

CITY OF HASLET

ORDINANCE NO. 013-2018

**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. 3 IN ACCORDANCE WITH CHAPTER 372, TEXAS LOCAL GOVERNMENT CODE, AS AMENDED; AND PROVIDING AN EFFECTIVE DATE.**

**RECITALS**

WHEREAS, on June 6, 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. 006-2016 authorizing the creation of Haslet Public Improvement District No. 3 (the "*PID No. 3*") for the NorthGlen project; and

WHEREAS, on September 19, 2016, after notice and a public hearing in the manner required by law, the City Council passed Ordinance No.023-2016 approving the "City of Haslet Public Improvement District No. 3 Service and Assessment Plan," including the Assessment Roll attached to the Service and Assessment Plan as Appendix C (the "*Assessment Roll*"), dated September 19, 2016 (the "*Service and Assessment Plan*") and levied the Assessments on property within PID No. 3 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. 3 (NorthGlen) 2018 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. 3 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 4 Ayes TO 0 nays ON THIS THE 6<sup>TH</sup> DAY OF AUGUST, 2018.

CITY OF HASLET

Bob Golden

BOB GOLDEN, MAYOR

ATTEST:

Dianna Buchanan

DIANNA BUCHANAN, CITY SECRETARY



**EXHIBIT A**

**CITY OF HASLET PUBLIC IMPROVEMENT DISTRICT NO. 3 (NORTHGLEN)  
2018 ANNUAL SERVICE PLAN UPDATE**



CITY OF HASLET PUBLIC IMPROVEMENT DISTRICT  
NO. 3 (NORTHGLEN)  
2018 ANNUAL SERVICE PLAN UPDATE

## INTRODUCTION

The City of Haslet Public Improvement District No. 3 (NorthGlen) ("PID No. 3") was created pursuant to the PID Act and a resolution of the City Council on June 6, 2016 to finance certain public improvement projects for the benefit of the property in PID No. 3. On September 19, 2016, the City Council adopted and approved a service and assessment plan (the "Service and Assessment Plan") for PID No. 3, including an Assessment Roll, and levied Assessments on property within PID No. 3 to finance certain public improvements (the "Authorized Improvements") for the benefit of such property. The Assessment Roll identifies the assessments (the "Assessments") one each Parcel within PID No. 3, 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 - NorthGlen between the City and the Developer dated September 19, 2016 (the "PID Reimbursement Agreement") to provide for the prepayment 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 \$10,366,000, 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. 3 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 2018 (the "Annual Service Plan Update"). This Annual Service Plan Update also updates the Assessment Roll for 2018. 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.

This Annual Service Plan Update also updates the Trigger Date definition for collection of Assessments. The Service and Assessment Plan defined the Trigger Date to mean, "(1) with respect to a well easement utility lot, the date such well easement utility lot has been redeveloped into a single family lot as evidenced by the City's issuance of a building permit for a residential home on such lot, and (2) with respect to all other unimproved parcels, the date the final plat has been recorded in the real property records of Tarrant County, a habitable structure has been constructed thereon and a certificate of occupancy has been issued by the City." The triggers for the well easement utility lot have been met. Therefore, in order to uniformly collect Assessments at the same time Authorized Improvements confer a special benefit on the Property, with the adoption of this Annual Service Plan Update the Trigger Date occurs when (1) Authorized Improvements are accepted by the City and (2) a final plat, which includes the Authorized Improvements, is recorded in the County. The Trigger Date is further described in the section titled "Debt Service and Administration Expenses" of this Annual Service Plan Update.

## 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 \$12,026,000, as shown in the table below.

PID IMPROVEMENT BUDGET	
Authorized Improvements	Costs
Sanitary Sewer	\$ 1,173,000
Water	1,180,000
Storm Drainage	3,641,000
Roadway	5,153,000
Soft Costs	804,000
PID Creation Costs	75,000
<b>Total</b>	<b>\$ 12,026,000</b>

*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 outstanding 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 part or 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.
- **Trigger Date** – If, before June 1 of the then current year, Authorized Improvements have been accepted by the City as evidenced by a letter stating the same issued by the City Public Works Department, or their designee, and the final plat that includes those Authorized Improvements has been recorded in the real property records of Tarrant County, Texas, then Assessments will be due January 31 of the following year. If, on or after June 1 of the then current year, Authorized Improvements have been accepted by the City as evidenced by a letter stating the same issued by the City Public Works Department or their designee, and the final plat that includes those Authorized

Improvements has been recorded in the real property records of Tarrant County, Texas, then the Assessments will be due on the second January 31<sup>st</sup> after the final plat is filed and Authorized Improvements are accepted.

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 \$15,000.

**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	1/31/2019	1/31/2020	1/31/2021	1/31/2022	1/31/2023
Principal	\$ -	\$ -	\$ -	\$ -	\$ -
Interest	\$ -	\$ -	\$ -	\$ -	\$ -
Total Debt Service (1)	\$ -	\$ -	\$ -	\$ -	\$ -
Administrative Costs	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
Total Administration Costs (2)	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
<b>Total Budget (3) = (1)+(2)</b>	<b>\$ 15,000.00</b>	<b>\$ 15,000.00</b>	<b>\$ 15,000.00</b>	<b>\$ 15,000.00</b>	<b>\$ 15,000.00</b>

**UPDATE OF THE ASSESSMENT ROLL**

The list of current Parcels within PID No. 3, the corresponding total assessments, and current annual installment are shown on the Assessment Roll attached hereto as **Exhibit A**. Annual Installments will commence for each Parcel beginning on the Trigger Date as defined in this Annual Service Plan Update. The estimated Annual Installment for a platted lot is attached hereto as **Exhibit B**.

