



City of Chattanooga

Office of the City Attorney

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July 30, 2009

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Carol B. Berz
Manuel Rico
Andrae McGary
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Re: Proposed Annexations

Dear Council Members:

I am enclosing a copy of the draft Plan of Services, a map, and a data sheet for the annexation areas that the Mayor is submitting to the Chattanooga-Hamilton County Regional Planning Commission for its August meeting. This is approximately one-half of the annexation areas are being proposed for this year. This is what we described as Phase I.

Public hearings are required before the adoption of any plan of services or adoption of an annexation ordinance, and the areas being submitted at this time will probably require at least four separate public hearings. Such hearings are often held in or near the affected areas (Hixson, Tiftonia, Apison-Ooltewah, and East Brainerd). Additional areas in Hixson, Highway 58, East Brainerd, and the side of Lookout Mountain remain under study. It is anticipated that additional annexation plans of services will be submitted to the Planning Commission for consideration at its September meeting.

The data sheet submitted with the plans of services and annexation maps were developed from the GIS database. We anticipate that more detailed information about the annexed areas and the required public services will be provided by staff in the public hearings. You will also undoubtedly gain additional information from citizen participation.

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The City Council's direct involvement in the annexation process will begin with the public hearings that are required for the plan of services prior to adoption of any annexation ordinances. Your committee meetings and the City Council meetings are being recorded verbatim. Anything that you say or that I might say in such a meeting might be used against us in any legal challenges. For that reason, it is my preference that any legal advice you need on the proposed annexations be given in a private one-on-one briefing.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. McMAHAN", with a long horizontal flourish extending to the right.

MICHAEL A. McMAHAN

City Attorney

MAM/mms

Enclosure