



*Department of Budget & Management
Strategic Planning Section*

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*Agenda Item 12.D
TIRZ No. 1, City of Peñitas*

DBM Recommendation:

No action pending incorporation of legal counsel recommendations made on June 27, 2008.

From: Erika Reyna [erika.reyna@co.hidalgo.tx.us]
Sent: Friday, June 27, 2008 3:29 PM
To: sergio.cruz@co.hidalgo.tx.us
Subject: FW: DVComparison_County
InterlocalAgreementTIRZNo1 as of 021105-196552.doc

FYI

From: Debra Rosenberg [mailto:dgr@atlashall.com]
Sent: Friday, June 27, 2008 11:18 AM
To: 'Sofia Hernandez'; arcy.duran@auditor.co.hidalgo.tx.us
Cc: erika.reyna@co.hidalgo.tx.us
Subject: RE: DVComparison_County InterlocalAgreementTIRZNo1 as of 021105-196552.doc

Sofia,

Below are the additional comments on the version sent Wednesday afternoon.

- Why is Penitas capitalized everywhere it appears? When I first looked at the revisions, I thought that it had been changed to a defined term, but the defined term is "City". In the definition of City, Penitas should not be capitalized. Unless the ordinance named the zone with only Penitas in caps, it should not be capitalized in the definition of Zone. In the signature blocks, it should not be capitalized (except where it appears in bold).
- In the definition of Zone, the ordinance number should be filled in.
- In III.A., a possibility to correct the language would be to have it read "95% of the lesser of...." if I understood the intent of the last sentence properly.
- In III.B., at the end of the second sentence, insert "by the County" and where "all taxes" was inserted, change "all" to "such" In the added portion, insert "of a given year the County participates in the Zone" after "January 31" and "of such year with the first payment due May 1, 2009" after "May 1". at the end of that sentence delete "the County participates in the Zone". in the last sentence of the first paragraph insert "and any such taxes thereafter collected shall not be considered part of the County Tax Increment Participation. The County Auditor's determination as to the allocation of any taxes to a particular tax year shall be final."
- In IV.C., add "or other" after "All annual" and after "County Judge" replace "and" with "with a copy to" in both places it appears. (Statute requires the report to be sent to the chief executive officer.)
- In the new IV.D., delete the end of the first sentence beginning with "to ensure" and replace with "so that the City and the County properly account for all tax accounts within the Zone." and at the very end of the section, insert "and the Hidalgo County Appraisal District".
- The statute requires interest on delinquent payments.
- Recommend adding a list of exhibits.

Did I miss an e-mail--I do not have one with the exhibits so have not been able to review them yet. Also, can you confirm that there is not a second page to the auditor's original comments? It appeared that not all comments were addressed, but I have not yet seen a response from audit on the changes.

Please send a revised copy for review as soon as possible and in the meantime let me know if you have any questions.

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From: Sofia Hernandez [mailto:sofia.hernandez@hidalgocountyjudge.com]
Sent: Wednesday, June 25, 2008 2:39 PM
To: Debra Rosenberg; arcy.duran@auditor.co.hidalgo.tx.us
Cc: erika.reyna@co.hidalgo.tx.us
Subject: DVComparison_County InterlocalAgreementTIRZNo1 as of 021105-196552.doc

I only had one small change...highlighted in yellow. I have copies of exhibits and will forward those as pdf files later today. We are posting this item for July 1 ct so plz send in your comments. Thx, Sofia.