

THE STATE OF TEXAS  
COUNTY OF HIDALGO

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CITY OF PHARR

**INTERLOCAL AGREEMENT**

In consideration of the covenants set forth herein, and subject to the terms and conditions herein, the Parties (as defined below) hereby agree to the terms and conditions of this Agreement (as defined below).

**I. PARTIES & INDEX**

**A. Parties**

1. THIS INTERLOCAL AGREEMENT (the "Agreement") is made by and among (i) the CITY OF PHARR, TEXAS (hereafter referred to as the "City"), a Texas Home Rule City, acting through its City Manager pursuant to the TIRZ II Ordinances (as defined below), (ii) HIDALGO COUNTY (hereafter referred to as the "County"), a political subdivision of the State of Texas, and (iii) REINVESTMENT ZONE NUMBER TWO, CITY OF PHARR, TEXAS, a reinvestment zone (hereafter referred to as the "Zone", as hereafter further defined) created by the City pursuant to the TIF Act (as defined below), acting by and through its duly authorized Board of Directors (the "Board"), established to administer, manage, and/or operate the Zone pursuant to Sections §311.009(b) and 311.010 of the TIF Act. Collectively, the City, the County, and the Zone may be referred to as the "Parties". This Agreement is made pursuant to Chapter 791, Texas Government Code and the TIF Act for the participation of City and County in the Pharr City Development Project.

2. The initial addresses of the Parties are listed below. Each party may designate a different address by giving the other Parties and the County Auditor at least ten (10) days prior written notice.

**CITY**

Ambrosio Hernandez, MD  
Mayor  
CITY OF PHARR  
118 S Cage Blvd  
Pharr, Texas 78577

**COUNTY**

Ramon Garcia  
Hidalgo County Judge  
County of Hidalgo  
P. O. Box 1356  
Edinburg, Texas 78540

**With Copy to:**

**BOARD**

Attention: Chairman  
CITY OF PHARR – TIF REINVESTMENT ZONE #2  
118 S Cage Blvd, 4<sup>th</sup> Floor

**HIDALGO COUNTY AUDITOR**

Hidalgo County Auditor  
Attention: Ray Eufrazio, CPA  
Re: City of Pharr-TIRZ #2

**B. Index**

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**C. Parts Incorporated**

All of the above-described exhibits are hereby incorporated into this Agreement by this reference for all purposes.

**II. DEFINITIONS**

As used in this Agreement, the following terms shall have the meanings set out below:

1. "Administrative Costs" means reasonable costs directly incurred by a Participating Taxing Entity (as hereinafter defined) related to its agreement to participate in the development of the Zone, as described in this Agreement. These costs include, but are not

limited to, costs and expenses for legal review and financial analysis related to the Zone incurred prior to entering into this Agreement, as well as any such costs and expenses incurred after this Agreement becomes effective. The aggregate Administrative Costs over the life of the Zone are estimated to be twenty thousand dollars (\$20,000). The only taxing entity to receive reimbursement for Administrative Costs is the County.

2. "Agreement" means this Interlocal Agreement.
3. "Agreement Term" has the meaning set forth in Section VI.A. below.
4. "Applicable M&O Tax Rate" for any given year means the lesser of (i) the Base Year M&O Tax Rate and (ii) the County M&O Tax Rate for the given year. The Base Year M&O Tax Rate was \$0.5225 per \$100 dollars of valuation.
5. "Available Tax Increment" shall mean the "Tax Increment," as defined below, less the Administrative Costs of the County.
6. "Base Year" means the year in which a Tax Increment Reinvestment Zone is created by ordinance.
7. "Board" has the meaning set forth in Section I.A.1 above.
8. "Captured Appraised Value" means the captured appraised value of the Zone, as defined by Section 311.012(b), Texas Tax Code (and as said Code may be amended from time to time); e.g., the total appraised value in a given year of all real property taxable by a participating taxing entity and located in the Zone for that year less the total appraised value of that property in 2015, the Base Year of the Zone.
9. "City" has the meaning set forth in Section I.A.1 above, and includes its successors and assigns.
10. "City Commission" means the City Commission of the City.
11. "County" has the meaning set forth in Section I.A.1 above.
12. "County M&O Tax Rate" means that portion of the ad valorem tax rate used by the County for Maintenance and Operation. The County M&O Tax Rate may change from time to time. The County M&O Tax Rate is subject to change by the County in accordance with applicable law, and therefore may be changed by the County during the term of the Zone.
13. "Initial Plan" has the meaning set forth in Section III.B. below.
14. "Material Change" has the meaning set forth in Section IV.B.5 below.

15. "Participating Taxing Entity" or "Participating Taxing Entities" means, singularly, a taxing unit participating in the Zone" or "Participating Taxing Entities" means, singularly, a taxing unit participating in the Zone, and collectively, two or more taxing units participating in the Zone, and may include City and County.
16. "Parties" has the meaning given such term in Section I.A.1 above.
17. "Project" refers to the City of Pharr Proposed Public Improvements identified in the Project Plan.
18. "Project Costs" means the items set forth and described in Section 311.002(1), Texas Tax Code, that are included in the Project Plan for the Project. The Project Costs include, but are not limited to, public infrastructure improvements and related capital costs; including streets; streetlights; drainage; gas, water and sewer utilities; sidewalks; landscaping; and related facilities; and rights-of-way.
19. "Project Plan" (also referred to as "Amended Project Plan") means the Final Project Plan and Financing Plan for the Zone, which is attached hereto as Exhibit "A", as adopted by the Board on August 23, 2016, and as passed and approved by the City Commission by Ordinance No. O-2016-31 on the same date.
20. "Tax Increment" for a Participating Taxing Entity means the total amount of ad valorem taxes levied and collected each year by that Participating Taxing Entity each year on the Captured Appraised Value of taxable real property in the Zone. Further, with respect to the County, this term shall be further limited to the total amount of ad valorem taxes levied and collected only on behalf of the County each year.
21. "Tax Increment Base" means the total appraised value of all real property taxable by a Participating Taxing Entity and located in the Zone as of January 1, 2015, the year in which the Zone was designated, plus, with respect to any real property taxable by a Participating Taxing Entity added to the Zone after the Base Year, the total appraised value of such added real property taxable by a Participating Taxing Entity as of January 1 of the year in which such real property was added to the Zone.
22. "Tax Increment Fund" means the tax increment fund created by the City for the deposit of Tax Increments for the Zone, entitled "Reinvestment Zone Number Two City of Pharr, Texas Tax Increment Fund."
23. "Tax Increment Payment" means the amount of the Tax Increment that a Participating Taxing Entity is required to deposit annually into the Tax Increment Fund in accordance with this Agreement and the Project Plan.
24. "TIF Act" means the Tax Increment Financing Act (Chapter 311 of the Texas Tax Code).
25. "TIRZ Ordinances" means the following ordinances passed and approved by the City Commission on the specified dates:

- a. O-2015-52 on November 17, 2015 (first reading on February 17, 2015 and second on March 3, 2015)
- b. O-2015-57 on December 8, 2015
- c. O-2016-15 on April 18, 2016
- d. O-2016-29 on July 22, 2016
- e. O-2016-31 on August 26, 2016

The TIRZ Ordinances are attached hereto as Exhibit “B”.

26. The “Term of the Zone” has the meaning set forth in Section III.B.8 below.
27. “Transportation Zone” means Transportation Reinvestment Zone Number Two, Hidalgo County.
28. “Zone” means REINVESTMENT ZONE NUMBER TWO, CITY OF PHARR, the description of which is contained in Exhibit “A”, attached hereto.

### **III. BACKGROUND**

A. The City Commission on Tuesday February 3<sup>rd</sup>, 2015, expressed the City’s intent to create a tax increment financing reinvestment zone by approving Resolution # 2015-08 to support revitalization activities for the Zone, commonly known as the Pharr Redevelopment Project, pursuant to Chapter 311, Texas Tax Code.

B. The City represents as follows with respect to the Zone:

1. On November 17<sup>th</sup>, 2015, the City Commission passed and approved Ordinance No. O-2015-52, earlier versions of which had previously been read, passed and approved by the City Commission in on February 17<sup>th</sup>, 2015 and March 3<sup>rd</sup>, 2015. A certified copy of Ordinance No. O-2015-52 is attached hereto as Exhibit B-1. Due to a scrivener’s error, the Zone’s effective date of November 17, 2016, and the Zone’s termination date of December 31, 2035, which the City had intended to have inserted into the Ordinance, were not typed into section 4 of Ordinance No. O-2015-52 prior to its approval (although section 13 of the Ordinance specifies when the Zone takes effect).

2. On December 8<sup>th</sup>, 2015, the City Commission passed and approved Ordinance No. O-2015-57, a certified copy of which is attached hereto as Exhibit B-2, which approved the Reinvestment Zone Financing Plan dated December 4, 2015 (the “Initial Plan”), which had been adopted by the Board as set forth below in Section III.C.1. The description of the Zone boundaries included in the Initial Plan included land that had inadvertently been omitted from the boundaries established in Ordinance No. 2015-52.

3. Having become aware of the errors and omissions referenced above, among others, the City Commission declared an emergency and passed and approved Ordinance No. O-

2016-15 on April 18<sup>th</sup>, 2016, and, in effect, re-approved the terms of Ordinance O-2015-52 without referencing the changes or explaining the actions. A certified copy of Ordinance O-2016-15 is attached hereto as Exhibit B-3.

4. In order to amend the boundaries of the Zone and otherwise amend and correct Ordinance O-2015-52, the City Commission declared an emergency and passed and approved No. O-2016-29 on July 22<sup>nd</sup>, 2016. A certified copy of Ordinance O-2016-29 is attached hereto as Exhibit B-4. The added portions of the Zone do not include any real property that is currently subject to taxation by a Participating Taxing Entity, accordingly, tax account numbers have not been added to the TIRZ Ordinances for the real property added to the Zone.

5. On August 23<sup>rd</sup>, 2016, the City Commission passed and approved Ordinance O-2016-31, which adopted the Amended Project Plan.

6. The Zone will provide funding for public improvements within the Zone. The Zone commenced on November 17<sup>th</sup>, 2015, and is projected to terminate on December 31<sup>st</sup>, 2035, unless earlier termination occurs under this Agreement (the "Term of the Zone").

7. The Tax Increment Fund was authorized by Ordinance No. O-2015-52.

8. The City complied with all legal requirements, including those set forth in the TIF Act, and notice requirements in the creation and expansion of the Zone, and the Base Year for the Zone is 2015, provided, however, that the portions of the Zone added to the Zone in 2016 would have a 2016 base year should any of the added portions be subject to taxation by a Participating Taxing Entity during the Term of the Zone. The City's compliance with legal requirements with respect to the creation of the Zone is supported by the opinion letter of the City attorney of even date herewith, which has been provided to the County.

C. The Board represents and warrants as follows:

1. On December 1<sup>st</sup>, 2015, the Board met but did not take action. (The minutes of the meeting are attached hereto as Exhibit C-1.) On December 8<sup>th</sup>, 2015, in accordance with Section 311.011 of the TIF Act, the Board approved the Initial Plan. A certified copy of the minutes of the meeting at which the Board acted are attached hereto as Exhibit C-2 and a certified copy of Ordinance O-2015-01-TIRZ, which was passed and approved by the Board at such meeting, by which the Board approved the Initial Plan, is attached hereto as Exhibit C-3.

2. On July 22<sup>nd</sup>, 2016, in order, among other changes, to approve the amended boundaries of the Zone, the Board approved a motion accepting the amending of Ordinance O-2016-15. The City's amendment of Ordinance O-2016-15 is found in Ordinance O-2016-29, restating O-2016-15 as amended. A certified copy of the minutes of the meeting at which the Board acted are attached hereto as Exhibit C-4.

3. On August 23<sup>rd</sup>, 2016, in order to amend the Initial Plan, the Board approved a motion accepting the amending of Ordinance O-2015-57, which is the ordinance by which the City had previously approved the Initial Plan adopted by the Board in December 2015. The

recitals to Ordinance O-2016-31 state that the ordinance will serve to amend Ordinance O-2015-57 by approving the Amended Project Plan. A certified copy of the minutes of the meeting at which the Board acted are attached hereto as Exhibit C-5.

4. The Board complied with all legal requirements, including those set forth in the TIF Act, with respect to the adoption of the Initial Plan and the amendment of it through the adoption of the Amended Project Plan.

D. The County hereby acknowledges receipt of notice of the initial creation of the Zone.

E. The Parties hereto agree that, other than bonds or notes issued pursuant to §311.015 of the Texas Tax Code, no tax-supported public debt instrument will be issued by the City or the Board to finance any costs or improvements on the Project.

#### **IV. RIGHTS AND OBLIGATIONS OF THE COUNTY**

##### **A. Tax Increment Participation by the County**

1. Subject to the limitations set out in this Agreement, the County agrees to participate in the Zone by contributing to the Tax Increment Fund an amount equal to 50% of the revenue generated from the Applicable M&O Tax Rate as assessed and collected on the Captured Appraised Value for each respective tax year during the Term of the Zone. For the purpose of this Agreement the Applicable M&O Tax Rate shall be calculated as set forth in Section IV(B)(2) of this Agreement. In no event shall the County contribution to the Tax Increment Fund be greater than two million twenty-six thousand two hundred and eight-nine dollars (\$2,026,289), over the life of the Zone beginning with the 2016 tax collection year.

2. The Parties hereto agree that the County's contribution to the Tax Increment Fund shall be used to fund Project Costs including construction of public infrastructure improvements to support the development and revitalization efforts in the Zone. The County's contributions to the Tax Increment Fund shall end (a) when it has contributed the maximum total contribution provided for herein of two million, twenty-six thousand, two hundred and eighty-nine dollars (\$2,026,289), or (b) when it has made contributions of all Tax Increment Payments, as specified in the Project Plan, attributable to all periods through the end of the County's fiscal year 2035 (ending on December, 2035), whichever occurs first.

##### **B. Tax Increment Payment**

1. a. County's obligation to contribute its Tax Increment Payment to the Tax Increment Fund, as provided in Section IV.A of this Agreement, shall accrue as the County collects its Tax Increment. The Parties hereto agree that all ad valorem property taxes collected each year by the County that are attributable to real property in the Zone shall first constitute taxes on the Tax Increment Base and after the total amount of taxes on the Tax Increment Base have been collected, then the remaining ad valorem taxes collected shall constitute the Tax Increment.

b. County agrees to deposit its first Tax Increment Payment to the Tax Increment Fund for tax year 2016 by the latter to occur of:

- (i) all tax accounts having been coded by the Hidalgo County Appraisal District and the Hidalgo County Tax Office having received the list of tax accounts;
- (ii) collection reports having been provided to the Hidalgo County Auditor's Office;
- (iii) the information required under Section 311.016 of the Tax Code having been provided to the County;
- (iv) May 1<sup>st</sup>, 2017; and
- (v) thirty (30) days after the full execution and delivery of this Agreement by all Parties.

The amount of the first Tax Increment Payment shall be based on the Tax Increments that were received up to January 31, 2017, but only for tax year 2016.

c. For subsequent payments, the County agrees to contribute its yearly Tax Increment Payment to the Tax Increment Fund annually not later than the 90<sup>th</sup> day after the delinquency date for the County's property taxes (or the first business day thereafter) following the end of each tax year. The amount of each Tax Increment Payment shall be based on the Tax Increments that are received up to January 31<sup>st</sup> following the end of the tax year, but which have not been previously deposited in the Tax Increment Fund, during the annual periods preceding each deposit date.

d. Under no circumstances shall the County be required to participate in the Zone with taxes attributable to periods after 2035.

e. The County's Administrative Costs incurred but not previously reimbursed will be reimbursed to the County by deduction from the annual payment made to the Tax Increment Fund.

f. The City shall request collection reports from the Hidalgo County Tax Assessor Collector and provide a copy of these reports along with a payment request detailing the payment calculation as illustrated in the chart in Subsection g. below to the County one month prior to a payment required to be made under this agreement.

g. The chart below is an example of the calculation of the County's Tax Increment Payment.

*[Remainder of page intentionally left blank]*

Assuming for the purpose of this example, the taxable value of the Zone for the year for which the calculation is being made is \$100,000.00, the Tax Increment Base is \$10,000.00, the unreimbursed Administrative Costs are \$100.00, the Applicable M&O Tax Rate is 0.52 and the overall County tax rate is \$0.0059.

