY OF LANCASTER FEE SCHEDULE

### (e) Pool

(1) <u>Indoor Pool Reservations</u>	Resident	Non Resident
<u>Deposit</u>	\$75.00	\$75.00
(A) Party Room (Semi-Private) 2 hr	\$100.00	\$125.00
(B) Private Party A (1-50) 2 hr	\$200.00	\$250.00
(C) Private Party B (51-100) 2 hr	\$250.00	\$300.00
(D) Private Party C (101-150) 2 hr	\$300.00	\$350.00
(E) Private Party D (151 +) 2 hr	\$350.00	\$400.00

### (f) Recreation Center

(1) <u>Grand Banquet Hall</u>	Resident	Non Resident
Deposit	\$250.00	\$250.00
Set-up Fee	\$ 50.00	\$ 50.00
Kitchen	\$ 30.00/hour	\$ 30.00/hour
1,100 sq. ft.	\$50.00/hour	\$75.00/hour
2,200 sq. ft.	\$75.00/hour	\$100.00/hour
3,300 sq. ft.	\$100.00/hour	\$125.00/hour
(2) Aerobic Dance Room/hour	\$40.00/hr Resident	\$60.00/hr Non Resident
(3) Classroom/hour	\$30.00/hr Resident	\$50.00/hr Non Resident
(4) Conference Room/hour	\$20.00/hr Resident	\$40.00/hr Non Resident
(5) Projector Screen/Podium/Sound System Rental		
Deposit	\$200.00 Resident	<del>\$300</del> \$200 Non Resident
1 screen	\$65/day Resident	\$75/day Non Resident
2 screen	\$75/day Resident	\$100/day Non Resident
Podium	\$35/day Resident	\$40/day Non Resident
Portable Sound System	\$200/day Resident	\$275/day Non Resident

## CITY OF LANCASTER FEE SCHEDULE

(g) Senior Life Center

Kitchen	\$30.00/hour Resident	\$30.00/hour Non Resident
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Deposit	Resident	\$250.00	Nonresident	\$250.00
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(1) 4 Hour Rental	\$400 Resident \$500 Non Resident
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(2) 6 Hour Rental	\$600 Resident \$750 Non Resident
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(h) Non-Profit - For meetings only

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

(i) Lancaster Youth and Adult Sports Association Fee

(All Participants must purchase recreation ID card)

Player participation fee per season   \$ 15.00

(j) Programs

Individual Recreation Classes	Range from \$5 - \$25	per class/ per day
Recreation Programs	Range from \$15 - \$100	Programs vary by week or by month.

(k) Amphitheater Rental

	Resident	Non Resident
Deposit	\$150.00	<del>\$250.00</del> \$150.00
4 hour rental	<del>\$150.00</del> \$200.00	<del>\$300.00</del> \$325.00
6 hour rental	<del>\$225.00</del> \$275.00	<del>\$375.00</del> \$400.00
<del>8 hour rental</del>	<del>\$300.00</del>	<del>\$450.00</del>
Each additional hour after <del>8</del> 6 hrs.	<del>\$ 25.00</del> \$50.00	<del>\$ 35.00</del> \$75.00

(l) Visitors Center & State Auxiliary Museum Rental

(After hour rental includes atrium and conference room only)

	Resident	Non Resident
Deposit	\$250.00	\$250.00

## CITY OF LANCASTER FEE SCHEDULE

Set-up Fee	\$50.00	\$50.00
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(1) 3 Hour Rental (After hours)	\$350.00	\$400.00
3 hour minimum and maximum for after hour reservations		

(2) Conference Room (during hours of operation only)

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

### ARTICLE 16.000 AIRPORT FEES

(a) Monthly Hangar Rental

(1) 956 sq. ft. (small T-hangar)	<del>\$180.00</del> <del>\$0.19 per sq ft</del> \$190.00 / \$0.20 per sq ft
(2) 1,018.25 sq. ft. (medium T-hangar)	\$205.00 \$0.20 per sq ft
(3) 1,624.33 sq. ft. (large T-hangar)	<del>\$290.00</del> <del>\$0.18 per sq ft</del> \$305.00 / \$0.19 per sq ft

(b) Community Hangar Rental

(1) 956 sq. ft. (small T-hangar)	<del>\$ 90.00</del> <del>\$0.10 per sq ft</del> \$ 95.00 / \$0.10 per sq ft
(2) 1,018.25 sq. ft. (medium T-hangar)	\$103.00 \$0.09 per sq ft
(3) 1,624.33 sq. ft. (large T-hangar)	<del>\$145.00</del> <del>\$0.09 per sq ft</del> \$153.00 / \$0.10 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 per square foot per year
(4) Monthly Tie Down Fee	<del>\$30.00 per month</del> \$75.00 per month
(5) Fuel Flowage Fee	\$0.20 per delivered gallon
(6) Café Sales	5% of Gross Sales

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

**CITY OF LANCASTER FEE SCHEDULE**  
**ARTICLE 17.000 DEVELOPMENT FEES**

	<u>Building Fee</u>	<u>Engineering Fee</u>	<u>Planning Fee</u>
(a) <u>Abandonment</u>			
<u>Driveway, Drive Approach, Curb, Gutter and Sidewalk Permit Fees (bond required)</u>			
(1) Residential Zones Repair/Replacement	\$25.00	N/A	N/A
(2) Residential Zones, New Construction	\$35.00	N/A	N/A
(3) Nonresidential Zones, per Approach	\$35.00	N/A	N/A
(b) <u>Annexations</u>	N/A	N/A	\$1,000.00 plus filing fee
(c) <u>Appeals to Zoning Board of Adjustments</u>	N/A	N/A	N/A
(d) <u>Building Permits</u> 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

## CITY OF LANCASTER FEE SCHEDULE

	<u>Building Fee</u>	<u>Engineering Fee</u>	<u>Planning Fee</u>
(f) <u>Design/Plan Review</u>			
Commercial and Industrial Projects Amendments (Commercial & Industrial) Residential Projects, Amendments (Residential), Minor Design Review	65% of the building permit fee. Section titled “Building Permit” in this schedule	N/A	N/A
(g) <u>Plats</u>			
(1) <u>Preliminary Plat</u>			
Fifty (50) acres or less			\$500.00 + \$50.00/acre
More than fifty (50) acres			\$1,000.00 + \$100.00/acre
	<u>Building Fee</u>	<u>Engineering Fee</u>	<u>Planning Fee</u>
(2) <u>Final Plat</u>			\$500.00 + \$10.00/lot
(3) <u>Re-Plats</u>			
Plat revision with property owner notification			\$575.00 + \$35.00/acre
Plat revision without property owner notification			\$450.00 + \$35.00/acre
(4) <u>Amended Plats</u>			
Amended Plats Correcting Errors			\$400.00

## CITY OF LANCASTER FEE SCHEDULE

(5) Plat Vacations

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

(6) Miscellaneous Plat Items

Dallas County Clerk's Recording Fee	\$33.00 1 <sup>st</sup> page \$10.00 subsequent page
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(7) Re-Plats

\$400.00

(1994 Code of Ordinance, Chapter 9, Article 9.100, Section 9.106)

	<u>Building Fee</u>	<u>Engineering Fee</u>	<u>Planning Fee</u>
(h) <u>Development Inspection Fees</u>			
(1)	Special Inspection \$47.00 per hour, minimum 2 hours	1.5%-3.5% estimated cost of improvements intended for dedication to the city for water, sewer and streets. Effectively Immediately = 1.5% Effective January 1, 2004 = 3.5% Each additional hour \$47.00 per hour	N/A
	1. Inspection 2 hours - Travel time of job site and return time to be included outside of normal business hours (min. charge) \$47.00 per hour	N/A	N/A
	2. Re-inspection fees assessed under provisions of Section 305.8 \$47.00 per hour	N/A	N/A

## CITY OF LANCASTER FEE SCHEDULE

3. Inspection for which no fee is specifically indicated (min. charge – one half hour) \$47.00 per hour	N/A	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	N/A
(2) <u>Miscellaneous Case</u>	N/A	N/A	\$100.00
(3) <u>Planned Development Review</u>	N/A	N/A	\$1,500.00 plus \$10.00 per acre
(4) <u>Park Fee in Lieu of</u>	<u>Building Fee</u> N/A	<u>Engineering Fee</u> N/A	<u>Planning Fee</u> \$1,400.00 per dwelling unit
<u>Dedication</u>  (including single-family, dual family, and multi-family residential areas)			(Ord. 2006-10-41 adopted 10/23/06)
(h) <u>Signs</u> (Sec. 3.100 Fee Adopted – Lancaster City Code)			
(1) Permanent Signs, Per Face Based on Sign Area	Table A	N/A	N/A
(2) Temporary Portable Signs, Flags, banners, etc. (good for two weeks)	\$25.00	N/A	N/A

## CITY OF LANCASTER FEE SCHEDULE

(3) Sign contractor registration	\$100.00	N/A	N/A
(i) <u>Site Plan Review</u>	N/A	N/A	\$250.00 plus \$10 per acre
(l) <u>Subdivision Name Change</u>	N/A	N/A	\$200.00
(m) <u>Street Lighting Escrow</u>	N/A	N/A	N/A
(n) <u>Tree Survey/Preservation Plan</u>	N/A	N/A	\$25.00 administration processing fee with \$125.00 per inch mitigation fee

## CITY OF LANCASTER FEE SCHEDULE

### Revision References

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

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

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

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

*Revised September 8, 2008 (revised waste water service rate)*  
*Resolution 2008-09-83*

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

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

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

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

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

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

*Effective October 1, 2009 (annual update)*  
*Resolution 2009-08-84*

## CITY OF LANCASTER FEE SCHEDULE

*Revised October 26, 2009*

*Resolution 2009-10-102 (revised park land dedication fee per ordinance 2006-10-41)*

*Revised December 14, 2009*

*Resolution 2009-12-125 (revised Sec. 10.1700 Garbage Collection Fees)*

*Amended February 8, 2010*

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

*Revised March 22, 2010*

*Resolution 2010-03-27 (revised Article 9.000 Drainage Utility System Fees)*

*Revised June 28, 2010*

*Resolution 2010-06-58 (repealed cargo container fee for agricultural purposes)*

*Revised June 28, 2010*

*Resolution 2010-06-59 (established Wind Energy System Permit Fee; Ordinance No. 2010-04-09)*

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

*Effective October 1, 2010 (annual update)*

*Resolution 2010-09-82 (corrected Section 10.700 Water Rates – Within City)*

*Revised November 8, 2010*

*Resolution 2010-11-93 (adds fee for Local Alcohol Permit)*

*Revised September 12, 2011*

*Resolution 2011-09-79 (revised Sec. 10.1700 Garbage Collection Rates)*

*Revised September 12, 2011*

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

*Effective October 1, 2011 (annual update)*

*Resolution 2011-09-81*

## **CITY OF LANCASTER FEE SCHEDULE**

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

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

*Effective October 1, 2012 (annual update)*  
*Resolution 2012-08-69*

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

*Effective October 1, 2013 (annual update)*  
*Resolution 2013-08-68*

*Effective January 1, 2014*  
*Resolution 2013-07-61 (Hotel/Motel Property Annual Inspection Fee) (adopted 7-8-13)*

Airport	T-Hangars - Small				T-Hangars - Medium				T-Hangars - Large				T-Hangars - Box				Tie Down Spot		Ground Lease		Fuel Flowage Fee (per gal)
	Wing-Span	Sqft	Current Mo. Rate	Proposed for FY15	Wing-Span	Sqft	Current Mo. Rate	Proposed for FY15	Wing-Span	Sqft	Current Mo. Rate	Proposed for FY15	Wing-Span	Sqft	Current Mo. Rate	Proposed for FY15	Current Mo. Rate	Proposed for FY15	Improved \$/sqft per yr	Unimproved \$/sqft per yr	
Addison	40ft	800	\$345		42ft	1122	\$460		57ft	1600	\$700		n/a	n/a	n/a		n/a		#	\$0.45-0.65	Public: \$0.12; Non-public: \$0.20
Arlington	36ft	890	\$215		37ft	1050	\$315		n/a	n/a	n/a		n/a	n/a	n/a		\$45		\$0.31-0.36	\$0.20-0.26	*
Cleburne	36ft	940	\$135	\$140	45ft	1274	\$195	\$200					50ft	3025	\$500	\$500	N/A		0.11	0.11	0.10
Dallas Exec.																					
Denton																					
Grand Prairie	39ft	978	\$200		41ft	1090	\$289		47ft	1438	\$416		?	5616	\$2.25		\$30		\$0.135	\$0.165	\$0.20 ♦
GPM Cont'd	41ft	987	\$210		41ft	1509	\$388		47ft	1950	\$549		?	2808	\$2.25		n/a		n/a	n/a	20% ♦
Lancaster	36ft	956	\$180	\$190	40ft	1018	\$205	\$205	50ft	1624	\$290	\$305	n/a	n/a	n/a		\$30	\$75	\$0.30	\$0.20	\$0.20
McKinney***	40ft	n/a	\$398		50ft	n/a	\$585		60ft	n/a	\$650		59ft	2,714	\$1,000		\$80		\$0.30	\$0.30	\$0.12
Mecham	40ft	907	\$350		41ft	983	\$350		41ft	997	\$350		n/a	n/a	n/a		\$80		\$0.32		\$0.12
Mesquite	40ft	910	\$220		42ft	1300	\$250		45ft	1428-1680	\$320-\$410		55-60ft	3600+	\$800-\$1250		\$75		N/A	N/A	N/A
Midway	n/a	n/a	n/a		41 ft	1419	\$210		47 ft	1584	\$247		66ft	3111-4620	\$774-\$1545		\$40		TBD **	n/a	TBD **
Spinks	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		\$0.27†	\$0.20‡	
Avg Fee:			\$182.50				\$335.42				\$475.33										

**Notes:**

# KADS improved ground lease rates vary depending on the value and condition of the improvements.

## Per gallon received

\*KGKY FBO, Harrison Aviation, pays an annual lump sum "right to sell" fuel fee of \$25,099.69

†KFTW does not differentiate between improved and unimproved

† & ‡ KFWs †West side; ‡East Side -- lower rate as an incentive to develop on the East side(do not differentiate between improved and unimproved)

♦ based on the highest of the last 3 invoices from FBO

♦ Self-Fueling 20%

\*\*\*McKinney acquired the airport's only FBO on November 1, 2013 to remove the middlemen and generate its own income in an effort to become as financially self-sufficient as possible.

\*\*Midway currently in FBO contract negotiations; anticipate fuel flow fee will change. Considering changing ground lease rates. Design phase for new T-hangars to begin FY15.

## **FIRE SERVICES FEES**

### **Ambulance Fees**

#### **City of Desoto:**

Non Transport= 125.00

BLS: Resident = 825.00: Non Resident = 900.00

ALS1: Resident = 1050.00: Non Resident = 1125.00

ALS2: Resident = 1200.00: Non Resident = 1275.00

All patients are charged 15.00 per mile.

#### **City of Duncanville Fee:**

BLS – Resident: \$825, Non-resident: \$900

ALS1 – Resident: \$1,050, Non-resident: \$1,125

ALS2 – Resident: \$1,200, Non-resident: \$1,275

Non-Transport: \$125

Transportation: \$15 per loaded mile.



Subject: City's Tap and Backflow Master Fee Schedule

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**City: Burleson**

Contact: Shanna 817-426-9632

Water / Wastewater Tap Fees:

- 3/4" Tap, Meter and Box \$1,061
- 3/4" Meter, dig out, U Branch \$375
- 3/4" Duplex Tap Meter \$1,165
- 3/4" Duplex Meter \$382
- 3/4" Fourplex Tap, 4 Meters, 2 Boxes \$1,373
- 3/4" Meter Set \$289
- 1" Meter Set \$355
- 1" Water Tap, Meter and Box \$1,142
- 1 1/2" Meter Set \$555
- 1 1/2" Tap, Meter and Box \$1,718
- 2" Meter (turbine) \$1,046
- 2" Meter (compound) \$1,420
- 2" Tap, Meter and Box (Positive disp.) \$1,791
- 2' Tap, Meter and Box (turbine) \$2,088
- 2" Tap, Meter and Box (compound) \$2,476
- 3" Tap, Meter and Box TBD by Utilities Supervisor

Request for residential tap fee for sewer

- Relocate 3/4" Meter \$177
- Relocate 3/4" Meter (more than 12 ft.) TBD by Utilities Supervisor

Backflow

- Residential \$40
- Commercial \$75

Data log

- Data meter log \$0

**City: DeSoto**

Contact: Nikki Dunn, Permit Technician 972.230.9610

Water Meter Cost on Existing Taps

- 3/4" Meter \$210.00
- 1" Meter \$260.00
- 1 1/2" Meter \$466.00
- 2" Meter \$625.00

#### Request for residential tap fees for water

- ¾" Tap \$70.00
- 1" Tap \$70.00
- 1 ½" Tap \$70.00
- 2" Tap \$70.00

#### Special Note:

- The water main is to be exposed by the contractor and large enough for utility crews to make a water tap. The hole should be shored properly if necessary. The hole should be barricaded off to avoid any pedestrian accident.
- The contractor will supply the service line from the tap to the meter connection. The service line needs to be DR 9 or black poly (with stainless inserts for compression fittings).
- The contractor/plumber is responsible for connecting the meter to the customer service line.
- The contractor is responsible for back filling the hole and setting the meter box. The City will furnish the box when the meter is set. The top of the meter, when set, shall be minimum 9" / maximum 12" below top of meter box

#### Request for residential tap fee for sewer

- 4" Sewer Tap less than 35" in length and less than 10" in depth (will call back with that information).

