

RESOLUTION

WHEREAS, Chapter 395 (Impact Fee Statute) of the Texas Local Government Code provides for the establishment and collection of impact fees; and,

WHEREAS, the Impact Fee Statute requires the City of El Paso to provide for a capital improvement plan to be developed by qualified professionals using generally accepted engineering and planning practices in accordance with the Impact Fee Statute; and,

WHEREAS, the Consultant completed the process required for the preparation of the Land Use Assumption Report, Capital Improvements Plan, and Impact Fee pursuant to the requirements of Local Government Code, Chapter 395 and provided the capital improvement plan and land use assumptions to the City; and,

WHEREAS, the capital improvement plan and land use assumptions were provided to the Capital Improvements Advisory Committee and the Committee reviewed the documents and provided comments to the documents before the fifth business day before the public hearing on whether to adopt the capital improvement plan and land use assumptions; and,

WHEREAS, a public hearing was held on March 24, 2009 and members of the public were allowed to appear at the hearing and present evidence for or against the land use assumptions and capital improvements plan in accordance with the provisions of the Impact Fee Statute and after conducting the hearing the City Council adopted the land use assumptions and capital improvements plan; and,

WHEREAS, as a part of the process of adopting an impact fee under the Texas Local Government Code, Chapter 395 (Impact Fee Statute), the City Council must hold a public hearing to consider the adoption of an impact fee; and,

WHEREAS, the City of El Paso after complying with the above statutory requirements, now desires to hold a public hearing to consider the adoption of impact fees;

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

That the findings and recitations set out in the preambles to this Resolution are found to be true and correct, and they are hereby adopted by the City Council of the City of El Paso and made a part of this Resolution for all purposes.

That the City Council hereby calls a public hearing to be held on the 12th day of May, 2009 at 9:00 a.m. in the City Council Chambers on the second floor of City Hall, #2 Civic Center Plaza, El Paso, El Paso County, Texas to consider the adoption of impact fees;

That the City will provide notice of the hearing and the published notice of said hearing shall be in accordance with Section 395.049 of the Texas Local Government Code and the

published notice of said hearing shall be substantially in the form of the "Notice of Public Hearing" attached to this Resolution.

That any member of the public has the right to appear at the hearing and present evidence for or against the land use assumptions and capital improvements plan.

PASSED AND APPROVED this 24th day of March, 2009

THE CITY OF EL PASO

John F. Cook, Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Lupe Cuellar
Assistant City Attorney

APPROVED AS TO CONTENT:

Patricia D. Adauto, Deputy City Manager
Development & Infrastructure Services

NOTICE OF PUBLIC HEARING ON ADOPTION OF IMPACT FEES

The City Council hereby calls a public hearing to be held on the 12th day of May, 2009 at 9:00 a.m. in the City Council Chambers on the second floor of City Hall, #2 Civic Center Plaza, El Paso, El Paso County, Texas. The purpose of the hearing is to consider the adoption of impact fees. Any member of the public has a right to appear at the hearing and present evidence for or against the plan and proposed fees. In accordance with the provisions of Section 395.015 of the Local Government Code, the proposed amount of the maximum impact fee per service unit is as follows:

<u>Service Area</u>	<u>Water</u>	<u>Wastewater</u>	<u>Total</u>
Northeast	\$1,570.00	\$388.00	\$1,958.00
Westside	\$879.00	\$1,236.00	\$2,115.00
Eastside	\$929.00	\$1,227.00	\$2,156.00