

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

**DEPARTMENT:** Engineering  
**AGENDA DATE:** December 19, 2006  
**CONTACT PERSON/PHONE:** Rick Conner, City Engineer ext. 4423  
**DISTRICT(S) AFFECTED:** One

CITY CLERK DEPT.  
06 DEC -7 PM 4:46

**SUBJECT:**

DISCUSSION AND ACTION ON A RESOLUTION OF THE CITY COUNCIL OF EL PASO, TEXAS, REGARDING NOTICE AND HEARING ON THE CREATION OF THE EL PASO PUBLIC IMPROVEMENT DISTRICT NO. 1 (THUNDER CANYON)

**BACKGROUND / DISCUSSION:**

The staff has been working with the Petitioners proposing to create the Thunder Canyon Public Improvement District (PID), formally known as the Public Improvement District Number One for some time now. As part of that process, we provided a technical report on the proposed District to the City Manager, and the Council accepted that report on October 10<sup>th</sup>. This was formalized by the Council's adopting a Resolution which established the proper procedures to create the district, including specifics about holding Public Hearings. We are now ready for the Council to hold the Public Hearing to determine if the District should in fact be created. We are recommending the holding of that Public Hearing on January 16, 2007 at the regularly scheduled City Council Meeting.

**PRIOR COUNCIL ACTION:**

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

On October 10th, the Council adopted a Resolution establishing the procedures to potentially create the District.

**AMOUNT AND SOURCE OF FUNDING:**

Funding will come from bonds to be sold specifically to finance this project.

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

**LEGAL:** (if required) \_\_\_\_\_ **FINANCE:** (if required) \_\_\_\_\_

**DEPARTMENT HEAD:** \_\_\_\_\_  
*Rick Conner*

**APPROVED FOR AGENDA:**

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

**DATE:** \_\_\_\_\_

RESOLUTION

CITY CLERK DEPT.

A RESOLUTION OF THE CITY COUNCIL OF EL PASO, TEXAS,  
REGARDING NOTICE AND HEARING ON THE CREATION OF THE  
EL PASO PUBLIC IMPROVEMENT DISTRICT NO. 1 (THUNDER CANYON)

06 DEC -7 PM 1:29

**WHEREAS**, the City of El Paso (the "City") is authorized pursuant to TEX. LOCAL GOV'T CODE, Ch. 372, as amended ("Chapter 372") to create public improvement districts for the purposes described therein; and,

**WHEREAS**, the City has received a petition (the "Petition") requesting the creation of the El Paso Public Improvement District No. 1 (the "PID") over the property described therein (the "Property") from the owners of a portion of the Property; and,

**WHEREAS**, the petitioners constitute more than 50 percent of the appraised value and the area of the Property, in accord with the requirements of §372.005(b) of Chapter 372; and,

**WHEREAS**, the City is required to hold a hearing regarding the creation of the PID and to provide notice of such hearing by publication and mailing in accordance with the requirements of §372.009(c) and (d) of Chapter 372; and,

**WHEREAS**, the City desires to provide the requisite notice and hearing on the PID,

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

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

**Section 2.** The public hearing required by §372.009 of Chapter 372 be scheduled for Tuesday, January 16, 2007, at 9:00 a.m. in the Council Chambers at City Hall, 2 Civic Center Plaza, El Paso, Texas.

**Section 3.** The City staff is hereby authorized and directed to provide notice of such hearing by publication and mailing in accordance with the requirements of §372.009(c) and (d) of Chapter 372.

**Section 3.** 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.

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

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS, THIS \_\_\_\_\_ DAY OF DECEMBER, 2006.**

**APPROVED**

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

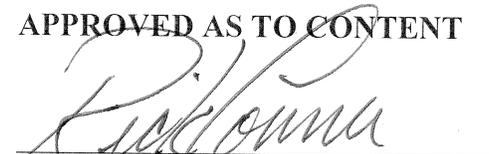
**ATTEST**

\_\_\_\_\_  
Richarda D. Momsen  
City Clerk

**APPROVED AS TO FORM**

  
\_\_\_\_\_  
Theresa Cullen-Garney  
Deputy City Attorney

**APPROVED AS TO CONTENT**

  
\_\_\_\_\_  
Rick Conner, P.E.  
City Engineer

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06 DEC -7 PM 1:29