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SERVICE SOLUTIONS SUCCESS



**DEPARTMENT:** Planning & Economic Development  
**AGENDA DATE:** Introduction 10/11/11; Public Hearing 10/18/11  
**CONTACT PERSON/PHONE:** Kevin Smith, 541-4903  
**DISTRICT(S) AFFECTED:** All

**SUBJECT:**  
An ordinance amending Title 15 (Public Services) Chapter 15.22 (Water and Wastewater Impact Fees) of the El Paso City Code to delete section 15.22.170 (Certification of Compliance). The penalty being as provided in Chapter 1.08, General Penalty, of the El Paso City Code.

**BACKGROUND / DISCUSSION:**  
N/A

**PRIOR COUNCIL ACTION:**  
N/A

**AMOUNT AND SOURCE OF FUNDING:**  
N/A

**BOARD / COMMISSION ACTION:**  
Development Coordinating Committee (DCC) – N/A  
City Plan Commission (CPC) – N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**LEGAL:** N/A      **FINANCE:** N/A

**DEPARTMENT HEAD:** Mathew McElroy  
Deputy Director of Planning, Planning & Economic Development

**APPROVED FOR AGENDA:**

**CITY MANAGER:** \_\_\_\_\_

**DATE:**

Mayor  
John F. Cook

City Council

District 1  
Ann Morgan Lilly

District 2  
Susie Byrd

District 3  
Emma Acosta

District 4  
Carl L. Robinson

District 5  
Dr. Michiel R. Noe

District 6  
Eddie Holguin Jr.

District 7  
Steve Ortega

District 8  
Cortney Carlisle Niland

City Manager  
Joyce A. Wilson



Two Civic Center Plaza  
El Paso, TX 79901  
(915) 541-0000



**MEMORANDUM**

**DATE:** October 3, 2011

**TO:** The Honorable Mayor and City Council  
Joyce A. Wilson, City Manager

**FROM:** Kevin Smith, Planner

**SUBJECT:** 15.22.170 – Certification of Compliance

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During the 82<sup>nd</sup> Legislative session, Chapter 395 (Impact Fee Statute) of the Texas Local Government Code was amended to remove the annual requirement for cities to submit a written certification to the attorney general verifying compliance with this statute.

This ordinance amends Title 15 by deleting Section 15.22.170 (Certification of Compliance) to reflect the Legislative changes.

**Mayor**  
John F. Cook

**City Council**

*District 1*  
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Susie Byrd

*District 3*  
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Joyce A. Wilson



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ORDINANCE NO \_\_\_\_\_

**AN ORDINANCE AMENDING TITLE 15 (PUBLIC SERVICES) CHAPTER 15.22 (WATER AND WASTEWATER IMPACT FEES) OF THE EL PASO CITY CODE TO DELETE SECTION 15.22.170 (CERTIFICATION OF COMPLIANCE). THE PENALTY BEING AS PROVIDED IN CHAPTER 1.08, GENERAL PENALTY, OF THE EL PASO CITY CODE.**

WHEREAS, Chapter 395 (Impact Fee Statute) of the Texas Local Government Code provides for the establishment and collection of impact fees by Texas municipalities and mandates the specific process Texas municipalities must take in order to adopt impact fees; and,

WHEREAS, during the 82<sup>nd</sup> Legislative session, Chapter 395 of the Local Government Code was amended to remove the annual requirement for cities to submit a written certification to the attorney general verifying compliance with Chapter 395;

WHEREAS, the legislative amendment to Chapter 395 is effective immediately;

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

**SECTION 1.** That Title 15, Public Services, Chapter 15.22, Water and Wastewater Impact Fees, is amended by deleting Section 15.22.170, Certification of Compliance, in its entirety.

**SECTION 2.** Except as expressly herein amended, Title 15, Public Services, Chapter 15.22, Water and Wastewater Impact Fees, of the El Paso City Code shall remain in full force and effect.

ADOPTED THIS \_\_\_\_\_ day of \_\_\_\_\_ 2011.

CITY OF EL PASO

ATTEST:

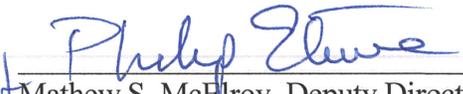
\_\_\_\_\_  
John F. Cook, Mayor

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

  
\_\_\_\_\_  
Lupe Cuellar  
Assistant City Attorney

  
\_\_\_\_\_  
Mathew S. McElroy, Deputy Director  
Planning and Economic Development  
Dept.

ORDINANCE NO \_\_\_\_\_