

CITY OF HASLET

ORDINANCE NO. 023-2017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF HASLET, TEXAS APPROVING THE ANNUAL SERVICE PLAN UPDATE TO THE SERVICE AND ASSESSMENT PLAN, INCLUDING THE ASSESSMENT ROLL, FOR HASLET PUBLIC IMPROVEMENT DISTRICT NO. 4 IN ACCORDANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.

RECITALS

WHEREAS, on October 17, 2016, after notice and a public hearing in the manner required by law, the City Council (the "*City Council*") of the City of Haslet, Texas (the "*City*") passed and approved Resolution No. 019-2016 authorizing the creation of Haslet Public Improvement District No. 4 (the "*PID No. 4*") for the Regal Ridge project; and

WHEREAS, on December 19, 2016, after notice and a public hearing in the manner required by law, the City Council passed Ordinance No.046-2016 approving the "City of Haslet Public Improvement District No. 4 Service and Assessment Plan," including the Assessment Roll attached to the Service and Assessment Plan as Appendix C (the "*Assessment Roll*"), dated December 19, 2016 (the "*Service and Assessment Plan*") and levied the Assessments on property within PID No. 4 in accordance with the Assessment Roll for the purposes of financing the public improvements (the "*Authorized Improvements*") undertaken for the benefit of such property; and

WHEREAS, Chapter 372, Texas Local Government Code (as amended, the "*PID Act*") requires the Service and Assessment Plan to be reviewed and updated annually for the purposes of determining the annual budget for the Authorized Improvements; and

WHEREAS, the City Council has received the "City of Haslet Public Improvement District No. 4 (Regal Ridge) 2017 Annual Service Plan Update" (the "*Annual Service Plan Update*") which includes the updated Assessment Roll and now desires to proceed with the adoption of this Ordinance which approves and adopts the Annual Service Plan Update and updated Assessment Roll for PID No. 4 as required by the PID Act.

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

Section 1. Terms. Terms not otherwise defined herein are defined in the Service and Assessment Plan.

Section 2. Findings. That the recitals and findings in the Recitals of this Ordinance are hereby found and determined to be true and correct and constitute the legislative findings and determinations of the City Council.

Section 3. Assessment Plan. The Annual Service Plan Update, including the updated Assessment Roll contained therein, in the form attached as **Exhibit A** is hereby approved and the same is are incorporated as part of this Ordinance as if fully set forth in the body of this Ordinance.

Section 4. Severability. If any provision, section, subsection, sentence, clause, or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance or the application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the governing body of the City in adopting this Ordinance that no portion hereof, or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 5. Effective Date. This Ordinance shall take effect immediately from and after its passage in accordance with applicable law.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF HASLET, TEXAS, BY A VOTE OF 5 ayes TO 0 nays ON THIS THE 18TH DAY OF SEPTEMBER, 2017.

CITY OF HASLET

Bob Golden

BOB GOLDEN, MAYOR

ATTEST:

Dianna Buchanan

DIANNA BUCHANAN, CITY SECRETARY



EXHIBIT A

**CITY OF HASLET PUBLIC IMPROVEMENT DISTRICT NO. 4 (REGAL RIDGE)
2017 ANNUAL SERVICE PLAN UPDATE**



CITY OF HASLET PUBLIC IMPROVEMENT DISTRICT
NO. 4 (REGAL RIDGE)
2017 ANNUAL SERVICE PLAN UPDATE

INTRODUCTION

The City of Haslet Public Improvement District No. 4 (Regal Ridge) ("PID No. 4") was created pursuant to the PID Act and a resolution of the City Council on October 17, 2016 to finance certain public improvement projects (the "Authorized Improvements") for the benefit of the property in PID No. 4. On December 19, 2016, the City Council adopted and approved a service and assessment plan (the "Service and Assessment Plan") for PID No. 4, including an Assessment Roll, and levied Assessments on property within PID No. 4 to finance the Authorized Improvements. The Assessment Roll identified the Assessments on each Lot within PID No. 4, based on the method of assessment identified in the Service and Assessment Plan. Additionally, the City and the Developer entered into that certain PID Reimbursement Agreement – Haslet Public Improvement District No. 4 (Regal Ridge) pursuant to Resolution 027-2016 dated December 19, 2016 (the "PID Reimbursement Agreement") to provide for the payment or reimbursement of costs of the Authorized Improvements. Under the terms of the PID Reimbursement Agreement, the Developer is entitled to receive payments in the principal amount of \$2,982,000, plus simple interest on the unpaid principal balance at the rate of 6.00% per year for the first five years after the Trigger Date and 5.00% per annum thereafter.

The Service and Assessment Plan identifies the Authorized Improvements to be constructed, the costs of the Authorized Improvements, the indebtedness to be incurred for the Authorized Improvements, and the manner of assessing the property in PID No. 4 for the costs of the Authorized Improvements. Pursuant to Chapter 372, Texas Local Government Code (as amended, the "Act"), the Service and Assessment Plan must be reviewed and updated annually. This document is the annual update of the Service and Assessment Plan for 2017 (the "Annual Service Plan Update"). This Annual Service Plan Update also updates the Assessment Roll for 2017. Capitalized terms used in this Annual Service Plan Update shall have the meanings set forth in the Service and Assessment Plan or the PID Reimbursement Agreement, as applicable.

BUDGET FOR CONSTRUCTION OF THE PID AUTHORIZED IMPROVEMENTS

The Authorized Improvements consist of water, sanitary sewer, drainage system, and street infrastructure. Per the Developer, the estimated cost of the Authorized Improvements remains unchanged at \$3,478,000, as shown in the table below.