<b>Tax Increment Reinvestment Zone (TIRZ) Payment Calculation</b>	<b>EXAMPLE</b>
TIRZ Real Property Certified Taxable Value as of January 31 (Provided by Hidalgo County Appraisal District (HCAD))	\$100,000.00
<i>(Multiplied by)</i> Hidalgo County Current (GHD) Tax Rate (.59/100)	0.0059
GHD Actual Tax Levy for all real property tax accounts located within the TIRZ	<b>\$590.00</b>
TIRZ Real Property Certified Taxable Value as of January 31 (Provided by HCAD)	\$100,000.00
<i>(Less)</i> Base Year Real Property Certified Appraised Value for Tax Accounts located within the TIRZ (Provided by HCAD)	\$10,000.00
<b>Captured Appraised Value</b>	<b>\$90,000.00</b>
Captured Appraised Value	\$90,000.00
<i>(multiplied by)</i> Contribution Rate (The lesser of actual tax year County M&O Tax Rate or rate specified on agreement) (0.52/100)	0.0052
<b>Tax Levy Due to TIRZ</b>	<b>\$459.00</b>
TIRZ Collections (for February 1 through January 31) as per Collections Reports provided by Hidalgo County Tax Office	\$300.00
<i>(divided by)</i> GHD Actual Tax Levy for all Real Property tax accounts located within the TIRZ	\$590.00
<b>Percent Collected of Actual Levy</b>	<b>50.85%</b>
Tax Levy Due to TIRZ	\$459.00
<i>(Multiplied by)</i> Percent Collected of Actual Levy	50.85%
<b>TIRZ PAYMENT AMOUNT</b>	<b>\$233.39</b>
<b>LESS ADMINISTRATIVE COSTS (amount deducted per year ex: \$100.00)</b>	<b>\$100.00</b>
<b>FINAL TIRZ PAYMENT AMOUNT</b>	<b>\$133.39</b>

2. One month prior to a payment required under Section IV.B. of this Agreement, the City shall provide to the County the TIRZ annual audit report, an updated fact sheet that includes detail as to what portion of the Project has been completed to date, a schedule of what portion of the Project is to be completed in the following year and a current roster of the Zone's board members, including the term of each board member, the entity that appointed the board member, the date for the next annual meeting and a formal request for payment. In addition to and as part of the City's fact sheet, the City shall supply the County with all information as required under Section 311.016 of the Texas Tax Code on or before the 90<sup>th</sup> day following the end of the fiscal year of the City.

3. In the event there is a conflict between the Parties in regards to the amount of the Tax Increment owed by the County, the Hidalgo County Auditor will make the final determination as to the amount of any Tax Increment owed by the County under this Agreement. The annual Captured Appraised Value for the real property contained within the Zone shall be determined by the Hidalgo County Appraisal District on the assessed appraised values and the Hidalgo County Tax Office's verification of collections in regards to the real property contained with the Zone. If the certified taxable value changes after the initial tax increment payment has been made, the change in value will not be included in the tax payment in the upcoming years.

4. Any delinquent deposit by the County of a Tax Increment Payment under this Agreement shall be administered as provided in Sections 311.013(c) and (c-1) of the Texas Tax Code, which state as follows:

(c) Notwithstanding any termination of the reinvestment zone under Section 311.017(a) and unless otherwise specified by an agreement between the taxing unit and the municipality or county that created the zone, a taxing unit shall make a payment required by Subsection (b) [Tax Increment Payment] not later than the 90th day after the later of:

(1) the delinquency date for the unit's property taxes; or

(2) the date the municipality or county that created the zone submits to the taxing unit an invoice specifying the tax increment produced by the taxing unit and the amount the taxing unit is required to pay into the tax increment fund for the zone.

(c-1) A delinquent payment incurs a penalty of five percent of the amount delinquent and accrues interest at an annual rate of 10 percent.

The Parties expressly agree that the County shall not owe any penalty or interest on Tax Increments attributable to taxes that have been levied, but not received by the County. Further, the County shall not be liable for the payment of any penalties or interest if the fact sheet and payment request required under Section IV.B.2 and the report required under Section §311.016 of the Texas Tax Code are not timely submitted to the County or in any situation in which the City is not obligated to pay penalties and interest.

5. The City agrees to comply with the Project Plan. The City and the Board agree to provide prior written notice to all Participating Taxing Entities of a proposed material change (by

which is meant any change that would constitute at least a twenty percent (20%) increase or decrease in either the Project Cost or the scope and scale of the Project or which is otherwise specified herein (a "Material Change")) to the Project Plan; provided that any change that is not approved by the County shall not change the amount of Tax Increment Payments due from the County. The City shall have the right to amend and modify the Project Plan without providing prior written notice to the Participating Taxing Entities so long as such amendment or modification does not constitute a Material Change.

6. If the City materially breaches this Agreement, then a Participating Taxing Entity may provide written notice to the City and the Zone (with a copy to any other Participating Taxing Entity still contributing Tax Increment Payments) stating its intent to terminate its participation in the Zone and detailing its objection(s) or concern(s). If the objections and/or concerns, as set out in the notice, are not resolved within 90 business days from the date of such notice, then County may discontinue its Tax Increment Payments and terminate its participation in the zone.

7. Except for contributing its respective Tax Increment Payments to the Tax Increment Fund as set out in this Agreement, the County shall not have any obligation or responsibility for any costs or expenses associated with the development of the Zone or the implementation of the Project Plan, including, without limitation, any obligation to pay or repay any bond or other debt issued by another Participating Taxing Entity, the Zone or the Board relating to the Zone or any costs associated with the operation of Zone, the Project or any other projects relating thereto.

8. Notwithstanding anything herein to the contrary, the County's total Tax Increment Payment to the Tax Increment Fund over the term of the Zone shall not exceed two million, twenty-six thousand, two hundred and eighty nine dollars (\$2,026,289), plus any applicable penalty, and/or interest allowed in Section 311.013 of the Tax Code, subject to the limitations in Section IV.B.4.

9. a. *General Provisions.* The County agrees to participate at fifty percent (50%) of the Applicable M&O Tax Rate (50% of the Applicable M&O Tax Rate currently equaling \$0.26125 per \$100 valuation on the Captured Appraised Value) for real property in the Zone. The City represents and warrants that none of the real property in the Zone is in the Transportation Zone

b. *Greater County M&O Tax Rate.* If the County M&O Tax Rate for any given year is greater than the Applicable M&O Tax Rate during any year during the Term of the Zone, the County shall retain all taxes collected in excess of 50% of the Applicable M&O Tax Rate per \$100 valuation on the Captured Appraised Value and to the extent any such excess has been contributed into the Tax Increment Fund, such excess shall be promptly refunded to the County.

10. County taxes that are delinquent for more than five years will be considered uncollectible and shall not be included in the Tax Increment Payment.

**C. Management of the Zone**

1. The Zone shall in all respects be managed by the Board, including the Director appointed by the County. The Board shall have all powers allowed under Chapter 311 of the Texas Tax Code to manage the Zone and carry out the Project and Finance Plan. The Board shall cause the Zone to comply with the Project Plan. The Participating Taxing Entities, during the term of this Agreement, may inspect the Project site and review Project plans and drawings at times and intervals that will not interfere with ongoing operations.

2. The Board shall be composed of five (5) members, as allowed under Section 311.009(b) of the Texas Tax Code. The County shall have the right to appoint one member of the Board. If it is necessary for the City or the Board to make or confirm the appointment of the County's designee, the County and the Board, as applicable shall promptly appoint or confirm the County's designee.

**D. Expansion of the Zone**

Notwithstanding anything to the contrary contained herein, the obligation of the County to participate in the Zone is limited to the description of the Zone in Exhibit "B" attached hereto and is subject to the terms of this Agreement. The County's participation shall not extend to the Tax Increment on any additional real property added to the Zone by the City unless the County approves such participation in writing.

**V. RIGHTS AND OBLIGATIONS OF CITY AND ZONE**

**A. Tax Increment Participation by the City**

Subject to the terms of this Agreement and the City agrees to participate in the Zone by contributing to the Tax Increment Fund seventy five percent (75%) of its Tax Increment each year during the term of this Agreement, beginning with the 2015 tax year. The City's contributions to the Tax Increment Fund shall end when the City has contributed the maximum total contribution provided for herein or when it has contributed all Tax Increments attributable to periods before the Zone termination date in 2035 whichever occurs first. In no event shall the City contribution to the Tax Increment Fund be greater than three million, three hundred eighty six thousand, one hundred and thirty-one dollars (\$3,386,131).

**B. Tax Increment Payment**

1. The City's obligation to contribute its Tax Increment Payment to the Tax Increment Fund as provided above in Section V of this Agreement shall accrue as the City collects its Tax Increment. The City agrees to deposit its first Tax Increment Payment to the Tax Increment Fund for tax year 2015 by April 30, 2016. The amount of the first Tax Increment Payment shall be based on the Tax Increments that were received through January 31, 2016, but only for the tax year 2015 beginning January 1, 2015. For subsequent Tax Increment Payments, the City agrees to contribute its Tax Increment Payment to the Tax Increment Fund on or before

March 10th (or the first business day thereafter) of each tax year. Any delinquent deposit of a Tax Increment Payment by the City under this Agreement shall be administered as provided in Sections 311.013(c) and (c-1) of the Texas Tax Code (or its successor provision).

2. The County, the City and the Zone expressly agree that the County and the City shall not owe any interest on Tax Increments that have been levied, but not received by the County or the City by the delinquency dates specified herein.

**C. Financing of Project Costs**

Each Participating Taxing Entity shall participate in the payment of Project Costs only to the extent described herein. The City and the Zone shall be entitled to enter into any other agreements for the City or the Zone to pay Project Costs and other reasonable expenses from the Tax Increments paid into the Tax Increment Fund without the consent of any other Participating Taxing Entity, but they will provide notice of such agreement(s) to each Participating Taxing Entity.

**D. Disbursement of Funds in the Tax Increment Fund**

1. Each Participating Taxing Entity agrees the Board shall administer the Tax Increment Fund on behalf of the Zone, pursuant to the TIRZ Ordinances. Except for amounts to be reimbursed to the County for Administrative Costs, the payment of which are expressly approved hereby, no funds shall be disbursed from the Tax Increment Fund without the prior written approval of the Board, and notice of use and disbursement of funds by the Zone shall be given at least annually to the County.

2. The parties agree and understand that under no circumstances shall reimbursement to the County for Administrative Costs exceed, in the aggregate, the amount set out and described in Section II.1 above over the Term of the Zone.

3. In addition to Project Costs and any other allowable costs, the City and Zone represent and warrant that they will only use funds in the Tax Increment Fund to pay annual expenditures in the following order or priority of payment: (i) payment of any debt service on any Bonds issued with respect to the Zone under Section 311.015 of the Texas Tax Code; and (ii) to reimburse Administrative Costs incurred by the County to the extent not previously recouped by the County as a reduction to the annual Tax Increment Payment. City acknowledges that the only entity to receive Administrative Costs is County.

**E. Implementation of Project Plan.**

The City and Zone agree to implement the Project Plan in accordance with the terms thereof, without any Material Change. The City and Zone agree that the annual documentation provided to the County prior to any payment being due will include a detailed status update with documentation of the progress made with respect to the implementation of the Project Plan. In the event construction of the improvements set forth in the Project Plan is not commenced by 2020, or thereafter fails to diligently pursue completion of the Project Plan, the County may (i)

withhold payments until thirty (30) days following notice to the County from the Zone, with documentation satisfactory to the County, that such failure has been remedied and (ii) if not promptly remedied following notice from the County, to terminate its participation in the TIRZ. For the avoidance of doubt, the parties expressly agree that no such action by the County will result in a County Tax Increment Payment being delinquent (and, accordingly, neither interest nor penalties could be due from the County), because the County's exercise of its rights hereunder would prevent any Tax Increment Payment from being due hereunder from the County.

## **VI. TERM AND TERMINATION**

### **A. Agreement Term and Termination**

This Agreement shall become effective as of the last date of execution by the Parties hereto, and shall remain in effect until December 31, 2035, unless earlier terminated as provided herein (the "Agreement Term"). Subject to the terms of this Agreement, the County agrees to participate under this Agreement, beginning with the 2016 tax year and ending in accordance with the terms provided herein. Notwithstanding anything to the contrary contained in this Agreement, the Parties agree and understand that the County's Tax Increment Payments will not be made after December 31, 2035.

### **B. Early Termination**

Neither the City nor the Board shall take any action to terminate the Zone earlier than the duration of the Zone as specified herein.

### **C. Disposition of Tax Increments**

Upon expiration or termination of the Zone and after all bonds have been paid and all reimbursements have been made, any money remaining in the Tax Increment Fund shall be paid to the Participating Taxing Entities on a pro rata basis in accordance with Section 311.014(d) of the Texas Tax Code, or any successor provision thereto. Accounting to determine the pro rata distribution of remaining funds to the respective taxing entities shall be conducted according to generally accepted accounting principles, and shall be subject to review and audit by the County upon reasonable request. In the event a discrepancy occurs between the reviews conducted by the City and County, said dispute will be resolved by the respective audit offices of the City and County. In the event the dispute cannot be resolved it shall be submitted to mediation under the rules of the American Mediation Association with a mediator agreed upon by the County Judge of the County and the Mayor of the City.

## VII. MISCELLANEOUS

### A. Understanding

Any and all costs incurred by the City are not, and shall never become, general obligations or debt of any Participating Taxing Entity other than City. With respect to the City's costs, only eligible Project Costs and other allowable expenses under applicable law, if any, incurred by the City shall be payable from the Tax Increment Fund in the manner and priority provided in this Agreement and only to the extent that funds become available in the Tax Increment Fund. The Parties agree and understand that under no circumstance shall the eligible costs exceed the maximum specified in the Amended Project Plan passed and approved in accordance with Ordinance No. O-2016-31 dated August 23, 2016. The City and the County are not obligated above and beyond what is actually collected as its Available Tax Increment during the Term of the Zone.

### B. Severability

In the event any term, covenant or condition herein contained shall be held to be invalid by any court of competent jurisdiction, such invalidity shall not affect any other term, covenant or condition herein contained.

### C. Entire Agreement

This Agreement merges the prior negotiations and understandings of the Parties hereto and embodies the entire agreement of the Parties. There are no other agreements, assurances, conditions, covenants (express or implied), or other terms with respect to the covenants, whether written or verbal, antecedent or contemporaneous, with the execution hereof.

Upon the occurrence of any event that allows the City to terminate hereunder, the County shall have the right to withhold tax increment payments under this Agreement until such time as such event is cured, and the County shall not incur any penalties or interest with respect to any such withheld payments notwithstanding any provision herein to the contrary. With respect to the County's obligations, to the extent there is any discrepancy between this Agreement and any exhibit hereto, the terms of this Agreement shall control.

### D. Written Amendment

This Agreement may be changed or amended only by a written instrument duly executed on behalf of each Party hereto. All Parties to this Agreement understand and recognize that only the City Commission and only the Commissioners Court of the County have authority to approve a change or amendment to this Agreement on behalf of the City or the County, respectively.

### E. Notices

All notices required or permitted hereunder shall be in writing and delivered by personal delivery, facsimile or United States Postal Service (certified mail, return receipt requested) and

addressed to the respective other Party at the address prescribed in Section I of this Agreement, or at such other address as the receiving Party may have theretofore prescribed by notice to the sending Party. Such notices shall be deemed delivered the earlier of: (i) when actually received by personal delivery or facsimile if received during normal business hours and on the next business day if received after normal business hours; or (ii), if sent by the United States Postal Service, on the date indicated by the United States Postal Service on the return receipt as the date on which it was received by the respective other Party.

**F. Non-Waiver**

Failure of any Party hereto to insist on the strict performance of any of the agreements herein or to exercise any rights or remedies accruing hereunder upon default or failure of performance shall not be considered a waiver of the right to insist on, or to enforce by any appropriate remedy, strict compliance with any other obligation hereunder or to exercise any right or remedy occurring as a result of any future default or failure of performance.

**G. Assignment**

All Parties to this Agreement understand and recognize that only the City Commission and only the Commissioners Court of the County have authority to approve a delegation or assignment of the County's or the City's rights in this Agreement on behalf of the City or the County, respectively. No such assignments shall be made without the prior consent of the other parties hereto.

**H. Successors**

This Agreement shall bind and benefit the Parties and their legal successors or assigns. This Agreement does not create any personal liability on the part of any trustee, officer, owner, partner, principal, employee, elected official or agent of a Party to this Agreement.

**I. Project Plan**

The County acknowledges that it was provided with a copy of the Initial Plan for review and comment before the Amended Project Plan was finalized and approved by the City Commission. The Parties agree a Material Change to the Project Plan shall not apply to the County unless the County approves the amendment as provided herein. Material Changes include, without limitation, and change or combination of changes that (i) has the effect of directly or indirectly increasing the percentage or amount of Tax Increment to be contributed by the County to the Tax Increment Fund; or (ii) increases or reduces the geographical area of the Zone set forth in the Project Plan or (iii) changes the nature of the improvements included in the Project.

**J. Access to Financial Information**

The Zone agrees to conduct or to cause to be conducted, at a minimum, an annual financial review, a copy of which will be provided to the County. Furthermore, each Party to this

Agreement shall have reasonable access to financial or other information and audit reports regarding the operation of the Zone, contribution of Tax Increment Payments to the Tax Increment Fund, and expenditures from the Tax Increment Fund for Project Costs. In addition, the City agrees, during the term of this Agreement, to prepare and deliver an annual report to the County in accordance with Section 311.016 and 311.0101(c), Texas Tax Code. The County shall have the right to withhold or delay payments to the Tax Increment Fund until such time as it has received the financial report (and other documentation and information pursuant to Section IV.B.2 above) from the City for the applicable tax year, and shall not incur any penalties or interest with respect to any such withheld or delayed payments notwithstanding any provision herein to the contrary.

**K. Zone Designation**

The City represents that its designation of the Zone meets the criteria of Section 311.005(a), Texas Tax Code.

