

Subj: per your request
Date: 12/1/2008 11:27:07 A.M. Mountain Standard Time
From: ByrdSM@elpasotexas.gov
To: JWJANACEK@aol.com

Mr. Janacek:

Thanks for taking the time to meet with me. I have worked very hard and will continue to work hard to make sure that new growth pays for itself. I'm glad that we share that as a goal. I think the best approach to solving this problem is to look at impact fees.

Per our conversation, I have provided the following:

1. I have spoken with our attorney and he has affirmed that cities and utilities must extend services to any development within their city limits.
2. I have attached Ed Archuleta's employment agreement. As you can see, it does not amount to \$508,000 annually.
3. The PSB has a right of entry and a memo of understanding with the military for the desal plant. The PSB owns the facility that was paid for using federal grants and capital from ratepayers. The PSB is currently working on a long term lease agreement with the military that would be in keeping with the original memo of understanding.

Sincerely,

Susie Byrd
City Council Representative, District 2

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