#### Backflow

- Registration per device fee \$50.00
- Individual inspection fee \$0

#### Data log

- Data meter log \$0

#### **City: Duncanville**

**Contact:** Cynthia Olguin 972.780.5000

#### Water & Sewer Tap Fees

- ¾" Meter
- 1" Meter \$400.00 plus pavement repair charges.
- 1 ½" Meter \$470.00 plus pavement repair charges.
- 2" Meter \$510.00 plus pavement repair charges.
- Larger than 2" Total cost plus 10% and pavement repair charges.

#### Special Note:

- The water main is to be exposed by the contractor and large enough for utility crews to make a water tap. The hole should be shored properly if necessary. The hole should be barricaded off to avoid any pedestrian accident.
- The contractor is responsible for back filling the hole and setting the meter box.

#### Request for residential tap fee for sewer

- Non – Residential Service Line -4" up to 15 feet \$425.00 plus pavement repair charges.

#### Special Note:

- The sewer main is to be exposed by the contractor and large enough for utility crews to make a sewer tap. The hole should be shored properly if necessary. The hole should be barricaded off to avoid any pedestrian accident.  
The contractor is responsible for back filling the hole.

#### Backflow

- Individual inspection fee \$30.00

#### Data log

- Data meter log \$0

#### City: Keller

Contact: Emily Cato, Development Fee Clerk 817.743.4000

#### Water Service Tap/Meter (Corporate City Limits)

##### Short Tap and Meter Installation

- 5/8" - \$450
- 3/4" - \$475
- 1" - \$500
- 1½" - \$900
- 2"\*\*\* - \$1,025
- 2" Compound Meter - \$2,325

##### Long Tap and Meter Installation

- 5/8" - \$800
- 3/4" - \$825
- 1" - \$850
- 1½" - \$1,275
- 2"\*\*\* - \$1,425
- 2" Compound Meter - \$2,725
- 3" or more—Actual meter cost plus service charge fees

#### Sewer Service Tap (Corporate City Limits)

- \$350 - 4" tap within the City (if contractor required due to extenuating circumstances, contractor costs are to be borne by the applicant)
- Actual cost - larger than 4" tap within the city
- Outside City – Cost as determined on a case by case basis by Director of Public Works based on actual costs and impact to the system
- Request for residential tap fee for sewer
- \$350 - 4" tap within the City (if contractor required due to extenuating circumstances, contractor costs are to be borne by the applicant)
- Actual cost - larger than 4" tap within the city
- Outside City – Cost as determined on a case by case basis by Director of Public Works based on actual costs and impact to the system.

#### Backflow

Contact: Tony Flores 817.743.4080

- Registration per devise fee \$0
- Individual inspection fee \$0

Data log

- Data meter log \$0

### **City: Pflugerville**

Contact: Hazel C. Sherrod, Development Services 512.990.6300

City of Pflugerville Water and Wastewater Tap Fees:

- Water Tap Fee \$250
- Wastewater Tap Fee \$250

\*\*\*\*\*Set Fee for all water / wastewater taps. \*\*\*\*\*

Special Note:

- The water main is to be exposed by the contractor and large enough for utility crews to make a water tap. The hole should be shored properly if necessary. The hole should be barricaded off to avoid any pedestrian accident.
- The contractor is responsible for back filling the hole and setting the meter box.

Request for residential tap fee for sewer

- 4" Sewer Tap less than 35" in length and less than 10" in depth (will try to get that information and give us a call back)

Backflow

- Registration per devise fee \$0
- Individual inspection fee \$0

Data log

Contact: Debra, Utility Billing 512.990.6100

- Data meter log \$0

### **City: Rockwall**

Contact: Irene Hatcher, Public Works Coordinator 972.771.7730

### **Water Meter Cost on Existing Taps**

	Water Service Available (Existing Tap)	Complete Water Tap (New)
• 5/8" Meter (1" service line)	278.32	1,898.50
• 1" Meter (1" service line)	324.57	1,946.33
• 1-1/2" Meter (2" service line)	555.39	2,387.46
• 2" (2" service line)	629.84	2,459.15

Request for residential tap fee for sewer

	4" Sewer Service Available (Tie In)	4" Complete Service (New)
• Sewer Tap (Service Available)	50.00	
• Sewer Tap (no street repair)		1,679.12
• Sewer Tap with Asphalt Street Repair Cost		1,795.12
• Sewer Tap with Concrete Street Repair Cost		2,451.52

#### Backflow

- Individual inspection fee \$100 annually

#### Data log

- Data meter log \$0

#### **City: Rowlett**

Contact: Lorie Strickland, Development Services 972.412.6125

#### Water Tap Fees

	Water
• ¾	\$ 1,466.00
• 1	\$ 3,665.00
• 1 1/2	\$ 7,330.00
• 2	\$ 11,728.00

#### Request for residential tap fee for sewer

- 4" Sewer Tap less than 35" in length and less than 10" in depth: To be determined by supervisor.

#### Backflow

- Registration per devise fee \$0
- Individual inspection fee \$0

#### Data log

- Data meter log \$0

#### **City: The Colony**

Contact: Building Inspections Department 972.624.3158

#### Water Meter

• ¾" Tap & Meter	\$595.00
• 1" Tap & Meter	\$730.00
• 1 ½" Tap & Meter	\$1,085.00
• 2" Tap & Meter	\$1,200.00
• 3" Tap Only	\$1,625.00

#### Special Note:

- The water main is to be exposed by the contractor and large enough for utility crew make a water tap. The hole should be shored properly if necessary. The hole should be barricaded off to avoid any pedestrian accident.

- The contractor is responsible for back filling the hole and setting the meter box.

#### Request for residential tap fee for sewer

- 4" Sewer Tap \$570.00

#### Special Note:

- The sewer main is to be exposed by the contractor and large enough for utility crews to make a sewer tap. The hole should be shored properly if necessary. The hole should be barricaded off to avoid any pedestrian accident.  
The contractor is responsible for back filling the hole.

#### Backflow

- Individual inspection fee \$0
- Master fee \$0

#### Data log

- Data meter log \$0

#### **City: Cedar Hill – No response**

Contact: Johnny Kendro, Building Official 972.291.5100  
Called and left a voice mail message.

Contact: Ellie Jeanotte, Permit Technician 972.291.7250  
Called and left a voice mail message.

#### **City: Coppell- No response**

Contact: Scott Latta, Engineer Dept. 972-462-0022 972-604-3679  
Called and left a voice mail message.

#### **City: Haltom**

Called and left a voice mail message. 817.222.7700

If you have questions or need assistance, please let me know.

Thank you.

City of Lancaster Fee Schedule - Quality of Life and Cultural Services - Library

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Proposed Resident Rate	Proposed Non Resident Rate	Burleson	Resident	Non Resident	Cedar Hill	Resident	Non Resident	Coppell	Resident	Non Resident	Desoto	Resident	Non Resident	Duncanville	Resident	Non Resident	Haltom City	Resident	Non Resident	Keller	Resident	Non Resident	Pflugerville	Resident	Non Resident	Rockwall	Rowlett	The Colony				
Library Fines and Fees																																					
Charges for Overdue Materials																																					
Books/Magazines	\$0.20 per day up to cost			\$0.20 per day / Max \$10			\$ 0.25	.20/day					.10/day			.25/day			.25/day			.20/day			.20/day			no fines			.15/day Don't checkout	.20/day	\$0.00				
Magazines only							\$ 0.25	.20/day					.10/day			.25/day			.25/day			.20/day			.20/day			no fines				.20/day	\$0.00				
Audio Tapes/CDs	\$0.20 per day up to cost			\$0.20 per day / Max \$10			\$ 0.25	.20/day					.10/day			.25/day same as regular overdue fees maxes out at \$5			.25/day			.20/day			.20/day			no fines			.15/day	.20/day	\$0.00				
Interlibrary Loans	\$0.20 per day up to cost			\$0.20 per day / Max \$10			\$ 0.25	.20/day					no charge						.25/day n/a \$2.00 per item per day up to cost of item			.20/day n/a			.20/day			no fines			.15/day n/a	.20/day n/a	\$0.00				
Special Reference - No longer exists	N/A																															\$0.00					
Video Tapes/DVDs	\$1.00 per day up to cost			\$1.00 per day / Max \$10			\$ 1.00	\$1.00/day					\$1.00/day			.25/day						.20/day			\$1.00/day			no fines			.50/day	.20/day	\$0.00				
Lost or Damaged Beyond Repair	\$5.00 + Replacement Cost			no change			\$5.00 + replacement			\$5			cost of item			\$5.00 + replacement cost			5.00 + replacement cost			cost of item						\$5 for damaged items/ if lost cost of book +\$10			cost of the item + 7.00	cost of item + \$15	Variable: See chart at right	The Colony Lost/Damaged fees			
Copies																																	Material type	Lost/Ruine d Fee	Processing Fee		
Single	\$0.10 per page			no change			\$ 0.10	\$ 0.10					\$ 0.15			regular copies \$.10; legal \$.15; 11x17 \$.20			\$0.10			\$ 0.10			\$ 0.10			\$ 0.10			\$ 0.15	\$0.15	\$0.15	\$0.15	Board Books	\$7.00	\$2.00
Microfilm	\$0.25 per page			no change			\$ 0.20	n/a					\$ 0.15			n/a			n/a			n/a			\$ 0.10			n/a			\$ 0.15	n/a	microfilm/fiche reader prints to computer printers see below	Mass market paperbacks	\$8.00	\$2.00	
Computer Printout	\$0.10 per page			no change			\$ 0.10	\$ 0.10					\$ 0.15			\$ 0.10			\$0.10			\$ 0.10			\$ 0.10			\$ 0.10			\$ 0.15	\$0.15	first 5 pages/day no charge; \$0.10 for subsequent pages	Video History tapes	\$8.00	\$5.00	
Color Copies	\$1.00 per page			.50 cents per page			\$ 0.50	\$ 0.50					\$ 0.25			\$4 letter \$.50/each; legal \$.75; 11x17 \$1			n/a			\$ 0.50			\$ 0.25			\$ 1.00			n/a	\$1.00	N/A	Children's kits (Cassette/ Book)	\$9.00	\$5.00	
fax	\$1 page			no change			charge \$1 1st page then .25 following pages/ LD is \$3 1st page the .25 for each page after	\$1 page					faxes not offered			no charge, only offer local faxes			faxes not offered			\$ 1 page			faxes not offered			faxes not offered			faxes not offered	faxes not offered	\$1.50 1st pg. and \$1 for subsequent pgs.	Videos (rec. lowering to \$5 plus processing fee for FY 13-14)	\$10.00	\$5.00	
Non Resident Library Card	\$20.00 Picture ID Required			no change			NO CHARGE	\$25/ yr. or 5hrs volunteer work [(\$50 max) or 5 hours volunteer service]					\$ 40.00			\$15.00			\$35/year-- \$35/year for full access or \$20/year for computer access only			free			\$25/hr.			25/yr.			\$30 per household	free	\$ -	Books: Adult Fiction (paperbou nd); CDs (each piece); CD- ROMs (per disc)	\$15.00	\$5.00	
Lost Card	\$1.00 Replacement			no change			\$ 1.00	\$ 2.00					\$ 1.00			\$1.00; \$3			\$5.00			\$ 2.00			\$ 0.50			\$ 1.00			\$ 3.00	\$ 1.00	\$ 2.00	Books: Non- Fiction (paperbou nd)	\$18.00	\$5.00	
																																	Books: Easy, Juvenile Fiction, YA Fiction	\$17.00	\$5.00		
Recovery Fee	\$10.00 - If account is sent to third party for collection (value of material + \$10.00)			no change			don't do	don't do					n/a			\$10.00			n/a			n/a			n/a			n/a			n/a	n/a	no 3rd party collection	DVDs; MP3 Books; Children's kits (CD/Book); Blu-ray disc	\$20.00	\$5.00	

### City of Lancaster Fee Schedule - Quality of Life and Cultural Services - Library

[illegible]

City of Lancaster Fee Schedule - Quality of Life and Cultural Services - Library

Projector with Screen		\$65/hr.	\$75/hr.	no charge	no change		no charge	no charge	no charge	n/a			no charge			n/a			n/a	free	free		free	free		included	included	no charge			no charge	n/a	no meeting room
-----------------------	--	----------	----------	-----------	-----------	--	-----------	-----------	-----------	-----	--	--	-----------	--	--	-----	--	--	-----	------	------	--	------	------	--	----------	----------	-----------	--	--	-----------	-----	-----------------

\* = Services no longer provided in Lancaster  
Burleson - Room rental rate is based on whether renter has library card or not, regardless of being resident or non-resident.  
Coppell - meeting room for Non-Profit only. No charge.  
Desoto has no library meeting rooms.  
Duncanville - has two types of non-resident cards: full privileges for \$35/year, or computer use only for \$20/year.  
No meetings rooms. Rec Center next door has rooms for rental.  
Haltom City add \$5 over fee for use of kitchen  
Haltom City Room rental includes use of kitchen  
  
Pflugerville eliminated fines July 2012.  
Pflugerville has 7 meeting rooms, 5 with AV.  
Pflugerville overdue policy: if more than 10 days overdue, account is blocked. If 90 days overdue, declared lost, charge patron cost of item + \$10  
Pflugerville: ILL library covers up to \$5 in postage. If cost is over \$5, library passes on to customer.  
Rockwall - meeting room rental is for non-profit only. A/V is included.  
  
The Colony eliminated non-resident fees and book fines.  
  
Average non-res library card fee is \$20

City of Lancaster Fee Schedule - Quality of Life and Cultural Services - Recreation

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Burleson	Cedar Hill	Coppell	Desoto	Duncanville	Haltom City	Keller	Pflugerville	Rockwall	Rowlett	The Colony
Parks and Recreation																	
Memberships																	
Annual Membership Fees									\$250 R \$500 NR								\$10 R \$45 NR Individual
(Valid for 1 year from date of purchase)									Family \$500 R \$1000 NR								\$45 R \$115 NR Family
Recreation (JR) ID Card - (Under 5 yrs.) - Free with purchase of Adult Rec ID Card		FREE	FREE		No Change	No Change	Ages 3-15 \$210 R \$284 NR	FREE		\$10			\$209 R \$230 NR	\$50 R \$70 NR	NA	NA	NA
Recreation ID Card - Youth (5-16 yrs.)		\$10/yr.	\$20/yr.		No Change	No Change		Ages 7-17 \$100	\$250 R \$500 NR	\$10	\$65 R \$290 NR	\$3 R \$50 NR				NA	NA
Recreation ID Card - Adult (17-49 yrs.)		\$20/yr.	\$30/yr.		No Change	No Change	\$294 R \$397 NR	Ages 18 - 54 \$150	\$250 R \$500 NR	\$5	\$65 R \$290 NR	\$3 R \$50 NR	\$354R \$450 NR	\$75 R \$110 NR		\$10 R \$144 NR	
Seniors (50+ yrs.)		\$15/yr.	\$20/yr.		No Change	No Change	\$252 R \$340 NR	\$55 R \$100 NR	\$150 R \$300 NR	\$5	\$45 R \$260 NR	\$3 R \$50 NR	\$244 R \$310 NR	\$75 R \$110 NR			
Daily Fitness Atrium Admission (17 yrs. and older) - No Rec ID Card required		\$5/day	\$5/day		No Change	No Change		\$5	FREE	\$10					NA	\$5	
Monthly Fitness Atrium Membership (17 yrs. and older) - No Rec ID Card required		\$20	\$25		No Change	No Change	Free to Members		FREE	\$16		\$10 R \$20 NR	NA	NA	NA	\$10.75 R \$19.75 NR	\$35 (6 Month) R \$55 (6 Month) NR
Annual Fitness Atrium Membership (17 yrs. and older) - No Rec ID Card required		\$160	\$200		No Change	No Change	Free to Members		FREE	\$168		\$75 R \$140 NR				\$101 R \$202 NR	\$60 R \$85 NR
Open Swim Admission		\$5/day	\$5/day		No Change	No Change	\$7 R	\$2	\$4 R	\$4 Adult R \$2 Youth R	NA	NA	\$8 R	\$2 Adult R \$1 Youth R	\$2 (Youth) \$3 (Adult) \$5 (Family)	\$7.50/yr. \$8.50yr.	\$2 R \$4 NR
							\$11 NR	NA	\$8 NR	\$5 Adult NR \$4 Youth NR	NA	NA	\$10 NR	\$3 Adult NR /\$2 Youth NR	NA	\$8.50/yr.(R) \$9.50/yr. (NR)	
Daily Fitness Swim Admission (17 yrs. and older) - No Rec ID Card required		\$3/day	\$3/day														
Monthly Fitness Swim Membership (17 yrs. and older) - No Rec ID Card required		\$15	\$20														
Annual Fitness Swim Membership (17 yrs. and older) - No Rec ID Card required		\$120	\$160		No change	No Change	NA	NA	NA	\$65 R \$90 NR	NA	NA	NA	\$50 Child/\$75 Adult/\$200 Family R	NA		\$36 R \$71 NR
Annual Senior Center Membership (50+ yrs.)		\$3	\$5		No Fee Change	No Fee Change	No Fee	No Fee	Resident \$10/yr. Non Resident \$20/yr.	No Fee	Resident \$15/yr. Non Resident \$20/yr.	No Fee	No Fee	Resident \$3/yr. Non Resident \$5/yr.	No Fee	Resident \$5/yr. Non Resident \$10/yr.	Resident \$10/yr. Non Resident \$18/yr.
Corporate Membership Rates																	