*[Signature page follows]*

**IN WITNESS HEREOF**, the CITY OF PHARR; HIDALGO COUNTY and REINVESTMENT ZONE NUMBER TWO, CITY OF PHARR, TEXAS have made and executed this Agreement in triplicate originals on this 15<sup>th</sup> day of November, 2016.

**CITY OF PHARR**

\_\_\_\_\_  
Ambrosio Hernandez, MD  
Mayor

**ATTEST/SEAL:**

\_\_\_\_\_  
Hilda Pedraza  
City Secretary

**REINVESTMENT ZONE NUMBER 2,  
CITY OF PHARR, TEXAS**

\_\_\_\_\_  
Presiding Officer

**HIDALGO COUNTY**

By: \_\_\_\_\_  
Ramon Garcia  
County Judge

**ATTEST/SEAL:**

\_\_\_\_\_  
Arturo Guajardo, Jr.  
County Clerk

APPROVED AS TO FORM FOR  
HIDALGO COUNTY:

ATLAS, HALL & RODRIGUEZ, LLP

By: \_\_\_\_\_  
Stephen L. Crain

**Exhibit A**

**Tax Increment Reinvestment Zone Number 2, City of Pharr  
Project Plan and Financing Plan**

**[See attached – 19 pages]**

**AMENDED REINVESTMENT ZONE  
PROJECT & FINANCING PLAN**

**City of Pharr Tax Increment Reinvestment  
Zone # 2**



**August 23, 2016**

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## **SECTION I – EXECUTIVE SUMMARY**

### **Overview of Plan**

The City of Pharr Tax Increment Reinvestment Zone (“TIRZ”) Number Two represents an important opportunity for the City of Pharr in partnership with Hidalgo County to promote and encourage construction of new retail, food service, mixed use commercial, multi-family, and senior, retired and assisted living facilities in areas of the City that has significant and varied impediments to development.

Tracts of land in the western sector of the city primarily along Jackson Road have remained vacant due to inadequate city street infrastructure, inadequately sized or no utility lines, drainage issues, water and sewer availability, and lack of adequate fire flow. The costs associated with the remediation of these development and redevelopment issues are of a magnitude that without additional sources of funds the growth of the city will be significantly impaired.

The creation of the TIRZ will provide the following benefits:

1. Funding for necessary public improvements, primarily drainage, associated with needed development in this sector of the City
2. Replace low value existing land uses with high value retail, commercial, food service and senior multi-family and assisted living facilities.
3. Offer employment opportunities and reduce commuting time for Pharr and Hidalgo County residents.
4. Provide a more efficient use of existing city and county services.
5. Help to address structural imbalances in the Pharr economy and housing market.

The proposed TIRZ is comprised of vacant and partially improved land in the western sector of the City. Also included within the TIRZ boundaries are the public rights of way and the associated ally ways of the streets as well as all utility easements, drainage easements, drainage structures and detention facilities located within the TIRZ boundaries. All of the right of way of Jackson Road from Ridge Road to Owassa Road as well as the Right of way of Ridge Road from Cage Road to Jackson Road and the right of way of the Business 83 and Hwy 83 turnaround are included within the boundaries of the Zone as well as all of the right of way, easements, alleys and drainage structures contemplated to be included in the “West Downtown Drainage Project.”

### **Development Goals and Objectives**

The development goals and objectives, which are expected to meet the specific needs of the City of Pharr Tax Increment Reinvestment Zone, are:

- Provide for new commercial and retail uses through the installation of the “West Downtown Drainage System” improvements

- Provide commercial and industrial opportunities for developers and companies seeking commercial building sites through the extension of existing City streets
- Provide employment opportunities to service increasing population growth within the City of Pharr and surrounding Hidalgo County.
- Solve long-range storm drainage issues that affect both City residents as well as, surrounding Hidalgo County residents.

The City of Pharr Tax Increment Reinvestment Zone Project Plan and Reinvestment Zone Financing Plan provides a long term program to increase business opportunities and population within the District and the City, using tax increment financing to fund required public improvements. This long-term program is expected to attract additional commercial, retail, food service and residential development to include affordable, work force and market rate housing.

**Planned Private Development**

The City of Pharr TIRZ Private Development Program includes;

Phase 1	2016	\$	14,500,000	Commercial
Phase 2	2017	\$	6,500,000	Commercial
Phase 3	2019	\$	3,500,000	Commercial
Phase 4	2020	\$	2,750,000	Commercial
Phase 5	2021	\$	2,500,000	Commercial
Phase 6	2022	\$	10,000,000	Commercial
Phase 7	2323	\$	7,500,000	Commercial
Phase 8	2024	\$	3,750,000	Commercial
Phase 9	2525	\$	2,750,000	Commercial
Phase 10	2026	\$	3,750,000	Commercial

The total private investment is expected to be in excess of \$ 57,500,000.

The projected values of future commercial development are based upon an analysis of the 2014 and 2015 building permits issued by the City of Pharr. Consideration has also been given to visits to the City from third party developers looking at commercial sites and enquiring about the availability of sewer and water.

**Planned Public Improvements**

The public improvements enumerated in the Project Plan, with an estimated cost of \$11,518,117 provide for the extension of sewer and water lines sized to provide service to the entire TIRZ

area, drainage structures and detention facilities and the extension of streets, water and sewer line to service individual tracts of land. The improvements planned for the district are designed to help meet the long-term needs to secure and insure growth and investment in the City of Pharr and in Hidalgo County.

**Planned Public Construction**

Planned Public Improvements Include:

Street & ROW	\$ 2,650,000.00
Water Infrastructure	\$ 250,000.00
Sewer Infrastructure	\$ 350,000.00
Drainage Improvements	\$ 8,248,116.60

The Tax Increment Reinvestment Zone Financing Plan provides for tax increment allowable expenses in the approximate amount of \$ 5,438,873. The Reinvestment Zone Financing Plan provides for incremental financing and predicts revenues for the City of Pharr Tax Increment Reinvestment Zone Number Two.

## **Section II – Project Plan**

### **Background**

On February 03, 2015 the City Commission of the City of Pharr indicated its intent to create a tax increment reinvestment zone by Resolution # 2015-08 for the creation of the City of Pharr Tax Increment Reinvestment Zone Number Two. The City of Pharr TIRZ was created pursuant to Ordinance O-2015-52, O-2015-57, O-2016-15, O-2016-29 and O-2016-31 passed and approved by the City Commission on November 17<sup>th</sup>, 2015, December 8, 2015, April 18, 2016, July 22, 2016.

Meetings and presentations were held with individuals and taxing entities in Hidalgo County on the following dates:

- Hidalgo County Economic Development Office, February, October and November 2015
- Hidalgo County Commissioner Pct. 2 and Staff, November 12, 2015
- Hidalgo County Commissioners Court Executive Session December 1, 2015.

### **Program Concepts**

The City of Pharr Tax Increment Reinvestment Zone Number Two represents an important opportunity for the City of Pharr in partnership with Hidalgo County to develop a viable long-range plan for an area of the City, which has lagged in development of a wide range of commercial, retail and multi-family projects. New commercial retail, food service and multi-family are the key components of the development program. Increased employment opportunities for Pharr and surrounding county and community residents will be enhanced through the development activity within the Zone.

### **Development Goals and Objectives**

The planned public improvements within the City of Pharr Tax Increment Reinvestment Zone Number Two will insure the future of the City as a viable option as national and regional companies looked to expand their presence in the Valley.

## **Description of District**

The City of Pharr Tax Increment Reinvestment Zone Number Two is located in the western sector of the City. The market value of property within the Zone is estimated to be \$35,429,120 however, the total assessed value of the property in the Zone, the Base Value of the Zone, is estimated at \$29,333,786 per preliminary figures from the Hidalgo County Appraisal District. The City of Pharr TIRZ includes approximately 253.2149+/- acres of public and privately held land as shown on the Exhibit "A"

## **Existing Uses and Conditions**

Exhibit "A" is a map of the proposed zone boundaries and reflects the existing uses and conditions of properties, being that the properties are vacant land, within the proposed Zone.

The City of Pharr has determined that the improvements in the Zone will significantly enhance the value of all of the taxable real property in the Zone and will be of general benefit to the municipality, and that the Zone area meets the requirements of Section 311.005 of the Act, being that the Zone area:

"is predominantly open or undeveloped, and because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impairs or arrests the sound growth of the City" and

The City of Pharr, pursuant to the Act, further finds and declares that:

1. the proposed zone is a contiguous geographical area located wholly within the City limits or extraterritorial jurisdiction of Pharr;
2. less than thirty percent (30%) of the property in the proposed Zone is used for residential purposes, as the term "residential" is defined in Section 311.006(d) of the Act;
3. the total appraised value of the taxable real property in the proposed Zone or in existing reinvestment zones, if any, does not exceed fifty per cent (50%) of the total appraised value of taxable real property in the City and in industrial districts, if any, created by the City;
4. the proposed Zone does not contain more than fifty percent (50%) of the total appraised value of real property taxable by Hidalgo County and the PSJA, Hidalgo or Valley View Independent School Districts,
5. development or redevelopment within the boundaries of the proposed Zone will not occur solely through private investment in the reasonably foreseeable future.

## City of Pharr TIRZ Zoning

The City of Pharr has the following zoning categories. Properties in the Zone are primarily “District A-O,” Agriculture and/or open space district with some “District H-C,” Heavy Commercial and “District NC,” Neighborhood Commercial District.

District A-O	Agricultural and/or open space district
District R-1	Single-family residential district
District R-TH	Townhouse residential district
District R-2	Two-family residential district
District R-3	Medium-density multifamily residential district
District R-4	High-density multifamily residential district
District R-MH	Mobile home district
District OP	Office professional district
District NC	Neighborhood commercial district
District C	General business district
District C-2	Business district
District HC	Heavy commercial district
District LI	Limited industrial district
District HI	Heavy industrial district
District PUD	Planned unit development district

There are no proposed changes in zoning ordinances, the City of Pharr Comprehensive Master Plan, building codes or subdivision rules and regulations that would affect properties in the Zone. The City has from time to time updates its Comprehensive Master Plan, however, in any future update the City shall treat properties in the Zone the same as properties outside the Zone.

### Relocation of Area Residents

The plan does not include the relocation of any existing residents located within the boundaries of the Zone

### Non Project Costs

The plan does not contemplate any non-project costs. However, the Board shall reserve the right to incur non-project costs in the event that drainage issues that are affecting property within the Zone require the expenditure of funds outside the boundaries of the Zone in order to ameliorate drainage issues within the Zone.

## **Proposed Public Improvements**

### **DRAINAGE**

Over the past 20 years Pharr like almost every other City in the Valley has experienced unanticipated and unplanned economic growth. Many of the drainage improvements that were installed in prior decades have proved inadequate to carry increased runoff from this development. Additionally as land has been converted from farm use to other uses and often time to just vacant land, the land has lost some of its ability to retain water The City has proposed a massive and comprehensive drainage project for the western sector of the City, which is called the "West Downtown Drainage Project." It will control flooding in the Business 83 to Ridge Road corridor

### **WATER, SEWER and STREETS**

The construction of the "Westside Downtown Drainage" project will cause a number of streets to be reconstructed including new sewer and water lines.

The planned improvements are designed to begin to meet the long-term needs to secure growth and investment in Pharr and central Hidalgo County.

### **CONCLUSIONS**

Based upon a set of conservative assumptions and analysis of the Project Plan and Zone Financing Plan, the City of Pharr has concluded that the Project Plan and Reinvestment Zone Financing Plan are feasible.

## **SECTION III - Project Feasibility**

The feasibility of any development has two aspects that must be considered:

1. Financial or economic feasibility
2. Market feasibility.

The purpose of the TIRZ is to address the financial or economic feasibility aspect of the development. TIRZ incremental funds provide for a portion of the development costs incurred for public improvements, thus insuring the financial feasibility of the Project. This project is financially feasible and can be developed with the funding of public improvements from TIRZ funds, however the City acknowledges that the incremental funds to be generated from the

project do not cover all of the cost of the proposed public improvements and that other funding sources will be necessary.

Market feasibility addresses issues relating to product absorption, type of product, and demand. As properties are brought out of flood zones and as new fast food and retail begins to agglomerate it will expand the economy of the City of Pharr and Hidalgo County thereby attracting additional retail, fast food, commercial and multi-family development.

## **SECTION IV – REINVESTMENT ZONE FINANCING PLAN**

### **Tax Increment Financing**

The Tax Increment Financing Act (Chapter 311 of the Tax Code), provides for municipalities to create “reinvestment zones” within which various public works and improvements can be undertaken, using tax increment revenues, bonds or notes, to pay for those improvements. At the time an area is designated a reinvestment zone for tax increment financing (“TIF”), the existing total of appraised value of real property in the zone is identified and designated as the “tax increment base.” Taxing units levying taxes in the zone during its life are limited to revenues from this base.

Public improvements are made in the area to attract private development that would not otherwise occur. As the costs of new development are added to the tax rolls, property values will rise. This rise in new value is called the “captured appraised value.” The taxes that are collected by the participating taxing jurisdictions on the increment between the base value and the new higher value, the tax increment, are then deposited into a TIF Trust Fund, which is used to pay for the public improvements. Once the public improvements are completed and paid for, the TIF is dissolved and any remaining amounts of taxes collected are kept by the taxing jurisdiction. In effect, the taxing jurisdictions are “investing” future earnings to receive the benefit of higher tax revenues from new development. Taxing jurisdictions are not restricted from raising or lowering their tax rate during the life of the zone.

### **Financing Plan**

The Reinvestment Zone Financing Plan developed by the City provides that potentially \$5,438,873 of public improvements will be paid for with TIF funds. The Reinvestment Zone Financing Plan also projects incremental funds for financing and revenues for the City of Pharr TIRZ# 2. It is not anticipated that tax increment funds in an amount to fully reimburse the City for all approved project costs will be generated over the projected life of the Zone

Financing Method: Incremental funds will be spent as they accrue and TIF Revenue Bonds may be issued for larger projects and paid for with annual TIRZ proceeds

Financing Policy: The goal of the City of Pharr Tax Increment Reinvestment Zone is to borrow only those funds needed as the necessity arises in order to reduce interest expense.

Long Term Financing: The developers of the warehouse/commercial/industrial/retail sites will arrange for long term financing for their individual projects.

Tax Increment Bonds: The City may at some point in the future issue bonds for capital improvements within the Zone. However, the City will issue no bonds without sufficient Zone revenue to service the principal and interest on the bonds.

### **Development Schedule And Assumptions**

The Development Schedule is based upon the immediate needs of the City and the public works are listed by priority. The City intends to remain flexible in order to leverage other funds with TIRZ funds to maximize the efficiency of the City's funds.

Begin Construction	2017
Construction Complete	2025
Street & ROW	\$ 2,650,000.00
Water Infrastructure	\$ 250,000.00
Sewer Infrastructure	\$ 350,000.00
Drainage Improvements	\$ 8,248,116.60
Administrative Expense	\$ 20,000
<b>Total Costs</b>	<b>\$ 11,518,117</b>

### **Financial Assumptions**

No tax rate changes have been factored into the financial pro forma's for the District. It has also been assumed that the taxing entities will continue to collect tax revenues at the same rate and that homestead and other exemption rates will remain unchanged. The finance plan assumes a collection rate of 97.5% because 100% of the new development will be in the form of commercial construction. The long-term lenders who do the permanent financing for these types of projects generally require annual proof that the taxes are current. The City acknowledges that in any given year the collection rate will initially be lower with the balance of the taxes due being paid in arrears over a 5 year period of time.

