

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE COMMISSIONERS COURT, HIDALGO COUNTY,  
TEXAS, CONSENTING TO LEGISLATION AUTHORIZING HIDALGO  
COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 19 TO  
UNDERTAKE ROADWAY IMPROVEMENT PROJECTS

WHEREAS, Hidalgo County Water Control and Improvement District No. 19 (the "District") is an active Conservation and Reclamation District that has been in existence within the corporate limits of the County of Hidalgo, Texas (the "County") since 1921 to promote economic development within the District and within the County including, but not limited to, providing irrigation water and drainage and storm water improvements;

WHEREAS, the County and the District desire to promote additional economic development within the District which will result in increased traffic and a corresponding need for roadway improvements within and outside the District to serve the increased traffic and to otherwise mitigate the impact of the additional development within the District;

WHEREAS, the District is financially capable of undertaking such roadway improvements for the benefit of the District and the County without financial burden to the County's general fund or to the taxpayers of the County other than those within the District;

WHEREAS, although financially capable of doing so, the District does not have the statutory authority to undertake such roadway improvements;

WHEREAS, pursuant to Article XVI, Section 59, Texas Constitution, the District has given notice to the Commissioners Court of the County that the District intends to acquire such roadway authority by introducing a bill during the 83<sup>rd</sup> Texas Legislature that would authorize the District to undertake and finance the construction, maintenance, and operation of macadamized, graveled, or paved roads, including improvements in aid thereof, both within and outside the District to serve economic development within the District as authorized by Article III, Section 52, Texas Constitution (the "Bill");

WHEREAS, pursuant to Article XVI, Section 59, Texas Constitution, the District will publish notice of its intent to introduce the Bill, setting forth the general substance of the Bill, and will deliver a copy of the published notice and a copy of the proposed Bill to the Governor;

WHEREAS, pursuant to Article XVI, Section 59, Texas Constitution, at or prior to the time notice of the District's intent to introduce the Bill is published, the District will deliver a copy of the proposed Bill to the Commissioners Court of the County, at which time the Commissioners Court may file its written opposition to the Bill; and

WHEREAS, the District has asked the Commissioners Court of the County to consent to the filing of the Bill and the Commissioners Court is willing to do so.

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS COURT OF THE COUNTY OF HIDALGO, TEXAS, THAT:

1. The Commissioners Court of the County consents to the filing of the Bill authorizing the District to undertake and finance the construction, maintenance, and operation of macadamized, graveled, or paved roads, including improvements in aid thereof, both within and outside the District to serve economic development within the District as authorized by Article III, Section 52, Texas Constitution.
2. Passage of the Bill is in the best interests of the District and the County, will promote economic development within the District and the County, and will finance public infrastructure improvements for the County without financial burden to the County's general fund or otherwise to the taxpayers of the County other than those within the District.
3. The County Judge and the County Clerk are authorized and directed to execute, attest, seal, and deliver to the District this Resolution and such further certificates, documents, and instruments requested by the District and reasonably necessary to carry out the intent of this Resolution.
4. Upon request of the District, the County Clerk is authorized and directed to deliver a copy of this Resolution to Representative Sergio Munoz, Senator Juan Hinojosa, the Governor, Lieutenant Governor, and Speaker of the House of Representatives.
5. This Resolution is passed and approved to be effective August 7, 2012.

By: \_\_\_\_\_

[\_\_\_\_\_] , County Judge

(SEAL)

ATTEST:

By: \_\_\_\_\_

[\_\_\_\_\_] , County Clerk



SHUPE VENTURA LINDELOW & OLSON, PLLC  
ATTORNEYS & COUNSELORS

Re: Hidalgo County WCID 19

Date: April 9, 2012

Dwight A. Shupe  
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Background. In 1921, Hidalgo County (the "County") created the Hidalgo County Water Control and Improvement District No. 19 (the "District"). The District is an active conservation and reclamation district (i) created under the authority of Article 16, Section 59, of the Texas Constitution and Chapters 51 and 49 of the Texas Water Code, (ii) regulated by the Texas Commission on Environmental Quality (the "TCEQ"), and (iii) governed by an elected Board of Directors. The purpose of the District is to facilitate economic development including, but not limited to, providing irrigation water and drainage and storm water improvements. The District originally covered approximately 8,100 acres. Today it covers approximately 6,200 acres commonly known as Sharyland Plantation. The District is located within the corporate limits of Mission and McAllen and within the district boundaries of Mission, Sharyland, and Hidalgo ISDs. The District is financially self-sustaining; i.e., it does not use any funds from either city or the County. Development within the District is subject to all applicable regulations of all three cities, the County, and the TCEQ.

