



**NOTICE OF
CITY COUNCIL SPECIAL MEETING
CELINA COUNCIL CHAMBERS 112 N. COLORADO ST., CELINA, TX 75009
MONDAY, DECEMBER 19, 2016 AT 5:00 PM**

AGENDA

I. CALL TO ORDER AND ANNOUNCE A QUORUM PRESENT:

II. ACTION ITEMS:

1. Consider and act upon a resolution of the City of Celina, Texas determining the costs of certain authorized improvements to be financed by the Ownsby Farms Public Improvement District; approving a preliminary service plan and assessment plan, including proposed assessment rolls; calling a regular meeting and noticing a public hearing for January 10, 2017 to consider an ordinance levying assessments on property located within the Ownsby Farms Public Improvement District. (Liebman)

III. EXECUTIVE SESSION:

The Celina City Council will convene into Executive Session pursuant to Texas Government Code 551.071, Consultation with Attorney, on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this Chapter, and 551.087, Deliberation Regarding Economic Development Negotiation, and 551.074 Personnel Matters to deliberate the appointment, employment, evaluation, reassignment, duties,

discipline, or dismissal of a public officer or employee.

- A. Proposed special legislation creating Celina Municipal Management District No. 2 (Eland Ranch)
- B. Main Street Director

Reconvene Into Open Session:

- C. Consider and act upon any items discussed in Executive Session.

IV. ADJOURNMENT:

City Council Chambers is wheelchair accessible. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services such as interpreters for persons who are deaf, or hearing impaired, or readers of large print, are requested to contact the City Secretary's Office at 972-382-2682, or fax 972-382-3736 at least two (2) working days prior to the meeting so that appropriate arrangements can be made.

The City Council reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, Chapter 551. "I, the undersigned authority do hereby certify that the Notice of Meeting was posted on the bulletin board at City Hall of the City of Celina,

Texas, a place convenient and readily accessible to the general public at all times and said Notice was posted on the following date and time: _____ at ____ p.m. and remained so posted continuously for at least 72 hours prior to the scheduled time of said meeting.”

Vicki Faulkner, TRMC
City Secretary, City of Celina, TX

Date Notice Removed



Planning and Development Services
City of Celina, Texas

Memorandum

To: **Honorable Mayor Terry and the Celina City Council**
From: Vicki Faulkner, City Secretary
CC: Rick Chaffin, Interim City Manager
Date: December 19, 2016
Re: Ownsby Farms Public Improvement District Preliminary Service and Assessment Plan

Action Requested:

Consider and act upon a resolution of the City of Celina, Texas determining the costs of certain authorized improvements to be financed by the Ownsby Farms Public Improvement District; approving a preliminary service plan and assessment plan, including proposed assessment rolls; calling a regular meeting and noticing a public hearing for January 10, 2017 to consider an ordinance levying assessments on property located within the Ownsby Farms Public Improvement District. (Liebman)

Background Information:

City Council will consider a resolution to determine the costs of certain authorized improvements to be financed by the Ownsby Farms Public Improvement District; approve a preliminary service plan and assessment plan, including proposed assessment rolls; and notice a public hearing for January 10, 2017 to consider an ordinance levying assessments on property located within the Ownsby Farms Public Improvement District.

Board Review/Citizen Input:

N/A

Alternatives:

N/A

Financial Considerations:

N/A

Legal Review:

This resolution has been reviewed by the City's Land Use Attorney and Petty & Associates.

Supporting Documents:

Resolution

Staff Recommendation:

CITY OF CELINA, TEXAS

RESOLUTION NO. 2016-

A RESOLUTION OF THE CITY OF CELINA, TEXAS DETERMINING THE COSTS OF CERTAIN AUTHORIZED IMPROVEMENTS TO BE FINANCED BY THE OWNSBY FARMS PUBLIC IMPROVEMENT DISTRICT; APPROVING A PRELIMINARY SERVICE PLAN AND ASSESSMENT PLAN, INCLUDING PROPOSED ASSESSMENT ROLLS; CALLING A REGULAR MEETING AND NOTICING A PUBLIC HEARING FOR JANUARY 10, 2017 TO CONSIDER AN ORDINANCE LEVYING ASSESSMENTS ON PROPERTY LOCATED WITHIN THE OWNSBY FARMS PUBLIC IMPROVEMENT DISTRICT; DIRECTING THE FILING OF THE PROPOSED ASSESSMENT ROLLS WITH THE CITY SECRETARY TO MAKE AVAILABLE FOR PUBLIC INSPECTION; DIRECTING CITY STAFF TO PUBLISH AND MAIL NOTICE OF SAID PUBLIC HEARING; AND RESOLVING OTHER MATTERS INCIDENT AND RELATED THERETO.