# City of Pharr Project Review

## City of Pharr - TIF Reinvestment Zone # Two B

### Summary Fact Sheet December 4, 2015

**Plan of Finance**

Site Area		253.2149		Acres
Base Value (January 1, 2015 estimate)		\$29,333,786		

**Project:**

Phase 1	2016	\$	14,500,000	Commercial
Phase 2	2017	\$	6,500,000	Commercial
Phase 3	2019	\$	3,500,000	Commercial
Phase 4	2020	\$	2,750,000	Commercial
Phase 5	2021	\$	2,500,000	Commercial
Phase 6	2022	\$	10,000,000	Commercial
Phase 7	2323	\$	7,500,000	Commercial
Phase 8	2024	\$	3,750,000	Commercial
Phase 9	2525	\$	2,750,000	Commercial
Phase 10	2026	\$	3,750,000	Commercial

**Totals** **\$ 57,500,000**

<b>Assumptions</b>	Captured Value	<b>\$</b>	<b>57,500,000</b>
	Growth Factor		0.00%
	Collection Rate		97.50%
	Estimated Total TIF Revenues	<b>\$</b>	<b>5,412,420</b>
	Estimated TIF Life		20 Years

**Projected Value of New Tax Increment**

Tax Year	Tax Increment Zone			City of Pharr			Hidalgo County		
	Beginning Assessed Value	Annual Value of New Development	Projected Year-End Assessed Value	Captured Taxable Value	Tax Rate Contribution	Tax Increments	Captured Taxable Value	Tax Rate Contribution	Tax Increments
2015	25,236,179		25,236,179	-	0.436575		-	50% M&O	
2016	25,236,179	14,500,000	39,736,179	14,500,000	0.436575	61,721	14,500,000	0.261250	36,934
2017	39,736,179	6,500,000	46,236,179	21,000,000	0.436575	89,389	21,000,000	0.261250	53,491
2018	46,236,179	3,500,000	49,736,179	24,500,000	0.436575	104,287	24,500,000	0.261250	62,406
2019	49,736,179	2,750,000	52,486,179	27,250,000	0.436575	115,993	27,250,000	0.261250	69,411
2020	52,486,179	2,500,000	54,986,179	29,750,000	0.436575	126,634	29,750,000	0.261250	75,779
2021	54,986,179	10,000,000	64,986,179	39,750,000	0.436575	169,200	39,750,000	0.261250	101,251
2022	64,986,179	7,500,000	72,486,179	47,250,000	0.436575	201,125	47,250,000	0.261250	120,355
2023	72,486,179	3,750,000	76,236,179	51,000,000	0.436575	217,087	51,000,000	0.261250	129,907
2024	76,236,179	2,750,000	78,986,179	53,750,000	0.436575	228,793	53,750,000	0.261250	136,911
2025	78,986,179	3,750,000	82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2026	82,736,179	-	82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2027	82,736,179		82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2028	82,736,179		82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2029	82,736,179		82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2030	82,736,179		82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2031	82,736,179		82,736,179	66,550,000	0.436575	244,755	66,550,000	0.261250	146,463
2032	94,250,000		94,250,000	66,550,000	0.436575	201,125	66,550,000	0.261250	120,355
2033	94,250,000		94,250,000	66,550,000	0.436575	201,125	66,550,000	0.261250	120,355
2034	94,250,000		94,250,000	66,550,000	0.436575	201,125	66,550,000	0.261250	120,355
Annual Growth Factors Years 2016-2017 Thereafter Combined Compound Growth Rate				\$ 57,500,000	\$ 3,386,131	\$ 2,026,289	Participation Level	50%	50%
							Tax Rate Growth Factor	0.00%	0.00%
							Tax Rate Collection Factor	97.50%	97.50%

**Schedule of Projected Income From Value of New Tax Increment Continued**

<b>Fiscal Year Ending</b>	<b>TIF Revenue</b>	<b>Cumulative TIF Revenues</b>
2015		
2016	98,655	98,655
2017	142,880	241,535
2018	166,693	408,228
2019	185,403	593,631
2020	202,413	796,044
2021	270,451	1,066,495
2022	321,479	1,387,974
2023	346,993	1,734,967
2024	365,704	2,100,671
2025	391,218	2,491,889
2026	391,218	2,883,108
2027	391,218	3,274,326
2028	391,218	3,665,544
2029	391,218	4,056,762
2030	391,218	4,447,980
2031	321,480	4,769,460
2032	321,480	5,090,940
2033	321,480	5,412,420
2034	321,480	5,412,420

**\$ 5,412,420**

**Project Budget**

**City of Pharr - TIF Reinvestment Zone #**

**Sources & Uses**

**Sources of Funds**

TIF Revenues	\$	5,412,420
<b>Total TIF Proceed Funds</b>	\$	5,412,420
<b>Total Sources of Funds</b>	\$	<u>5,412,420</u>

**Uses of Funds**

Begin Construction	2017
Construction Complete	2025
Street & ROW	\$ 2,650,000.00
Water Infrastructure	\$ 250,000.00
Sewer Infrastructure	\$ 350,000.00
Drainage Improvements	\$ 8,248,116.60
Administrative Expense	\$ 20,000
<b>Total Costs</b>	\$ 11,518,117
<b>Project Financing Surplus (Shortage)</b>	\$ (6,105,696)

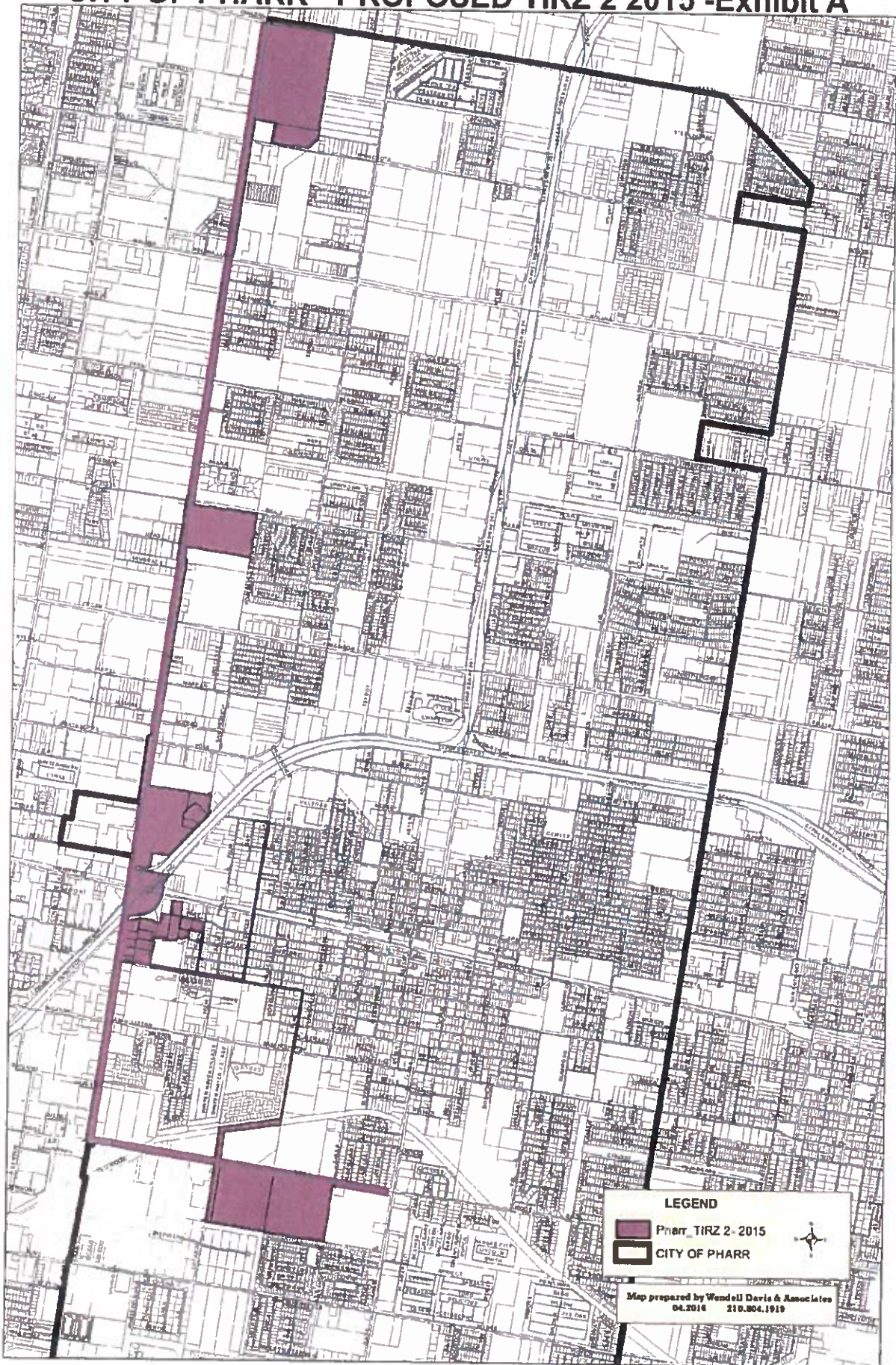
**Financial Feasibility**

Based upon a set of conservative assumptions and analysis of the project financing plan, the City of Pharr has concluded that the plan is feasible.

**Conclusions**

Based upon a set of conservative assumptions and analysis of the City of Pharr Tax Increment Reinvestment Zone District Project Plan and Reinvestment Zone Financing Plan, The City of Pharr TIRZ Board has concluded that the City of Pharr TIRZ Project Plan and Reinvestment Zone Financing Plan is feasible. The success of the City of Pharr TIRZ project plan will encourage other mixed-use commercial/food service/retail/lodging and market rate residential and affordable housing. The new residential population base; will support an expanding retail base, will supplement the existing job market, will attract additional private development into the City of Pharr and Hidalgo County and will serve to stabilize and enhance future property values.

# CITY OF PHARR - PROPOSED TIRZ 2 2015 -Exhibit A



**EXHIBIT "A" Continued Zone Account Numbers**

Prop ID

202890  
657111  
1013055  
1013056  
1013311  
1013310  
1013309  
1013305  
897870  
897871  
897872  
897873  
258877  
902654  
230524  
258891  
258876  
816221  
846991  
961801  
719457  
719456  
719455  
231082  
1013404  
230950

Source: Hidalgo County Appraisal District

**Exhibit B**

**Zone Board Members**

Chairperson  
Vice-Chairperson  
Secretary  
Board Member  
Board Member

Oscar Elizondo  
Eleazar Guajardo  
Mario Bracamontes  
Ricardo Medina  
Hidalgo County Appointee

## Exhibit C

### TIRZ REQUIREMENTS

Section 311 of the State Tax Code (Tax Increment Financing Act) specifies that TIRZ (TIF) project and financing plans meet certain requirements. These requirements are listed below, along with a reference indicating where these elements can be located in the plan.

#### **Project Plan**

- |  |           |
|--|-----------|
| 1. Map of Zone Properties                | Exhibit A |
| 2. List proposed of sources and uses     | Page 15   |
| 3. Description of Zone Property          | Exhibit A |
| 4. Project Feasibility                   | Page 9    |
| 5. Proposed zoning changes               | Page 8    |
| 6. Estimated non-project costs           | Page 8    |
| 7. Relocation plan for current residents | Page 8    |

#### **Financing Plan**

- |   |          |
|---|----------|
| 1. Detailed estimate of project costs           | Page 15  |
| 2. Proposed public improvements                 | Page 15  |
| 3. Project Timeline                             | Page 15  |
| 4. Estimated amount of bonded indebtedness      | Page N/A |
| 5. Time when costs/obligations will be incurred | Page 15  |
| 6. Methods of financing, sources of Revenue     | Page 13  |
| 7. Current total appraised value                | Page 13  |
| 8. Estimated captured appraised value           | Page 14  |
| 9. Duration of Zone                             | Page 13  |

**Exhibit B**

**City of Pharr Ordinances**

Exhibit B-1:	O-2015-52
Exhibit B-2:	O-2015-57
Exhibit B-3:	O-2016-15
Exhibit B-4:	O-2016-29
Exhibit B-5 :	O-2016-31

**Exhibit B-1**

**City of Pharr Ordinance**

**O-2015-52**

**[See attached – 7 pages]**

**ORDINANCE NO. O-2015- 52**

**AN ORDINANCE DESIGNATING AN AREA KNOWN AS THE CITY OF PHARR – TIF REINVESTMENT ZONE NUMBER 2; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; PROVIDING FOR AN EFFECTIVE DATE AND TERMINATION DATE FOR THE ZONE; NAMING OF THE ZONE CITY OF PHARR – TIF REINVESTMENT ZONE #2 AND ESTABLISHING A TAX INCREMENT FUND; CUMULATIVE CLAUSE; REPEALER; PROPER NOTICE AND MEETING**

**WHEREAS**, the Board of Commissioners (the "Commission") of the City of Pharr, Texas (the "City") desires to support development and redevelopment in the City to be funded in whole or in part, through the creation of a Tax Increment Reinvestment Zone (the "Zone"), as hereinafter more specifically defined and named and with boundaries as hereinafter provided, pursuant to the provisions of the Tax Increment Financing Act 9 the "Act"), Texas Tax Code, Chapter 311; and

**WHEREAS**, the City indicated its intent to create the Zone through Resolution 2015-08 passed by the Commission on February 3, 2015; and

**WHEREAS**, the Project will support financing of costs associated with the construction of public improvements related to several possible development and redevelopment projects, which may include but not limited to: Street Construction and Reconstruction, Right of Way Acquisition, Municipal Facilities Acquisition/Construction, Parks, Storm Water Pollution Prevention Drainage & Drainage Detention, Wastewater Treatment Plant Expansion, Waste Water Collection System Improvements, Water Rights Acquisition, Utility Relocation and Open Space Improvements; and

**WHEREAS**, pursuant to the Act, the City may designate a geographical area within the City; and

**WHEREAS**, Pursuant to the Act, the City has directed that a Preliminary Reinvestment Zone Financing Plan (the "Preliminary Plan") be prepared for the proposed Zone; and

**WHEREAS**, A Public Hearing was held on February 17, 2015 at 5:00 p.m. in the Pharr Commission Chambers, City Hall to consider the creation of a Tax Increment Reinvestment Zone for the Project and its respective benefits to the City and to property in the proposed Zone; and

**WHEREAS**, it is hereby 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 Chapter 551, Texas Government Code.

***NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, THAT:***

**SECTION 1. DESIGNATING THE AREA AS A REINVESTMENT ZONE.** The area described in Section 2 below and more commonly referred to as the "Pharr Redevelopment Project" and officially assigned the name as designated in Section 5 below (which reinvestment zone so described, named and designated is hereinafter referred to as the "Zone", is hereby designated as a Tax Increment Reinvestment Zone.

**SECTION 2. DESCRIPTION OF THE BOUNDARIES OF THE REINVESTMENT ZONE.** Attached hereto as Exhibits "A" and "B", which is incorporated herein by reference for all purposes is a legal description and Hidalgo County Appraisal District Map with the parcels, area and boundaries of the Zone outlined in purple incorporated in the Zone.

**SECTION 3. CREATION AND COMPOSITION OF A BOARD OF DIRECTORS FOR THE ZONE.**

- (a) There is hereby created a Board of Directors (the "Board") for the Zone, with all the rights powers and duties as provided by the Act to such Boards or by action of the Commission. Pursuant to Section 311.009(a) of the Texas Tax Code the Board shall consist of not less than five (5) and not more than fifteen (15) members.
- (b) Each taxing unit other than the City that levies taxes on real property in the Zone may appoint one member to the Board. A unit may waive its right to appoint a member. The City shall appoint the remaining directors of which, one shall be nominated by the Commissioners Court of Hidalgo County.
- (c) Appointees shall be for a two (2) year term. Upon expiration of their respective terms of office, replacements to the Board shall be appointed. Vacancies on the Board shall be filled by the respective taxing unit making such appointments for the remainder of the unexpired term.

**SECTION 4. EFFECTIVE DATE AND TERMINATION DATE OF THE ZONE.** The Zone shall take effect on or about \_\_\_\_\_ and continue till its termination date of \_\_\_\_\_ unless otherwise terminated earlier as a result of payment in full of all project costs, tax increment bonds, if any, including interest on said bonds as authorized or permitted by law.

**SECTION 5. ASSIGNING A NAME TO THE ZONE.** The Tax Increment Reinvestment Zone created hereby is assigned the name of "REINVESTMENT ZONE NUMBER 2, CITY OF PHARR, TEXAS."

**SECTION 6. TAX INCREMENT BASE.** The tax increment base for the Zone is the total assessed value of all real property taxable by the City and located in the Zone, determined as of January 1, 2015, the year in which the Zone was designated as a Reinvestment Zone (the "Tax Increment Base").

**SECTION 7. ESTABLISHMENT OF A TAX INCREMENT FUND.** There is hereby created and established in the depository bank of the City, a fund to be called the "CITY OF PHARR – TIF REINVESTMENT ZONE #2, TEXAS TAX INCREMENT FUND" (HEREIN CALLED THE "Tax Increment Fund"). Money in the Tax Increment Fund, from whatever source, may be disbursed from the Tax Increment Fund, invested, and paid as permitted by the Act or by any agreements entered into pursuant to the Act, or as otherwise authorized by law.

**SECTION 8. FINDINGS.**

- (a) The City hereby finds and declares that (a) improvements in the Zone will significantly enhance the value of all the taxable real property in the Zone and will be of general benefit to the City; and (b) the Zone meets the requirements of 311.005 of the Act, being that the Zone area:
1. Is predominantly open, and because of obsolete platting, deterioration of structures or site improvements;
  2. Creation of the zone is necessary to further the public health, safety, morals, and welfare as a result of substandard conditions, inadequate streets, unsanitary conditions, and the predominant existence of undeveloped area; and
  3. Other factors that may substantially impair the growth of the city.
- (b) The City of Pharr, pursuant to the Act, further finds and declares that:
1. the proposed zone is a geographical area located wholly within the City limits or extraterritorial jurisdiction of Pharr;
  2. less than fifty percent (50%) of the property in the proposed Zone is used for residential purposes, as the term "residential" is defined in Section 311.006(d) of the Act;
  3. the total appraised value of the taxable real property in the proposed Zone or in existing reinvestment zones, if any, does not exceed fifty per cent (50%) of the total appraised value of taxable real property in the City and in industrial districts, if any, created by the City;

4. the proposed Zone does not contain more than fifty percent (50%) of the total appraised value of real property taxable by Hidalgo County, the PSJA ISD, the Hidalgo ISD and the Valley View ISD, and
5. development or redevelopment within the boundaries of the proposed Zone will not occur solely through private investment in the reasonably foreseeable future.

**SECTION 9. DESIGNATION OF A SECTION 311.005(a) ZONE.** The Zone is designated pursuant to Section 311.005(a) of the Act.

**SECTION 10. SEVERABILITY.** If any of the provisions of this Ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this Ordinance and the application thereof to other circumstance shall nevertheless be valid, as if such invalid provisions had never appeared herein, and this governing body hereby declares that this Ordinance would have been enacted without such invalid provision.

