

**ORDINANCE NO. 26844-04-2024**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2023-2024 BUDGET AND FIVE-YEAR SERVICE PLAN FOR PUBLIC IMPROVEMENT DISTRICT NO. 6 – PARK GLEN; MAKING THIS ORDINANCE CUMULATIVE OF ALL OTHER ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Public Improvement District Assessment Act, Chapter 372 of the Texas Local Government Code (“Act”), allows for the creation of public improvement districts;

**WHEREAS**, on September 22, 1998, the City Council of the City of Fort Worth (“City Council”) authorized the establishment of Public Improvement District No. 6 – Park Glen (“District”), as a public improvement district in accordance with the Act and Resolution No. 2453;

**WHEREAS**, on September 12, 2023, the City Council adopted Ordinance No. 26425-09-2023, approving the fiscal year 2023-2024 budget, five-year service plan, assessment plan, and tax year 2023 assessment roll for the District;

**WHEREAS**, the City Council desires to amend the fiscal year 2023-2024 budget and five-year service plan (“Amended Service Plan”), which is attached hereto as Exhibit A and incorporated herein for all purposes;

**WHEREAS**, the Amended Service Plan is intended to supersede the Service Plan set out in Ordinance No. 26425-09-2023; and

**WHEREAS**, the Amended Service Plan will not affect the previously adopted Assessment Plan or Assessment Roll.

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

**SECTION 1.**

The Recitals and findings listed above are true and correct and form the basis upon which this Ordinance is being adopted and are incorporated herein by reference.

**SECTION 2.**

The City Council hereby approves and adopts the Amended Service Plan for fiscal year 2023-2024. In doing so, the City Council finds that the supplemental services and improvements set forth in the Service Plan are feasible and advisable and will serve the needs and desires of the property owners in the District.

**SECTION 3.**

Should any portion, section or part of a section of this Ordinance be declared invalid, inoperative, or void for any reason by a court of competent jurisdiction, such decision, opinion or judgment shall in no way impair the remaining portions, sections, or parts of sections of this Ordinance, which shall remain in full force and effect.

**SECTION 4.**

This Ordinance is cumulative of all other ordinances and appropriations amending the same except in those instances where the provisions of this Ordinance are in direct conflict with such other ordinances and appropriations, in which instance said conflicting provisions of said prior ordinances and appropriations are hereby expressly repealed.

**SECTION 5.**

The City Secretary is directed to cause a copy of this Ordinance to be recorded in the real property records of Tarrant County, Texas no later than the seventh (7<sup>th</sup>) day after the adopted date of this Ordinance.

**SECTION 6.**

This Ordinance takes effect and will be in full force and effect from and after the date of its passage.

**AND IT IS SO ORDAINED.**

**APPROVED AS TO FORM  
AND LEGALITY:**

  
Nico Arias (Apr 26, 2024 15:10 CDT)

Nico Arias, Assistant City Attorney

M&C: 26844-04-2024

Adopted and Effective: April 23, 2024

**ATTEST:**

for Ronald P. Gonzales  
for Ronald P. Gonzales (Apr 29, 2024 07:24 CDT)

Jannette S. Goodall, City Secretary



**EXHIBIT A  
AMENDED SERVICE PLAN**

City of Fort Worth  
Five Year Service Plan FY24 - FY28  
Public Improvement District No. 6 - Park Glen - Mid Year

