



CITY OF GRAND PRAIRIE ORDINANCE

MEETING DATE: 09/17/2024

REQUESTER: Lee Harriss

PRESENTER: Lee Harriss, Special District Administrator

TITLE: Lake Parks PID (City Council Districts 4 and 6)
a. Public Hearing - Service Plan - Assessment Roll and Rate;
b. Adoption of the Lake Parks PID 5-year Service Plan;
c. Ordinance approving the assessment roll and rate;
d. PID Advisory Board Membership

RECOMMENDED ACTION: Approve

ANALYSIS:

Chapter 372 of the Local Government Code requires the City to annually review and approve the PID five-year service plan and adopt an assessment rate for annual assessments within the PID. The Advisory Board has updated the five-year service plan which outlines the maintenance and improvements planned for each year.

The estimated expenditures for the 2025 fiscal year are \$597,166. This will be funded by the City, which will transfer \$27,823 to the PID, interest earnings of \$8,290, and \$585,389 will be funded by an assessment of \$0.11 per \$100 of appraised real property value within the PID. The funds generated provide for annual maintenance within the PID boundaries. The proposed budget will continue the basic maintenance and improvements from the previous year. The recommended PID Advisory Board membership for 2025 is attached along with the "Addendum Containing Notice of Obligation to Pay Improvement District Assessment".

FINANCIAL CONSIDERATION:

The recommended assessment rate for the PID is \$0.11 per \$100 of appraised real property value within the PID. The estimated budget for the 2025 fiscal year is \$597,166, which includes reimbursements of \$8,290 for interest earnings and \$27,823 for right of way maintenance, which would otherwise be performed by the city, from the Parks and Recreation General Fund MMDC.

BODY

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, RATIFYING AND CONFIRMING ACTIONS HERETOFORE TAKEN BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, AND THE OFFICERS AND EMPLOYEES OF SAID CITY;

MAKING CERTAIN FINDINGS IN CONNECTION WITH THE PROPOSED IMPROVEMENTS ORDERED IN CONNECTION WITH THE GRAND PRAIRIE PUBLIC IMPROVEMENT DISTRICT NO. 7 (LAKE PARKS), ACCEPTING THE FIVE YEAR SERVICE PLAN, SETTING THE ASSESSMENT RATE, AND AUTHORIZING THE PROPER OFFICIALS OF THE CITY TO DO AND PERFORM CERTAIN ACTS IN CONNECTION WITH THE SERVICE PLAN

WHEREAS, on November 18, 2003, a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the establishment of the Public Improvement District, and

WHEREAS, by Resolution No. 3961, duly passed on November 18, 2003, this City Council established Grand Prairie Public Improvement District No. 7 (Lake Parks PID); and

WHEREAS, on September 17, 2024, a public hearing was held and all persons owning or claiming any property proposed to be assessed or any interest therein were given an opportunity to be heard, either in person or through an agent or attorney, and all were given an opportunity to testify before the City Council and to contest the assessments proposed to be made on account of the amount thereof or because of any inaccuracy, irregularity, invalidity or insufficiency of the proceedings or contract with reference thereto, or to such improvements on accounts of any matter or thing in the discretion of this governing body; and

WHEREAS, on September 17, 2024, this Council should close the public hearing and levy assessments against property and the owners thereof in the recommended amounts in the Public Improvement District No. 7; and

WHEREAS, the City Council has established the Grand Prairie Public Improvement District No. 7, which by Statute, allows for the establishment of an Advisory Board (attached as Exhibit B) to oversee and make recommendations to the City Council regarding planning, operations, setting assessments and disbursement of funds generated by the assessments, and

WHEREAS, it is now appropriate for this City Council to adopt the Five Year Service Plan (attached as Exhibit A-1 and A-2) and set the assessment rate,

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

SECTION 1. THAT all actions heretofore taken by the City Council and by City officials at the direction of this City Council in connections with the improvement district are hereby ratified and confirmed.

SECTION 2. THAT the benefits to accrue to the property assessed and to the owners of such property, from the landscape maintenance and improvements identified within the Five Year Service Plan, adopted by the City Council, and herewith to be funded from the assessments, exceed the amount which has been assessed.

SECTION 3. THAT the City Manager and City Secretary or their designated representatives are hereby authorized and directed to carry out the terms and provisions of this ordinance; and that all prerequisites to the fixing of the assessments against the property within the Grand Prairie Public Improvement

District No. 7 and the fixing of the personal liability of the owner or owners thereof have been performed in due time, form and manner as required by law, and no additional proof shall be required in any court.

SECTION 4. THAT an assessment rate of \$0.11 per \$100 of appraised value on all real properties within the Grand Prairie Public Improvement District No. 7 in accordance with the records of the Dallas Central Appraisal District and the Tarrant Appraisal District shall be levied.

SECTION 5. THAT the method of payment of the assessment shall be in a single lump sum payment upon receipt of the assessment notice, which is due October 1, 2024, and becomes delinquent on February 1, 2025, with the following interest rates: February 2025, 6%; March 2025, 7%; April 2025, 8%; May 2025, 9%; June 2025, 10%; and July 2025, 12%. Any assessment remaining unpaid on July 1, 2025, shall accrue an additional penalty for collection costs. The penalty shall be 20% of the amount of assessment, penalty, and interest due. A delinquent assessment accrues interest increasing at the rate of 1% for each additional month or portion of a month the assessment remain unpaid.

SECTION 6. THAT a lien shall be established against each affected property within the district on the date the assessment is due and shall not be released until the assessment is paid in full. This lien is superior to all other liens and claims except liens or claims for the state, county, school district, or city ad valorem taxes.

SECTION 7. THAT the Director of Finance or his/her designee is authorized to review and approve the expenditures recommended by the Public Improvement District Advisory Board for goods and services procured by the District.

SECTION 8. THAT the public importance of this measure and the fact that it is to the best interest of the City and its inhabitants to provide for the acceptance of said improvements and to provide for the immediate preservation of the public business, property, health and safety of the City and creates an emergency requiring this ordinance to be passed on the date of introduction.

SECTION 9. THAT this ordinance shall be and is hereby declared to be cumulative of all other ordinances of the City of Grand Prairie, Texas, and this ordinance shall not operate to repeal or affect any other ordinance except insofar as the provisions thereof might be inconsistent or in conflict with the provisions of this ordinance, in which event such conflicting provisions, if any, in such other ordinance or ordinances are hereby repealed.

SECTION 10. THAT if any section, subsection, sentence, clause or phrase of this ordinance is for any reason held unconstitutional, such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 11. THAT all of the regulations provided in this ordinance are hereby declared to be governmental and for the health, safety and welfare of the general public. Any member of the City Council or any City official or employee charged with the enforcement of this ordinance, acting for the City of Grand Prairie, Texas, in the discharge of his duties, shall not thereby render himself personally liable; and he is hereby relieved from all liability as a result of any action required or permitted in the discharge of his said duties.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 17TH DAY OF SEPTEMBER, 2024.