**SECTION 11. CUMULATIVE CLAUSE; REPEALING CLAUSE.** The ordinance shall be cumulative of all ordinances dealing with the same subject and any provision in conflict with this ordinance is hereby repealed and the provisions of this Ordinance supersedes. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part thereof.

**SECTION 12: PROPER NOTICE AND MEETING.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**SECTION 13. EFFECTIVE DATE.** The Zone shall take effect immediately upon passage of this Ordinance after having been read on three (3) separate meetings. Publication may also be in caption form as allowed under Section 9 of the Pharr City Charter.

PASSED AND APPROVED ON THE FIRST MEETING BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 17<sup>th</sup> day of February, 2015.

CITY OF PHARR

  
LEOPOLDO "POLO" PALACIOS, JR. MAYOR

ATTEST:

  
HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON THE SECOND READING BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 3<sup>rd</sup> day of March, 2015.

CITY OF PHARR

  
LEOPOLDO "POLO" PALACIOS, JR. MAYOR

ATTEST:

  
HILDA PEDRAZA, CITY CLERK

PASSED AND APPROVED ON THE THIRD READING BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 17<sup>TH</sup> day of NOVEMBER, 2015.

CITY OF PHARR

  
AMBROSIO HERNANDEZ, MAYOR

ATTEST:

  
HILDA PEDRAZA, CITY CLERK

CITY OF PHARR - PROPOSED TIRZ 2 2015 -Exhibit A



EXHIBIT "B"

Prop ID  
202890  
657111  
1013055  
1013056  
1013311  
1013310  
1013309  
1013305  
897870  
897871  
897872  
897873  
258877  
902654  
230524  
258891  
258876  
816221  
846991  
961801  
719457  
719456  
719455  
231082  
1013404  
230950

Source: Hidalgo County Appraisal District

**Exhibit B-2**

**City of Pharr Ordinance**

**O-2015-57**

**[See attached – 19 pages]**

**ORDINANCE NO. O-2015-57**

**AN ORDINANCE APPROVING THE REINVESTMENT ZONE PROJECT & FINACNING PLAN IN CONNECTION WITH REINVESTMENT ZONE NUMBER TWO, CITY OF PHARR, TEXAS**

**WHEREAS**, pursuant to Ordinance No. O-2015-52 adopted by the City Council of the **CITY OF PHARR, TEXAS** (the "*City*") on November 17, 2015 the City approved the creation of **REINVESTMENT ZONE NUMBER TWO, CITY OF PHARR, TEXAS** (the "*Zone*"); and

**WHEREAS**, the Zone was created in accordance with the provisions of Chapter 311, Texas Tax Code, as amended, (the "*Act*"); and

**WHEREAS**, it is hereby 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 Chapter 551, Texas Government Code.

***NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, THAT:***

**SECTION 1. APPROVAL OF REINVESTMENT ZONE PROJECT & FINANCING PLAN.** In satisfaction of Section 311.011(d) of the Act, the City Council hereby approves the *Reinvestment Zone Financing Plan* attached hereto as *Exhibit A*.

**SECTION 2. INCORPORATION OF RECITALS.** The City Council hereby finds that the statements set forth in the recitals of this Ordinance are true and correct, and the City Council herby incorporates such recitals as part of this Ordinance.

PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 8<sup>th</sup> day of December 2015.

CITY OF PHARR

  
\_\_\_\_\_  
AMBROSIO HERNANDEZ, MAYOR

ATTEST:

  
\_\_\_\_\_  
HILDA PEDRAZA, CITY CLERK

# CITY OF PHARR - PROPOSED TIRZ 2 2015



## LEGEND

- Pharr\_TIFF\_Parcel\_2015- Plan B
- CITY OF PHARR  
Parcels

Map prepared by Wendell Davis & Associates  
12.2015 210.804.1911

**REINVESTMENT ZONE PROJECT &  
FINANCING PLAN**

**City of Pharr Tax Increment Reinvestment  
Zone #2**



**December 4, 2015**

## Table of Contents

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IV. REINVESTMENT ZONE FINANCING PLAN	12
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 <b>EXHIBITS</b>	
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B. MAP OF EXISTING CONDITIONS	23
C. TIRZ REQUIREMENTS	24

## **SECTION I – EXECUTIVE SUMMARY**

### **Overview of Plan**

The City of Pharr Tax Increment Reinvestment Zone (“TIRZ”) Number Two represents an important opportunity for the City of Pharr in partnership with Hidalgo County to promote and encourage construction of new retail, food service, mixed use commercial, multi-family, and senior, retired and assisted living facilities in areas of the City that has significant and varied impediments to development.

Tracts of land in the western sector of the city primarily along Jackson Road have remained vacant due to inadequate city street infrastructure, inadequately sized or no utility lines, drainage issues, water and sewer availability, and lack of adequate fire flow. The costs associated with the remediation of these development and redevelopment issues are of a magnitude that without additional sources of funds the growth of the city will be significantly impaired.

The creation of the TIRZ will provide the following benefits:

1. Funding for necessary public improvements, primarily drainage, associated with needed development in this sector of the City
2. Replace low value existing land uses with high value retail, commercial, food service and senior multi-family and assisted living facilities.
3. Offer employment opportunities and reduce commuting time for Pharr and Hidalgo County residents.
4. Provide a more efficient use of existing city and county services.
5. Help to address structural imbalances in the Pharr economy and housing market.

The proposed TIRZ is comprised of vacant and partially improved land in the western sector of the City. Also included within the TIRZ boundaries are the public rights of way and the associated alley ways of the streets as well as all utility easements, drainage easements, drainage structures and detention facilities located within the TIRZ boundaries. All of the right of way of Jackson Road from Moore Road to Owassa Road as well as the Right of way of Ridge Road from Cage Road to Jackson Road and the right of way of the Business 83 and Hwy 83 turnaround are included within the boundaries of the Zone

### **Development Goals and Objectives**

The development goals and objectives, which are expected to meet the specific needs of the City of Pharr Tax Increment Reinvestment Zone, are:

- Provide for new commercial and retail uses through the installation of the “West Downtown Drainage System” improvements
- Provide commercial and industrial opportunities for developers and companies seeking commercial building sites through the extension of existing City streets
- Provide employment opportunities to service increasing population growth within the City of Pharr and surrounding Hidalgo County.
- Solve long-range storm drainage issues that affect both City residents as well as, surrounding Hidalgo County residents.

The City of Pharr Tax Increment Reinvestment Zone Project Plan and Reinvestment Zone Financing Plan provides a long term program to increase business opportunities and population within the District and the City, using tax increment financing to fund required public improvements. This long-term program is expected to attract additional commercial, retail, food service and residential development to include affordable, work force and market rate housing.

### **Planned Private Development**

The City of Pharr TIRZ Private Development Program includes;

Phase 1	2016	\$	14,500,000	Commercial
Phase 2	2017	\$	6,500,000	Commercial
Phase 3	2019	\$	3,500,000	Commercial
Phase 4	2020	\$	2,750,000	Commercial
Phase 5	2021	\$	2,500,000	Commercial
Phase 6	2022	\$	10,000,000	Commercial
Phase 7	2323	\$	7,500,000	Commercial
Phase 8	2024	\$	3,750,000	Commercial
Phase 9	2525	\$	2,750,000	Commercial
Phase 10	2026	\$	3,750,000	Commercial

The total private investment is expected to be in excess of \$ 57,500,000.

The projected values of future commercial development are based upon an analysis of the 2014 and 2015 building permits issued by the City of Pharr. Consideration has also been given to visits to the City from third party developers looking at commercial sites and enquiring about the availability of sewer and water.

### **Planned Public Improvements**

The public improvements enumerated in the Project Plan, with an estimated cost of \$11,513,117 provide for the extension of sewer and water lines sized to provide service to the entire TIRZ area, drainage structures and detention facilities and the extension of streets, water and sewer line to service individual tracts of land. The improvements planned for the district are designed to help meet the long-term needs to secure and insure growth and investment in the City of Pharr and in Hidalgo County.

**Planned Public Construction**

Planned Public Improvements Include:

Street & ROW	\$	650,000.00
Water Infrastructure	\$	250,000.00
Sewer Infrastructure	\$	350,000.00
Drainage Improvements	\$	10,248,116.60

The Tax Increment Reinvestment Zone Financing Plan provides for tax increment allowable expenses in the approximate amount of \$ 5,191,257. The Reinvestment Zone Financing Plan provides for incremental financing and predicts revenues for the City of Pharr Tax Increment Reinvestment Zone Number Two.

## **Section II – Project Plan**

### **Background**

On June 16, 2015 the City Commission of the City of Pharr indicated its intent to create a tax increment reinvestment zone by entering into a Contract with TIF Services of South Texas for the creation of the City of Pharr Tax Increment Reinvestment Zone Number Two. On November 17, 2015 the City Commission approved Ordinance # 0-2015-52 authorizing the creation of the Tax Increment Reinvestment Zone.

Meetings and presentations were held with individuals and taxing entities in Hidalgo County on the following dates:

- Hidalgo County Economic Development Office, February, October and November 2015
- Hidalgo County Commissioner Pct. 2 and Staff, November 12, 2015
- Hidalgo County Commissioners Court Executive Session December 1, 2015.

### **Program Concepts**

The City of Pharr Tax Increment Reinvestment Zone Number Two represents an important opportunity for the City of Pharr in partnership with Hidalgo County to develop a viable long-range plan for an area of the City, which has lagged in development of a wide range of commercial, retail and multi-family projects. New commercial retail, food service and multi-family are the key components of the development program. Increased employment opportunities for Pharr and surrounding county and community residents will be enhanced through the development activity within the Zone.

### **Development Goals and Objectives**

The planned public improvements within the City of Pharr Tax Increment Reinvestment Zone Number Two will insure the future of the City as a viable option as national and regional companies looked to expand their presence in the Valley.

## **Description of District**

The City of Pharr Tax Increment Reinvestment Zone Number Two is located in the western sector of the City. The market value of property within the Zone is estimated to be \$35,429,120 however, the total assessed value of the property in the Zone, the Base Value of the Zone, is estimated at \$25,078,620 per preliminary figures from the Hidalgo County Appraisal District. The City of Pharr TIRZ includes approximately 253.2149+/- acres of public and privately held land as shown on the Exhibit "A"

## **Existing Uses and Conditions**

Exhibit "A" is a map of the proposed zone boundaries and reflects the existing uses and conditions of properties within the proposed Zone.

The City of Pharr has determined that the improvements in the Zone will significantly enhance the value of all of the taxable real property in the Zone and will be of general benefit to the municipality, and that the Zone area meets the requirements of Section 311.005 of the Act, being that the Zone area:

"is predominantly open or undeveloped, and because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impairs or arrests the sound growth of the City" and

The City of Pharr, pursuant to the Act, further finds and declares that:

1. the proposed zone is a contiguous geographical area located wholly within the City limits or extraterritorial jurisdiction of Pharr;
2. less than thirty percent (30%) of the property in the proposed Zone is used for residential purposes, as the term "residential" is defined in Section 311.006(d) of the Act;
3. the total appraised value of the taxable real property in the proposed Zone or in existing reinvestment zones, if any, does not exceed fifty per cent (50%) of the total appraised value of taxable real property in the City and in industrial districts, if any, created by the City;
4. the proposed Zone does not contain more than fifty percent (50%) of the total appraised value of real property taxable by Hidalgo County and the PSJA, Hidalgo or Valley View Independent School Districts,
5. development or redevelopment within the boundaries of the proposed Zone will not occur solely through private investment in the reasonably foreseeable future.

### **City of Pharr TIRZ Zoning**

The City of Pharr has the following zoning categories. Properties in the Zone are primarily “District A-O,” Agriculture and/or open space district with some “District H-C,” Heavy Commercial and “District NC,” Neighborhood Commercial District.

District A-O	Agricultural and/or open space district
District R-1	Single-family residential district
District R-TH	Townhouse residential district
District R-2	Two-family residential district
District R-3	Medium-density multifamily residential district
District R-4	High-density multifamily residential district
District R-MH	Mobile home district
District OP	Office professional district
District NC	Neighborhood commercial district
District C	General business district
District C-2	Business district
District HC	Heavy commercial district
District LI	Limited industrial district
District HI	Heavy industrial district
District PUD	Planned unit development district

There are no proposed changes in zoning ordinances, the City of Pharr Comprehensive Master Plan, building codes or subdivision rules and regulations that would affect properties in the Zone. The City has from time to time updates its Comprehensive Master Plan, however, in any future update the City shall treat properties in the Zone the same as properties outside the Zone.

### **Relocation of Area Residents**

The plan does not include the relocation of any existing residents located within the boundaries of the Zone

### **Non Project Costs**

The plan does not contemplate any non-project costs. However, the Board shall reserve the right to incur non-project costs in the event that drainage issues that are affecting property within the Zone require the expenditure of funds outside the boundaries of the Zone in order to ameliorate drainage issues within the Zone.

### **Proposed Public Improvements**

## **DRAINAGE**

Over the past 20 years Pharr like almost every other City in the Valley has experienced unanticipated and unplanned economic growth. Many of the drainage improvements that were installed in prior decades have proved inadequate to carry increased runoff from this development. Additionally as land has been converted from farm use to other uses and often time to just vacant land, the land has lost some of its ability to retain water. The City has proposed a massive and comprehensive drainage project for the western sector of the City which is called the "West Downtown Drainage Project." It will control flooding in the Business 83 to Ridge Road corridor.

## **WATER, SEWER and STREETS**

The construction of the "Westside Downtown Drainage" project will cause a number of streets to be reconstructed including new sewer and water lines.

The planned improvements are designed to begin to meet the long-term needs to secure growth and investment in Pharr and central Hidalgo County.

## **CONCLUSIONS**

Based upon a set of conservative assumptions and analysis of the Project Plan and Zone Financing Plan, the City of Pharr has concluded that the Project Plan and Reinvestment Zone Financing Plan are feasible.

## **SECTION III - Project Feasibility**

The feasibility of any development has two aspects that must be considered:

1. Financial or economic feasibility
2. Market feasibility.

The purpose of the TIRZ is to address the financial or economic feasibility aspect of the development. TIRZ incremental funds provide for a portion of the development costs incurred for public improvements, thus insuring the financial feasibility of the Project. This project is financially feasible and can be developed with the funding of public improvements from TIRZ funds, however the City acknowledges that the incremental funds to be generated from the project do not cover all of the cost of the proposed public improvements and that other funding sources will be necessary.

Market feasibility addresses issues relating to product absorption, type of product, and demand. As properties are brought out of flood zones and as new fast food and retail begins to agglomerate it will expand the economy of the City of Pharr and Hidalgo County thereby attracting additional retail, fast food, commercial and multi-family development.

## **SECTION IV – REINVESTMENT ZONE FINANCING PLAN**

### **Tax Increment Financing**

The Tax Increment Financing Act (Chapter 311 of the Tax Code), provides for municipalities to create “reinvestment zones” within which various public works and improvements can be undertaken, using tax increment revenues, bonds or notes, to pay for those improvements. At the time an area is designated a reinvestment zone for tax increment financing (“TIF”), the existing total of appraised value of real property in the zone is identified and designated as the “tax increment base.” Taxing units levying taxes in the zone during its life are limited to revenues from this base.

Public improvements are made in the area to attract private development that would not otherwise occur. As the costs of new development are added to the tax rolls, property values will rise. This rise in new value is called the “captured appraised value.” The taxes that are collected by the participating taxing jurisdictions on the increment between the base value and the new higher value, the tax increment, are then deposited into a TIF Trust Fund, which is used to pay for the public improvements. Once the public improvements are completed and paid for, the TIF is dissolved and any remaining amounts of taxes collected are kept by the taxing jurisdiction. In effect, the taxing jurisdictions are “investing” future earnings to receive the benefit of higher tax revenues from new development. Taxing jurisdictions are not restricted from raising or lowering their tax rate during the life of the zone.

### **Financing Plan**

The Reinvestment Zone Financing Plan developed by the City provides that potentially \$6,192,815 of public improvements will be paid for with TIF funds. The Reinvestment Zone Financing Plan also projects incremental funds for financing and revenues for the City of Pharr TIRZ# 2. It is not anticipated that tax increment funds in an amount to fully reimburse the City for all approved project costs will be generated over the projected life of the Zone

Financing Method: Incremental funds will be spent as they accrue and TIF Revenue Bonds may be issued for larger projects and paid for with annual TIRZ proceeds

Financing Policy: The goal of the City of Pharr Tax Increment Reinvestment Zone is to borrow only those funds needed as the necessity arises in order to reduce interest expense.

**Long Term Financing:** The developers of the warehouse/commercial/industrial/retail sites will arrange for long term financing for their individual projects.

**Tax Increment Bonds:** The City may at some point in the future issue bonds for capital improvements within the Zone. However, the City will issue no bonds without sufficient Zone revenue to service the principal and interest on the bonds.

**Development Schedule And Assumptions**

The Development Schedule is based upon the immediate needs of the City and the public works are listed by priority. The City intends to remain flexible in order to leverage other funds with TIRZ funds to maximize the efficiency of the City's funds.