RECITALS

WHEREAS, the Public Improvement District Assessment Act, Texas Local Government Code, Chapter 372, as amended (the "Act") authorizes the governing body (the "City Council") of the City of Celina, Texas (the "City") to create a public improvement district within the City; and

WHEREAS, on June 9, 2015 the City Council conducted a public hearing to consider a petition received by the City on March 26, 2015 titled "Petition for the Creation of a Public Improvement District within the city of the City of Celina, Texas, for the Ownsby Farms Public Improvement District" requesting the creation of a public improvement district; and

WHEREAS, on June 9, 2015, the City Council approved Resolution No. 2015-26R (the "Authorization Resolution"), authorizing, establishing and creating the Ownsby Farms Public Improvement District (the "District"); and

WHEREAS, the City authorized the creation of the District and the issuance of up to \$20,000,000.00 in bonds for the District to finance certain public improvements authorized by the Act for the benefit of the property within the District (the "Authorized Improvements"); and

WHEREAS, the City Council and the City staff have been presented a "Ownsby Farms Public Improvement District Preliminary Service and Assessment Plan", including the proposed

assessment rolls attached thereto (the "Proposed Assessment Rolls"), dated December ___, 2016 (collectively, the "Preliminary SAP"), a copy of which is attached hereto as **Exhibit A** and is incorporated herein for all purposes; and

WHEREAS, the Preliminary SAP sets forth the estimated total costs of certain Authorized Improvements to be financed by the District for the initial phase of development and the Proposed Assessment Rolls state the assessments proposed to be levied against each parcel of land in the District as determined by the method of assessment chosen by the City; and

WHEREAS, the Act requires that the Proposed Assessment Rolls be filed with the City Secretary of the City (the "City Secretary") and be subject to public inspection; and

WHEREAS, the Act requires that a public hearing (the "Assessment Hearing") be called to consider proposed assessments and requires the City Council to hear and pass on any objections to the proposed assessments at, or on the adjournment of, the Assessment Hearing; and

WHEREAS, the Act requires that notice of the Assessment Hearing be mailed to property owners liable for assessment and published in a newspaper of general circulation in the City before the tenth (10th) day before the date of the Assessment Hearing.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF CELINA, TEXAS AS FOLLOWS:

SECTION 1. THAT the recitals set forth above in this Resolution are true and correct and are hereby adopted as findings of the City Council and are incorporated into the body of this Resolution as if fully set forth herein.

SECTION 2. THAT the City Council does hereby accept the Preliminary SAP for the District, including the Proposed Assessment Rolls, a copy of which is attached hereto as **Exhibit A** and is incorporated herein for all purposes. All capitalized terms not otherwise defined herein shall have the meanings given to such terms in the Preliminary SAP.

SECTION 3. THAT the City Council hereby determines that the total costs of the City Major Improvements and the Other Major Improvements (both as defined in the Preliminary SAP)

to be financed by the District are as set forth in Table III-A and the total costs of the Phase #1 Improvements (as defined in the Preliminary SAP) to be financed for the District are as set forth in Table III-B of the Preliminary SAP, which costs do include the payment of expenses incurred in the administration of the District or related to the issuance of any bonds.

SECTION 4. THAT the City Council's final determination and approval of the costs of the City Major Improvements and the Other Major Improvements and the Phase #1 Improvements, or any portion thereof, shall be subject to and contingent upon City Council approval of a final Service and Assessment Plan which will include final Assessment Rolls, after the properly noticed and held Assessment Hearing.

SECTION 5. THAT the Proposed Assessment Rolls state the assessment proposed to be levied against each parcel of land in the District as determined by the method of assessment chosen by the City in the Authorization Resolution and as more fully described in the Preliminary SAP.

SECTION 6. THAT the City Council expressly defers the levy of assessments against property within future phases for phase-specific improvements that will benefit only the property within each subsequent phase until such time as the costs of such phase-specific improvements can be determined with certainty as referenced in Section III.C. and Section V.C.2. of the Preliminary SAP.

SECTION 7. THAT the City Council hereby authorizes and directs the filing of the Proposed Assessment Rolls with the City Secretary and the same shall be available for public inspection.

