

ORDINANCE NO. 1906

APPROVING THE LEVY OF A SPECIAL ASSESSMENT FOR THE GLADE PARKS PUBLIC IMPROVEMENT DISTRICT ("PID"); LEVYING AN ASSESSMENT RATE FOR FISCAL YEAR 2010/2011 AT \$0.00 PER \$100 VALUE OF REAL PROPERTY IN THE PID; AND APPROVING THE FISCAL YEAR 2010/2011 SERVICE AND ASSESSMENT PLAN FOR THE PID.

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

WHEREAS, on October 4, 2010, owners of real property located near the intersection of SH-121 and Cheek Sparger Road delivered to the City of Euless a Petition to establish the Glade Parks Public Improvement District (the "PID"); and

WHEREAS, after providing notices required by Section 372.009 of the Act, the City Council on November 23, 2010, conducted a public hearing on the advisability of the improvements, and adjourned such public hearing; and

WHEREAS, the City Council passed and adopted Resolution No. 10-1350 on December 14, 2010, establishing the Glade Parks Public Improvement District; and

WHEREAS, the Act requires a public hearing to be held annually to consider oral and written objections to levying of a special assessment to fund improvements for the PID; and

WHEREAS, the Act requires notice of the public hearing to be advertised in a newspaper of general circulation at least ten (10) days before the public hearing to consider the proposed levy of a special assessment on the real property in the PID; and

WHEREAS, the Act requires that all property owners in the proposed PID must be notified in writing of the petitioned action and public hearing; and

WHEREAS, notices were mailed to the individual property owners on April 12, 2011, and the required public notice appeared in the Fort Worth Star Telegram on April 15, 2011; and

WHEREAS, a public hearing was held and closed on April 26, 2011, in the Euless City Council Chambers, to consider the levy of a special assessment to fund improvements in the PID; levying an assessment rate for FY 2010/2011 at \$0.00 per \$100 value of real property in the District; and approval of the FY 2010/2011 Service and Assessment Plan of the PID; and

WHEREAS, at or on the adjournment of the public hearing the City Council heard and passed on any objections to the levying of the special assessment; and

WHEREAS, at the end of the public hearing, staff requested the levy of special assessment, approval of the special assessment rate, and approval of the FY 2010/2011 Service and Assessment Plan for the PID; and

WHEREAS, it is officially found and determined that the meeting at which this Ordinance was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by the Act; and

WHEREAS, it is now necessary for the City Council to levy a special assessment to fund improvements for the PID; levy an assessment rate for FY 2010/2011 at \$0.00 per \$100 value of real property in the PID; and approve the FY 2010/2011 Service and Assessment Plan of the PID;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EULESS, TEXAS:

Section 1. The City Council of the City of Euless, Texas following a public hearing held in accordance with Chapter 372, Texas Local Government Code, hereby approves the levy of a Special Assessment to fund improvements in the PID.

Section 2. The City Council hereby levies a special assessment rate of \$0.00 per \$100 valuation of real property in the PID during the Fiscal Year ("FY") 2010/2011 to fund improvements in the PID.

Section 3. The City Council of the City of Euless, Texas hereby approves the FY 2010/2011 Service and Assessment Plan, attached hereto as **Exhibit A**.

Section 4. The City Council hereby finds that the statements set forth in the recitals of this Ordinance are true and correct, and the Council hereby incorporates such recitals as part of this Ordinance.

Section 5. This ordinance shall be in full force and effect from and after its passage and publication as provided by the Euless City Charter and the laws of the State of Texas.

PRESENTED AND GIVEN FIRST AND FINAL READING AND APPROVED at a Regular Meeting of the Euless City Council on the 26th day of April 2011 by a vote of ____ ayes, ____ nays, and ____ abstentions.

APPROVED:

ATTEST:

Mary Lib Saleh, Mayor

Susan Crim, TRMC, City Secretary

APPROVED AS TO FORM:

Wayne K. Olson, City Attorney