Begin Construction	2017
Construction Complete	2025
Street & ROW	\$ 650,000.00
Water Infrastructure	\$ 250,000.00
Sewer Infrastructure	\$ 350,000.00
Drainage Improvements	\$ 10,248,116.60
Administrative Expense	\$ 20,000
<b>Total Costs</b>	<b>\$ 11,518,117</b>

**Financial Assumptions**

No tax rate changes have been factored into the financial pro forma's for the District. It has also been assumed that the taxing entities will continue to collect tax revenues at the same rate and that homestead and other exemption rates will remain unchanged. The finance plan assumes a collection rate of 97.5% because 100% of the new development will be in the form of commercial construction. The long-term lenders who do the permanent financing for these types of projects generally require annual proof that the taxes are current. The City acknowledges that in any given year the collection rate will initially be lower with the balance of the taxes due being paid in arrears over a 5 year period of time.

# City of Pharr Project Review

## City of Pharr - TIF Reinvestment Zone # Two B

### Summary Fact Sheet December 6, 2015

**Plan of Finance**

Site Area	253.2149 Acres
Base Value (January 1, 2015 estimate)	\$29,333,786

**Project:**

Phase 1	2016	\$	14,500,000	Commercial
Phase 2	2017	\$	6,500,000	Commercial
Phase 3	2019	\$	3,500,000	Commercial
Phase 4	2020	\$	2,750,000	Commercial
Phase 5	2021	\$	2,500,000	Commercial
Phase 6	2022	\$	10,000,000	Commercial
Phase 7	2323	\$	7,500,000	Commercial
Phase 8	2024	\$	3,750,000	Commercial
Phase 9	2525	\$	2,750,000	Commercial
Phase 10	2026	\$	3,750,000	Commercial

Totals		\$	57,500,000
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Assumptions	Captured Value	\$	57,500,000
	Growth Factor		0.00%
	Collection Rate		97.50%
	Estimated Total TIF Revenues	\$	5,412,420
	Estimated TIF Life		20 Years

**Projected Value of New Tax Increment**

Tax Year	Tax Increment Zone			City of Pharr			Hidalgo County		
	Beginning Assessed Value	Annual Value of New Development	Projected Year-End Assessed Value	Projected Captured Taxable Value	Tax Rate Contribution	Tax Increments	Captured Taxable Value	Tax Rate Contribution	Tax Increments
2015	25,236,179		25,236,179	-	0.436575	61,721	-	0.261250	36,934
2016	25,236,179	14,500,000	39,736,179	14,500,000	0.436575	89,389	14,500,000	0.261250	53,491
2017	39,736,179	6,500,000	46,236,179	21,000,000	0.436575	104,287	21,000,000	0.261250	62,406
2018	46,236,179	3,500,000	49,736,179	24,500,000	0.436575	115,993	24,500,000	0.261250	69,411
2019	49,736,179	2,750,000	52,486,179	27,250,000	0.436575	126,634	27,250,000	0.261250	75,779
2020	52,486,179	2,500,000	54,986,179	29,750,000	0.436575	169,200	29,750,000	0.261250	101,251
2021	54,986,179	10,000,000	64,986,179	39,750,000	0.436575	201,125	39,750,000	0.261250	120,355
2022	64,986,179	7,500,000	72,486,179	47,250,000	0.436575	217,087	47,250,000	0.261250	129,907
2023	72,486,179	3,750,000	76,236,179	51,000,000	0.436575	228,793	51,000,000	0.261250	136,911
2024	76,236,179	2,750,000	78,986,179	53,750,000	0.436575	244,755	53,750,000	0.261250	146,463
2025	78,986,179	3,750,000	82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2026	82,736,179	-	82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2027	82,736,179		82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2028	82,736,179		82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2029	82,736,179		82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2030	82,736,179		82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2031	82,736,179		82,736,179	66,550,000	0.436575	201,125	66,550,000	0.261250	120,355
2032	94,250,000		94,250,000	66,550,000	0.436575	201,125	66,550,000	0.261250	120,355
2033	94,250,000		94,250,000	66,550,000	0.436575	201,125	66,550,000	0.261250	120,355
2034	94,250,000		94,250,000	66,550,000	0.436575	201,125	66,550,000	0.261250	120,355
		\$ 57,500,000				\$ 3,386,131			\$ 2,026,289
	Annual Growth Factors Years Thereafter	2016-2017		Participation Level		75%	Participation Level		50%
	Combined Compound Growth Rate			Tax Rate Growth Factor		0.00%	Tax Rate Growth Factor		0.00%
				Tax Rate Collection Factor		97.50%	Tax Rate Collection Factor		97.50%

[Exhibit B-2 to Pharr TIRZ 2 Interlocal (final) page 15 of 19]

**Schedule of Projected Income From Value of New Tax Increment Continued**

Fiscal Year Ending	TIF Revenue	Cumulative TIF Revenues
2015		
2016		
2017	98,655	98,655
2018	142,880	241,535
2019	166,693	408,228
2020	185,403	593,631
2021	202,413	796,044
2022	270,451	1,066,495
2023	321,479	1,387,974
2024	346,993	1,734,967
2025	365,704	2,100,671
2026	391,218	2,491,889
2027	391,218	2,883,108
2028	391,218	3,274,326
2029	391,218	3,665,544
2030	391,218	4,056,762
2031	391,218	4,447,980
2032	321,480	4,769,460
2033	321,480	5,090,940
2034	321,480	5,412,420

\$ 5,412,420

**Project Budget**

**City of Pharr - TIF Reinvestment Zone # 2**

Sources & Uses

**Sources of Funds**

TIF Revenues	\$	5,412,420
<b>Total TIF Proceed Funds</b>	\$	5,412,420
<b>Total Sources of Funds</b>	\$	<u>5,412,420</u>

**Uses of Funds**

Begin Construction	2017
Construction Complete	2025
Street & ROW	\$ 650,000.00
Water Infrastructure	\$ 250,000.00
Sewer Infrastructure	\$ 350,000.00
Drainage Improvements	\$ 10,248,116.60
Administrative Expense	\$ 20,000
<b>Total Costs</b>	\$ 11,518,117
<b>Project Financing Surplus (Shortage)</b>	\$ (6,105,696)

**Financial Feasibility**

Based upon a set of conservative assumptions and analysis of the project financing plan, the City of Pharr has concluded that the plan is feasible.

**Conclusions**

Based upon a set of conservative assumptions and analysis of the City of Pharr Tax Increment Reinvestment Zone District Project Plan and Reinvestment Zone Financing Plan, The City of Pharr TIRZ Board has concluded that the City of Pharr TIRZ Project Plan and Reinvestment Zone Financing Plan is feasible. The success of the City of Pharr TIRZ project plan will encourage other mixed-use commercial/food service/retail/lodging and market rate residential and affordable housing. The new residential population base; will support an expanding retail base, will supplement the existing job market, will attract additional private development into the City of Pharr and Hidalgo County and will serve to stabilize and enhance future property values.

## Exhibit C

### TIRZ REQUIREMENTS

Section 311 of the State Tax Code (Tax Increment Financing Act) specifies that TIRZ (TIF) project and financing plans meet certain requirements. These requirements are listed below, along with a reference indicating where these elements can be located in the plan.

#### **Project Plan**

- |  |           |
|--|-----------|
| 1. Map of existing uses and conditions   | Exhibit A |
| 2. List proposed improvements and uses   | Page 16   |
| 3. Description of Zone Property          | Exhibit A |
| 4. Project Feasibility                   | Page 8    |
| 5. Proposed zoning changes               | Page 8    |
| 6. Estimated non-project costs           | Page 8    |
| 7. Relocation plan for current residents | Page 8    |

#### **Financing Plan**

- |   |          |
|---|----------|
| 1. Detailed estimate of project costs.          | Page 16  |
| 2. Proposed public improvements                 | Page 16  |
| 3. Project Timeline                             | Page 14  |
| 4. Estimated amount of bonded indebtedness      | Page N/A |
| 5. Time when costs/obligations will be incurred | Page 16  |
| 6. Methods of financing, sources of Revenue     | Page 14  |
| 7. Current total appraised value.               | Page 14  |
| 8. Estimated captured appraised value           | Page 17  |
| 9. Duration of Zone                             | Page 14  |



**Exhibit B-3**

**City of Pharr Ordinance**

**O-2016-15**

**[See attached – 6 pages]**

**ORDINANCE NO. O-2016- 15**

**AN ORDINANCE AMENDING ORDINANCE NUMBER O-2015-52  
DESIGNATING AN AREA KNOWN AS THE CITY OF PHARR – TIF  
REINVESTMENT ZONE NUMBER 2; DESCRIBING THE BOUNDARIES OF  
THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE;  
PROVIDING FOR AN EFFECTIVE DATE AND TERMINATION DATE FOR  
THE ZONE; NAMING OF THE ZONE CITY OF PHARR – TIF  
REINVESTMENT ZONE #2 AND ESTABLISHING A TAX INCREMENT  
FUND; CUMULATIVE CLAUSE; REPEALER;  
PROPER NOTICE AND MEETING**

**WHEREAS**, the Board of Commissioners (the "Commission") of the City of Pharr, Texas (the "City") desires to support development and redevelopment in the City to be funded in whole or in part, through the creation of a Tax Increment Reinvestment Zone (the "Zone"), as hereinafter more specifically defined and named and with boundaries as hereinafter provided, pursuant to the provisions of the Tax Increment Financing Act 9 the "Act"), Texas Tax Code, Chapter 311; and

**WHEREAS**, the City indicated its intent to create the Zone through Resolution 2015-08 passed by the Commission on February 3, 2015; and

**WHEREAS**, the Project will support financing of costs associated with the construction of public improvements related to several possible development and redevelopment projects, which may include but not limited to: Street Construction and Reconstruction, Right of Way Acquisition, Municipal Facilities Acquisition/Construction, Parks, Storm Water Pollution Prevention Drainage & Drainage Detention, Wastewater Treatment Plant Expansion, Waste Water Collection System Improvements, Water Rights Acquisition, Utility Relocation and Open Space Improvements; and

**WHEREAS**, pursuant to the Act, the City may designate a geographical area within the City; and

**WHEREAS**, Pursuant to the Act, the City has directed that a Preliminary Reinvestment Zone Financing Plan (the "Preliminary Plan") be prepared for the proposed Zone; and

**WHEREAS**, A Public Hearing was held on February 17, 2015 at 5:00 p.m. in the Pharr Commission Chambers, City Hall to consider the creation of a Tax Increment Reinvestment Zone for the Project and its respective benefits to the City and to property in the proposed Zone; and

**WHEREAS**, it is hereby 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 Chapter 551, Texas Government Code.

***NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, THAT:***

**SECTION 1. DESIGNATING THE AREA AS A REINVESTMENT ZONE.** The area described in Section 2 below and more commonly referred to as the "Pharr Redevelopment Project" and officially assigned the name as designated in Section 5 below (which reinvestment zone so described, named and designated is hereinafter referred to as the "Zone", is hereby designated as a Tax Increment Reinvestment Zone.

**SECTION 2. DESCRIPTION OF THE BOUNDARIES OF THE REINVESTMENT ZONE.** Attached hereto as Exhibits "A" and "B", which is incorporated herein by reference for all purposes is a legal description and Hidalgo County Appraisal District Map with the parcels, area and boundaries of the Zone outlined in purple incorporated in the Zone.

**SECTION 3. CREATION AND COMPOSITION OF A BOARD OF DIRECTORS FOR THE ZONE.**

- (a) There is hereby created a Board of Directors (the "Board") for the Zone, with all the rights powers and duties as provided by the Act to such Boards or by action of the Commission. Pursuant to Section 311.009(a) of the Texas Tax Code the Board shall consist of not less than five (5) and not more than fifteen (15) members.
- (b) Each taxing unit other than the City that levies taxes on real property in the Zone may appoint one member to the Board. A unit may waive its right to appoint a member. The City shall appoint the remaining directors of which, one shall be nominated by the Commissioners Court of Hidalgo County.
- (c) Appointees shall be for a two (2) year term. Upon expiration of their respective terms of office, replacements to the Board shall be appointed. Vacancies on the Board shall be filled by the respective taxing unit making such appointments for the remainder of the unexpired term.

**SECTION 4. EFFECTIVE DATE AND TERMINATION DATE OF THE ZONE.** The Zone shall take effect on or about November 17, 2015 and continue till its termination date of December 31, 2035 unless otherwise terminated earlier as a result of payment in full of all project costs, tax increment bonds, if any, including interest on said bonds as authorized or permitted by law.

**SECTION 5. ASSIGNING A NAME TO THE ZONE.** The Tax Increment Reinvestment Zone created hereby is assigned the name of "REINVESTMENT ZONE NUMBER 2, CITY OF PHARR, TEXAS."

**SECTION 6. TAX INCREMENT BASE.** The tax increment base for the Zone is the total assessed value of all real property taxable by the City and located in the Zone, determined as of January 1, 2015, the year in which the Zone was designated as a Reinvestment Zone (the "Tax Increment Base").

**SECTION 7. ESTABLISHMENT OF A TAX INCREMENT FUND.** There is hereby created and established in the depository bank of the City, a fund to be called the "CITY OF PHARR – TIF REINVESTMENT ZONE #2, TEXAS TAX INCREMENT FUND" (HEREIN CALLED THE "Tax Increment Fund"). Money in the Tax Increment Fund, from whatever source, may be disbursed from the Tax Increment Fund, invested, and paid as permitted by the Act or by any agreements entered into pursuant to the Act, or as otherwise authorized by law.

**SECTION 8. FINDINGS.**

- (a) The City hereby finds and declares that (a) improvements in the Zone will significantly enhance the value of all the taxable real property in the Zone and will be of general benefit to the City; and (b) the Zone meets the requirements of 311.005 of the Act, being that the Zone area:
1. Is predominantly open, and because of obsolete platting, deterioration of structures or site improvements;
  2. Creation of the zone is necessary to further the public health, safety, morals, and welfare as a result of substandard conditions, inadequate streets, unsanitary conditions, and the predominant existence of undeveloped area; and
  3. Other factors that may substantially impair the growth of the city.
- (b) The City of Pharr, pursuant to the Act, further finds and declares that:
1. the proposed zone is a geographical area located wholly within the City limits or extraterritorial jurisdiction of Pharr;
  2. less than fifty percent (50%) of the property in the proposed Zone is used for residential purposes, as the term "residential" is defined in Section 311.006(d) of the Act;
  3. the total appraised value of the taxable real property in the proposed Zone or in existing reinvestment zones, if any, does not exceed fifty per cent (50%) of the total appraised value of taxable real property in the City and in industrial districts, if any, created by the City;

4. the proposed Zone does not contain more than fifty percent (50%) of the total appraised value of real property taxable by Hidalgo County, the PSJA ISD, the Hidalgo ISD and the Valley View ISD, and
5. development or redevelopment within the boundaries of the proposed Zone will not occur solely through private investment in the reasonably foreseeable future.

**SECTION 9. DESIGNATION OF A SECTION 311.005(a) ZONE.** The Zone is designated pursuant to Section 311.005(a) of the Act.

**SECTION 10. SEVERABILITY.** If any of the provisions of this Ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this Ordinance and the application thereof to other circumstance shall nevertheless be valid, as if such invalid provisions had never appeared herein, and this governing body hereby declares that this Ordinance would have been enacted without such invalid provision.

**SECTION 11. CUMULATIVE CLAUSE; REPEALING CLAUSE.** The ordinance shall be cumulative of all ordinances dealing with the same subject and any provision in conflict with this ordinance is hereby repealed and the provisions of this Ordinance supersedes. The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part thereof.

**SECTION 12: PROPER NOTICE AND MEETING.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**SECTION 13: Declaring an Emergency Clause:** The importance of the subject matter hereof creates an emergency and an imperative public necessity requiring the suspension of the rule that Ordinance be read on three separate days, and such rule is hereby suspended and said requirement is dispensed with by a vote of not less than a majority of all the members of the Board of Commissioners. This Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 18th day of April, 2016.