SECTION 8. THAT the City Council hereby authorizes, and calls, a regular meeting and a public hearing (the Assessment Hearing as defined above) to be held on January 10, 2017 at 5:00 p.m. at Celina Council Chambers, 112 N. Colorado St., Celina, TX 75009, at which the City Council shall, among other actions, hear and pass on any objections to the proposed assessments; and, upon the adjournment of the Assessment Hearing, the City Council will consider an ordinance levying the assessments as special assessments on property within the District (which ordinance shall specify the method of payment of the assessments).

SECTION 9. THAT the City Council hereby authorizes and directs the City Secretary to publish notice of the Assessment Hearing to be held on January 10, 2017, in substantially the form attached hereto as **Exhibit B** and incorporated herein for all purposes, in a newspaper of general circulation in the City, on or before December 23, 2016, as required by Section 372.016(b) of the Act.

SECTION 10. THAT when the Proposed Assessment Rolls are filed with the City Secretary, the City Council hereby authorizes and directs the City Secretary to mail to owners of property liable for assessment notice of the Assessment Hearing to be held on January 10, 2017, on or before December 28, 2016, as required by Section 372.016(c) of the Act.

SECTION 11. THAT City staff is authorized and directed to take such other actions as are required (including, but not limited to, notice of the public hearing as required by the Texas Open Meetings Act) to place the public hearing on the agenda for the January 10, 2017 meeting of the City Council.

SECTION 12. THAT this Resolution shall become effective from and after its date of passage in accordance with law.

PASSED AND APPROVED on this the _____ day of _____, 2016.

ATTEST:

Chad Anderson, Mayor Pro-Tem

Vicki Faulkner, City Secretary

EXHIBIT A

PRELIMINARY SERVICE AND ASSESSMENT PLAN

Attachment: 2015.002.010g - Resolution Determining Costs(Ownsby Farms) MRF 12.14.16 mpr clean (1874 : Ownsby PID PH)

**EXHIBIT B
CITY OF CELINA, TEXAS
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN THAT a public hearing will be conducted by the City Council of Celina, Texas on *January 10, 2017 at 5:00 p.m. at 112 N. Colorado St., Celina, Texas 75009*. The public hearing will be held to consider proposed assessments to be levied against the assessable property within the Ownsby Farms Public Improvement District (the "District") pursuant to the provisions of Chapter 372 of the Texas Local Government Code, as amended (the "Act").

The general nature of the proposed public improvements (collectively, the "Authorized Improvements") may include: (i) street and roadway improvements, including related sidewalks, drainage, utility relocation, signalization, landscaping, lighting, signage, off-street parking and right-of-way; (ii) establishment or improvement of parks and open space, together with the design, construction and maintenance of any ancillary structures, features or amenities such as trails, playgrounds, walkways, lighting and any similar items located therein; (iii) sidewalks and landscaping, including entry monuments and features, fountains, lighting and signage; (iv) acquisition, construction, and improvement of water, wastewater and drainage improvements and facilities; (v) projects similar to those listed in subsections (i) - (iv) above authorized by the Act, including similar off-site projects that provide a benefit to the property within the District; (vi) special supplemental services for improvement and promotion of the district; (vii) payment of costs associated with operating and maintaining the public improvements listed in subparagraphs (i) – (vi) above; and (viii) payment of costs associated with developing and financing the public improvements listed in subparagraphs (i) - (vi) above, and costs of establishing, administering and operating the District. These Authorized Improvements shall promote the interests of the City and confer a special benefit upon the Property.

The total costs of the Major Improvements and the Phase #1 Improvements, including the costs of creating the District and issuing the bonds, is approximately \$12,348,926. The total costs of Authorized Improvements to benefit future phases within the District cannot be determined with certainty at this time, but shall not exceed an additional \$7,651,074.

The boundaries of the District include approximately 113.548 acres of land generally located approximately north of Frontier Parkway and west of State Highway 289/Preston Road and within the city limits, as more particularly described by a metes and bounds description available at Celina City Hall located 142 N. Ohio Dr., Celina, Texas 75009 and available for public inspection.

All written or oral objections on the proposed assessment within the District will be considered at the public hearing.

A copy of the Phase #1 Assessment Roll relating to the Phase #1 Improvements and the portion of the Major Improvements allocated to Phase #1, and Phase # 2 Assessment Roll relating to the Major Improvements allocated to Phase # 2 Assessed Property (collectively, the "Assessment Rolls"), which Assessment Rolls include the assessments to be levied against each parcel in the District for the Phase #1 Improvements and the Major Improvements, is available for public inspection at the office of the City Secretary, 142 N. Ohio Dr., Celina, Texas 75009.