City of Lancaster Fee Schedule - Quality of Life and Cultural Services - Recreation

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Burleson	Cedar Hill	Coppell	Desoto	Duncanville	Haltom City	Keller	Pflugerville	Rockwall	Rowlett	The Colony
Corporate A (5 - 9)		Agency \$125 Individual \$100			No change	No change	Adult (16-61) \$260 Senior (62+) \$226 Family \$404	\$500		\$75 Agency \$125 Individual	\$825 Agency		No Available				\$435 Individual
Corporate B (10+)		Agency \$225 Individual \$100			No change	No change				\$325 Agency \$95 Individual							
Rental Facilities																	
Athletic Fields																	
Deposit		\$50	\$50		\$100	\$100					\$50						\$60
Cedardale Field Rental/hour		\$20/2 hr. minimum	\$30/2 hr. minimum		\$25 per/Field/hr.	\$35 Per/Field/hr.		No Policy in Place	Do not rent fields	NA	\$30 R \$60 NR	\$10/hr. \$15/hr. w/lights	\$25 R \$100 NR (w/lights)		\$10/hr. (w/lights)	\$25/hr. (w/lights)	\$30/hr. \$30/hr. w/lights
City Park Field Rental/hour		\$20/2 hr. minimum	\$30/2 hr. minimum		\$25 per/Field/hr.	\$35 Per/Field/hr.				\$75/hr.	\$30 R \$60 NR	\$10/hr. \$15/hr. w/lights	\$25 R \$100 NR		\$10/hr.	#20/hr.	\$30/hr. \$30/hr. w/lights
Royce Clayton Ballpark/hour		\$20/2 hr. minimum	\$30/2 hr. minimum		\$25 per/Field/hr.	\$35 Per/Field/hr.	\$10R \$15 NR (no lights)			NA	\$30 R \$60 NR	\$10/hr. \$15/hr. w/lights	\$25 R \$100 NR				\$30/hr. \$30/hr. w/lights
Youth Football/hour		\$20/2 hr. minimum	\$30/2 hr. minimum		\$25 per/Field/hr.	\$35 Per/Field/hr.					\$30 R \$60 NR	\$10/hr. \$15/hr. w/lights	\$30/per player		\$10/hr.	\$250	\$30/hr. \$30/hr. w/lights
Soccer Field/hour		\$20/2 hr. minimum	\$30/2 hr. minimum		\$25 per/Field/hr.	\$35 Per/Field/hr.											\$30/hr. \$30/hr. w/lights
Additional fees for athletic field rentals with lights are \$15 per hour.																	
Football Fields					\$30 hr./\$60 hr. w/lights \$15/\$30 no lights												
Deposit		\$150	\$150		No change	No change			NA						\$25		
4 Hour Rental		\$175	\$250		No change	No change			NA						\$40		
6 Hour Rental		\$225	\$300		No change	No change			NA					\$40 (Six hrs.)			
Gymnasium																	
Deposit		\$100	\$100		No change	No change	\$50					\$50					
1/2 Gym		\$50/hr.	\$65/hr.		No change	No change	\$25 R \$46 NR	\$30	\$40 M \$45 NM \$50 NR	\$50/hr.			\$35 R \$43 NR				\$50
Full Gym		\$75/hr.	\$90/hr.		No change	No change	\$35 R \$61 NR	\$60		\$75/hr.		\$50/hr.	\$55 R \$71 NR			\$100	\$80
Full Gym Tournament Fee		\$100/hr.	\$125/hr.		No change	No change	\$65 R \$108 NR										

City of Lancaster Fee Schedule - Quality of Life and Cultural Services - Recreation

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Burleson	Cedar Hill	Coppell	Desoto	Duncanville	Haltom City	Keller	Pflugerville	Rockwall	Rowlett	The Colony
Outdoor Facility																	
Deposit		\$75	\$100		No change	No change				\$50	\$100				\$ -		
City Park Pavilion 1								\$25/hr.	\$150/4 hrs.				\$30 R \$40 NR		Only Residents		
8am - 12Noon or 1pm - 5pm		\$75	\$100		No change	No change				\$100 R \$150 NR	\$30 R \$50 NR			\$125 R \$150 NR	\$20R \$60NR	\$50 M \$50 NM \$70 R \$140 NR	\$100 R \$125 NR
City Park Pavilion 2																	
8am - 12Noon or 1pm - 5pm		\$75	\$100		No change	No change				\$100 R \$150 NR	\$30 R \$50 NR		\$30 R \$40 NR		\$20R \$60NR	\$70R \$140NR	\$100 R \$125 NR
Community Park Pavilion																	
8am - 12Noon or 1pm - 5pm		\$75	\$100		No change	No change				\$100 R \$150 NR	\$30 R \$50 NR		\$30 R \$40 NR		\$20R \$60NR	\$70R \$140NR	\$100 R \$125 NR
Heritage Park Gazebo																	
8am - 12Noon or 1pm - 5pm		\$50	\$75		No change	No change				\$100 R \$150 NR	\$20 R \$40 NR		\$30 R \$40 NR	\$50 R \$75 NR	\$20R \$60NR	\$70R \$140NR	\$100 R \$125 NR
Amphitheater		\$150	\$250					\$200 Dep \$20 R \$30 NR		\$100 Dep \$175	\$100 Dep \$60 R \$120 NR				\$100R \$200NR		
Kid Square Park Pavilion																	
8am - 12Noon or 1pm - 5pm		\$75	\$100		No change	No change				\$100 R \$150 NR	\$50 R \$75 NR		\$30 R 40 NR		\$125 R \$150 NR	\$70R \$140NR	\$100 R \$125 NR
Bear Creek Park Pavilion		\$75	\$100		No change	No change				\$100 R \$150 NR	\$30 R \$50 NR		\$30 R \$40 NR	\$125 R \$150 NR	\$20R \$60NR	\$70R \$140NR	\$100 R \$125 NR
Rocky Crest Park Pavilion		\$50	\$75		No change	No change				\$100 R \$150 NR	\$20 R \$40 NR		\$30 R \$40 NR		\$20R \$60NR	\$70R \$140NR	
Meadowcreek Park Pavilion		\$50	\$75		No change	No change				\$100 R \$150 NR	\$10 R \$20 NR		\$30 R \$40 NR		\$20R \$60NR	\$70R \$140NR	
JA Dewberry Park Pavilion		\$50	\$75		No change	No change				\$100 R \$150 NR			\$30 R \$40 NR		\$20R \$60NR	\$70R \$140NR	
Pool																	
Indoor Pool Reservations																	
Deposit		\$75	\$75		No change	No change	\$75	No Deposit	No Deposit	No Deposit	No Deposit	No Deposit	No Deposit	No Deposit	No Deposit		
Party Room (Semi-Private) 2hours		\$100	\$125		No change	No change											
Private Party A (1-50) 2 hours		\$200	\$250		No change	No change	\$100 R	\$150	\$120 Member	\$175 for 10 Guests	NA	NA	NA	NA	\$50/hr.		
					No change	No change			\$150 Non Membr	\$10 Additional Guests							
							\$162 NR		\$170 N Resident	145	NA	NA	NA	NA			
											NA	NA	NA	NA			

City of Lancaster Fee Schedule - Quality of Life and Cultural Services - Recreation

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Burleson	Cedar Hill	Coppell	Desoto	Duncanville	Haltom City	Keller	Pflugerville	Rockwall	Rowlett	The Colony
Private Party B (51-100) 2 hours		\$250	\$300		No change	No change	NA	NA	NA	NA	NA	NA	NA	NA	\$50/hr.		
Private Party C (101-150) 2 hours		\$300	\$350		No change	No change											
Private Party D (151+) 2 hours		\$350	\$400		No change	No change											
Recreation Center																	
Grand Banquet Hall																	
Deposit		\$250	\$250		No change	No change	\$100 R \$100 NR	\$150 M \$200 NM \$250 NR	\$100	\$100	\$250	NA	NA	NA	\$100 R \$200 NR	\$100	NA
Set-up Fee		\$50	\$50		No change	No change	NA	\$300	NA	NA	NA	NA	NA	NA	NA	NA	NA
Kitchen		\$30/hr.	\$30/hr.		No change	\$35/hr.		\$30	\$30 M \$35 NM \$40 NR	WD \$40/hr. WE \$75 hr.	Can only be rented w/room	NA	NA	NA	\$75 deposit \$20/hr.	\$75 Deposit \$20 R \$30 NR	NA
1,100 sq. ft.		\$50/hr.	\$75/hr.		No change	No change	\$45 R \$61 NR	Sun-Fri \$40/hr. Fri- Sat \$50/hr.	\$130 M \$140 NM \$170 NR	WD \$95/hr. WE \$180/hr.	\$75 R \$125 NR	\$30 Deposit \$20/hr.	\$145 R \$170 NR (2 hrs.)	NA	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.		\$50 Deposit \$40/hr.	\$240 R \$260 NR (2 hrs.)	NA	NBH \$65 R \$130 NR		
3,300 sq. ft.		\$100/hr.	\$125/hr.		No change	No change	\$80 R \$108 NR	Sun-Fri \$75/hr. Fri- Sat \$85/hr.	\$105 M \$115 NM \$125 NR	WD \$300/hr. WE \$460/hr.	\$100 R \$150 NR		\$320 R \$340 NR (2 hrs.)	NA	\$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.									
Classroom/hour		\$30/hr.	\$50/hr.		No change	No change			\$55 M \$60 NM \$65 NR								
Conference Room		\$20/hr.	\$40/hr.		No change	No change			\$55 M \$60 NM \$65 NR								
Senior Life Center																	
Kitchen		\$30/hr.	\$30/hr.		\$30/hr.	\$35/hr.	None	Non Rental	None	Non Rental	Non Rental	Non Rental	Non Rental	Non Rental	None	Non Rental	None
Deposit		\$250	\$250		No change	No change	\$75 both Resident & Non Resident		\$400 both Resident & Non Resident							\$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											

City of Lancaster Fee Schedule - Quality of Life and Cultural Services - Recreation

	Lancaster Current Rate	Resident	Non Resident	Lancaster Proposed Rate	Resident	Non Resident	Burleson	Cedar Hill	Coppell	Desoto	Duncanville	Haltom City	Keller	Pflugerville	Rockwall	Rowlett	The Colony
Classroom/Youth Room		\$20/hr.	\$20/hr.		No change	No change			\$100 M \$140 NM \$170 NR			\$40/hr.					\$30 R \$40 NR
3,300 square feet (Grand Hall)		\$50/hr.	\$50/hr.		No change	No change											
Conference Room		\$10/hr.	\$10/hr.		No change	No change			\$55 M \$60 NM \$65 NR								
Lancaster Youth and Adult Sports Association Fee - No Rec ID Card required																	
(All Participants must purchase Recreation ID Card)					No change	No change	\$10	NA	10% Adult Revenue	\$10 R	?	NA	NA	NA	'\$0 R	NA	\$10 R
Player participation fee per season		\$15	\$15		No change	\$20			20% Youth Revenue	\$30 NR	?	NA	NA	NA	\$30 NR	NA	\$20 NR
Programs							Free w/Members hip	\$4 per Child /Uses a Staff Member	NA	NA	NA	Free w/Members hip	\$5 per Child per day	\$2/hr.	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 \$R25-\$115 per Class/per day		Range from \$50 - \$150 per class/per day		Range from \$35-\$75 per class/per day	Range from \$45-\$100 per class/per day	Range from \$65-\$200 per class/per day	Range from \$35-\$90 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
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-\$75 per class/per Month Drop- ins are \$10	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 \$20-\$50 per class/per month	Range from \$25-\$75 per class/per month	Range from \$45-\$150 per class/per month	Range from \$35-\$85 per class/per month Drop- ins are \$7 a class	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	\$325	NA	\$290	\$90	\$55	NA	NA	NA	NA	NA		
Football Camp		NA	NA		\$75	\$90	NA	NA	NA	NA	NA	NA	NA	NA	NA		
Basketball League		\$305	Same		\$350	\$375	NA	\$350	NA	\$50	NA	NA	NA	NA	NA		
Basketball Camp		NA	NA		\$75	\$90	NA	NA	NA	NA	NA	\$45	NA	NA	NA		
Soccer League		\$75	NA		\$100	\$115	NA	\$80	NA	\$50	\$70	NA	NA	NA	\$75		
Soccer Camp		NA	NA		\$50	\$65	NA	NA	NA	NA	NA	NA	NA	NA	NA		
Baseball League		\$50	NA		\$100	\$115	NA	NA	NA	\$45	\$50	\$40	NA	NA	\$65		
Baseball Camp		FREE	NA		\$75	\$90	NA	NA	NA	NA	NA	NA	NA	NA	NA		
Volleyball League		NA	NA		\$45	\$60	NA	NA	NA	NA	NA	NA	NA	NA	NA		
Volleyball Camp		NA	NA		\$45	\$60	NA	NA	NA	NA	NA	NA	NA	NA	NA		

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 8

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**Discuss and consider determining the rules and procedures pursuant to Section 3.14 of the Home Rule Charter.**

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**This request supports the City Council 2014-2015 Policy Agenda.**

### **City Charter Requirement**

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#### **Background**

Section 3.14 of the City's Home Rule Charter requires the Council to determine its own rules of order and business ninety (90) days following the municipal elections. The City Council Rules and Procedures provide the framework in which the Council conducts its business.

#### **Considerations**

On July 24, 2014 the City Secretary shared a copy of the current Rules and Procedures with Council and asked that any suggestions of amendments be submitted by August 1, 2014. No suggestions or comments were received; therefore there are no amendments to be adopted.

- **Operational** - Amendment of the Council Rules and Procedures is by resolution. Adoption of the resolution incorporates the revisions and reaffirms the Council Rules and Procedures in its entirety, meeting the City Charter requirements for review.
- **Financial** – There is no financial impact in amendment of the Council's Rules and Procedures.
- **Public Information** – There are no public information requirements.

#### **Attachments**

- City Council Rules and Procedures
- 

#### **Submitted by:**

Sorangel O. Arenas, City Secretary

# City of Lancaster

## City Council

### Rules and Procedures



As Amended  
~~July 9, 2012~~ July 22, 2013

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### STATEMENT OF MISSION

The City Council shall faithfully discharge all duties imposed upon it by the City Charter and the Constitution and laws of the State of Texas, independently and impartially deciding all matters brought before it with responsibility to the citizens and each other.

## **COUNCIL DUTIES AND RESPONSIBILITIES**

The City Council is the governing body for the City of Lancaster and must bear responsibility for the integrity of governance. This policy intends to ensure effective and efficient governance.

The Council shall govern the City with a commitment to preserving the values and integrity of representative local government and democracy. The following statements will serve as a guide to that commitment:

1. The Council must strive for continual improvement of each member's personal knowledge and ability to serve in an atmosphere conducive to the responsible exchange of ideas.
2. The Council will keep the community informed on municipal affairs; encourage communication between the citizens and Council and strive for constructive relationships with Dallas County, neighboring communities, Lancaster Independent School District and other governmental bodies.
3. The Council will recognize and address the rights and privileges of the social, cultural, and physical characteristics of the community when setting policy.
4. The Council will seek to improve the quality and image of public service.
5. The Council will commit to improving the quality of life for the individual and the community by being dedicated to the faithful stewardship of the public trust.

### **SECTION I**

#### **MAYOR - CITY COUNCIL RELATIONS**

##### **A. MAYORAL RESPONSIBILITIES**

1. The Mayor shall be the presiding officer at all meetings. The Mayor Pro Tem shall preside in the absence of the Mayor. The Deputy Mayor Pro Tem shall preside in the absence of both the Mayor and Mayor Pro Tem.
2. The Mayor shall have a voice and vote in all matters before the Council.

3. The Mayor is the spokesperson for and on behalf of the Council on all matters unless absent, at which time a designee will assume the role.
4. The Mayor shall preserve order and decorum and is responsible for keeping the meetings orderly by recognizing each Member for discussion, limiting speaking time, encouraging debate among Members, and keeping discussion on the agenda items being considered as required by these rules and in accordance with the TOMA.-
5. Should a conflict arise among Councilmembers, the Mayor serves as mediator and arbiter.

**B. COUNCILMEMBER RESPONSIBILITIES**

1. Councilmembers shall know and observe the adopted rules and procedures governing their duties and responsibilities.
2. Councilmembers shall be prepared to discuss and act upon the posted agenda.
3. Councilmembers shall take the initiative to be informed about Council actions taken in their absence. When absent the individual Councilmember is responsible for obtaining relevant information prior to the Council meeting when said item is to be considered.
4. Councilmembers appointed to serve as liaison to a board, commission, or study group are responsible for keeping all Councilmembers informed of significant board, commission, or study group activities.