CITY OF PHARR

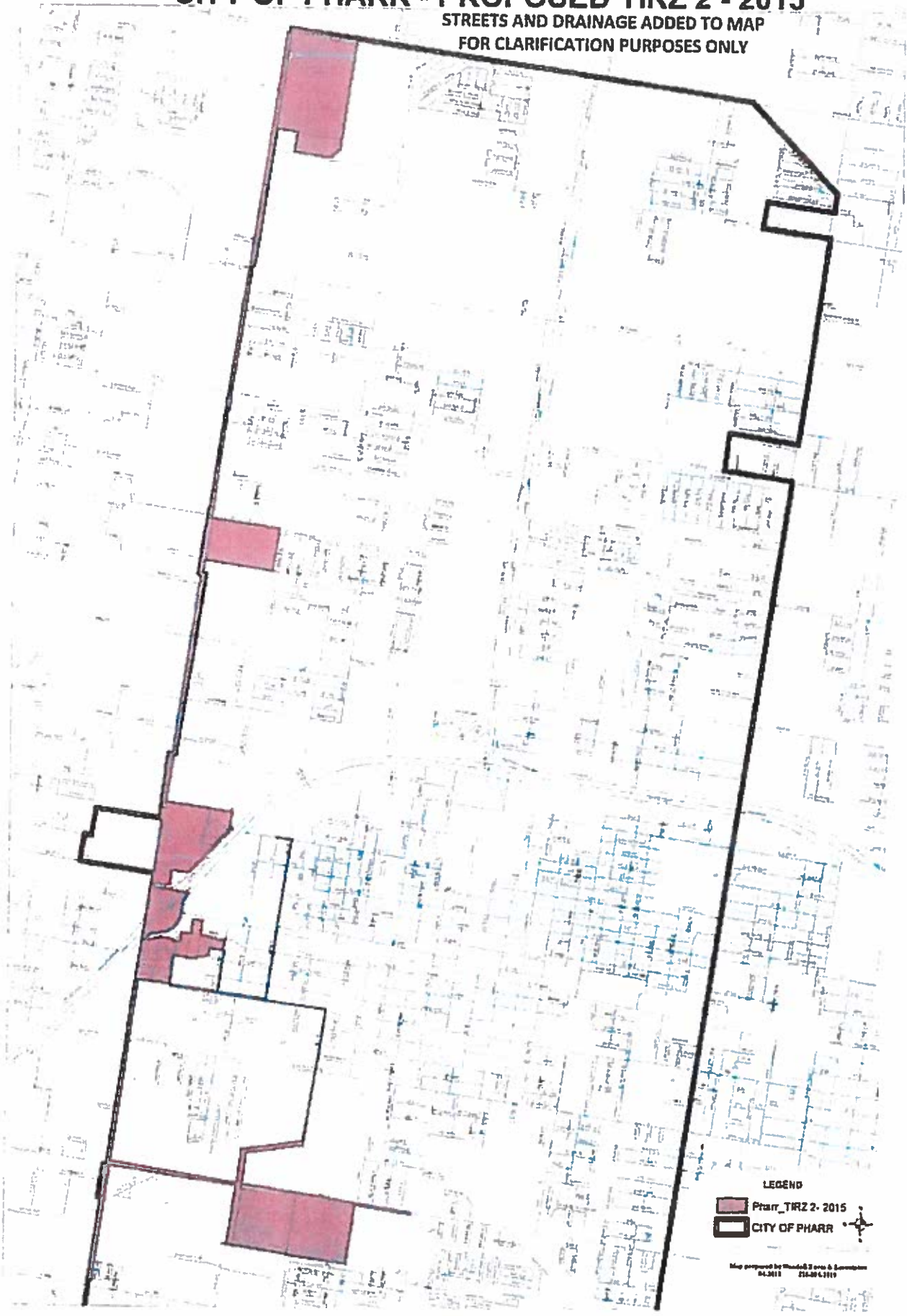
  
\_\_\_\_\_  
AMBROSIO HERNANDEZ, MAYOR

ATTEST:



  
\_\_\_\_\_  
HILDA PEDRAZA, CITY CLERK

# CITY OF PHARR - PROPOSED TIRZ 2 - 2015

STREETS AND DRAINAGE ADDED TO MAP  
FOR CLARIFICATION PURPOSES ONLY



**LEGEND**

-  Pharr\_TIRZ 2- 2015
-  CITY OF PHARR

Map prepared by Wood & Associates  
04.2015 215-286-1310

EXHIBIT "B"

Zone Account Numbers

<u>Prop ID</u>
202890
657111
1013055
1013056
1013311
1013310
1013309
1013305
897870
897871
897872
897873
258877
902654
230524
258891
258876
816221
846991
961801
719457
719456
719455
231082
1013404
230950

Source: Hidalgo County Appraisal District

**Exhibit B-4**

**City of Pharr Ordinance**

**O-2016-29**

**[See attached – 8 pages]**

**ORDINANCE NO. O-2016-29**

**AN ORDINANCE CORRECTING AN INADVERTENT CLERICAL ERROR CONTAINED IN ORDINANCE O-2015-52; AMENDING ORDINANCE NUMBER O-2016-15; O-2015-52 DESIGNATING AN AREA KNOWN AS THE CITY OF PHARR – TIF REINVESTMENT ZONE NUMBER 2; DESCRIBING THE BOUNDARIES OF THE ZONE; CREATING A BOARD OF DIRECTORS FOR THE ZONE; PROVIDING FOR AN EFFECTIVE DATE AND TERMINATION DATE FOR THE ZONE; NAMING OF THE ZONE CITY OF PHARR – TIF REINVESTMENT ZONE #2 AND ESTABLISHING A TAX INCREMENT FUND; CUMULATIVE CLAUSE; REPEALER; PROPER NOTICE AND MEETING**

**WHEREAS**, the Board of Commissioners (the "Commission") of the City of Pharr, Texas (the "City") desires to support development and redevelopment in the City to be funded in whole or in part, through the creation of a Tax Increment Reinvestment Zone (the "Zone"), as hereinafter more specifically defined and named and with boundaries as hereinafter provided, pursuant to the provisions of the Tax Increment Financing Act 9 the "Act"), Texas Tax Code, Chapter 311; and

**WHEREAS**, the City indicated its intent to create the Zone through Resolution 2015-08 passed by the Commission on February 3, 2015; and

**WHEREAS**, the Project will support financing of costs associated with the construction of public improvements related to several possible development and redevelopment projects, which may include but not limited to: Street Construction and Reconstruction, Right of Way Acquisition, Municipal Facilities Acquisition/Construction, Parks, Storm Water Pollution Prevention Drainage & Drainage Detention, Wastewater Treatment Plant Expansion, Waste Water Collection System Improvements, Water Rights Acquisition, Utility Relocation and Open Space Improvements; and

**WHEREAS**, pursuant to the Act, the City may designate a geographical area within the City; and

**WHEREAS**, the City desires to amend the boundary map adopted at said meeting; and

**WHEREAS**, the City will benefit from improvements to Jackson Road, Ridge Road and Drainage Improvements affecting commercial development, and

**WHEREAS**, the City by annexing the properties shown on the attached map in purple will clarify the boundaries of the Zone (Exhibit "C")

**WHEREAS**, Pursuant to the Act, the City has directed that a Preliminary Reinvestment Zone Financing Plan (the "Preliminary Plan") be prepared for the proposed Zone; and

**WHEREAS**, A Public Hearing was held on February 17, 2015 at 5:00 p.m. in the Pharr Commission Chambers, City Hall to consider the creation of a Tax Increment Reinvestment Zone for the Project and its respective benefits to the City and to property in the proposed Zone; and

**WHEREAS**, on November 17, 2015, the City Commission of the City of Pharr adopted Ordinance O-2015-52; and

**WHEREAS**, the City Commission has investigated and determined that Ordinance O-2015-52 did not include the termination date in the final adopted ordinance as a result of clerical error; and

**WHEREAS**, the City Commission's investigation, as supported by staff's discussions, the adopted and approved TIRZ Financing Plan, and the draft Pharr/County of Hidalgo TIRZ II Inter-local Agreement, hereby confirms that, at the time Ordinance O-2015-52 was passed, it was the intent of City Commission that the TIRZ II terminate on December 31, 2035; and

**WHEREAS**, by adoption of this Ordinance *nunc pro tunc*, the City Commission will correct Ordinance O-2015-52 so as to include the termination date; and

**WHEREAS**, it is hereby 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 Chapter 551, Texas Government Code; and

**WHEREAS**, the City Commission has further investigated and determined, that all lawful requirements have been complied with in the consideration and approval of this Ordinance.

***NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, THAT:***

**SECTION 1. DESIGNATING THE AREA AS A REINVESTMENT ZONE.** The property shaded in purple on the attached map annexed into the Zone as of January 1, 2016 and the area described in Section 2 below and more commonly referred to as the "Pharr Redevelopment Project" and officially assigned the name as designated in Section 5 below (which reinvestment zone so described, named and designated is hereinafter referred to as the "Zone", is hereby designated as a Tax Increment Reinvestment Zone.

**SECTION 2. DESCRIPTION OF THE BOUNDARIES OF THE REINVESTMENT ZONE.** Attached hereto as Exhibits "A" and "B", which is incorporated herein by reference for all purposes is a legal description and Hidalgo County Appraisal District Map with the parcels, area and boundaries of the Zone outlined in purple incorporated in the Zone.

**SECTION 3. CREATION AND COMPOSITION OF A BOARD OF DIRECTORS FOR THE ZONE.**

- (a) There is hereby created a Board of Directors (the "Board") for the Zone, with all the rights powers and duties as provided by the Act to such Boards or by action of the Commission. Pursuant to Section 311.009(a) of the Texas Tax Code the Board shall consist of five (5) members.
- (b) The City will appoint four (4) members and the Hidalgo County Commissioners Court shall appoint one (1) member.
- (c) Appointees shall be for a two (2) year term. Upon expiration of their respective terms of office, replacements to the Board shall be appointed. Vacancies on the Board shall be filled by the respective taxing unit making such appointments for the remainder of the unexpired term.

**SECTION 4. EFFECTIVE DATE AND TERMINATION DATE OF THE ZONE.** The Zone shall take effect on or about November 17, 2015 and continue till its termination date of December 31, 2035 unless otherwise terminated earlier as a result of payment in full of all project costs, tax increment bonds, if any, including interest on said bonds as authorized or permitted by law.

**SECTION 5. ASSIGNING A NAME TO THE ZONE.** The Tax Increment Reinvestment Zone created hereby is assigned the name of "REINVESTMENT ZONE NUMBER 2, CITY OF PHARR, TEXAS."

**SECTION 6. TAX INCREMENT BASE.** The tax increment base for the Zone is the total assessed value of all real property taxable by the City and located in the Zone, determined as of January 1, 2015, the year in which the Zone was designated as a Reinvestment Zone (the "Tax Increment Base").

**SECTION 7. ESTABLISHMENT OF A TAX INCREMENT FUND.** There is hereby created and established in the depository bank of the City, a fund to be called the "CITY OF PHARR – TIF REINVESTMENT ZONE #2, TEXAS TAX INCREMENT FUND" (HEREIN CALLED THE "Tax Increment Fund"). Money in the Tax Increment Fund, from whatever source, may be disbursed from the Tax Increment Fund, invested, and paid as permitted by the Act or by any agreements entered into pursuant to the Act, or as otherwise authorized by law.

**SECTION 8. FINDINGS.**

- (a) The City hereby finds and declares that (a) improvements in the Zone will significantly enhance the value of all the taxable real property in the Zone and will be of general benefit to the City; and (b) the Zone meets the requirements of 311.005 of the Act, being that the Zone area:
1. Is predominantly open, and because of obsolete platting, deterioration of structures or site improvements;
  2. Creation of the zone is necessary to further the public health, safety, morals, and welfare as a result of substandard conditions, inadequate streets, unsanitary conditions, and the predominant existence of undeveloped area; and
  3. Other factors that may substantially impair the growth of the city.
- (b) The City of Pharr, pursuant to the Act, further finds and declares that:
1. the proposed zone is a geographical area located wholly within the City limits or extraterritorial jurisdiction of Pharr;
  2. less than fifty percent (50%) of the property in the proposed Zone is used for residential purposes, as the term "residential" is defined in Section 311.006(d) of the Act;
  3. the total appraised value of the taxable real property in the proposed Zone or in existing reinvestment zones, if any, does not exceed fifty per cent (50%) of the total appraised value of taxable real property in the City and in industrial districts, if any, created by the City;
  4. the proposed Zone does not contain more than fifty percent (50%) of the total appraised value of real property taxable by Hidalgo County, the PSJA ISD, the Hidalgo ISD and the Valley View ISD, and
  5. development or redevelopment within the boundaries of the proposed Zone will not occur solely through private investment in the reasonably foreseeable future.

**SECTION 9. DESIGNATION OF A SECTION 311.005(a) ZONE.** The Zone is designated pursuant to Section 311.005(a) of the Act.

**SECTION 10. SEVERABILITY.** If any of the provisions of this Ordinance or the application thereof to any circumstance shall be held to be invalid, the remainder of this Ordinance and the application thereof to other circumstance shall nevertheless be valid, as if such invalid provisions had never appeared herein, and this governing body hereby declares that this Ordinance would have been enacted without such invalid provision.

**SECTION 11. CUMULATIVE CLAUSE; REPEALING CLAUSE.** The ordinance shall be cumulative of all ordinances dealing with the same subject and any provision in conflict with this ordinance is hereby repealed and the provisions of this Ordinance supersedes.

The invalidity of any section, clause, sentence or provision of this ordinance shall not affect the validity of any other part thereof.

**SECTION 12: PROPER NOTICE AND MEETING.** It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**SECTION 13: Declaring an Emergency Clause:** The importance of the subject matter hereof creates an emergency and an imperative public necessity requiring the suspension of the rule that Ordinance be read on three separate days, and such rule is hereby suspended and said requirement is dispensed with by a vote of not less than a majority of all the members of the Board of Commissioners. This Ordinance shall take effect and be in full force from and after its passage and approval.

PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 22<sup>nd</sup> day of July, 2016.

CITY OF PHARR

  
\_\_\_\_\_  
AMBROSIO HERNANDEZ, MAYOR

ATTEST:

  
\_\_\_\_\_  
HILDA PEDRAZA, CITY CLERK

# CITY OF PHARR - PROPOSED TIRZ 2 Interlocal - Exhibit A

[Exhibit B-4 to Pharr TIRZ 2 Interlocal (final) page 6 of 8]

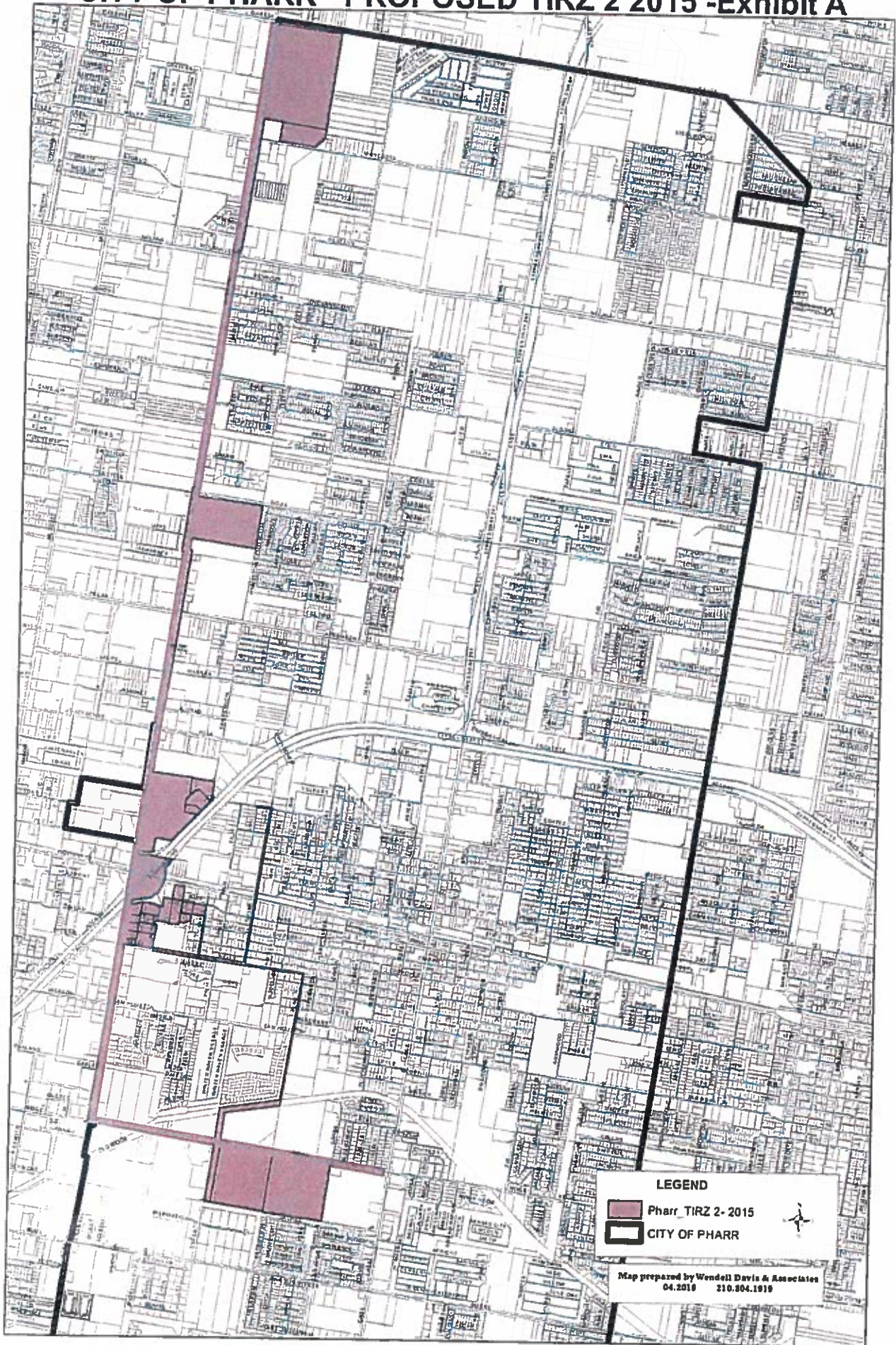
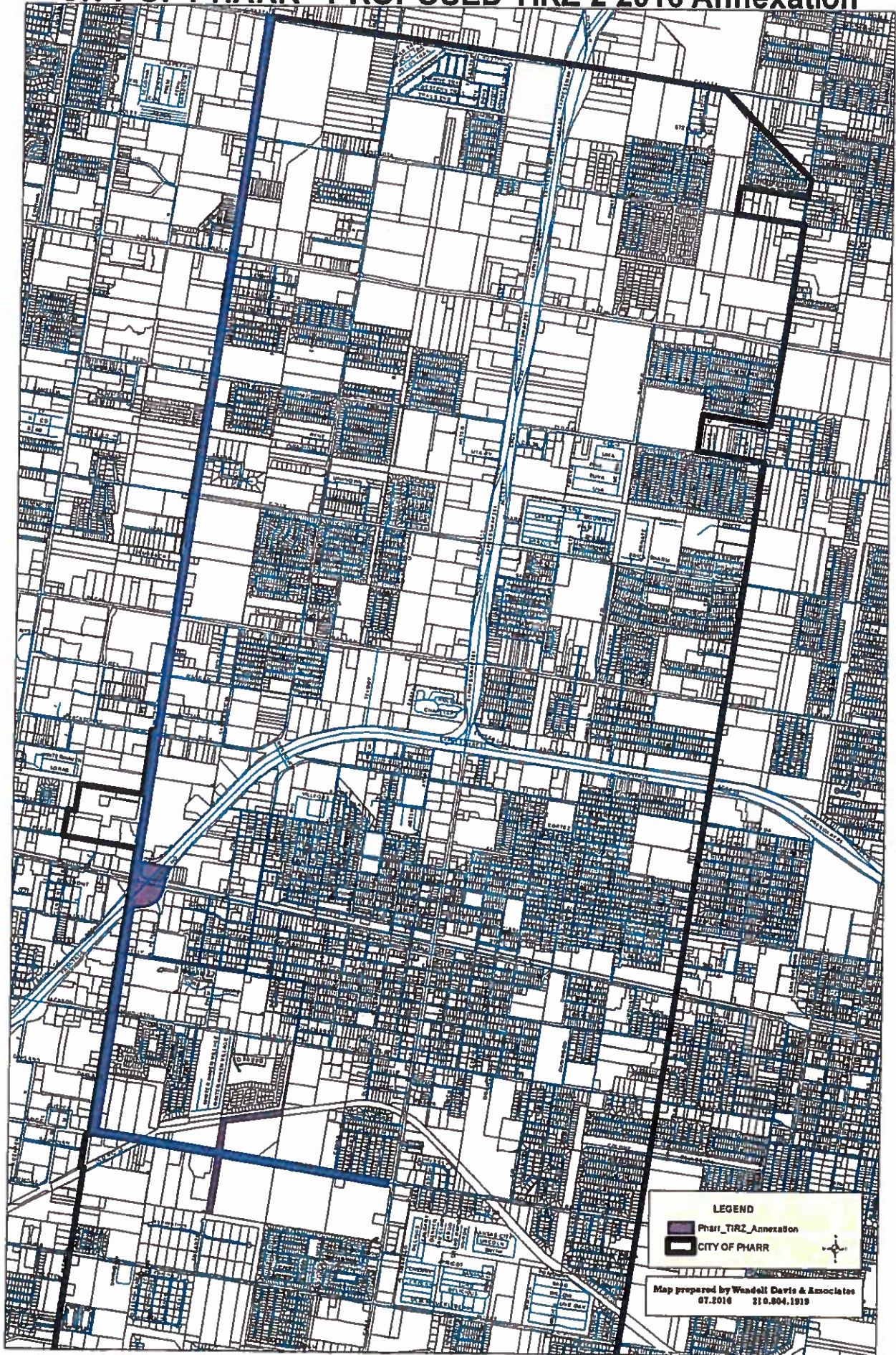