**EXHIBIT A – ASSESSMENT ROLL**

Parcel ID	County	Acres	Outstanding Assessment	Annual Installment Due 1/31/2019			
				Principal	Interest	Administration	Total
04104366	Tarrant	3.81	\$ 205,349	\$ -	\$ -	\$ 297.15	\$ 297.15
04104374	Tarrant	146.03	\$ 7,871,843	\$ -	\$ -	\$ 11,390.86	\$ 11,390.86
04120760	Tarrant	3.46	\$ 186,488	\$ -	\$ -	\$ 269.85	\$ 269.85
04120779	Tarrant	39.00	\$ 2,102,320	\$ -	\$ -	\$ 3,042.14	\$ 3,042.14
<b>Total</b>		<b>192.30</b>	<b>\$ 10,366,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 15,000.00</b>	<b>\$ 15,000.00</b>



**EXHIBIT B – ESTIMATED ANNUAL INSTALLMENT PER PLATTED LOT**

Year	Principal	Interest	Debt Service	Administrative Expenses	Annual Installment
1	\$ 449.04	\$ 2,130.00	\$ 2,579.04	\$ 51.37	\$ 2,630.41
2	\$ 475.98	\$ 2,103.06	\$ 2,579.04	\$ 51.37	\$ 2,630.41
3	\$ 504.54	\$ 2,074.50	\$ 2,579.04	\$ 51.37	\$ 2,630.41
4	\$ 534.81	\$ 2,044.23	\$ 2,579.04	\$ 51.37	\$ 2,630.41
5	\$ 566.90	\$ 2,012.14	\$ 2,579.04	\$ 51.37	\$ 2,630.41
6	\$ 690.78	\$ 1,648.44	\$ 2,339.22	\$ 51.37	\$ 2,390.59
7	\$ 725.31	\$ 1,613.90	\$ 2,339.21	\$ 51.37	\$ 2,390.58
8	\$ 761.58	\$ 1,577.63	\$ 2,339.21	\$ 51.37	\$ 2,390.58
9	\$ 799.66	\$ 1,539.55	\$ 2,339.21	\$ 51.37	\$ 2,390.58
10	\$ 839.64	\$ 1,499.57	\$ 2,339.21	\$ 51.37	\$ 2,390.58
11	\$ 881.62	\$ 1,457.59	\$ 2,339.21	\$ 51.37	\$ 2,390.58
12	\$ 925.71	\$ 1,413.51	\$ 2,339.22	\$ 51.37	\$ 2,390.59
13	\$ 971.99	\$ 1,367.22	\$ 2,339.21	\$ 51.37	\$ 2,390.58
14	\$ 1,020.59	\$ 1,318.62	\$ 2,339.21	\$ 51.37	\$ 2,390.58
15	\$ 1,071.62	\$ 1,267.59	\$ 2,339.21	\$ 51.37	\$ 2,390.58
16	\$ 1,125.20	\$ 1,214.01	\$ 2,339.21	\$ 51.37	\$ 2,390.58
17	\$ 1,181.46	\$ 1,157.75	\$ 2,339.21	\$ 51.37	\$ 2,390.58
18	\$ 1,240.53	\$ 1,098.68	\$ 2,339.21	\$ 51.37	\$ 2,390.58
19	\$ 1,302.56	\$ 1,036.65	\$ 2,339.21	\$ 51.37	\$ 2,390.58
20	\$ 1,367.69	\$ 971.52	\$ 2,339.21	\$ 51.37	\$ 2,390.58
21	\$ 1,436.07	\$ 903.14	\$ 2,339.21	\$ 51.37	\$ 2,390.58
22	\$ 1,507.88	\$ 831.34	\$ 2,339.22	\$ 51.37	\$ 2,390.59
23	\$ 1,583.27	\$ 755.94	\$ 2,339.21	\$ 51.37	\$ 2,390.58
24	\$ 1,662.43	\$ 676.78	\$ 2,339.21	\$ 51.37	\$ 2,390.58
25	\$ 1,745.56	\$ 593.66	\$ 2,339.22	\$ 51.37	\$ 2,390.59
26	\$ 1,832.83	\$ 506.38	\$ 2,339.21	\$ 51.37	\$ 2,390.58
27	\$ 1,924.48	\$ 414.74	\$ 2,339.22	\$ 51.37	\$ 2,390.59
28	\$ 2,020.70	\$ 318.51	\$ 2,339.21	\$ 51.37	\$ 2,390.58
29	\$ 2,121.73	\$ 217.48	\$ 2,339.21	\$ 51.37	\$ 2,390.58
30	\$ 2,227.84	\$ 111.39	\$ 2,339.23	\$ 51.37	\$ 2,390.60
<b>Totals</b>	<b>\$ 35,500.00</b>	<b>\$ 35,875.52</b>	<b>\$ 71,375.52</b>	<b>\$ 1,541.10</b>	<b>\$ 72,916.62</b>

*Notes:*

Year 1 will commence for each platted lot beginning on the Trigger Date as defined in this Annual Service Plan Update.

MINUTES AND CERTIFICATION FOR ORDINANCE

THE STATE OF TEXAS §
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 6th day of August, 2018 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
Tanya Morrow Councilmember

and all of said persons were present, except Mitch Hill, 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: 4
NOES: 0
ABSTENTIONS: 0
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 6th day of August, 2018.



Dianna Buchanan, City Secretary
Haslet, Texas