**C. HOUSE RULES: CODE OF CONDUCT**

1. Listen and understand before judging.
2. Focus on the Vision and goals;  
no personal attacks or inferences.
3. Look for areas of agreement before differences.
4. Be on time; start on time; turn off all communication devices.
5. Once a decision is made,

support the City decision, but state your reservation.

6. Agree to disagree;  
move on to the next issue.
7. Come prepared to discuss issues;  
When possible ask questions of staff prior to the meeting so that staff can be prepared.
8. Praise in public;  
provide constructive feedback in private.
9. Participate in discussions and focus on the issue;  
avoid side conversations. Need to be mindful that sidebar conversations are disruptive.
10. Be courteous, honest and treat others with respect.
11. Communicate in an open, direct manner;  
keep others informed.
12. If you have a problem with another member of Council, go to that member directly and not to other council members, the community or staff.
13. Be a positive ambassador for the City.

#### **D. CITY COUNCIL AGENDA PROCESS**

1. Agenda Items
  - a. The City Manager shall be responsible for the placement of agenda items.
  - b. Any member of the City Council shall have the unabridged right to place an item on the agenda of a duly convened meeting of the council and nothing contained in the Charter or these Rules and Procedures shall be construed to limit or circumscribe such right.
  - c. A Councilmember may place an item on the agenda by presenting same, in writing or verbally, to the City Manager not later than noon on the Friday one week before the Council meeting. The City Manager may discuss with the requesting Councilmember delay of the agenda item one meeting due to time considerations. However,

the Councilmember may choose to direct the City Manager to place the agenda item on the upcoming Council meeting without a one meeting delay. Such direction shall be noted in the agenda communication regarding the agenda item.

2. Parliamentary ~~Considerations~~ Procedures

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- a. Discussion on agenda items will be initiated following introduction by the Mayor, explanatory comments by staff, and a motion and a second for or against the proposal.
- b. The Mayor will encourage all Councilmembers to participate in discussion and debate, ensuring all members the opportunity to speak, limiting each speaker to ensure efficient use of time as appropriate.
- c. Generally accepted Parliamentary Procedure will determine the precedence of motions and the general conduct and composition of meetings except as otherwise provided herein or by State law.

3. Citizens Comments

- a. When Citizens' Comments are listed on the posted agenda, the Mayor may enforce the three (3) minute rule. The Mayor, at his/her discretion, may adjust the length of time per speaker. All speakers shall be accorded the courtesy of the same time allowance. All citizens requesting to speak during Citizens' Comments must fill out a speaker card prior to the call to order of the meeting. *(Approved by motion at City Council meeting June 7, 1999)*
- b. When Public Hearings are listed on the posted agenda, citizens wishing to speak during the Public Hearing will be asked to fill out a speaker card prior to the call to order of the meeting.
- c. Public comment shall not be accepted during a Council work session. A councilmember may request that the Mayor recognize a person to speak during a work session if the councilmember believes the

person has pertinent, factual information that is directly relevant to the Council's discussion. The Mayor, at his/her discretion, may ask the person to speak.

4. Minutes

- a. The City Secretary will keep Action Minutes for all City Council meetings where Council takes official action and description minutes for all citizens' comments and Public Hearings.
- b. The City Secretary shall maintain recordings of City Council meetings in accordance with the City's adopted Records Management Program ordinance and applicable state law.
- c. Any questions regarding minutes shall be directed to the City Secretary prior to the council meeting.

5. Any Councilmember may appeal to the Council as a whole from a ruling by the Mayor. If the appeal is seconded, the person making the appeal may make a brief statement and the Mayor may explain the Mayor's position, but no other Member may speak on the motion. The Mayor will then put the ruling to a vote of the Council.

6. Any Councilmember may ask the Mayor to enforce the rules established by the Council. Should the Mayor fail to do so, a majority vote of the Council present ~~shall require the Mayor to do so~~ may override the Mayor and call for enforcement of the house rules.-

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**E. COUNCIL MEMBER TRAINING AND PROFESSIONAL DEVELOPMENT**

1. Council members are encouraged to attend at least one training event per year, and others as found beneficial to performance of their elective duties, subject to the availability of funds as appropriated in the annual budget for the Mayor and each council district.
2. Council shall appropriate an amount for Mayor and each council district.

Travel and training funds appropriated for the Mayor and each council district shall not be available for transfer to another council district or the Mayor.

3. Selection of professional development events are at the discretion of each council member, but are limited to expenditures within the amount appropriated for mayor and each council district. Unexpended funds for each elective position are non-transferable and shall be returned to fund balance at the end of each fiscal year.
4. Council members are encouraged to select training events from the following providers:
  - Texas Municipal League
  - North Central Texas Council of Government
5. Additional expenditures from miscellaneous professional development funds, subject to annual appropriation, for the Mayor and/or a council member chosen to represent the council, may be made for special events as the need may arise. Such additional expenditures may be made only after having been placed on the agenda of a regular council meeting and acted upon by motion, second, and favorable majority vote. *(Resolution 46-99)*

## **SECTION II**

### **COUNCIL - STAFF RELATIONS**

The City Manager is the primary link between the Council and the professional staff. The Council's relationship with the staff shall be through the City Manager, subject only to the "inquiry" provision of the City Charter.

- A. **AGENDA QUESTIONS.** Questions arising from Councilmembers after receiving their agenda information packet should be presented to the City Manager for staff consideration prior to the Council meeting. The additional

information will be distributed to all Councilmembers.

- B. PRESENTATIONS TO COUNCIL.** The City Manager shall designate appropriate staff to address each agenda item and shall see that it is adequately prepared and presented to the Council. Presentation should be professional, timely, and allow for discussion of options for resolving the issue. Staff shall make it clear that no Council action is required, present the staff recommendation, or present the specific options for Council consideration.
- C. PROBLEM RESOLUTION.** If the City Manager or staff time is being dominated or misdirected by a Councilmember or in any conflict arising between staff and Council, the City Manager shall:
1. Visit with the Councilmember and discuss the problem and/or impact on City Manager or staff time;
  2. If unresolved, ask the Mayor to arbitrate a resolution to the issue;
  3. If still unresolved, ask the Mayor to present the concerns to the Council.
  4. If the unresolved issue is with the Mayor, ask the Mayor Pro Tem to arbitrate a resolution to the issue.
  5. If still unresolved issue involves the Mayor, ask the Mayor Pro Tem to present the concerns to the Council.
- D. STAFF CONDUCT AND TRAINING**
1. The City Manager is responsible for the professional and ethical behavior of the City Staff. All staff members shall show each other, Council, and the public respect and courtesy at all times.
  2. The City Manager is responsible, within the constraints of the appropriated budget, for staff development.

**E. COUNCIL ORIENTATION.** The City Manager will, in a timely manner, provide appropriate orientation services for new Councilmembers. Such services shall include, but not be limited to, the following:

1. Availability of Texas Municipal League conferences and seminars.
2. An individual meeting with new Members informing them about City facilities and procedures.
3. Printed documents and resource materials necessary to the performance of the office of Councilmember.

**F. COUNCIL - MANAGER/STAFF RELATIONS**

1. The rules and procedures governing Council right of inquiry shall apply only to the administrative staff reporting directly to the City Manager and shall not be in any way construed to limit the right of Council to direct access, verbal or written, with the City Manager, City Secretary, and City Attorney, unless otherwise specifically provided herein.
2. Inquiries: All administrative inquiries of staff may be made in writing and addressed to the person with a copy to the City Manager. Staff may respond in writing as soon as possible, but not later than five (5) business days, via the City Manager, as follows:
  - a. The full response to the inquiry.
  - b. Refer the inquiry to a more appropriate staff personnel with notice to the City Manager of the referral.
  - c. City Manager shall send a copy of all responses to all members of the Council.
3. Dispute Resolution
  - a. Visit with the Mayor and/or Councilmembers, and discuss abuse and/or impact on City Manager or staff time.

- b. If unresolved, ask the Mayor to mediate a resolution to the issue; if the dispute is with the Mayor, the Mayor Pro-Tem shall mediate;
  - c. If still unresolved, the Council shall mediate a final resolution. (*Resolution 43-98, October 12, 1998*)
- 4. Communications with Staff
  - a. In order to make the most efficient use of council members and staff time and to facilitate responsiveness to both staff and constituents, Council members may, upon request and funding availability, be issued a cellular telephone and tablet with service plans.
- 5. Disclosure of Police or Code Offense Reports and Related Records
  - a. To protect the integrity of an investigation and prosecution of an offense, no Information regarding police or code enforcement matters, other than what may be made to the public or media generally, will be released verbally or in written form to any council member.
  - b. A Council member request for open records may be made through the City Secretary's office for personal subject matters. A council member may not use an Open Records Request to circumvent a copy of requested city documents being shared with other council members.

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**SECTION III**  
**MEDIA RELATIONS**

It is through an informed public that progress is ensured and good government remains sensitive to its constituents. These guidelines are designed to help ensure fair relationships with print, radio, and television reports without infringing upon the First Amendment rights of the media.

The Council and the City Manager recognize the important link to the public provided by the media. It is the Council's desire to strengthen this link by establishing a professional working relationship to maintain a well-informed citizenry.

- A. Media Orientation. Since each government body conducts business differently, it is requested that all reporters new to City Council meetings meet with the City Manager, Mayor or the designated media relations representative prior to covering their first meeting for information on policies and procedures.
- B. Agenda Information. All reporters requesting same will receive an agenda package in advance and will be furnished support material needed for clarification for themselves or the general public.
- C. Chamber Seating. During the conduct of official business, the news media shall occupy the places designated for them or the general public.
- D. Conduct in Chambers. Representatives of the media are requested to refrain from conversing privately with others in the audience while Council is in session. Interviews with the public should be conducted outside the Council Chambers while Council is in session.
- E. Spokesperson for Staff. On administrative matters, the City Manager or his/her designee is the spokesperson to present staff information on the agenda.
- F. Spokesperson for City. The Mayor, or the Mayor's designee, is the primary spokesperson for the official position of the City on matters regarding policy decisions and Council information pertaining to issues on the agenda. Any

clarifications requested by the media on the issues should be addressed after the meeting.

- G. Equal Access for Opposing Positions. The ethical burden for fair presentation of opposing positions on any issue falls upon the media. When opposing positions have been debated, regardless of the outcome, the public is better informed when all sides have adequate coverage by the media. Interviews by the media should provide equitable representation from all Councilmembers.

#### **SECTION IV** **BOARDS/COMMISSIONS**

All City Councilmembers, with the exception of the Mayor, will serve as Council liaisons to all the boards and commissions of the City for a period of one year.

- A. Councilmembers will select different boards and/or commissions to serve as liaisons after or around the completion of the boards and commissions appointments in July.
- B. Each Councilmember will be allowed to select the board or commission they would like to serve as liaisons to by order of seniority.
- C. Councilmembers are strongly encouraged, rather than required, to attend all meetings of their selected boards and/or commissions.
- D. Each Councilmember may submit a quarterly report to the entire council through the City Secretary on their respective board and/or commission's activity.

This Section was added after Res. No. 50-97 was adopted October 13, 1997. Item D was added after Res. 2007-09-105 was adopted on September 24, 2007.

## **CODE OF ETHICS**

Since the office of elected official is one of trust and service to the citizens of Lancaster, certain ethical principles shall govern the conduct of Councilmembers, who shall:

- A. Be dedicated to the highest ideals of honor and integrity in all public and personal relationships;
- B. Recognize that the primary function of local government is to serve the best interests of all the people;
- C. Be dedicated to public service by being cooperative and constructive, and by making the best and most efficient use of available resources;
- D. Refrain from any activity or action that may hinder one's ability to be objective and impartial on any matter coming before the Council;
- E. Not seek nor accept gifts or special favors and shall believe that personal gain by use of confidential information or by misuse of public funds or time is dishonest;
- F. Recognize that public and political policy decisions are ultimately the responsibility of the City Council;
- G. Conduct business in open, well-publicized meetings in order to be directly accountable to the citizens of Lancaster in compliance with the City Charter and Texas Open Meetings Act;
- H. Avoid inappropriate reference to personalities, and refrain from impugning the integrity or motives of another;
- I. Demonstrate respect and courtesy to others;
- J. Refrain from rude and derogatory remarks and shall not belittle staff members, other Councilmembers and members of the public;
- K. Not condone any unethical or illegal activity.

### **CENSURE POLICY**

1. Two or more City Councilmembers may file a written notice of censure against another City Councilmember with the City Secretary. The written notice shall set forth the allegation(s) of conduct and City Charter provisions which the accused Councilmember shall have allegedly violated. A copy shall be delivered to all Councilmembers. A written response to the allegation(s) may be filed by the accused Councilmember ten (10) days after receipt thereof. A copy of the notice of censure and response thereto shall be delivered to each Councilmember within two (2) days after the response is filed.
2. On the first regularly called meeting of the Council, which complies with the Texas Open Meetings Act, after the filing of the notice and response, the City Secretary shall formally read the notice and response into the public record. The Council, by majority vote, shall thereafter determine whether or not good cause shall exist to set a formal hearing on the merits of the notice of censure or dismiss the allegation(s). A public hearing shall be set on the allegation(s) by the City Council. A vote to hold a public hearing shall not be construed to be a vote of censure.
3. The accused City Councilmember has the right to be represented by legal counsel and present witnesses relative to the allegation(s).
4. A public hearing on the allegation(s) and response shall be held at either a regular or special called meeting of the City Council, which shall be open to the public.

## **CENSURE POLICY**

(continued)

5. The City Council will hear evidence concerning the notice of censure. The City Councilmembers proffering the charges shall present evidence in support of the allegation(s) contained in the notice of censure. The Councilmember who is the subject of the censure shall have the opportunity to present evidence to support his or her position with respect to the notice of censure. After receiving evidence at an open public meeting, the City Council shall then take a roll-call vote, after motion duly made and seconded, a majority of five members of the City Council shall be required to sustain the censure of the Councilmember.

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 9

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

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Community**

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### **Background**

On Monday, August 25, 2014, Council conducted a public hearing on the proposed service plan for Beltline Ashmoore Public Improvement District.

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

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

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

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

### **Considerations**

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

- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for neighborhoods. They are considered to be a more equitable means of collecting dues for neighborhood maintenance. The 2014/2015 proposed service plan budget is \$16,521.00 and assessments are proposed at \$0.1500 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was posted in the local publication of record Focus Daily News and notices mailed to property owners as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Approve the Service Plan.
2. Reject the Service Plan.

### **Recommendation**

Staff recommends approval of the FY 2014-2015 Service Plan.

### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

### **Submitted by:**

Rona Stringfellow, Assistant City Manager

**ORDINANCE NO.**

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

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

**WHEREAS**, on August 25, 2014 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 25<sup>th</sup> day of August, 2014, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

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

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

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

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

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

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.1500 per \$100 of valuation through the assessment established for 2014/2015; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5** - ASSESSMENT LEVY: That for 2014/2015 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

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

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

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

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

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

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 8<sup>th</sup> day of September, 2014.

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
SORANGEL O. ARENAS, CITY SECRETARY

**APPROVED AS TO FORM:**

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

**EXHIBIT “A”**  
**SERVICE AND ASSESSMENT PLAN**

Fund: 60 BELTLINE ASHMOORE - PID

Department: 4 OPERATIONS

Program:

Revised Budget: 6/20/14

Account	Description	2013 FY Actual	2014 FY Actual	2014 FY Adopted Budget	2014 FY Revised Budget	2015 FY Budget	2016 FY Budget	2017 FY Budget	2018 FY Budget	2019 FY Budget
60-0201-04-00	SUPPLIES			250.00	250.00	250.00	250.00	250.00	250.00	250.00
60-0210-04-00	FOOD/BEVERAGES-MTGS/FUNCTIONS			250.00	250.00	250.00	250.00	250.00	250.00	250.00
60-0211-04-00	MISCELLANEOUS			60.00	60.00	60.00	60.00	60.00	60.00	60.00
60-0214-04-00	POSTAGE			179.00	179.00	179.00	179.00	179.00	179.00	179.00
60-0225-04-00	LANDSCAPING	6,800.00	1,485.57	2,000.00	2,000.00	3,000.00	3,000.00	3,000.00	3,000.00	3,000.00
Subtotal:		6,800.00	1,485.57	2,739.00	2,739.00	3,739.00	3,739.00	3,739.00	3,739.00	3,739.00
60-0301-04-00	MAINT-BLDGS & STRUCTURES			1,000.00	1,000.00	4,700.00	4,700.00	4,700.00	4,700.00	4,700.00
60-0372-04-00	IRRIGATION SYS REPAIR & MAINT	3,050.00		2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
Subtotal:		3,050.00		3,500.00	3,500.00	7,200.00	7,200.00	7,200.00	7,200.00	7,200.00
60-0403-04-00	INSURANCE			2,190.00	2,190.00	2,190.00	2,190.00	2,190.00	2,190.00	2,190.00
60-0407-04-00	TAXES			100.00	100.00					
60-0410-04-00	UTILITIES - ELECTRICITY			1,500.00	1,500.00	560.00	560.00	560.00	560.00	560.00
60-0411-04-00	WATER PURCHASE PID			1,200.00	1,200.00	500.00	500.00	500.00	500.00	500.00
60-0416-04-00	OTHER PROFESSIONAL SERVICES			1,000.00	1,000.00	100.00	100.00	100.00	100.00	100.00
60-0421-04-00	PRINTING	150.00		175.00	175.00	175.00	175.00	175.00	175.00	175.00
60-0423-04-00	CONTRACT MOWING									
60-0434-04-00	SPECIAL EVENTS		311.95	965.00	965.00	840.98	840.98	840.98	840.98	840.98
60-0442-04-00	COMPUTER PROFESSIONAL SERVICES			300.00	300.00	300.00	300.00	300.00	300.00	300.00
60-0446-04-00	LEGAL SERVICES			500.00	500.00	500.00	500.00	500.00	500.00	500.00
60-0456-04-00	NEWSLETTER			175.00	175.00	175.00	175.00	175.00	175.00	175.00
Subtotal:		150.00	311.95	8,105.00	8,105.00	5,340.98	5,340.98	5,340.98	5,340.98	5,340.98
60-0537-04-00	DALLAS COUNTY TAX COLL SVCS	242.00		242.00	242.00	242.00	242.00	242.00	242.00	242.00
Subtotal:		242.00		242.00	242.00	242.00	242.00	242.00	242.00	242.00
Program number:		10,242.00	1,797.52	14,586.00	14,586.00	16,521.98	16,521.98	16,521.98	16,521.98	16,521.98
Department number:	OPERATIONS	10,242.00	1,797.52	14,586.00	14,586.00	16,521.98	16,521.98	16,521.98	16,521.98	16,521.98
Fund number:	60 BELTLINE ASHMOORE - PID	10,242.00	1,797.52	14,586.00	14,586.00	16,521.98	16,521.98	16,521.98	16,521.98	16,521.98

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

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 10

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

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Community**

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### **Background**

On Monday, August 25, 2014, Council conducted a public hearing on the proposed service plan for Glendover Estates Public Improvement District.