	FY23/24	FY24/25	FY25/26	FY26/27	FY27/28
<b>REVENUES</b>					
PID Assessments*	\$ 2,185,323	\$ 2,051,804	\$ 2,113,358	\$ 2,176,759	\$ 2,242,062
COFW Payment in lieu of Services	270,925	270,925	270,925	270,925	270,925
COFW Assessment	7,298	7,298	7,298	7,298	7,298
<b>Total Budgeted Revenues</b>	<b>\$ 2,463,546</b>	<b>\$ 2,330,027</b>	<b>\$ 2,391,581</b>	<b>\$ 2,454,982</b>	<b>\$ 2,520,285</b>
Use of Fund Balance	164,496			52,198	
<b>Total Revenues</b>	<b>\$ 2,628,042</b>	<b>\$ 2,330,027</b>	<b>\$ 2,391,581</b>	<b>\$ 2,507,180</b>	<b>\$ 2,520,285</b>
<b>EXPENSES</b>					
Management Fee	\$ 152,645	\$ 157,224	\$ 160,369	\$ 163,576	\$ 166,848
Utilities	220,000	199,757	202,735	204,152	211,984
Landscaping	1,321,561	1,097,237	1,057,479	1,138,952	1,047,600
Common Area Maintenance	297,000	146,000	327,000	81,000	243,000
Holiday Decoration	23,000	23,000	23,000	33,000	33,000
Security Enhancements	285,400	291,108	294,000	300,000	306,000
Communications	14,500	14,500	14,500	20,000	20,000
Public Events	46,000	45,000	52,000	62,800	62,800
Capital Improvements	215,000	305,000	208,067	450,000	160,000
Annual Review	5,100	4,600	4,600	4,600	4,600
City Administrative Fee	47,836	46,601	47,832	49,100	50,406
<b>Total Budgeted Expenses</b>	<b>\$ 2,628,042</b>	<b>\$ 2,330,027</b>	<b>\$ 2,391,581</b>	<b>\$ 2,507,180</b>	<b>\$ 2,306,237</b>
Contribution to Fund Balance					214,047
<b>Total Expense</b>	<b>\$ 2,628,042</b>	<b>\$ 2,330,027</b>	<b>\$ 2,391,581</b>	<b>\$ 2,507,180</b>	<b>\$ 2,520,285</b>
<b>Net Change in Fund Balance</b>	<b>\$ (164,496)</b>	<b>\$ 0</b>	<b>\$ (0)</b>	<b>\$ (52,198)</b>	<b>\$ -</b>
Fund Balance, Beginning of Year (Estimated Yrs 2-5)	572,681	408,185	408,185	408,185	355,987
Estimated Fund Balance, End of Year	408,185	408,185	408,185	355,987	355,987
Reserve Requirement	388,415	374,658	417,947	384,450	384,450
Over (Under) Reserve	\$ 19,770	\$ 33,527	\$ (9,762)	\$ (28,463)	\$ (28,463)

\*FY2023 Assessment Rate = \$.155 Residential/ \$.035 Commercial

The total budgeted costs of the improvements and services for the District for fiscal year 2023-2024 are \$2,628,042.00. Of this amount, \$2,185,323.00 will be funded by assessments collected on privately-owned parcels located in the District. The remainder of the costs will be funded by other revenue sources, including:

- \$270,925.00 in direct payments from the City for payment in lieu of services, which was appropriated from the General Fund balance by City Council action on September 12, 2023, and by this amendment;
- \$7,298.00 in direct payments from the City for payment in lieu of assessments, which was appropriated from the General Fund balance by City Council action on September 12, 2023, and by this amendment.
- \$164,496.00 in additional funds to be transferred from the unaudited, unassigned fund balance.

# Mayor and Council Communication

DATE: 04/23/24

M&C FILE NUMBER: M&C 24-0325

LOG NAME: 17PID06 MIDYEAR FY24

**SUBJECT**

(CD 4) Adopt Ordinance Amending the Fiscal Year 2023-2024 Adopted Budget and Five-Year Service Plan for Public Improvement District 6 - Park Glen and Adopt Appropriation Ordinances

**RECOMMENDATION:**

It is recommended that the City Council:

1. Adopt the attached ordinance amending the Fiscal Year 2023-2024 Budget and Five-Year Service Plan for Public Improvement District 6 – Park Glen to reflect amendments associated with a mid-year review and direct the City Secretary to record the same in the real property records of Tarrant County, Texas no later than the seventh (7<sup>th</sup>) day after adoption by the City Council;
2. Adopt the attached appropriation ordinance adjusting appropriations in the Public Improvement District 6 – Park Glen Fund in the amount of \$71,369.00, from available funds transferred from Park and Recreation Department General Fund, for purpose of funding Payment In-Lieu of Services; and
3. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Fort Worth Public Improvement District 6 - Park Glen Fund by 1) increasing the use of fund balance in the amount of \$164,496.00, 2) increasing revenue in the amount of \$401.00 transferred from the General Fund for the Economic Development Department, for the purpose of funding Payment In-Lieu of Assessments.

