

ORDINANCE NO. 26849-04-2024

AN ORDINANCE AMENDING THE FISCAL YEAR 2023-2024 BUDGET AND FIVE-YEAR SERVICE PLAN FOR PUBLIC IMPROVEMENT DISTRICT NO. 12 – CHAPEL HILL; 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 March 23, 2004, the City Council of the City of Fort Worth (“City Council”) authorized the establishment of Public Improvement District No. 12 – Chapel Hill (“District”), as a public improvement district in accordance with the Act and Resolution No. 3060;

WHEREAS, on September 12, 2023, the City Council adopted Ordinance No. 26431-09-2023, 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. 26431-09-2023; 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 (7th) 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:**



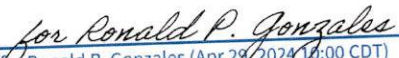
Nico Arias (Apr 29, 2024 09:33 CDT)

Nico Arias, Assistant City Attorney

M&C: 26849-04-2024

Adopted and Effective: April 23, 2024

ATTEST:



for Ronald P. Gonzales (Apr 29, 2024 08:00 CDT)

Jannette S. Goodall, City Secretary



**EXHIBIT A
AMENDED SERVICE PLAN**

City of Fort Worth
Five Year Service Plan FY 23-24 - FY27-28 (Midyear)
Public Improvement District No. 12 - Chapel Hill

	<u>FY23/24</u>	<u>FY24/25</u>	<u>FY25/26</u>	<u>FY26/27</u>	<u>FY27/28</u>
REVENUES					
PID Assessments	\$ 373,983	\$ 385,202	\$ 396,759	\$ 408,661	\$ 420,921
COFW Assessments	\$ 1,092				
Total Budgeted Revenues	\$ 375,075	\$ 385,202	\$ 396,759	\$ 408,661	\$ 420,921
Use of Fund Balance	-	-	78,000	106,386	23,512
Total Funds Available for Use	\$ 375,075	\$ 385,202	\$ 474,759	\$ 515,047	\$ 444,433
EXPENSES					
Management Fee	\$ 15,072	\$ 15,675	\$ 16,302	\$ 16,954	\$ 17,632
Utilities	19,100	20,055	21,058	22,111	23,216
Landscaping	132,000	188,600	269,455	298,621	218,326
Common Area Maintenance	71,640	134,558	141,287	148,351	155,770
Communications	5,500	5,610	5,722	5,837	6,070
Audit/Annual Review	3,000	3,000	3,000	3,000	3,000
Capital Improvements	15,000	10,000	10,000	12,000	12,000
City Administrative Fee	7,480	7,704	7,935	8,173	8,418
Total Budgeted Expenses	\$ 268,792	\$ 385,202	\$ 474,759	\$ 515,047	\$ 444,433
Contribution to Fund Balance	106,283				
Total Expenses	375,075	385,202	474,759	515,047	444,433
Net Change in Fund Balance	\$ 106,283	\$ 0	\$ (78,001)	\$ (106,385)	\$ (23,511)
Estimated Fund Balance, Beginning of Year	208,879	315,162.14	315,162.49	237,161.94	130,777
Estimated Fund Balance, End of Year	315,162	315,162.49	237,161.94	130,776.59	107,265
Reserve Requirement	64,213	79,142.34	85,858.28	74,086.92	74,087
Over (Under) Reserve	\$ 250,949	236,020.15	151,303.66	56,689.67	\$ 33,178

*FY2024 Assessment Rate = \$.18

The total budgeted costs of the improvements and services for the District for fiscal year 2023-2024 are \$375,075.00. Of this amount, \$373,983.00 will be funded by assessments collected on privately-owned parcels located in the District. The remainder of this cost by \$1,092.00 in direct payments from the City for payment in lieu of assessments.

Mayor and Council Communication

DATE: 04/23/24

M&C FILE NUMBER: M&C 24-0327

LOG NAME: 17PID12 MIDYEAR FY24

SUBJECT

(CD 7) Adopt Ordinance Amending the Fiscal Year 2023-2024 Adopted Budget and Five-Year Service Plan for Fort Worth Public Improvement District 12 – Chapel Hill and Adopt Attached Appropriation Ordinance

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 12 – Chapel Hill 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 (7th) day after adoption by the City Council; and
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Fort Worth Public Improvement District 12 - Chapel Hill Fund in the amount of \$1,092.00, transferred from Economic Development Departments General Fund, for purpose of funding City of Fort Worth 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 12 – Chapel Hill (or the Chapel Hill PID) is managed by FirstService Residential Texas PID, LLC (FirstService).

On September 12, 2023, City Council adopted Ordinance No. 26431-09-2023, approving the Fiscal Year (FY) 2023-2024 Budget, Five-Year Service Plan, Assessment Plan, and Tax Year 2023 Assessment Roll for the Chapel Hill PID. After conducting a mid-year review of the Chapel Hill PID's budget, City staff and FirstService Residential Texas PID, LLC, have identified the need to increase Chapel Hill PID's budget to account for \$1,092.00 of additional City payment in-lieu of assessments.

The City of Fort Worth Assessment is an allocation to the PID budget for assessments the City would pay on City-owned properties in the Chapel Hill 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	\$373,983.00	\$0.00	\$373,983.00
COFW Assessment	\$0.00	\$1,092.00	\$1,092.00
Totals	\$373,983.00	\$1,092.00	\$375,075.00

Expenditure adjustments:

Line Items to be Adjusted	Previously Approved FY24 Budget Item	Recommended Mid-Year Adjustment	Amended FY24 Budget Item
Contribution to Fund Balance	\$105,191.00	\$1,092.00	\$106,283.00
Totals	\$105,191.00	\$1,092.00	\$106,283.00

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 \$375,075.00. This mid-year budget adjustment will increase the unaudited, unassigned fund balance by a total of \$1,092.00. The revised Budget and Five-Year Service Plan will take effect upon approval by City Council. The City and FirstService will amend the existing management contract to reflect the mid-year adjustment (City Secretary Contract No.60312).

Funding is budgeted in the Interfund Transfer Out account within the Community PID Admin Department within the General Fund for transferring to

the FWPID #12 - Chapel Hill Fund.

The Chapel Hill PID is located in COUNCIL DISTRICT 7.

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

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the current operating budget, as appropriated, in the FWPID #12 - Chapel Hill 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