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

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

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

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

### **Considerations**

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

- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2014/2015 proposed service plan budget is \$36,130.26 and assessments are proposed at \$0.2400 per one hundred dollars assessed valuation, a reduction from the previous year assessment of \$0.2500 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was conducted on August 25, 2014. The public hearing was posted in the local publication of record, Focus Daily News and notices mailed to property owners as required by Local Government Code Chapter 372.

#### **Options/Alternatives**

1. Approve the Service Plan.
2. Reject the Service Plan.

#### **Recommendation**

Staff recommends approval of the FY 2014-2015 Service Plan.

#### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

#### **Submitted by:**

Rona Stringfellow, Assistant City Manager

**ORDINANCE NO.**

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

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

**WHEREAS**, on August 25, 2014 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 25<sup>th</sup> day of August, 2014, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

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

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

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

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

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

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.2400 per \$100 of valuation through the assessment established for 2014/2015; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5** - ASSESSMENT LEVY: That for 2014/2015 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

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

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

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

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

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

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 8<sup>th</sup> day of September, 2014.

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
SORANGEL O. ARENAS, CITY SECRETARY

**APPROVED AS TO FORM:**

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

**EXHIBIT “A”**  
**SERVICE AND ASSESSMENT PLAN**

Fund: 54 GLENDOVER ESTATES - PID

Department: 4 OPERATIONS

Program:

Revised Budget: 8/2014

Account	Description	2013 FY Actual	2014 FY Actual	2014 FY Adopted Budget	2014 FY Revised Budget	2015 FY Budget	2016 FY Budget	2017 FY Budget	2018 FY Budget	2019 FY Budget
54-0201-04-00 OFFICE SUPPLIES		519.41	402.94	500.00	500.00	500.00	500.00	500.00	500.00	500.00
54-0211-04-00 MISCELLANEOUS				350.00	350.00	50.00	50.00	50.00	50.00	50.00
54-0214-04-00 POSTAGE		108.39		300.00	300.00	100.00	100.00	100.00	100.00	100.00
54-0225-04-00 LANDSCAPING		10,393.75	9,877.50	11,775.00	11,775.00	11,775.00	11,775.00	11,775.00	11,775.00	11,775.00
Subtotal:		11,021.55	10,280.44	12,925.00	12,925.00	12,425.00	12,425.00	12,425.00	12,425.00	12,425.00
54-0301-04-00 MAINT-BLDGS & STRUCTURES				5,830.00	5,830.00					
54-0351-04-00 MISC. MAINTENANCE				500.00	500.00					
54-0372-04-00 IRRIGATION SYS REPAIR & MAINT		975.00	660.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
Subtotal:		975.00	660.00	7,330.00	7,330.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
54-0403-04-00 CASUALTY INSURANCE		1,975.67	1,990.42	2,006.00	2,006.00	2,110.00	2,110.00	2,110.00	2,110.00	2,110.00
54-0410-04-00 UTILITIES - ELECTRICITY		395.04	350.77	750.00	750.00	750.00	750.00	750.00	750.00	750.00
54-0411-04-00 WATER PURCHASE PID		2,120.45	1,856.91	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00	3,500.00
54-0416-04-00 OTHER/PROFESSIONAL SERVICES				500.00	500.00	500.00	500.00	500.00	500.00	500.00
54-0421-04-00 PRINTING				100.00	100.00	38.00	38.00	38.00	38.00	38.00
54-0434-04-00 SPECIAL EVENTS				211.00	211.00	250.00	250.00	250.00	250.00	250.00
54-0436-04-00 LANDSCAPING IMPROVEMENTS			5,557.14	6,700.00	6,700.00	300.00	300.00	300.00	300.00	300.00
54-0437-04-00 AUDIT SERVICES		6.36		300.00	300.00	6,674.50	6,674.50	6,674.50	6,674.50	6,674.50
54-0450-04-00 ADMINISTRATIVE MANAGEMENT FEE		8,200.00	5,750.00	6,900.00	6,900.00	180.00	180.00	180.00	180.00	180.00
54-0469-04-00 STORAGE		180.00	150.00	180.00	180.00					
Subtotal:		12,877.52	15,655.24	21,147.00	21,147.00	14,302.50	14,302.50	14,242.50	14,302.50	14,302.50
54-0511-04-00 PROPERTY TAXES PAID BY PID						8,177.00				
54-0537-04-00 DALLAS COUNTY TAX COLL SVCS		271.89		225.50	225.50	225.50	225.50	225.50	225.50	225.50
Subtotal:		271.89		225.50	225.50	8,402.50	225.50	225.50	225.50	225.50
Program number:		25,145.96	26,595.68	41,627.50	41,627.50	36,130.00	27,953.00	27,893.00	27,953.00	27,953.00
Department number: OPERATIONS		25,145.96	26,595.68	41,627.50	41,627.50	36,130.00	27,953.00	27,893.00	27,953.00	27,953.00
Fund number: 54 GLENDOVER ESTATES - PID		25,145.96	26,595.68	41,627.50	41,627.50	36,130.00	27,953.00	27,893.00	27,953.00	27,953.00

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

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 11

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**Consider and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Boardwalk Public Improvement District.**

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Community**

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### **Background**

On Monday, August 25, 2014, Council conducted a public hearing on the proposed service plan for Boardwalk Public Improvement District.

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

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

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

The Boardwalk PID is proposing an annual assessment of \$0.2300 per \$100 assessed value.

### **Considerations**

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

- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PIDs are a mechanism to assure financial sustainability for neighborhoods. They are considered to be a more equitable means of collecting dues for neighborhood maintenance. The 2014/2015 proposed service plan budget is \$73,730.25 and assessments are proposed at \$0.2300 per one hundred dollars assessed valuation this is a reduction from the previous year assessment of \$0.2400 per one hundred dollars of assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was conducted on August 25, 2014. The public hearing was posted in the local publication of record, Focus Daily News and notices mailed to property owners as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Approve the Service Plan.
2. Reject the Service Plan.

### **Recommendation**

Staff recommends approval of the FY 2014-2015 Service Plan.

### **Attachments**

- Ordinance
- Service and Assessment Plan

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### **Submitted by:**

Rona Stringfellow, Assistant City Manager

**ORDINANCE NO.**

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

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

**WHEREAS**, on August 25, 2014 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 25<sup>th</sup> day of August, 2014, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

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

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

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

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

said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

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

- (a) **All residential lots**, for these lots the assessment shall not exceed \$0.2300 per \$100 of valuation through the assessment established for 2014/2015; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5** - **ASSESSMENT LEVY:** That for 2014/2015 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

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

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

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

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

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

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 8<sup>th</sup> day of September, 2014.

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
SORANGEL O. ARENAS, CITY SECRETARY

**APPROVED AS TO FORM:**

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

**EXHIBIT “A”**  
**SERVICE AND ASSESSMENT PLAN**

gibase\_6-flk\_fk3880  
16:21 08/06/14  
Fund: 64 BOARDWALK PID

City of Lancaster  
6 Year Budget Worksheet  
Department: 4 OPERATIONS  
Program: 34/0004  
Posted Ending: 8/6/004

Account	Description	2013 FY Actual	2014 FY Actual	2014 FY Adopted Budget	2014 FY Revised Budget	2015 FY Budget	2016 FY Budget	2017 FY Budget	2018 FY Budget	2019 FY Budget
64-0201-04-00	SUPPLIES	288.93		300.00	300.00	600.00	250.00	250.00	250.00	250.00
64-0210-04-00	FOOD/BEVERAGE-WTGS/FUNCTIONS			250.00	250.00	2,000.00	300.00	300.00	300.00	300.00
64-0211-04-00	MISCELLANEOUS	50.00		5,900.00	5,900.00	5,000.00	300.00	300.00	300.00	300.00
64-0214-04-00	POSTAGE	369.03		300.00	300.00	500.00	15,630.00	15,630.00		
64-0225-04-00	LANDSCAPING	9,744.00	10,900.80	15,630.00	15,630.00	2,500.00	16,480.00	16,480.00	850.00	850.00
Subtotal:		10,451.96	10,900.80	22,380.00	22,380.00	10,600.00	2,500.00	2,500.00	2,500.00	2,500.00
64-0301-04-00	MAINT-BLDGS & STRUCTURES			2,500.00	2,500.00	2,500.00	634.00	634.00	634.00	634.00
64-0351-04-00	MISC. MAINTENANCE	1,252.80		12,000.00	12,000.00	12,000.00	1,202.75	1,202.75	1,688.00	1,388.00
64-0371-04-00	LANDSCAPING REPAIR & MAINT	1,682.10		1,500.00	1,500.00	15,241.75	1,091.00	1,139.00	1,688.00	1,000.00
64-0372-04-00	IRRIGATION SYS REPAIR & MAINT	463.50		1,500.00	1,500.00	1,500.00	5,427.75	5,427.75	6,510.00	5,522.00
Subtotal:		3,398.40		17,500.00	17,500.00	31,241.75	3,317.00	3,418.00	3,520.00	3,520.00
64-0403-04-00	INSURANCE	1,743.00	1,486.00	3,128.00	3,128.00	5,000.00	477.00	492.00	506.00	506.00
64-0410-04-00	UTILITIES - ELECTRICITY	190.15	99.84	450.00	450.00	2,900.00	12,000.00	12,000.00	12,000.00	12,000.00
64-0411-04-00	WATER PURCHASES PID		17,429.08	12,000.00	12,000.00	800.00	169.00	174.00	180.00	180.00
64-0416-04-00	OTHER PROFESSIONAL SERVICES	25.00		13,132.25	13,132.25	496.96	500.00	500.00		
64-0421-04-00	PRINTING	20.00		160.00	160.00	350.00				
64-0434-04-00	SPECIAL EVENTS					1,000.00				
64-0437-04-00	AUDIT SERVICES			500.00	500.00	9,695.45	10,200.00	10,200.00	10,200.00	10,200.00
64-0446-04-00	LEGAL SERVICES	7,729.95	2,965.00	10,200.00	10,200.00	180.00	180.00	180.00	180.00	180.00
64-0450-04-00	ADMINISTRATIVE MANAGEMENT FEE	135.00		180.00	180.00	26,843.00	26,964.00	27,086.00	27,086.00	27,086.00
64-0469-04-00	STORAGE					888.25	888.25	888.25	888.25	888.25
Subtotal:		9,843.10	21,979.92	39,750.25	39,750.25	30,422.41	888.25	888.25	888.25	888.25
64-0537-04-00	DALLAS COUNTY TAX COLL SVCS	891.00		888.25	888.25	888.25	888.25	888.25	888.25	888.25
Subtotal:		891.00		888.25	888.25	888.25	888.25	888.25	888.25	888.25
Program number:										
Department number:	OPERATIONS	24,584.46	32,880.72	80,518.50	80,518.50	73,152.41	49,639.00	49,856.00	35,334.25	34,346.25
Department number:	OPERATIONS	24,584.46	32,880.72	80,518.50	80,518.50	73,152.41	49,639.00	49,856.00	35,334.25	34,346.25
Fund number:	64 BOARDWALK PID	24,584.46	32,880.72	80,518.50	80,518.50	73,152.41	49,639.00	49,856.00	35,334.25	34,346.25
Fund number:	64 BOARDWALK PID	24,584.46	32,880.72	80,518.50	80,518.50	73,152.41	49,639.00	49,856.00	35,334.25	34,346.25

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

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 12

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

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Community**

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### **Background**

On Monday, August 25, 2014, Council conducted a public hearing on the proposed service plan for Lancaster Mills Public Improvement District.

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

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

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

As this district is currently undeveloped, the PID board has proposed an assessment plan at a rate of \$0.0000 per \$100 assessed valuation as there are no budgeted expenses for the 2014/2015 fiscal year.

### **Considerations**

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

- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2014/2015 proposed service plan budget is \$0.0000 and assessments are proposed to be \$0.0000 per \$100 assessed valuation. There are currently no homes constructed at this time.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was conducted on August 25, 2014. The public hearing was posted in the local publication of record, Focus Daily News and notices mailed to the property owner as required by Local Government Code Chapter 372.

#### **Options/Alternatives**

1. Approve the Service Plan.
2. Reject the Service Plan.

#### **Recommendation**

Staff recommends approval of the FY 2014-2015 Service Plan.

#### **Attachments**

- Ordinance
  - Service and Assessment Plan
- 

#### **Submitted by:**

Rona Stringfellow, Assistant City Manager

**ORDINANCE NO.**

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

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

**WHEREAS**, on August 25, 2014 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 25<sup>th</sup> day of August, 2014, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

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

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

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

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

said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

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

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.0000 per \$100 of valuation through the assessment established for 2014/2015; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.0000 per \$100 of valuation.

**SECTION 5** - **ASSESSMENT LEVY:** That for 2014/2015 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

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

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

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

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

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

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 8<sup>th</sup> day of September, 2014.

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
SORANGEL O. ARENAS, CITY SECRETARY

**APPROVED AS TO FORM:**

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

**EXHIBIT “A”**  
**SERVICE AND ASSESSMENT PLAN**

Fund: 56 LANCASTER MILLS - PID

Department: 4 OPERATIONS

Program:

Period Ending: 6/30/14

Account	Description	2013 FY Actual	2014 FY Actual	2014 FY Adopted Budget	2014 FY Revised Budget	2015 FY Budget	2016 FY Budget	2017 FY Budget	2018 FY Budget	2019 FY Budget
56-0201-04-00	SUPPLIES						1,000.00	1,100.00	1,133.00	1,133.00
56-0211-04-00	MISCELLANEOUS						1,400.00	1,500.00	1,545.00	1,545.00
56-0225-04-00	LANDSCAPING						25,000.00	27,000.00	27,810.00	27,810.00
Subtotal:							27,400.00	29,600.00	30,488.00	30,488.00
56-0372-04-00	IRRIGATION SYS MAINT & REPAIR						600.00	700.00	721.00	721.00
Subtotal:							600.00	700.00	721.00	721.00
56-0403-04-00	INSURANCE						3,200.00	3,600.00	206.00	206.00
56-0410-04-00	UTILITIES- ELECTRICITY						9,000.00	9,500.00	9,785.00	9,785.00
56-0413-04-00	SANITARY LANDFILL						9,000.00	9,500.00	9,785.00	9,785.00
56-0416-04-00	OTHER PROFESSIONAL SERVICE						3,500.00	3,500.00	3,605.00	3,605.00
56-0450-04-00	ADMINISTRATIVE MANAGEMENT FEE						14,000.00	15,000.00	15,965.00	15,965.00
Subtotal:							38,700.00	41,100.00	39,346.00	39,346.00
56-0511-04-00	PROPERTY TAXES PAID BY PID						200.00	200.00	206.00	206.00
Subtotal:							200.00	200.00	206.00	206.00
Program number:							66,900.00	71,600.00	70,761.00	70,761.00
Department number: OPERATIONS							66,900.00	71,600.00	70,761.00	70,761.00
Fund number: 56 LANCASTER MILLS - PID							66,900.00	71,600.00	70,761.00	70,761.00
***** End of Report *****										

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 13

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**Consider and discuss an ordinance making certain findings in connection with the proposed supplemental services ordered in connection with the Meadowview Public Improvement District.**

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Community**

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### **Background**

On Monday, August 25, 2014, Council conducted a public hearing on the proposed service plan for Meadowview Public Improvement District.

