

**CITY OF EL PASO, TEXAS
AGENDA ITEM DEPARTMENT HEAD'S SUMMARY FORM**

CITY CLERK DEPT.
07 MAR -8 AM 11:38

DEPARTMENT: Development Services / Planning Division
AGENDA DATE: Public Hearing 03/13/07
CONTACT PERSON/PHONE: Chuck Kooshian, Lead Planner – 541-4632
DISTRICT(S) AFFECTED: District 1

SUBJECT:

A Resolution of the City Council of El Paso, Texas, regarding Service and Assessment Plan and Assessment Roll for the El Paso Public Improvement District No. 1 (Thunder Canyon)

Subject Property: Thunder Canyon. Applicant: City of El Paso (District 1)

BACKGROUND / DISCUSSION:

The staff worked with the Petitioners who proposed the creation of the Thunder Canyon Public Improvement District (PID), formally known as the Public Improvement District Number One. As part of the process we provided a technical report on the proposed District to the City Manager, and the Council accepted that report on October 10, 2006. This was formalized by the Council adopting a Resolution which established the proper procedures to create the district, including specifics about required Public Hearings. We then presented a Resolution on December 19, 2006 asking the Council to hold the Public Hearing on January 16, 2007 to determine if the District should in fact be created. The Council authorized the creation of the Public Improvement District Number One (Thunder Canyon) at the January 16, 2007 Public Hearing.

PRIOR COUNCIL ACTION:

On September 19, 2006 the Council received the petition authorized by the City Manager to investigate the feasibility of forming the district.

On October 10, 2006 the Council adopted a Resolution establishing the procedure to potentially create the District.

On December 19, 2006 the Council adopted a Resolution establishing a Public Hearing date of January 16, 2007.

On January 16, 2007 the Council authorized the creation of the Public Improvement District Number One (Thunder Canyon)

AMOUNT AND SOURCE OF FUNDING:

See attachments.

*****REQUIRED AUTHORIZATION*****

LEGAL: (if required) N/A

FINANCE: (if required) N/A

DEPARTMENT HEAD: R. Alan Shubert

APPROVED FOR AGENDA: N/A

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF EL PASO, TEXAS, REGARDING SERVICE AND ASSESSMENT PLAN AND ASSESSMENT ROLL FOR THE EL PASO PUBLIC IMPROVEMENT DISTRICT NO. 1 (THUNDER CANYON)

WHEREAS, the City of El Paso (the "City") has pursuant to a petition authorized the creation of the El Paso Public Improvement District No. 1 (the "PID"); and

WHEREAS, the City staff has prepared a Service and Assessment Plan and a proposed assessment roll for the PID; and

WHEREAS, the City Council is required to file the proposed assessment roll with the City Clerk for public inspection and to have notice given of the proposed assessment roll and hold a hearing regarding the proposed assessment roll, such notice by publication and mailing in accordance with the requirements of §372.016(b) of the Texas Local Government Code, as amended; and

WHEREAS, the City desires to provide the requisite notice and hearing on the proposed assessment roll and to conduct a hearing.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, THAT:

Section 1. The facts recited in the preamble hereto are found to be true and correct.

Section 2. The public hearing required by §372.016(b) of the Texas Local Government Code Chapter 372 be scheduled for April 3, 2007 at 9:00 a.m. in the Council Chambers at City Hall, 2 Civic Center Plaza, El Paso, Texas.

Section 3. The City Clerk is hereby authorized and directed to provide notice of such hearing by publication and mailing in accordance with the requirements of §372.0016(b) of Texas Local Government Code.

Section 4. It is hereby found, determined and declared that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the City Hall of the City for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code, and that this meeting has been open to the public as required by law at all times during which this Resolution and the subject matter thereof has been discussed, considered and formally acted upon. City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

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Section 5. Effective Date. This Resolution shall become effective immediately upon its passage.

PASSED AND APPROVED the _____ day of March, 2007.

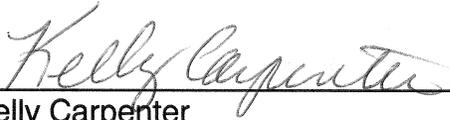
CITY OF EL PASO, TEXAS

By: _____
John F. Cook
Mayor

ATTEST:

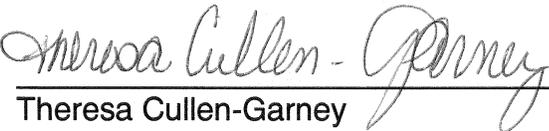
Richarda D. Momsen
City Clerk

APPROVED AS TO CONTENT:



Kelly Carpenter
Deputy Director
Development Services-Planning Division

APPROVED AS TO FORM:



Theresa Cullen-Garney
Deputy City Attorney

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