

**ORDINANCE NO. 26857-04-2024**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2023-2024 BUDGET AND FIVE-YEAR SERVICE PLAN FOR PUBLIC IMPROVEMENT DISTRICT NO. 20 – EAST LANCASTER AVENUE; 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 February 12, 2019, the City Council of the City of Fort Worth (“City Council”) authorized the establishment of Public Improvement District No. 20 – East Lancaster Avenue (“District”), as a public improvement district in accordance with the Act and Resolution No. 5052-02-2019;

**WHEREAS**, on September 12, 2023, City Council adopted Ordinance No. 26439-09-2023, approving the fiscal year (FY) 2023-2024 Budget, Five-Year Service Plan, Assessment Plan, and Tax Year 2023 Assessment Roll for the East Lancaster Avenue PID;

**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. 26439-09-2023; 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 15:30 CDT)

Nico Arias, Assistant City Attorney

M&C: 24-0331

Adopted and Effective: April 23, 2024

**ATTEST:**

*for JG: Ronald Gonzales*  
for JG: Ronald Gonzales (Apr 26, 2024 15:35 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. 20 - East Lancaster - Mid Year

	FY23/24	FY24/25	FY25/26	FY26/27	FY27/28
<b>REVENUES</b>					
PID Assessments	\$ 333,704	\$ 340,378	\$ 347,186	\$ 354,129	\$ 361,212
<b>Total Budgeted Revenues</b>	<b>\$ 333,704</b>	<b>\$ 340,378</b>	<b>\$ 347,186</b>	<b>\$ 354,129</b>	<b>\$ 361,212</b>
Use of Fund Balance	48,560	-	-	-	-
<b>Total Funds Available for Use</b>	<b>\$ 382,264</b>	<b>\$ 340,378</b>	<b>\$ 347,186</b>	<b>\$ 354,129</b>	<b>\$ 361,212</b>
<b>EXPENSES</b>					
Management Fee	\$ 19,590	\$ 19,981	\$ 20,381	\$ 20,788	\$ 21,203
Litter Pickup	16,800	-	-	-	-
City Administrative Fee	6,674	6,808	6,944	7,083	7,224
Security	330,000	286,000	297,440	309,338	321,711
Community Marketing/Events	3,200	3,200	3,200	3,200	3,200
Audit/Annual Review	3,000	3,000	3,000	3,000	3,000
Communications	3,000	3,000	3,000	3,000	3,000
<b>Total Budgeted Expenses</b>	<b>\$ 382,264</b>	<b>\$ 321,989</b>	<b>\$ 333,964</b>	<b>\$ 346,409</b>	<b>\$ 359,338</b>
Contribution to Fund Balance	-	18,390	13,222	7,721	1,874
<b>Total Expenses</b>	<b>382,264</b>	<b>340,379</b>	<b>347,186</b>	<b>354,130</b>	<b>361,212</b>
<b>Net Change in Fund Balance</b>	<b>\$ (48,560)</b>	<b>\$ 18,389</b>	<b>\$ 13,222</b>	<b>\$ 7,720</b>	<b>\$ 1,873</b>
Fund Balance, Beginning of Year (Estimated Yrs 2-5)	106,621	58,061	76,450	89,671	97,392
Estimated Fund Balance, End of Year	58,061	76,450	89,671	97,392	99,265
Reserve Requirement	53,676	55,672	57,746	57,746	59,902
Over (Under) Reserve	<b>\$ 4,385</b>	<b>\$ 20,778</b>	<b>\$ 31,925</b>	<b>\$ 39,646</b>	<b>\$ 39,364</b>

\*FY2024 Assessment Rate = \$.266

The total budgeted costs of the improvements and services for the District for fiscal year 2023-2024 are \$382,264.00. Of this amount, \$333,704.00 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: \$48,560.00 transferred from the unaudited, unassigned fund balance.

# Mayor and Council Communication

DATE: 04/23/24

M&C FILE NUMBER: M&C 24-0331

LOG NAME: 17PID20 MIDYEAR FY24

**SUBJECT**

(CD 8 and CD 11) Adopt Ordinance Amending the Fiscal Year 2023-2024 Adopted Budget and Five-Year Service Plan for Public Improvement District 20 – East Lancaster Avenue and Adopt 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 20 – East Lancaster Avenue 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; and
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Fort Worth Public Improvement District 20 – East Lancaster Avenue Fund in the amount of \$48,560.00, from available, unreserved fund balance, for the purpose of funding mid-year budget adjustments.

**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 20 – East Lancaster (East Lancaster PID) is managed by FirstService Residential Texas PID, LLC (FirstService).

On September 12, 2023, City Council adopted Ordinance No. 26439-09-2023, approving the Fiscal Year (FY) 2023-2024 Budget, Five-Year Service Plan, Assessment Plan, and Tax Year 2023 Assessment Roll for the East Lancaster PID. After conducting a mid-year review of the East Lancaster PID’s budget, City staff and FirstService have identified the need to increase the East Lancaster PID Budget by \$48,560.00 to align expenses with actual activities that are attributable primarily to increases in security for increased patrols and the addition of litter pickup in the district.

**Revenue Adjustments:**

Line Items to be Adjusted	Previously Approved FY24 Budget Item	Recommended Mid-Year Adjustment	Amended FY24 Budget Item
Use of Fund Balance	\$0.00	\$48,560.00	\$48,560.00
<b>Totals</b>	<b>\$0.00</b>	<b>\$48,560.00</b>	<b>\$48,560.00</b>

**Expenditure Adjustments:**

Line Items to be Adjusted	Previously Approved FY24 Budget Item	Recommended Mid-Year Adjustment	Amended FY24 Budget Item
Security	\$275,000.00	\$55,000.00	\$330,000.00
Litter Pickup	\$0.00	\$16,800.00	\$16,800.00
Contribution to Fund Balance	\$23,240.00	(\$23,240.00)	\$0.00
	<b>\$298,240.00</b>	<b>\$48,560.00</b>	<b>\$346,800.00</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 \$382,264.00. This mid-year budget adjustment will decrease the unaudited, unassigned fund balance by a total of \$48,560.00. 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. 60314).

Funding is available for appropriation in the fund balance of the FWPID #20 - East Lancaster Ave Fund. The beginning balance is \$245,679.40, after this M&C, available balance will be \$197,119.40.

The East Lancaster PID is located in COUNCIL DISTRICTS 8 & 11.

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 #20 - East Lancaster Avenue 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