

RESOLUTION NO. 46-2005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, ESTABLISHING A PUBLIC HEARING DATE TO CONSIDER AMENDMENTS TO ROADWAY IMPACT FEES; AND DECLARING AN EFFECTIVE DATE THEREOF.

WHEREAS, Chapter 395 of the Local Government Code ("Chapter 395") authorizes political subdivisions to finance capital improvements associated with new development in municipalities; and

WHEREAS, Chapter 395 prescribes a process that incorporates the required methodology, the procedures for public hearings and the reporting components related to the imposition and amendment of impact fees; and

WHEREAS, the City Council has received a recommendation from the Capital Improvements Advisory Committee regarding a possible increase for impact fee rates; and

WHEREAS, Chapter 395 requires the City Council to set a public hearing to consider any amendment to impact fee rates.

NOW, THEREOFRE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That a public hearing to consider a possible amendment of roadway impact fees shall be held at 3:00 p.m. on November 21, 2005, in the City Council Chamber, City Hall, 711 N. Galloway, Mesquite, Dallas County, Texas.

SECTION 2. That notice of such public hearing shall be published in one or more newspapers of general circulation in Dallas and Kaufman Counties to appear before the 30th day before the date set for the hearing. The headline for the notice shall read as follows: "NOTICE OF PUBLIC HEARING ON AMENDMENT OF IMPACT FEES." The text of the notice shall contain the following information:

- (a) The time, date and location of the hearing; and
- (b) A statement that the purpose of the hearing is to consider the amendment of impact fees, and that no amendments will be considered to the underlying land use assumptions or the capital improvements plan; and
- (c) A statement that any member of the public has the right to appear at the hearing and present evidence for or against the proposed amendment.

SECTION 3. That, on or before the date of the first publication of the notice of the hearing on the amendments, the Community Development Director shall make the underlying land use assumptions, the capital improvements plan and the proposed amended impact fee per service unit available to the public.

SECTION 4. That the City Secretary shall send a notice of the hearing by certified mail to any person who has given written notice by certified or registered mail to the City Secretary or other designated official of the City requesting notice of the hearing within two years preceding the date of adoption of this resolution. These notices shall be sent by certified mail before the 30th day before the date of the hearing.

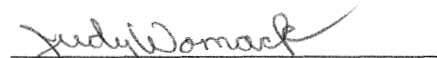
DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 17th day of October, 2005.

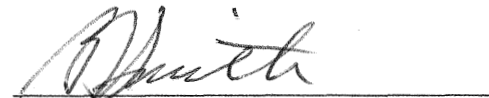


Mike Anderson
Mayor

ATTEST:

APPROVED:



Judy Womack
City Secretary

B. J. Smith
City Attorney