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

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

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

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

### **Considerations**

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

- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2014/2015 proposed service plan budget is \$81,970.44 and assessments are proposed at \$0.1000 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was conducted on August 25, 2014. The public hearing was posted in the local publication of record, Focus Daily News and notices mailed to property owners as required by Local Government Code Chapter 372.

#### **Options/Alternatives**

1. Approve the Service Plan.
2. Reject the Service Plan.

#### **Recommendation**

Staff recommends approval of the FY 2014-2015 Service Plan.

#### **Attachments**

- Ordinance
- Service and Assessment Plan

---

#### **Submitted by:**

Rona Stringfellow, Assistant City Manager

**ORDINANCE NO.**

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

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

**WHEREAS**, on August 25, 2014 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 25<sup>th</sup> day of August, 2014, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

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

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

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

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

said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

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

- (a) **Residential lots**, for these lots the assessment shall not exceed \$0.1000 per \$100 of valuation through the assessment established for 2014/2015; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5** - **ASSESSMENT LEVY:** That for 2013/2014 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

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

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

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

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

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

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 8<sup>th</sup> day of September, 2014.

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
SORANGEL O. ARENAS, CITY SECRETARY

**APPROVED AS TO FORM:**

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

**EXHIBIT “A”**  
**SERVICE AND ASSESSMENT PLAN**

Period Ending: 9/30/14

Account	Description	2013 FY Actual	2014 FY Actual	2014 FY Adopted Budget	2014 FY Revised Budget	2015 FY Budget	2016 FY Budget	2017 FY Budget	2018 FY Budget	2019 FY Budget
62-0201-04-00	SUPPLIES			250.00	250.00	250.00	250.00	250.00	250.00	250.00
62-0210-04-00	FOOD/BEVERAGE-MTGS/FUNCTIONS					250.00	250.00	250.00	250.00	250.00
62-0214-04-00	POSTAGE	124.00	128.00	150.00	150.00	600.00	600.00	600.00	600.00	600.00
62-0225-04-00	LANDSCAPING	39,488.00	7,109.00	4,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00	8,000.00
Subtotal:		39,612.00	7,237.00	4,400.00	8,400.00	9,100.00	9,100.00	9,100.00	9,100.00	9,100.00
62-0305-04-00	MAINTENANCE - CLEANOUT					3,700.00	3,700.00	3,700.00	3,700.00	3,700.00
62-0351-04-00	MISC. MAINTENANCE			500.00	500.00	2,500.00	2,500.00	2,500.00	2,500.00	2,500.00
62-0372-04-00	IRRIGATIONS SYS REPAIR & MAINT	2,464.00	6,538.00	4,000.00	9,000.00	4,500.00	4,500.00	4,500.00	4,500.00	4,500.00
Subtotal:		2,464.00	6,538.00	4,500.00	9,500.00	10,700.00	10,700.00	10,700.00	10,700.00	10,700.00
62-0403-04-00	INSURANCE			6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00	6,000.00
62-0410-04-00	UTILITIES - ELECTRICITY	389.26	277.52	525.00	525.00	400.00	400.00	400.00	400.00	400.00
62-0411-04-00	WATER PURCHASES PID	7,415.05	5,299.93	15,000.00	15,000.00	10,000.00	10,000.00	10,000.00	10,000.00	10,000.00
62-0421-04-00	PRINTING			250.00	250.00	450.00	450.00	450.00	450.00	450.00
62-0422-04-00	COMPUTER PROFESSIONAL SERVICES			1,000.00	1,000.00					
62-0423-04-00	CONTRACT MOWING	13,907.00	13,330.00	16,000.00	16,000.00	17,500.00	17,500.00	17,500.00	17,500.00	17,500.00
62-0434-04-00	SPECIAL EVENTS			750.00	750.00	750.00	750.00	750.00	750.00	750.00
62-0436-04-00	IMPROVEMENTS BY CONTRACTORS	11,490.00		15,000.00	6,000.00	20,000.00	20,000.00	20,000.00	20,000.00	20,000.00
62-0446-04-00	LEGAL SERVICES			500.00	500.00	1,500.00	1,500.00	1,500.00	1,500.00	1,500.00
62-0456-04-00	NEWSLETTER			250.00	250.00					
62-0469-04-00	STORAGE					749.00	749.00	749.00	750.00	749.00
Subtotal:		33,201.31	18,907.45	55,275.00	46,275.00	57,349.00	57,349.00	57,349.00	57,350.00	57,349.00
62-0511-04-00	PROPERTY TAXES PAID BY PID		13.04	15.00	15.00	15.00	15.00	15.00	15.00	15.00
62-0537-04-00	DALLAS COUNTY TAX COLL SVCS	2,233.00		2,227.50	2,227.50	2,228.00	2,228.00	2,228.00	2,227.00	2,228.00
62-0546-04-00	REFUNDS					2,578.00	2,578.00	2,578.00	2,578.00	2,578.00
Subtotal:		2,233.00	13.04	2,242.50	2,242.50	4,821.00	4,821.00	4,821.00	4,820.00	4,821.00
Program number:		77,510.31	32,695.49	66,417.50	66,417.50	81,970.00	81,970.00	81,970.00	81,970.00	81,970.00
Department number:	OPERATIONS	77,510.31	32,695.49	66,417.50	66,417.50	81,970.00	81,970.00	81,970.00	81,970.00	81,970.00
Fund number:	62 MEADOWVIEW - PID	77,510.31	32,695.49	66,417.50	66,417.50	81,970.00	81,970.00	81,970.00	81,970.00	81,970.00
***** End of Report *****										

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 14

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

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Community**

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### **Background**

On Monday, August 25, 2014, Council conducted a public hearing on the proposed service plan for Millbrook East Public Improvement District.

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

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

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

The Millbrook East PID is proposing an annual assessment of \$0.1800 per \$100 assessed value.

### **Considerations**

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

- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2014/2015 proposed service plan budget is \$59,550.00 and assessments are proposed at \$0.1800 per one hundred dollars assessed valuation and a reduction from the previous year assessment of \$0.2200 per one hundred dollars of assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was conducted on August 25, 2014. The public hearing was posted in the local publication of record, Focus Daily News and notices mailed to property owners as required by Local Government Code Chapter 372.

#### **Options/Alternatives**

1. Approve the Service Plan.
2. Reject the Service Plan.

#### **Recommendation**

Staff recommends approval of the FY 2014-2015 Service Plan.

#### **Attachments**

- Ordinance
- Service and Assessment Plan

---

#### **Submitted by:**

Rona Stringfellow, Assistant City Manager

**ORDINANCE NO.**

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

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

**WHEREAS**, on August 25, 2014 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 25<sup>th</sup> day of August 2014, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

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

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

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

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

said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

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

- (a) **All residential lots**, for these lots the assessment shall not exceed \$0.18 per \$100 of assessed valuation through the assessment established for 2014/2015; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5** - **ASSESSMENT LEVY:** That for 2014/2015 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

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

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

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

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

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

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 8<sup>th</sup> day of September 2014.

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
SORANGEL O. ARENAS, CITY SECRETARY

**APPROVED AS TO FORM:**

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

**EXHIBIT “A”**  
**SERVICE AND ASSESSMENT PLAN**

Account	Description	2013 FY Actual	2014 FY Actual	2014 FY Adopted Budget	2014 FY Revised Budget	2015 FY Budget	2016 FY Budget	2017 FY Budget	2018 FY Budget	2019 FY Budget
63-0201-04-00 SUPPLIES		609.24	468.61	600.00	600.00	700.00	621.00	639.00	658.00	658.00
63-0214-04-00 POSTAGE		480.78		600.00	600.00	750.00	636.00	654.00	674.00	674.00
63-0225-04-00 LANDSCAPING		13,931.00	13,360.00	16,032.00	16,032.00	16,032.00	16,032.00	16,032.00	16,032.00	16,032.00
Subtotal:		15,021.02	13,828.61	17,232.00	17,232.00	17,482.00	17,289.00	17,325.00	17,364.00	17,364.00
63-0301-04-00 MISC. MAINTENANCE		2,915.88	883.00	10,000.00	10,000.00	1,000.00	300.00	300.00	300.00	300.00
63-0301-04-00 MAINT-BUDGS & STRUCTURES										
63-0351-04-00 MISC. MAINTENANCE		2,915.88	883.00	10,000.00	10,000.00	300.00	700.00	721.00	742.00	742.00
63-0371-04-00 LANDSCAPING REPAIR & MAINT				1,310.00	1,310.00					
63-0372-04-00 IRRIGATIONS SYS REPAIR & MAINT		1,218.00	440.00	1,500.00	1,500.00	1,545.00	1,591.00	1,639.00	1,688.00	1,688.00
Subtotal:		7,049.76	2,206.00	22,810.00	22,810.00	3,545.00	2,591.00	2,660.00	2,730.00	2,730.00
63-0403-04-00 INSURANCE		6,298.99	1,450.00	3,549.00	3,549.00	3,600.00	477.00	492.00	506.00	506.00
63-0410-04-00 UTILITIES - ELECTRICITY		253.72	169.57	450.00	450.00	464.00	7,426.00	7,649.00	7,878.00	7,878.00
63-0411-04-00 WATER PURCHASES PID			7,103.51	7,000.00	7,000.00	7,210.00				
63-0421-04-00 PRINTING		21.15		75.00	75.00	150.00	79.00	82.00	84.00	84.00
63-0434-04-00 SPECIAL EVENTS		436.02								
63-0437-04-00 AUDIT SERVICES				300.00	300.00	300.00	300.00	300.00	300.00	300.00
63-0446-04-00 LEGAL SERVICES				500.00	500.00	1,000.00	500.00	500.00	500.00	500.00
63-0450-04-00 ADMINISTRATIVE MANAGEMENT FEE		10,969.17	7,200.00	9,600.00	9,600.00	14,400.00	14,400.00	14,400.00	14,400.00	14,400.00
63-0469-04-00 STORAGE		195.00	135.00	180.00	180.00	180.00	180.00	180.00	180.00	180.00
Subtotal:		18,174.05	16,058.08	21,654.00	21,654.00	27,304.00	23,362.00	23,603.00	23,848.00	23,848.00
63-0517-04-00 DALLAS COUNTY TAX COLL SVCS		937.75		888.25	888.25	932.25	932.25	932.25	932.25	932.25
Subtotal:		937.75		888.25	888.25	932.25	932.25	932.25	932.25	932.25
Program number:		41,182.58	32,092.69	62,584.25	62,584.25	49,263.25	44,174.25	44,520.25	44,874.25	44,874.25
Department number: OPERATIONS		41,182.58	32,092.69	62,584.25	62,584.25	49,263.25	44,174.25	44,520.25	44,874.25	44,874.25
Fund number: 63 MILLBROOK EAST PID		41,182.58	32,092.69	62,584.25	62,584.25	49,263.25	44,174.25	44,520.25	44,874.25	44,874.25

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

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 15

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

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Community**

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### **Background**

On Monday, August 25, 2014, Council conducted a public hearing on the proposed service plan for Rolling Meadows Public Improvement District.

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

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

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

The Rolling Meadows PID is proposing an annual assessment of \$0.250 per \$100 assessed value.

### **Considerations**

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

- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2014/2015 proposed service plan budget is \$45,155.58 and assessments are proposed at \$0.250 per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was conducted on August 25, 2014. The public hearing was posted in the local publication of record, Focus Daily News and notices mailed to property owners as required by Local Government Code Chapter 372.

#### **Options/Alternatives**

1. Approve the Service Plan.
2. Reject the Service Plan.

#### **Recommendation**

Staff recommends approval of the FY 2014-2015 Service Plan.

#### **Attachments**

- Ordinance
- Service and Assessment Plan

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#### **Submitted by:**

Rona Stringfellow, Assistant City Manager

**ORDINANCE NO.**

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

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

**WHEREAS**, on August 25, 2014 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 25<sup>th</sup> day of August, 2014, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

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

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

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

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

said final assessment roll; and that all prerequisites to the fixing of the assessments therein against the property described and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

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

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.250 per \$100 of valuation through the assessment established for 2014/2015; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5** - **ASSESSMENT LEVY:** That for 2014/2015 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

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

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

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

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

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

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 8<sup>th</sup> day of September, 2014.

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
SORANGEL O. ARENAS, CITY SECRETARY

**APPROVED AS TO FORM:**

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

**EXHIBIT “A”**  
**SERVICE AND ASSESSMENT PLAN**

Fund: 57 ROLLING MEADOWS - PID

Department: 4 OPERATIONS

Program:

Account	Description	2013 FY Actual	2014 FY Actual	2014 FY Adopted Budget	2014 FY Revised Budget	2015 FY Budget	2016 FY Budget	2017 FY Budget	2018 FY Budget	2019 FY Budget
57-0201-04-00 OFFICE SUPPLIES			25.00							
57-0210-04-00 FOOD/BEV-MEETINGS/FUNCTIONS		241.40	124.16	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
57-0211-04-00 ADMINISTRATIVE MANAGEMENT FEE		25.00		1,236.00	1,236.00	7,800.00	7,800.00	7,800.00	7,800.00	7,800.00
57-0214-04-00 POSTAGE		48.18		500.00	500.00	250.00	250.00	250.00	250.00	250.00
57-0225-04-00 LANDSCAPING		7,327.60	6,920.00	8,304.00	8,304.00	8,304.00	8,304.00	8,304.00	8,304.00	8,304.00
Subtotal:		7,642.18	7,069.16	11,040.00	11,040.00	17,354.00	17,354.00	17,354.00	17,354.00	17,354.00
57-0303-04-00 MAINT-LIGHTING/MISC										
57-0351-04-00 MISC. MAINTENANCE		2,820.00	8,389.89	13,830.00	13,830.00	1,900.00	1,900.00	1,900.00	1,900.00	1,900.00
57-0372-04-00 IRRIGATION MAINT & REPAIRS		432.96	525.77	2,000.00	2,000.00	6,500.00	6,500.00	6,500.00	6,500.00	6,500.00
Subtotal:		3,252.96	8,915.66	15,830.00	15,830.00	9,700.00	9,700.00	9,700.00	9,700.00	9,700.00
57-0403-04-00 CASUALTY INSURANCE		2,534.70	2,915.00	2,573.00	2,573.00	3,100.00	3,100.00	3,100.00	3,100.00	3,100.00
57-0410-04-00 UTILITIES - ELECTRICITY		763.52	554.21	2,000.00	2,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
57-0411-04-00 WATER PURCHASE PID		2,107.20	2,309.85	3,276.00	3,276.00	3,276.00	3,276.00	3,276.00	3,276.00	3,276.00
57-0416-04-00 OTHER/PROFESSIONAL SERVICES		151.20	75.77	1,304.00	1,304.00	100.00	100.00	100.00	100.00	100.00
57-0421-04-00 PRINTING				100.00	100.00	125.00	125.00	125.00	125.00	125.00
57-0437-04-00 AUDIT SERVICES				720.00	720.00	750.00	750.00	750.00	750.00	750.00
57-0442-04-00 COMPUTER PROFESSIONAL SERVICE				1,000.00	1,000.00	7,380.00	7,380.00	7,380.00	7,380.00	7,380.00
57-0446-04-00 ATTORNEY SERVICES		60.00		1,000.00	1,000.00	750.00	750.00	750.00	750.00	750.00
57-0450-04-00 ADMINISTRATIVE MGMT FEE		8,613.35	6,500.00	7,800.00	7,800.00	7,380.00	7,380.00	7,380.00	7,380.00	7,380.00
57-0469-04-00 STORAGE FEES		435.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00	420.00
Subtotal:		14,664.97	12,774.83	19,318.00	19,318.00	16,151.00	16,151.00	16,151.00	16,151.00	16,151.00
57-0511-04-00 PROPERTY TAXES PAID BY PID						1,530.57	1,530.57	1,530.57	1,530.57	1,530.57
57-0537-04-00 DALLAS COUNTY TAX COLL SVCS		407.00		407.00	407.00	407.00	407.00	407.00	407.00	407.00
Subtotal:		407.00		407.00	407.00					
Program number:		25,967.11	28,759.65	46,595.00	46,595.00	45,142.57	45,142.57	45,142.57	45,142.57	45,142.57
Department number: OPERATIONS		25,967.11	28,759.65	46,595.00	46,595.00	45,142.57	45,142.57	45,142.57	45,142.57	45,142.57
Fund number: 57 ROLLING MEADOWS - PID		25,967.11	28,759.65	46,595.00	46,595.00	45,142.57	45,142.57	45,142.57	45,142.57	45,142.57

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

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 16

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

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Healthy, Safe, and Vibrant Community**

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### **Background**

On Monday, August 25, 2014, Council conducted a public hearing on the proposed service plan for Tribute at Mills Branch and Tribute East at Mills Branch Public Improvement District.

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

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

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

As this district is not completed, the PID board has proposed an assessment plan for lots with completed homes at a rate of \$0.3600 per \$100 assessed valuation and lots without completed homes at \$0.5000 per \$100 assessed valuation.