Budget for Authorized Improvements

<u>Authorized Improvements</u>	<u>Costs</u>
Excavation & Grading	\$ 500,000
Sanitary Sewer	312,000
Water	280,000
Storm Drainage	700,000
Road	1,327,000
Soft Costs	284,000
PID Creation Costs	75,000
Total	\$ 3,478,000

Note: The budget for the Authorized Improvements will be adjusted in future Annual Service Plan Updates as the Authorized Improvements are constructed and the Actual Costs of the Authorized Improvements can be determined.

DEBT SERVICE AND ADMINISTRATION EXPENSES

Debt Service

- **Interest Rate** - Pursuant to the PID Reimbursement Agreement, the Annual Installment shall include interest on the unpaid principal amount of the Assessment at a rate of 6.00% per annum for the first five years after the Trigger Date and 5.00% per annum thereafter, simple interest.
- **Prepayment** - The Assessment imposed on any Parcel may be paid in full at any time. To date, no prepayments have occurred.
- **Annual Installments** - If not paid in full, the Assessment shall be payable in thirty annual installments of principal and interest beginning on the Trigger Date.

Administration Expenses

The cost of administering the PID and collecting the Annual Installments shall be paid for equally by each parcel based on the total amount of Administrative Expenses. The Administrative Expenses shall be collected as part of and in the same manner as Annual Installments in the amounts shown on Appendix A - Assessment Roll Update. The estimated Total Administrative Expenses to be incurred annually is \$12,000.

FIVE YEAR BUDGET FORECAST

The Act requires the annual indebtedness and projected costs for the Authorized Improvements to be reviewed and updated in the Annual Service Plan Update, and the projection shall cover a period of not less than five years.

Five Year Budget Projection						
Year (a)		<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>	<u>Year 4</u>	<u>Year 5</u>
Principal		\$ 449.04	\$ 475.98	\$ 504.54	\$ 534.81	\$ 566.90
Interest		\$ 2,130.00	\$ 2,103.06	\$ 2,074.50	\$ 2,044.23	\$ 2,012.14
Total Debt Service (b)	(1)	\$ 2,579.04	\$ 2,579.04	\$ 2,579.04	\$ 2,579.04	\$ 2,579.04
Administrative Costs		\$ 142.86	\$ 142.86	\$ 142.86	\$ 142.86	\$ 142.86
Total Administration Costs (c)	(2)	\$ 142.86	\$ 142.86	\$ 142.86	\$ 142.86	\$ 142.86
Total Budget	(3) = (1)+(2)	\$ 2,721.90	\$ 2,721.90	\$ 2,721.90	\$ 2,721.90	\$ 2,721.90

(a) Year 1 will commence after the Authorized Improvements have been accepted by the City as evidenced by a letter stating the same issue by the City Public Works Department

(b) Budget assumes no prepayments. In the event of a prepayment, the figures shown will be reduced.

(c) Preliminary estimate. Annual Administrative Costs will be determined each year during the Annual Service Plan Update.

UPDATE OF THE ASSESSMENT ROLL

The list of current Lots within PID No. 4, the corresponding total assessments, and current annual installment are shown on the Assessment Roll attached hereto as Exhibit A.

APPENDIX A

Assessment Roll							
Parcel ID	County	Acres	Outstanding	Annual Installment			
			Assessment	Principal	Interest	Administration	Total
4898575	Tarrant	17.054	\$ 949,599	\$ -	\$ -	\$ 3,821.32	\$ 3,821.32
42239191	Tarrant	36.500	\$ 2,032,401	\$ -	\$ -	\$ 8,178.68	\$ 8,178.68
42239166	Tarrant	1.285	\$ -	\$ -	\$ -	\$ -	\$ -
42239174	Tarrant	8.315	\$ -	\$ -	\$ -	\$ -	\$ -
42239158	Tarrant	0.242	\$ -	\$ -	\$ -	\$ -	\$ -
42239140	Tarrant	0.144	\$ -	\$ -	\$ -	\$ -	\$ -
42239182	Tarrant	0.019	\$ -	\$ -	\$ -	\$ -	\$ -
Total		63.559	\$ 2,982,000	\$ -	\$ -	\$ 12,000.00	\$ 12,000.00

MINUTES AND CERTIFICATION FOR ORDINANCE

THE STATE OF TEXAS

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COUNTIES OF DENTON AND TARRANT

I, the undersigned City Secretary of the City of Haslet, Texas (the "City"), do hereby certify as follows:

1. The City Council for the City convened in regular meeting on the 18th day of September, 2017 in the regular meeting place of the City Council at 105 Main Street, Haslet, Texas, and the roll was called of the duly constituted officials and members of said Council, to wit:

Bob Golden	Mayor
Warren Robb	Mayor Pro-Tem
Patricia Hilborn	Councilmember
Mitch Hill	Councilmember
Kathy Hopper	Councilmember
Harold Williams	Councilmember

and all of said persons were present, except n/a, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting:

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was duly introduced for the consideration of said City Council and read in full. It was then duly moved and seconded that said Ordinance be adopted; and, after due discussion, said motion, carrying with it the adoption of said Ordinance, prevailed and carried by the following vote:

AYES:	<u>5</u>
NOES:	<u>1</u>
ABSTENTIONS:	<u>1</u>

Mayor Golden present but not voting

2. That a true, full and correct copy of the aforesaid Ordinance adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that said Ordinance has been duly recorded in said City Council's minutes of said meeting pertaining to the adoption of said Ordinance; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said meeting pertaining to the adoption of said Ordinance; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose of the aforesaid meeting, and that said Ordinance would be introduced and considered for adoption at said meeting; and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; and that public notice of the date, hour, place, and subject of said meeting was given as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED on the 19th day of September, 2017.

Dianna Buchanan
Dianna Buchanan, City Secretary
Haslet, Texas

