

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING THE FISCAL YEAR 2021-2022 BUDGET AND FIVE-YEAR SERVICE PLAN FOR PUBLIC IMPROVEMENT DISTRICT NO. 7 – HERITAGE; 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 September 26, 2000, the City Council of the City of Fort Worth (“City Council”) authorized the establishment of Public Improvement District No. 7 – Heritage (“District”), as a public improvement district in accordance with the Act and Resolution No. 2675;

**WHEREAS**, on September 21, 2021, the City Council adopted Ordinance No. 25079-09-2021, approving the fiscal year 2021-2022 budget, five-year service plan, assessment plan, and tax year 2021 assessment roll for the District;

**WHEREAS**, the City Council desires to amend the fiscal year 2021-2022 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. 25079-09-2021; 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 2021-2022. 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:**

**ATTEST:**

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Tyler F. Wallach, Assistant City Attorney

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Jannette Goodall, City Secretary

M&C: \_\_\_\_\_

Adopted and Effective: \_\_\_\_\_

**EXHIBIT A  
AMENDED SERVICE PLAN**

City of Fort Worth						
Five Year Service Plan (FY22 Mid-Year)						
Public Improvement District No. 7 - Heritage						
		FY21/22	FY22/23	FY23/24	FY24/25	FY25/26
<b>REVENUES</b>						
	PID Assessments	\$ 1,771,828	\$ 1,807,265	\$ 1,843,410	\$ 1,880,278	\$ 1,917,884
	COFW Payment in lieu of Services	191,096	191,096	191,096	191,096	191,096
	COFW Gas Royalties (Barksdale Dam)	50,000				
<b>Total Budgeted Revenues</b>		<b>\$ 2,012,924</b>	<b>\$ 1,998,361</b>	<b>\$ 2,034,506</b>	<b>\$ 2,071,374</b>	<b>\$ 2,108,980</b>
	Use of Fund Balance	478,334	127,607	60,184	81,053	78,200
<b>Total Funds Available for Use</b>		<b>\$ 2,491,258</b>	<b>\$ 2,125,967</b>	<b>\$ 2,094,690</b>	<b>\$ 2,152,427</b>	<b>\$ 2,187,180</b>
<b>EXPENSES</b>						
	Management Fee	\$ 144,000	\$ 145,000	\$ 147,000	\$ 148,000	\$ 150,000
	Utilities	250,000	253,000	256,000	259,000	262,000
	Landscaping/Tree Maintenance	1,000,000	1,030,000	1,048,000	1,081,000	1,090,000
	Common Area Maintenance	505,000	200,000	220,000	240,000	260,000
	Holiday Lighting	35,000	50,000	50,000	50,000	50,000
	Security Enhancements	105,000	70,000	70,000	70,000	70,000
	Advertising	500	500	500	500	500
	Public Events	160,000	160,000	160,000	160,000	160,000
	Capital Improvements	250,000	175,000	100,000	100,000	100,000
	Insurance	-	-	-	-	-
	Annual Review	2,500	2,500	2,500	2,500	2,500
	City Administrative Fee	39,258	39,967	40,690	41,427	42,180
<b>Total Budgeted Expenses</b>		<b>\$ 2,491,258</b>	<b>\$ 2,125,967</b>	<b>\$ 2,094,690</b>	<b>\$ 2,152,427</b>	<b>\$ 2,187,180</b>
<b>Net Change in Fund Balance</b>		<b>\$ (478,334)</b>	<b>\$ (127,607)</b>	<b>\$ (60,184)</b>	<b>\$ (81,053)</b>	<b>\$ (78,200)</b>
	Fund Balance, Beginning of Year (Estimated Yrs 2-5)	1,100,249	621,915	494,308	434,124	353,071
	Estimated Fund Balance, End of Year	621,915	494,308	434,124	353,071	274,871
	Reserve Requirement	354,399	349,185	358,810	364,603	364,603
	<b>Over (Under) Reserve</b>	<b>\$ 267,516</b>	<b>\$ 145,124</b>	<b>\$ 75,314</b>	<b>\$ (11,532)</b>	<b>\$ (89,732)</b>
<b>*FY2022 Assessment Rate = \$.160 Residential/ \$.110 Commercial</b>						

The total budgeted costs of the improvements and services for the District for fiscal year 2021-2022 are \$2,491,258.00. Of this amount, \$1,771,828.00 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:

- \$191,096.00 in direct payments from the City for payment in lieu of services, which will be appropriated from the General Fund balance by City Council action on September 21, 2021;
- \$478,334.00 transferred from the unaudited, unassigned fund balance; and
- \$50,000.00 transferred from the PARD maintenance and replacement project (City Project No. P00133) fund to the PARD gas lease capital projects fund