**DISCUSSION:**

The City of Fort Worth's Department of Economic Development administers the City's Public Improvement Districts (PIDs). The City's PID Policy outlines the need to proactively work with the City's PID management companies to oversee the services being provided within each of the PIDs. PID 6 – Park Glen (Park Glen PID) is managed by FirstService Residential Texas PID, LLC (FirstService).

On September 12, 2023, City Council adopted Ordinance No. 26425-09-2023, approving the Fiscal Year (FY) 2023-2024 Budget, Five-Year Service Plan, Assessment Plan, and Tax Year 2023 Assessment Roll for the Park Glen PID. After conducting a mid-year review of the Park Glen PID's budget, City staff and FirstService has identified the need to increase Park Glen PID's (City of Fort Worth) allocations by \$236,266.00 to account for 1) \$71,369.00 of additional payment in-lieu of services 2) \$401.00 of additional City payment in-lieu of assessments and 3) \$164,496.00 use of fund balance. The primary factors contributing to expenditure adjustments include increased spending on landscaping, maintenance, fence repairs, and significant capital improvement projects. These projects encompass the addition of monument lighting, installation of playground sails, and upgrades to the baseball diamond.

Two line items listed on the Five-Year Service Plan require a transfer of City funds: (1) the City Payment In-Lieu of Services and (2) the City of Fort Worth Assessment. The City's Payment In-Lieu of Services is a supplement to the PID budget and intended to provide for the standard level of improvements and services as comparable to what would be provided by the City for the taxpayers generally. The City of Fort Worth Assessment is an allocation to the Park Glen PID budget for assessments the City would pay on City-owned properties in the Park Glen PID, if the City was not a tax-exempt entity.

**Revenue Adjustments:**

Line Items to be Adjusted	Previously Approved FY24 Budget Item	Recommended Mid-Year Adjustment	Amended FY24 Budget Item
PID Assessments	\$2,185,323.00	\$0.00	\$2,185,323.00
COFW Payment in lieu of Services	\$199,556.00	\$71,369.00	\$270,925.00
COFW Assessment	\$6,897.00	\$401.00	\$7,298.00
Use of Fund Balance	\$0.00	\$164,496.00	\$164,496.00
<b>Totals</b>	<b>\$2,391,776.00</b>	<b>\$236,266.00</b>	<b>\$2,628,042.00</b>

**Expenditure Adjustments:**

<b>Line Items to be Adjusted</b>	<b>Previously Approved FY24 Budget Item</b>	<b>Recommended Mid-Year Adjustment</b>	<b>Amended FY24 Budget Item</b>
Utilities	\$192,000.00	\$28,000.00	\$220,000.00
Landscaping	\$1,248,000.00	\$73,561.00	\$1,321,561.00
Common Area Maintenance	\$215,000.00	\$82,000.00	\$297,000.00
Capital Improvements	\$105,000.00	\$110,000.00	\$215,000.00
Contribution to Fund Balance	\$57,295.00	(\$57,295.00)	\$0.00
<b>Totals</b>	<b>\$1,817,295.00</b>	<b>\$236,266.00</b>	<b>\$2,053,561.00</b>

All other previously approved line items not mentioned above remain the same. Upon approval of the above recommendations, the total budgeted expenses for FY 2023-2024 will be \$2,628,042.00. This mid-year budget adjustment will decrease the unaudited, unassigned fund balance by a total of \$164,496.00. The revised Budget and Five-Year Service Plan will take effect upon approval by City Council. The City and FirstService will update the existing contract to reflect the mid-year adjustment (City Secretary Contract No. 60311).

Funding is available for appropriation in the fund balance of the FWPID #6 - Park Glen Fund. The beginning balance is \$1,940,048.87, after this M&C, available balance will be \$1,775,552.87.

The Park Glen PID is located in COUNCIL DISTRICT 4.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that upon approval of the recommendations and adoption of the attached appropriation ordinance, funds will be available in the current operating budget, as appropriated, in the FWPID #6 - Park Glen Fund. Prior to any expenditure being incurred, the Economic Development Department has the responsibility to validate the availability of funds.

**Submitted for City Manager's Office by:** William Johnson 5806

**Originating Business Unit Head:** Robert Sturns 2663

**Additional Information Contact:** Lacey Ruiz 2608

Expedited