

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

DEPARTMENT: Office of the Comptroller

AGENDA DATE: August 21, 2018

PUBLIC HEARING DATE:

CONTACT PERSON NAME AND PHONE NUMBER: Pat Degman, Comptroller (915) 212-1170

DISTRICT(S) AFFECTED: 1

STRATEGIC GOAL: Set the Standard for Sound Governance and Fiscal Management

SUBJECT:

Approve a Resolution to accept the annual review of the Service and Assessment Plan for the El Paso Public Improvement District No. 1 (Thunder Canyon), approved on April 17, 2007.

BACKGROUND / DISCUSSION:

Council approved the creation of PID No. 1 on January 16, 2007. The Service and Assessment Plan and the levy of the assessment was approved on April 17, 2007, as described in Ordinance No. 016603.

As required by Chapter 372 of the Texas Local Government Code, an annual review of the Service and Assessment Plan (Plan) for Thunder Canyon should be held in conjunction with the annual budget hearing and adoption. No changes are recommended for the Plan, and, as a result, there is no need to update the annual budget. All assessments should remain as described in ordinance No. 016603.

PRIOR COUNCIL ACTION:

Council has reviewed the adopted Service and Assessment Plan since its adoption in 2007. All assessments have remained the same as described in Ordinance No. 016603.

AMOUNT AND SOURCE OF FUNDING:

Property owners within PID No. 1 are responsible for the cost of the assessment.

BOARD/COMMISSION ACTION:

N/A

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

DEPARTMENT HEAD:

Pat Degman, Comptroller

Name

Pat Degman

Signature

8/14/18

Date

RESOLUTION

WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and

WHEREAS, on or before July 21, 2006, owners of real property located within El Paso Public Improvement District No. 1 (Thunder Canyon) delivered to the City of El Paso, Texas (the "City") a Petition (the "Petition") to create El Paso Public Improvement District No. 1 (Thunder Canyon) (the "District"); and

WHEREAS, after providing notices required by Section 372.009 of the Act, the City Council on January 16, 2007, conducted a public hearing on the advisability of the improvements and the creation of the District; and

WHEREAS, on January 16, 2007, the City Council passed a Resolution which modified the property included in the District, authorized and approved the creation of the District; and

WHEREAS, the authorization of the District took effect when notice of the passage of the Resolution was published in a newspaper of general circulation in the City; and

WHEREAS, after statutory notice was provided, on April 17, 2007, the El Paso City Council approved Ordinance No. 016603 which approved the Service and Assessment Plan and the levying of assessments for the District; and

WHEREAS, the Act requires an annual review and update of the service plan for the purpose of determining the annual budget for improvements; and

WHEREAS, the City staff has reviewed the April 17, 2007 Service and Assessment Plan and has recommended that no changes or revisions are needed to the April 17, 2007 Service and Assessment Plan.

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

That the Service and Assessment Plan for the El Paso Public Improvement District No. 1 (Thunder Canyon) approved on April 17, 2007, as described in Ordinance No. 016603, has been reviewed annually as required by Chapter 372 of the Texas Local Government Code, and the City Council finds that there is no need to revise the adopted Service and Assessment Plan, and, as a result, there is no need to update the annual budget and all assessments shall remain the same as described in Ordinance No. 016603.

(Signatures appear on the following page)

ADOPTED this _____ day of _____, 2018.

THE CITY OF EL PASO

ATTEST:

Dee Margo
Mayor

Laura D. Prine
City Clerk

APPROVED AS TO FORM:

Sol M. Cortez
Sol M. Cortez
Senior Assistant City Attorney

APPROVED AS TO CONTENT:

Pat Degman
Pat Degman, Comptroller
Office of the Comptroller



Thunder Canyon PID

**Discussion and Action on a
Resolution to Accept the Annual Review of
Thunder Canyon PID Assessment Plan**

**Presented by: Pat Degman, Comptroller
Office of the Comptroller**

August 21, 2018



Background

- Thunder Canyon is a property in the northwest foothills of the Franklin Mountains, District 1.
- Neighbors and open space advocates approached the City in efforts to buy and keep Thunder Canyon as open space.
- In July 2006, 57% of impacted property owners signed a petition in favor of a Public Improvement District (PID).
- In January 2007, El Paso Public Improvement District No. 1 was created by Council Resolution.



Funding

- Donations were accepted city-wide through the El Paso Community Foundation, a 501c3 organization.
- The creation of the PID allowed the City to buy the Thunder Canyon property upfront using revenue bonds.
 - Property owners agreed to repay the City in an annual assessment through the life of the debt.
 - The debt will be paid in full in 2020.



Service and Assessment Plan

- Council adopted in 2007.
- Fixed-rate plan based on property values in 2005.
- Assessment is not tied to any changes in the tax rate.
- Plan states that Thunder Canyon will be retained in its undeveloped natural state.
- By accepting a conservation easement from the City, The Frontera Land Alliance is responsible for monitoring the conservation values of Thunder Canyon.



Continuing Requirements

- Annual review and update of the Service and Assessment Plan for the purpose of determining the annual budget for improvements.
- Maintain Debt Service coverage requirement of 1.10 times the annual debt payment.
 - Annual assessment plus any fund balance in the PID fund.



Recommendation

- No change to the initial April 17, 2007 Service and Assessment Plan.
- No change to the annual budget.
- Assessments remain the same as described in the original Ordinance No. 016603.



Questions