### **Considerations**

- **Operational** - All PID's require the Finance Department maintain a separate account that will be passed on to the district. The PID's should also help ensure that common areas will be maintained.
- **Legal** - The notice of public hearing was posted in accordance with the provisions of Chapter 372 in the Texas Local Government Code. The proposed five year service and assessment plan are in accordance with Chapter 372 of Texas Local Government Code and have been reviewed by the City Attorney.
- **Financial** - The PID is not expecting to have any direct financial impact on the City. PID's are a mechanism to assure financial sustainability for the neighborhood. They are considered to be a more equitable means of collecting revenue for maintenance. The 2014/2015 proposed service plan budget is \$29,524 and assessments are proposed at \$0.3600 (lots with homes) per one hundred dollars assessed valuation and \$0.5000 (lots without homes) per one hundred dollars assessed valuation.
- **Public Information** - City Council is required to hold a public hearing to receive comments regarding the annual maintenance and service plan prior to adoption. The public hearing was conducted on August 25, 2014. The public hearing was posted in the local publication of record, Focus Daily News and notices mailed to property owners as required by Local Government Code Chapter 372.

### **Options/Alternatives**

1. Approve the Service Plan.
2. Reject the Service Plan.

### **Recommendation**

Staff recommends approval of the FY 2014-2015 Service Plan.

### **Attachments**

- Ordinance
- Service and Assessment Plan

---

### **Submitted by:**

Rona Stringfellow, Assistant City Manager

**ORDINANCE NO.**

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

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

**WHEREAS**, on August 25, 2014 a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements or on account of any matter or thing in the discretion of this governing body and on the 25<sup>th</sup> day of August, 2014, the City Council closed the public hearing; and levied assessments against property and the owners thereof in the District; and

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

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

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

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

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

- (a) **Residential lots on which construction of a home has been completed**, for these lots the assessment shall not exceed \$0.3600 (lots with homes) per \$100 of assessed valuation and \$0.5000 (lots without homes) per \$100 assessed valuation through the assessment established for 2014/2015; and
- (b) **Tax exempt property and municipal property**, for these classifications the assessment shall not exceed \$0.00 per \$100 of valuation.

**SECTION 5** - ASSESSMENT LEVY: That for 2014/2015 there shall be and is hereby levied and assessed against parcels of property within the District, and against the real and true owners thereof (whether such owners be correctly named or not), the sum of money set forth for in the “*Service and Assessment Plan*”, labeled herein as *Exhibit “A”* and attached hereto and made a part hereof, shown opposite the description of the respective classification of the parcels of property, and the several amounts assessed against the same, and the owners thereof, with the provision that the amount assessed against each property and respective class of properties as shown in the *Service and Assessment Plan* may be adjusted for years subsequent following an annual review of the budget for the District and the *Service and Assessment Plan*.

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

**SECTION 7** - ASSESSMENT DUE: That a lien shall be established against each affected property within the district on the date the assessment is due, and shall not be released until the assessment is paid in full. This lien is superior to all other liens and

claims except liens or claims for the state, county, school district or city ad valorem taxes.

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

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

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

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on the 8<sup>th</sup> day of September, 2014.

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
SORANGEL O. ARENAS, CITY SECRETARY

**APPROVED AS TO FORM:**

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

**EXHIBIT “A”**  
**SERVICE AND ASSESSMENT PLAN**

Fund: 55 TRIBUTE MILLS - PID

Department: 4 OPERATIONS

Program:

Revised Budget: 8/2014

Account	Description	2013 FY Actual	2014 FY Actual	2014 FY Adopted Budget	2014 FY Revised Budget	2015 FY Budget	2016 FY Budget	2017 FY Budget	2018 FY Budget	2019 FY Budget
55-0201-04-00 SUPPLIES		400.46	420.27	300.00	300.00	300.00	300.00	300.00	300.00	300.00
55-0211-04-00 MISCELLANEOUS EXPENSE				100.00	100.00	100.00	100.00	100.00	100.00	100.00
55-0214-04-00 POSTAGE		61.25		380.00	380.00	600.00	600.00	600.00	600.00	600.00
55-0225-04-00 LANDSCAPING		14,594.39	13,370.00	11,650.00	11,650.00	16,044.00	16,044.00	16,044.00	16,044.00	16,044.00
Subtotal:		15,056.10	13,790.27	12,430.00	12,430.00	17,044.00	17,044.00	17,044.00	17,044.00	17,044.00
55-0372-04-00 IRRIGATION SYS MAINT & REPAIR		999.86				500.00	500.00	500.00	500.00	500.00
Subtotal:		999.86				500.00	500.00	500.00	500.00	500.00
55-0403-04-00 INSURANCE		2,558.00	2,663.00	2,644.00	2,644.00	2,769.00	2,769.00	2,769.00	2,769.00	2,769.00
55-0410-04-00 UTILITIES - ELECTRICITY		639.67	714.11	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00	1,000.00
55-0411-04-00 UTILITIES - WATER/SEWER		2,395.85								
55-0421-04-00 PRINTING		40.00		40.00	40.00	40.00	40.00	40.00	40.00	40.00
55-0434-04-00 SPECIAL EVENTS			150.00			80.00	80.00	80.00	80.00	80.00
55-0436-04-00 LANDSCAPE IMPROVEMENTS		2,320.10		300.00	300.00	591.00	591.00	591.00	591.00	591.00
55-0437-04-00 AUDIT SERVICES		29.61				300.00	300.00	300.00	300.00	300.00
55-0450-04-00 ADMINISTRATIVE MANAGEMENT FEE		5,000.00	5,000.00	6,000.00	6,000.00	6,702.25	6,702.25	6,702.25	6,702.25	6,702.25
Subtotal:		12,983.23	8,527.11	9,984.00	9,984.00	11,482.25	11,482.25	11,482.25	11,482.25	11,482.25
55-0537-04-00 DALLAS COUNTY TAX COLL SVCS		522.50		497.75	497.75	497.75	497.75	497.75	497.75	497.75
Subtotal:		522.50		497.75	497.75	497.75	497.75	497.75	497.75	497.75
Program number:		29,561.69	22,317.38	22,911.75	22,911.75	29,524.00	29,524.00	29,524.00	29,524.00	29,524.00
Department number: OPERATIONS		29,561.69	22,317.38	22,911.75	22,911.75	29,524.00	29,524.00	29,524.00	29,524.00	29,524.00
Fund number: 55 TRIBUTE MILLS - PID		29,561.69	22,317.38	22,911.75	22,911.75	29,524.00	29,524.00	29,524.00	29,524.00	29,524.00

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

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 17

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**Discuss and consider a resolution amending 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.**

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Financially Sound City Government**

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### **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 2014-2015 base water bill increase is proposed to \$20.90 from the \$19.60 minimum charge. The rate per 1,000 gallons up to 14,999 gallons will increase to \$2.67 from \$2.50. The rate for 15,000 to 29,999 gallons will increase to \$3.31 from \$3.10. The rate for 30,000 or more gallons will increase to \$4.16 from \$3.90. The proposed 2014-2015 base sewer bill increase is proposed to \$15.04 from \$14.10. The price per 1000 gallons of usage is increasing to \$7.73 from \$7.25.

At the August 21st meeting, staff provided an option for an increase to the senior discount totaling \$3.00 and provided demographic information for the segment of Lancaster's population that utilizes the senior discount. The senior citizen discount is proposed to increase to \$1.79 from \$1.74 on water and the sewer senior discount will remain at \$.76.

Based on the analysis conducted, it was concluded that on a combined basis, the City's current rates revenues are insufficient to fund the projected cost of service starting in FY 2016. At this time, it is recommended that the City implement water and sewer rate increases necessary to produce an additional \$927,000 in annual rate revenues for FY 2015 effective October of 2014.

### **Considerations**

- **Operational** - Council discussed and reviewed several rate options for water and waste water. Adopting the higher fee structure from the options provided to Council on August 18, 2014 and August 21, 2014 will allow the City to perform the required maintenance and improvements that are needed within the City. This fee structure will provide the funding for the required infrastructure needed to provide quality water and wastewater system services.
- **Legal** - The City Attorney has reviewed and approved the resolution as to form.
- **Financial** - The Utility Rate Study was updated after the prior year audit was completed. An increase in rates starting in FY 2015 is necessary to ensure the City has sufficient financial resources to pay debt service on the projected debt issues, recover the cost of providing service, meet the City's financial policy requirements, and generate needed cash to fund these capital projects. By initiating the rate increases in FY 2015 and spreading them over four (4) years, the City can mitigate the impact of increased utility bills on customers.

Water/Waste water	Current	FY 2015
Water		
Minimum Bill	\$19.60	\$20.90
0-15,000	\$2.50	\$2.67
15,001-30,000	\$3.10	\$3.31
30,000+	\$3.90	\$4.16
Senior Citizen Discount	\$1.74	\$1.79
Sewer		
Minimum Bill	\$14.10	\$15.04
Price per 1000 gallons of usage	\$7.25	\$7.73
Senior Discount	\$.76	\$.76

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

### **Options/Alternatives**

1. Approve the rate increase as presented.
2. Deny the rate increase and direct staff.

### **Recommendation**

Staff recommends adoption of the rate option as presented.

**Attachments**

- Resolution
- 

**Submitted by:**

Opal Mauldin Robertson, City Manager  
Rona Stringfellow, Assistant City Manager

**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 an increase for certain fees and charges assessed and collected by the City for water and wastewater services; and

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

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

**SECTION 1.** That the increase in rates for water and wastewater shall be reflected in the Master Fee Schedule, and the same is, hereby adopted to provide for changes to certain fees and charges assessed and collected by the City for water 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, 2014, 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 8<sup>th</sup> day of September 2014.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel Arenas, City Secretary

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

**APPROVED AS TO FORM:**

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

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 18

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**Discuss and consider a resolution amending Section 10.700 of the Master Fee Schedule for fees and charges assessed for water and wastewater rates.**

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

**Goal: Financially Sound City Government**

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### **Background**

This item is a companion item to the agenda item regarding the Water and Waste water rate increase. If Council approves the rate increase, it is necessary to amend the Master Fee Schedule to reflect fees assess to residents for water and waste water services.

### **Considerations**

Water/Waste water	Current	FY 2015
<b>Water</b>		
Minimum Bill	\$19.60	\$20.90
0-15,000	\$2.50	\$2.67
15,001-30,000	\$3.10	\$3.31
30,000+	\$3.90	\$4.16
Senior Citizen Discount	\$1.74	\$1.79
<b>Sewer</b>		
Minimum Bill	\$14.10	\$15.04
Price per 1000 gallons of usage	\$7.25	\$7.73
Senior Discount	\$.76	\$.76

- **Operational** - Council discussed and reviewed several rate options for water and waste water. Adopting the higher fee structure from the options provided to Council on August 18, 2014 will allow the City to perform the required maintenance and improvements that is needed within the City. This fee structure will provide the funding for the required infrastructure needed to provide quality water and wastewater system services.

- **Legal** - The City Attorney has reviewed and approved the resolution as to form.
- **Financial** - Adoption and approval of the proposed rate increases will ensure adequate funding for operations and maintenance for the water and wastewater system, as well as the proposed bond issuance to support the Capital Improvement Plan (CIP) Program.
- **Public Information** - Prior to the effective date of October 1, notice of a rate increase will be published in the City's official publication of record, Focus Daily News, on the City website, and on the utility bills.

### **Options/Alternatives**

1. Approve the rate increase as presented.
2. Deny the rate increase and direct staff.

### **Recommendation**

Staff recommends adoption of the amended master fee schedule for the water and waste water rate increase.

### **Attachments**

- Resolution
- 

### **Submitted by:**

Opal Mauldin Robertson, City Manager  
Rona Stringfellow, Assistant City Manager

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, AMENDING SECTION 10.700 OF THE MASTER FEE SCHEDULE FOR FEES AND CHARGES ASSESSED FOR WATER AND WASTEWATER RATES; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

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

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

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

**SECTION 1.** That the increase in rates for water shall be reflected in the Master Fee Schedule, and the same is, hereby adopted to provide for changes to certain fees and charges assessed and collected by the City for water services, as attached hereto and incorporated herein by reference as Exhibit "A".

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

**SECTION 3.** This Resolution shall become effective on October 1, 2014, 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 8<sup>th</sup> day of September 2014.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

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

**APPROVED AS TO FORM:**

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

## Exhibit “A”

### Sec. 10.700 Water Rates - Within City

The following schedule of water charges for residential, commercial, industrial, and multi-family complex customers shall be effective with the first billing of October 2014:

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 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 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 fifty 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 65 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. 10.700 Water Rates - Outside City Limits**

Effective with the first billing cycle of October 2014, 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 2014:

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 fifty 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 65 or over) of \$1.74 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, 2014:

(1) Minimum monthly sewer charge (no gallons of usage) for residential, commercial, and industrial is fourteen dollars and ten 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 twenty-five 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 seven dollars and twenty-five 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 twenty-five 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 65 or over) of \$0.76 per month shall be applied to each qualified residential account.

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 19

---

**Discuss and consider an ordinance regarding the proposed revenue increase from levying ad valorem taxes for fiscal year 2014/2015 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.**

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Financially Sound City Government**

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### **Background**

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

The current tax rate for fiscal year 2014/2015 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 \$1,486,392 or 11.65% (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 11, 2014 and August 25, 2014 at the City Council regular meeting to receive comment from the public regarding the proposed tax rate. The governing body could not adopt the tax rate at the public hearing.

### **Considerations**

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

- **Legal** - 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.
- **Financial** - The proposed tax rate is to cover the cost of the maintenance and operations and interest and sinking fund requirements.
- **Public Information** - Public notices were published in the official City publication of record, Focus Daily News on the City of Lancaster website. The first public hearing was conducted on Monday, August 11, 2014. The second public hearing was conducted on August 25, 2014. Information regarding the proposed tax rate is being made available in accordance with state law and the City Charter.

### **Options/Alternatives**

- 1) Approve the ordinance as presented
- 2) Approve the ordinance with changes

### **Recommendation**

Staff recommends approval of the ordinance as presented.

### **Attachments**

- Ordinance
- 

### **Submitted by:**

Opal Mauldin Robertson, City Manager

## ORDINANCE NO.

AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS LEVYING AD VALOREM TAXES FOR FISCAL YEAR 2014/2015 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 THAT:

**RECITAS:** On Monday, August 11, 2014 and August 25, 2014 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. 2 comments were received on August 11, 2014 and 0 comments were received on August 25, 2014. 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 2014/2015 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 AND INTEREST AND SINKING FUND REQUIREMENTS THAN LAST YEAR'S TAX RATE.

**SECTION 3.** THAT THE TAX REVENUE WILL INCREASE FROM PROPERTIES ON THE TAX ROLL IN THE PRECEDING TAX YEAR BY 11.65% (PERCENTAGE BY WHICH TAX RATE WILL BE LOWER THAN EFFECTIVE TAX RATE CALCULATED UNDER CHAPTER 26, TAX CODE.)

**SECTION 4.** All ad valorem taxes shall become due and payable on October 1, 2014, and all ad valorem taxes for fiscal year 2014/2015 shall become delinquent after January 31, 2015. If any person fails to pay the ad valorem taxes on or before the 31st day of January 2015, 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, 2015 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** by the City Council of the City of Lancaster, Texas, on this the 8<sup>th</sup> day of September 2014.

**APPROVED:**

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

**ATTEST:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

**APPROVED AS TO FORM:**

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

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 20

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**Conduct a public hearing and consider an ordinance regarding the proposed fiscal year 2014/2015 budget for the fiscal year beginning October 1, 2014 and ending September 30, 2015; providing that expenditures for said fiscal year shall be in accordance with said budget.**

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Financially Sound City Government**

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### **Background**

State Truth-in-Taxation and the City Charter require the City of Lancaster to conduct a public hearing on the proposed annual budget. The proposed total tax rate required to provide revenue for maintenance and operations and interest and sinking fund requirements is \$0.8675 cents per \$100 assessed valuation. The approval of the proposed ordinance will adopt the FY 2014/2015 budget and appropriate necessary funds for the City's operation, maintenance and debt service requirements.

The proposed budget was presented to the Lancaster City Council at work sessions held on Monday, August 4, August 7, August 11 and August 18, 2014.

A public hearing on the proposed budget was conducted at the August 25, 2014 meeting. This is the second and final public hearing. A copy of the proposed budget is available for public review in the City Secretary's office.

### **Considerations**

- **Operational** - The proposed tax rate is \$0.8675 per \$100 assessed valuation to be assessed on taxable property to generate revenues for the maintenance, operations, 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** - The ordinance has been reviewed and approved as to form by the City Attorney.
- **Financial** - The proposed budget is a plan for revenues and expenditures related to the operations of the City.

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

**Options/Alternatives**

- 1) Close the public hearing and approve the ordinance as presented
- 2) Close the public hearing and set a special meeting for consideration

**Recommendation**

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

**Attachments**

- Ordinance
- 

**Submitted by:**

Opal Mauldin Robertson, City Manager

## 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, 2014 AND ENDING SEPTEMBER 30, 2015; 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 2014-2015; and

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

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

**SECTION 1.** That the Budget of the revenues and expenditures necessary for conducting the affairs of the City of Lancaster and providing a financial plan for the ensuing fiscal year beginning October 1, 2014 and ending September 30, 2015, as submitted by the City Manager, be and the same is hereby adopted as the Budget of the City of Lancaster for the fiscal year beginning October 1, 2014 and ending September 30, 2015.