Proposal. The developer of Sharyland Plantation would like to enhance the economic development opportunities within Sharyland, the cities, and the ISDs by authorizing the District to undertake public roadway improvements, an authority not currently possessed. Construction and dedication of the improvements would be in accordance with all applicable regulations. Costs of the improvements would be paid by the developer and later reimbursed by the District from taxes levied solely on property within the District. No city or County funds would be involved. The authorization for the District to undertake roadway improvements would be sought through special legislation introduced during the 2013 session of the Texas Legislature by the House or Senate representative for Sharyland with the consent and involvement of all three cities and the County.

**RESOLUTION NO. 1315**

**RESOLUTION OF THE CITY COUNCIL OF MISSION, TEXAS,  
CONSENTING TO LEGISLATION AUTHORIZING HIDALGO COUNTY  
WATER CONTROL AND IMPROVEMENT DISTRICT NO. 19 TO  
UNDERTAKE ROADWAY IMPROVEMENT PROJECTS**

WHEREAS, Hidalgo County Water Control and Improvement District No. 19 (the "District") is an active Conservation and Reclamation District that has been in existence within the corporate limits of the City of Mission, Texas (the "City") since 1921 to promote economic development within the District and within the City including, but not limited to, providing irrigation water and drainage and storm water improvements;

WHEREAS, the City and the District desire to promote additional economic development within the District which will result in increased traffic and a corresponding need for roadway improvements within and outside the District to serve the increased traffic and to otherwise mitigate the impact of the additional development within the District;

WHEREAS, the District is financially capable of undertaking such roadway improvements for the benefit of the District and the City without financial burden to the City's general fund or to the taxpayers of the City other than those within the District;

WHEREAS, although financially capable of doing so, the District does not have the statutory authority to undertake such roadway improvements;

WHEREAS, pursuant to Article XVI, Section 59, Texas Constitution, the District has given notice to the City Council of the City that the District intends to acquire such roadway authority by introducing a bill during the 83<sup>rd</sup> Texas Legislature that would authorize the District to undertake and finance the construction, maintenance, and operation of macadamized, graveled, or paved roads, including improvements in aid thereof, both within and outside the District to serve economic development within the District as authorized by Article III, Section 52, Texas Constitution (the "Bill");

WHEREAS, pursuant to Article XVI, Section 59, Texas Constitution, the District will publish notice of its intent to introduce the Bill, setting forth the general substance of the Bill, and will deliver a copy of the published notice and a copy of the proposed Bill to the Governor;

WHEREAS, pursuant to Article XVI, Section 59, Texas Constitution, at or prior to the time notice of the District's intent to introduce the Bill is published, the District will deliver a copy of the proposed Bill to the City Council of the City, at which time the City Council may file its written opposition to the Bill; and

WHEREAS, the District has asked the City Council of the City to consent to the filing of the Bill and the City Council is willing to do so.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MISSION, TEXAS, THAT:

1. The City Council of the City consents to the filing of the Bill authorizing the District to undertake and finance the construction, maintenance, and operation of macadamized, graveled, or paved roads, including improvements in aid thereof, both within and outside the District to serve economic development within the District as authorized by Article III, Section 52, Texas Constitution.
2. Passage of the Bill is in the best interests of the District and the City, will promote economic development within the District and the City, and will finance public infrastructure improvements for the City without financial burden to the City's general fund or otherwise to the taxpayers of the City other than those within the District.
3. The Mayor and the City Secretary are authorized and directed to execute, attest, seal, and deliver to the District this Resolution and such further certificates, documents, and instruments requested by the District and reasonably necessary to carry out the intent of this Resolution.
4. Upon request of the District, the City Secretary is authorized and directed to deliver a copy of this Resolution to Representative Sergio Munoz, Senator Jesus Hinojosa the Governor, Lieutenant Governor, and Speaker of the House of Representatives.
5. This Resolution is passed and approved to be effective May 29, 2012.

By:   
Norberto Salinas, Mayor

(SEAL)

ATTEST:

By:   
Anna Carrillo, City Secretary