**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, 2014, and ending September 30, 2015, for the various funds and purposes of the City of Lancaster, which is attached hereto and incorporated herein as Exhibit A and is summarized as follows:

<b>Fund</b>	<b>2014-2015 Budget Expenditures</b>
General Fund	\$21,344,213
G.O. Debt Service	\$4,209,523
WaterWastewater	\$13,044,066
Airport	\$522,032
HotelMotel	\$50,358
LEDC/4A	\$899,269
LRDC/4B	\$3,086,107
Golf Course	\$99,877
Sanitation	\$1,594,850
E911	\$126,681
Stormwater	\$1,266,376
<b>Total</b>	<b>\$ 46,243,893</b>

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

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

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

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

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 8<sup>th</sup> day of September 2014.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

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

**APPROVED AS TO FORM:**

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

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 21

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**Discuss and consider a resolution ratifying the budget for the fiscal year 2014/2015 that results in an increase of revenues by 11.65% from property taxes than the previous year.**

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Financially Sound City Government**

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### **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 2014/2015 budget and tax rate results in an increase in revenues by 11.65% (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.

### **Considerations**

- **Operational** - Resolution and action must be approved for adoption of the fiscal year 2014/2015 budget.
- **Legal** - The motion and resolution have been prepared by the City Attorney.
- **Financial** - Not approving this resolution will have direct impact on staff's ability to implement the proposed budget.
- **Public Information** - All public notices and hearings were provided and published in accordance with state law.

### **Options/Alternatives**

1. Approve the resolution.

**Recommendation**

Staff recommends approval of the resolution with the following motion that is required by state law: *“Motion to approve a budget that will result in 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
- 

**Submitted by:**

Opal Mauldin Robertson, City Manager

**RESOLUTION NO.**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LANCASTER, TEXAS, RATIFYING THE BUDGET FOR THE FISCAL YEAR 2014-2015 THAT RESULTS IN AN INCREASE OF REVENUES BY 11.65% 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 2014-2015; and

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

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

Section 1. The City Council hereby ratifies, by a record vote, the adoption of a budget for Fiscal Year 2014-2015 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** by the City Council of the City of Lancaster, Texas, on the 8<sup>th</sup> day of September 2014.

**APPROVED:**

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MARCUS E. KNIGHT, MAYOR

**ATTEST:**

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SORANGEL O. ARENAS, CITY SECRETARY

**APPROVED AS TO FORM:**

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ROBERT E. HAGER, CITY ATTORNEY

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 22

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

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Financially Sound City Government  
Professional and Committed City Workforce**

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### **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 2014-2015 budget.

### **Considerations**

- **Operational** - The Fire Department staffing includes 62 sworn fire personnel. The Police Department staffing includes 53 sworn police personnel. The proposed classifications are as follows:

<u>Classification</u>	<b>FIRE</b>	<b>FIRE</b>
	<b>PREVENTION</b>	<b>SUPPRESSION</b>
	Authorized <u>No. of Positions as of</u> <u>10/1/2014</u>	Authorized <u>No. of Positions as of</u> <u>10/01/2014</u>
Assistant Chief	0	1
Battalion Chief	1	3
Fire Captains	0	11
Fire Engineer	0	21
Fire Fighter**	0	25
<hr/> Total	<hr/> 1	<hr/> 61

<u>Classification</u>	<b>POLICE</b>
	Authorized <u>No. of Positions as of</u> <u>10/1/2014</u>
Assistant Chief	2
Police Lieutenant	6
Police Sergeant	7
Police Officer*	38
<hr/>	
Total	53

*\*One officer position funded through a three year grant effective 10/1/2009. A grant extension has been provided through 2015.*

*\*\* Six fire fighter positions funded through a two year grant period beginning May 2014.*

- **Financial** - Funding is included in the Fire Department and Police Department Fiscal Year 2014-2015 Operating Budget.
- **Public Information** – This item is being considered at a meeting of the City Council noticed in accordance with the Texas Open Meetings Act.

### **Options/Alternatives**

1. Approve the ordinance as presented
2. Seek clarification and approve ordinance with modifications

### **Recommendation**

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

### **Attachments**

- Ordinance

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### **Submitted by:**

Dori Lee, Civil Service/Human Resources Director

**ORDINANCE NO.**

**AN ORDINANCE OF THE CITY OF LANCASTER, TEXAS, ESTABLISHING CIVIL SERVICE CLASSIFICATION WITHIN THE POLICE AND FIRE DEPARTMENTS; PRESCRIBING THE NUMBER OF POSITIONS IN EACH CLASSIFICATION; 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, 2014 and ending September 30, 2015; 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, which shall read as follows:

	<b>FIRE PREVENTION</b>	<b>FIRE SUPPRESSION</b>
	Authorized	Authorized
<u>Classification</u>	<u>No. of Positions as of</u>	<u>No. of Positions as of</u>
	<u>10/01/2014</u>	<u>10/01/2014</u>
Assistant Chief	0	1
Fire Marshal/Battalion Chief	1	3
Fire Captains	0	11
Fire Engineer	0	21
Fire Fighter**	0	25
<hr/> Total	<hr/> 1	<hr/> 61

*\*\* Six fire fighter positions funded through a two year grant period beginning May 2014.*

**SECTION 2.** That City Council hereby establishes the classifications and the number of authorized positions within each classification in the Police Department, which shall read as follows:

<b>POLICE</b>	
Authorized	
<u>Classification</u>	<u>No. of Positions as of</u>
	<u>10/1/2014</u>
Assistant Chief	2
Police Lieutenant	6
Police Sergeant	7
Police Officer*	38
<hr/>	
Total	53

*\*One officer position funded through a three year grant effective 10/1/2009. A grant extension has been provided through 2015.*

**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, 2014.

**DULY PASSED** and approved by the City Council of the City of Lancaster, Texas, on this the 8<sup>th</sup> day of September, 2014.

**ATTEST:**

\_\_\_\_\_  
Sorangel O. Arenas, City Secretary

**APPROVED:**

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

**APPROVED AS TO FORM:**

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

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 23

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**Discuss and consider annual appointments to City of Lancaster boards and commissions.**

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Civic Engagement**

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### **Background**

This year for board and commission appointments, we expanded recruiting efforts to include several new areas including social media and invitation letters to homeowners associations. Requests for applications were made through various sources including:

- Spring Issue - *Lancaster Connection*
- *Lancaster Live* – weekly email for 5 weeks
- Invitation letter to 2013 graduates of the Civic Leadership Academy
- Invitation letter to representatives for Homeowners Associations
- City of Lancaster website home page
- Press release
- Social media: Facebook and Twitter

A total of seventeen applications were received. On September 4, 2014, City Council conducted interviews in preparation for appointments.

An appointment worksheet is attached to facilitate nominations to fill vacancies. The worksheet outlines all vacancies. Appointments may be made for:

Planning & Zoning Commission  
Airport Advisory Board  
Property Standards and Appeals Board  
Parks and Recreation Advisory Board / Lancaster Recreation Dev. Corp.  
Economic Development Corporation  
Library Advisory Board  
Animal Shelter Advisory Committee  
Museum Advisory Board

### **Considerations**

Vacancies may be filled through any combination of reappointment of existing members or appointment of new applicants and alternates. Appointments for regular members are for a two-year term unless filling an unexpired term. Alternates are appointed for a one-year term

### Animal Shelter Advisory Board

Please note that there are state requirements for appointment to the Animal Shelter Advisory Board. Under Section 823.005 of the Texas Health and Safety Code, a municipality in which an animal shelter is located is required to appoint an advisory committee to assist in complying with state requirements.

Under the state code, the advisory committee must be composed of at least:

- one licensed veterinarian
- one municipal officer
- one person whose duties include the daily operation of animal shelter
- one representative from an animal welfare organization

In addition, a resolution adopted by Council in October 2009 provides for a councilmember and a resident to be on the advisory committee for a total of five regular members and one alternate. A resident and councilmember are not required by the state code. Currently a councilmember is not seated on the advisory committee. Council may choose to seat a councilmember if desired. The Animal Shelter Advisory Committee consists of the following five members and alternate:

<u>Member</u>	<u>Role / Capacity</u>	<u>Term Expires</u>
Dr. Jean Eye	veterinarian*	2015
Thomas Hail	involved in operations of shelter*	2014
Vacant	municipal officer*	2014
Stacey Jaglowski		2015
Mark Wilson	animal welfare*	2015
Vacant	alternate	2014

*\*state requirement*

It is necessary that Council make appointments such that state requirements are met.

### Other Appointment Notes

Zoning Board of Adjustment members are appointed by the Mayor and confirmed by City Council; there is a companion item for ZBOA appointments on the September 8 agenda. The Planning & Zoning Commission makes recommendations for appointments to the Historic Landmark Preservation Committee, which are confirmed by City Council. Civil Service Commission appointments are recommended by the City Manager and confirmed by City Council. Appointments to the Youth Advisory Committee are made by the City Manager or her designee.

### **Options/Alternatives**

The Council may choose to:

1. Make appointments from new applications on hand.
2. Reappoint members whose terms are expiring.
3. Appoint an alternate to fill a regular position and then appoint a new alternate.
4. Delay some appointments until a future Council meeting.
5. Leave any regular position or alternate position unfilled at this time.

### **Recommendation**

Board and Commission appointments are solely at Council's pleasure.

### **Attachments**

- 2014 Appointment Worksheet
  - List of applicants (indicates board/commission preferences)
  - 2014 Expiring Terms and Vacancies Recap (indicates those desiring reappointment)
- 

### **Submitted by:**

Sorangel O. Arenas, City Secretary



**Worksheet  
Board & Commission Appointments  
September 8, 2014**

**Planning and Zoning Commission – 2 regular positions**

**Desiring Reappt. / Notes**

1. \_\_\_\_\_

Genevieve Robinson

2. \_\_\_\_\_

vacant

**Airport Advisory Board – 3 regular positions; 1 alternate**

1. \_\_\_\_\_

Andy Mungenast

2. \_\_\_\_\_

Charles Waldrop Jr.

3. \_\_\_\_\_

Keith Hutchinson

4. \_\_\_\_\_ (alternate)

James O. Knight Jr.

**Property Standards & Appeals Board – 3 regular positions; 1 alternate)**

1. \_\_\_\_\_

Carolyn Morris

2. \_\_\_\_\_

vacant

3. \_\_\_\_\_

Sue Wyrick

4. \_\_\_\_\_ (alternate)

Don McCoo

**Parks & Recreation Advisory/**

**Recreational Development Board – 3 regular positions; 1 alternate**

1. \_\_\_\_\_

Cecelia Rutherford

2. \_\_\_\_\_

Jerry W. Giles

3. \_\_\_\_\_

Spencer Hervey

4. \_\_\_\_\_

Willene Watson

5. \_\_\_\_\_ (alternate)

Vacant

**Board & Commission Appointments  
September 4, 2014**

**Desiring Reappt. / Notes**

**Economic Development Corp. – 3 regular positions (3 year terms)**

- |          |                   |
|----------|-------------------|
| 1. _____ | vacant            |
| 2. _____ | Jon Cole          |
| 3. _____ | Vanessa Sheffield |

**Library Advisory Board – 4 regular positions, 1 alternate, 2 Vacancies**

- |                      |                           |
|----------------------|---------------------------|
| 1. _____             | vacant (term to exp 2015) |
| 2. _____             | vacant (term to exp 2015) |
| 3. _____             | Angela McCowan            |
| 4. _____             | vacant                    |
| 5. _____             | vacant                    |
| 6. _____             | vacant                    |
| 7. _____ (alternate) | Tiffany Devereaux         |

**Animal Shelter Advisory Committee – 2 regular positions, 1 alternate**

- |                      |                 |
|----------------------|-----------------|
| 1. _____             | vacant          |
| 2. _____             | vacant (staff)* |
| 3. _____ (alternate) | vacant          |

\*fills state requirement

**Historic Landmark Preservation Committee – 2 regular positions, 1 alternate**

- |                      |                          |
|----------------------|--------------------------|
| 1. _____             | Dee Hinkle               |
| 2. _____             | Patricia Siegfried-Giles |
| 3. _____ (alternate) | Vacant                   |

## Worksheet (Cont'd)

### Desiring Reappt. / Notes

#### Zoning Board of Adjustment (Mayor appoints; Council confirms)

- |                      |                        |
|----------------------|------------------------|
| 1. _____             | Jack McCauley          |
| 2. _____             | Rebecca Torres Swanson |
| 3. _____ (alternate) | Edward Sutton          |

#### Museum Advisory Board – 5 regular positions, 1 alternate

- |                      |        |
|----------------------|--------|
| 1. _____             | vacant |
| 2. _____             | vacant |
| 3. _____             | vacant |
| 4. _____             | vacant |
| 5. _____             | vacant |
| 6. _____ (alternate) | vacant |

#### *Notes:*

1. Historic Landmark Preservation Committee – P & Z appoints; Council confirms
2. Youth Advisory Committee appointments by City Manager or her designee



# Boards and Commissions Applicants

2014



Applicants	Airport	PSAB	HLPC	Library	ZBA	LEDC	P&Z	Parks/4B	Animal SAB	Museum	Comments
Banks, Quinnett				1				2			
Bradly, Desarea						1		2	3		
Burrell, Philicia							1	2			
Comick, Terrence							3	1		2	
Corrao, Katherine									1		fulfilling staff state requirement
DeLoach, Carolyn	3						2	1			
Ewards, Yolanda						1					
Giadolar, Octavia						1					
Hill, Racheal				1						2	
McBride Allen, Dianne										1	
Ordone, Anne				1							
Pope, Ellie										1	
Ryan, Mary										1	
Shipp, Sonjia				2				3		1	
Terry, Carlon		3			2			1			
Wilson, Howard						1	2				3-Youth



# **BOARDS COMMISSIONS EXPIRING TERMS AND VACANCIES RECAP - 2014**

Boards/Commissions	Term Expires	Member Name	Desires Reappointment		Notes
			YES	NO	
Planning and Zoning Commission	2014	Genevieve Robinson	✓		
	2014	Quinnie Wright		✓	
Airport Advisory Board	2014	Andy Mungenast	✓		
	2014	Dr. Charles Waldrop, Jr.	✓		
	2014	Keith Hutchinson	✓		
	2014	James O. Knight, Jr. (Alternate)	✓		
Property Standards and Appeals Board	2014	Carolyn Morris	✓		
	2014	Richard Wilson		✓	
	2014	Sue Wyrick	✓		
	2014	Don McCoo (Alternate)	✓		
Lancaster Recreational Development Corp. and Parks & Recreation Advisory Board	2014	Cecelia Rutherford	✓		
	2014	Jerry W. Giles	✓		
	2014	Spencer Hervey	✓		
	2014	Willene Watson	✓		
	2014	VACANT (Alternate)			
Lancaster Economic Development Corp.	2014	Burleigh Foreman			No Response
	2014	Jon Cole	✓		
	2014	Vanessa Sheffield	✓		

**BOARDS COMMISSIONS  
EXPIRING TERMS AND VACANCIES  
RECAP - 2014**



<i>Boards/Commissions</i>	<i>Term Expires</i>	<i>Member Name</i>	<i>Desires Reappointment</i>		<i>Notes</i>
			YES	NO	
<b>Library Advisory Board</b>	2015	VACANT			
	2015	VACANT			
	2014	Angela McCowan	✓		
	2014	Bettie Jones		✓	
	2014	Laurie Telfair		✓	
	2014	Sarah Barber		✓	
	2014	Tiffany Devereaux (Alternate)	✓		
<b>Animal Shelter Advisory Committee</b>	2014	VACANT			
	2014	Thomas Hail		✓	
	2014	Joe Johnson (Alternate)		✓	
<b>Historic Landmark Preservation Committee</b>	2014	Dee Hinkle	✓		
<i>(P &amp; Z appoints, Council confirms)</i>	2014	Patricia Siegfried-Giles	✓		verbal
	2014	VACANT (Alternate)			
<b>Zoning Board of Adjustment</b>	2014	Jack McCauley	✓		
<i>(Mayor appoints, Council confirms)</i>	2014	Rebecca Torres-Swanson	✓		
	2014	Edward Sutton (Alternate)	✓		
<b>Civil Service Commission</b>	2014	Lafayette Miles	✓		
<i>(City Manager appoints, City Council Confirms)</i>					

# LANCASTER CITY COUNCIL

## Agenda Communication

September 8, 2014

Item 24

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**Consider confirmation of nominations made by the Mayor for appointment to the City of Lancaster Zoning Board of Adjustment.**

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**This request supports the City Council 2014-2015 Policy Agenda.**

**Goal: Civic Engagement**

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### **Background**

As set by ordinance, the Zoning Board of Adjustment members are appointed by the Mayor and confirmed by the City Council.

The Zoning Board of Adjustment consists of five regular members and an alternate. Currently serving on the Zoning Board of Adjustment are:

	<u>Term Expires</u>
Rebecca Torres-Swanson	2014
Jack McCauley	2014
Deborah Taylor	2015
Kimest Sanders	2015
Margaret Brooks	2015
Alternate member: Edward Sutton	2014

### **Considerations**

Mayor Knight will make nominations for appointment following other City board and commission appointments.

A motion, with a second, and an affirmative vote is required to confirm the appointments.

### **Recommendation**

Board and Commission appointments are solely at Council's pleasure.

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### **Submitted by:**

Sorangel O. Arenas, City Secretary