EXHIBIT "B"

<u>Prop ID</u>
202890
657111
1013055
1013056
1013311
1013310
1013309
1013305
897870
897871
897872
897873
258877
902654
230524
258891
258876
816221
846991
961801
719457
719456
719455
231082
1013404
230950

Source: Hidalgo County Appraisal District

# CITY OF PHARR - PROPOSED TIRZ 2 2016 Annexation



**Exhibit B-5**

**City of Pharr Ordinance**

**O-2016-31**

**[See attached – 21 pages]**

**ORDINANCE NO. O-2016-31**

**AN ORDINANCE APPROVING THE AMENDED REINVESTMENT ZONE PROJECT & FINANCING PLAN IN CONNECTION WITH REINVESTMENT ZONE NUMBER TWO, CITY OF PHARR, TEXAS**

**WHEREAS**, Ordinance No. O-2015-57 was approved and adopted on December 8, 2015 by the Board of Commissioners; and

**WHEREAS**, Ordinance No. O-2016-31 will serve to amend O-2015-57 by approving the Amended Reinvestment Zone Project & Financing Plan; and

**WHEREAS**, pursuant to Ordinance No. O-2015-52, O-2016-15 and 2016-29 adopted by the City Council of the **CITY OF PHARR, TEXAS** (the "City") on November 17, 2015, April 18, 2016, and July 22, 2016 respectively, the City approved the creation and clarification of **REINVESTMENT ZONE NUMBER TWO, CITY OF PHARR, TEXAS** (the "Zone"); and

**WHEREAS**, the Zone was created in accordance with the provisions of Chapter 311, Texas Tax Code, as amended, (the "**Act**"); and

**WHEREAS**, it is hereby 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 Chapter 551, Texas Government Code.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, THAT:**

**SECTION 1. APPROVAL OF AMENDED REINVESTMENT ZONE PROJECT & FINANCING PLAN.** In satisfaction of Section 311.011(d) of the Act, the City Council hereby approves the *Reinvestment Zone Financing Plan* attached hereto as Exhibit A.

**SECTION 2. INCORPORATION OF RECITALS.** The City Council hereby finds that the statements set forth in the recitals of this Ordinance are true and correct, and the City Council hereby incorporates such recitals as part of this Ordinance.

PASSED AND APPROVED BY THE BOARD OF COMMISSIONERS OF THE CITY OF PHARR, TEXAS, on this the 23<sup>th</sup> day of August 2016.

CITY OF PHARR

  
\_\_\_\_\_  
AMBROSIO HERNANDEZ, MAYOR

ATTEST:

  
\_\_\_\_\_  
HILDA PEDRAZA, CITY CLERK

**AMENDED REINVESTMENT ZONE  
PROJECT & FINANCING PLAN**

**City of Pharr Tax Increment Reinvestment  
Zone # 2**



**August 23, 2016**

**Table of Contents**

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## **SECTION I – EXECUTIVE SUMMARY**

### **Overview of Plan**

The City of Pharr Tax Increment Reinvestment Zone (“TIRZ”) Number Two represents an important opportunity for the City of Pharr in partnership with Hidalgo County to promote and encourage construction of new retail, food service, mixed use commercial, multi-family, and senior, retired and assisted living facilities in areas of the City that has significant and varied impediments to development.

Tracts of land in the western sector of the city primarily along Jackson Road have remained vacant due to inadequate city street infrastructure, inadequately sized or no utility lines, drainage issues, water and sewer availability, and lack of adequate fire flow. The costs associated with the remediation of these development and redevelopment issues are of a magnitude that without additional sources of funds the growth of the city will be significantly impaired.

The creation of the TIRZ will provide the following benefits:

1. Funding for necessary public improvements, primarily drainage, associated with needed development in this sector of the City
2. Replace low value existing land uses with high value retail, commercial, food service and senior multi-family and assisted living facilities.
3. Offer employment opportunities and reduce commuting time for Pharr and Hidalgo County residents.
4. Provide a more efficient use of existing city and county services.
5. Help to address structural imbalances in the Pharr economy and housing market.

The proposed TIRZ is comprised of vacant and partially improved land in the western sector of the City. Also included within the TIRZ boundaries are the public rights of way and the associated alley ways of the streets as well as all utility easements, drainage easements, drainage structures and detention facilities located within the TIRZ boundaries. All of the right of way of Jackson Road from Ridge Road to Owassa Road as well as the Right of way of Ridge Road from Cage Road to Jackson Road and the right of way of the Business 83 and Hwy 83 turnaround are included within the boundaries of the Zone as well as all of the right of way, easements, alleys and drainage structures contemplated to be included in the “West Downtown Drainage Project.”

### **Development Goals and Objectives**

The development goals and objectives, which are expected to meet the specific needs of the City of Pharr Tax Increment Reinvestment Zone, are:

- Provide for new commercial and retail uses through the installation of the “West Downtown Drainage System” improvements

- Provide commercial and industrial opportunities for developers and companies seeking commercial building sites through the extension of existing City streets
- Provide employment opportunities to service increasing population growth within the City of Pharr and surrounding Hidalgo County.
- Solve long-range storm drainage issues that affect both City residents as well as, surrounding Hidalgo County residents.

The City of Pharr Tax Increment Reinvestment Zone Project Plan and Reinvestment Zone Financing Plan provides a long term program to increase business opportunities and population within the District and the City, using tax increment financing to fund required public improvements. This long-term program is expected to attract additional commercial, retail, food service and residential development to include affordable, work force and market rate housing.

### **Planned Private Development**

The City of Pharr TIRZ Private Development Program includes;

Phase 1	2016	\$	14,500,000	Commercial
Phase 2	2017	\$	6,500,000	Commercial
Phase 3	2019	\$	3,500,000	Commercial
Phase 4	2020	\$	2,750,000	Commercial
Phase 5	2021	\$	2,500,000	Commercial
Phase 6	2022	\$	10,000,000	Commercial
Phase 7	2323	\$	7,500,000	Commercial
Phase 8	2024	\$	3,750,000	Commercial
Phase 9	2525	\$	2,750,000	Commercial
Phase 10	2026	\$	3,750,000	Commercial

The total private investment is expected to be in excess of \$ 57,500,000.

The projected values of future commercial development are based upon an analysis of the 2014 and 2015 building permits issued by the City of Pharr. Consideration has also been given to visits to the City from third party developers looking at commercial sites and enquiring about the availability of sewer and water.

### **Planned Public Improvements**

The public improvements enumerated in the Project Plan, with an estimated cost of \$11,518,117 provide for the extension of sewer and water lines sized to provide service to the entire TIRZ

area, drainage structures and detention facilities and the extension of streets, water and sewer line to service individual tracts of land. The improvements planned for the district are designed to help meet the long-term needs to secure and insure growth and investment in the City of Pharr and in Hidalgo County.

**Planned Public Construction**

Planned Public Improvements Include:

Street & ROW	\$ 2,650,000.00
Water Infrastructure	\$ 250,000.00
Sewer Infrastructure	\$ 350,000.00
Drainage Improvements	\$ 8,248,116.60

The Tax Increment Reinvestment Zone Financing Plan provides for tax increment allowable expenses in the approximate amount of \$ 5,438,873. The Reinvestment Zone Financing Plan provides for incremental financing and predicts revenues for the City of Pharr Tax Increment Reinvestment Zone Number Two.

## **Section II – Project Plan**

### **Background**

On February 03, 2015 the City Commission of the City of Pharr indicated its intent to create a tax increment reinvestment zone by Resolution # 2015-08 for the creation of the City of Pharr Tax Increment Reinvestment Zone Number Two. The City of Pharr TIRZ was created pursuant to Ordinance O-2015-52, O-2015-57, O-2016-15, O-2016-29 and O-2016-31 passed and approved by the City Commission on November 17<sup>th</sup>, 2015, December 8, 2015, April 18, 2016, July 22, 2016.

Meetings and presentations were held with individuals and taxing entities in Hidalgo County on the following dates:

- Hidalgo County Economic Development Office, February, October and November 2015
- Hidalgo County Commissioner Pct. 2 and Staff, November 12, 2015
- Hidalgo County Commissioners Court Executive Session December 1, 2015.

### **Program Concepts**

The City of Pharr Tax Increment Reinvestment Zone Number Two represents an important opportunity for the City of Pharr in partnership with Hidalgo County to develop a viable long-range plan for an area of the City, which has lagged in development of a wide range of commercial, retail and multi-family projects. New commercial retail, food service and multi-family are the key components of the development program. Increased employment opportunities for Pharr and surrounding county and community residents will be enhanced through the development activity within the Zone.

### **Development Goals and Objectives**

The planned public improvements within the City of Pharr Tax Increment Reinvestment Zone Number Two will insure the future of the City as a viable option as national and regional companies looked to expand their presence in the Valley.

## **Description of District**

The City of Pharr Tax Increment Reinvestment Zone Number Two is located in the western sector of the City. The market value of property within the Zone is estimated to be \$35,429,120 however, the total assessed value of the property in the Zone, the Base Value of the Zone, is estimated at \$29,333,786 per preliminary figures from the Hidalgo County Appraisal District. The City of Pharr TIRZ includes approximately 253.2149+/- acres of public and privately held land as shown on the Exhibit "A"

## **Existing Uses and Conditions**

Exhibit "A" is a map of the proposed zone boundaries and reflects the existing uses and conditions of properties, being that the properties are vacant land, within the proposed Zone.

The City of Pharr has determined that the improvements in the Zone will significantly enhance the value of all of the taxable real property in the Zone and will be of general benefit to the municipality, and that the Zone area meets the requirements of Section 311.005 of the Act, being that the Zone area:

"is predominantly open or undeveloped, and because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impairs or arrests the sound growth of the City" and

The City of Pharr, pursuant to the Act, further finds and declares that:

1. the proposed zone is a contiguous geographical area located wholly within the City limits or extraterritorial jurisdiction of Pharr;
2. less than thirty percent (30%) of the property in the proposed Zone is used for residential purposes, as the term "residential" is defined in Section 311.006(d) of the Act;
3. the total appraised value of the taxable real property in the proposed Zone or in existing reinvestment zones, if any, does not exceed fifty per cent (50%) of the total appraised value of taxable real property in the City and in industrial districts, if any, created by the City;
4. the proposed Zone does not contain more than fifty percent (50%) of the total appraised value of real property taxable by Hidalgo County and the PSJA, Hidalgo or Valley View Independent School Districts,
5. development or redevelopment within the boundaries of the proposed Zone will not occur solely through private investment in the reasonably foreseeable future.

## **City of Pharr TIRZ Zoning**

The City of Pharr has the following zoning categories. Properties in the Zone are primarily “District A-O,” Agriculture and/or open space district with some “District H-C,” Heavy Commercial and “District NC,” Neighborhood Commercial District.

District A-O	Agricultural and/or open space district
District R-1	Single-family residential district
District R-TH	Townhouse residential district
District R-2	Two-family residential district
District R-3	Medium-density multifamily residential district
District R-4	High-density multifamily residential district
District R-MH	Mobile home district
District OP	Office professional district
District NC	Neighborhood commercial district
District C	General business district
District C-2	Business district
District HC	Heavy commercial district
District LI	Limited industrial district
District HI	Heavy industrial district
District PUD	Planned unit development district

There are no proposed changes in zoning ordinances, the City of Pharr Comprehensive Master Plan, building codes or subdivision rules and regulations that would affect properties in the Zone. The City has from time to time updates its Comprehensive Master Plan, however, in any future update the City shall treat properties in the Zone the same as properties outside the Zone.

**Relocation of Area Residents**

The plan does not include the relocation of any existing residents located within the boundaries of the Zone

**Non Project Costs**

The plan does not contemplate any non-project costs. However, the Board shall reserve the right to incur non-project costs in the event that drainage issues that are affecting property within the Zone require the expenditure of funds outside the boundaries of the Zone in order to ameliorate drainage issues within the Zone.

**Proposed Public Improvements**

## **DRAINAGE**

Over the past 20 years Pharr like almost every other City in the Valley has experienced unanticipated and unplanned economic growth. Many of the drainage improvements that were installed in prior decades have proved inadequate to carry increased runoff from this development. Additionally as land has been converted from farm use to other uses and often time to just vacant land, the land has lost some of its ability to retain water The City has proposed a massive and comprehensive drainage project for the western sector of the City, which is called the "West Downtown Drainage Project." It will control flooding in the Business 83 to Ridge Road corridor

## **WATER, SEWER and STREETS**

The construction of the "Westside Downtown Drainage" project will cause a number of streets to be reconstructed including new sewer and water lines.

The planned improvements are designed to begin to meet the long-term needs to secure growth and investment in Pharr and central Hidalgo County.

## **CONCLUSIONS**

Based upon a set of conservative assumptions and analysis of the Project Plan and Zone Financing Plan, the City of Pharr has concluded that the Project Plan and Reinvestment Zone Financing Plan are feasible.

## **SECTION III - Project Feasibility**

The feasibility of any development has two aspects that must be considered:

1. Financial or economic feasibility
2. Market feasibility.

The purpose of the TIRZ is to address the financial or economic feasibility aspect of the development. TIRZ incremental funds provide for a portion of the development costs incurred for public improvements, thus insuring the financial feasibility of the Project. This project is financially feasible and can be developed with the funding of public improvements from TIRZ funds, however the City acknowledges that the incremental funds to be generated from the project do not cover all of the cost of the proposed public improvements and that other funding sources will be necessary.

Market feasibility addresses issues relating to product absorption, type of product, and demand. As properties are brought out of flood zones and as new fast food and retail begins to agglomerate it will expand the economy of the City of Pharr and Hidalgo County thereby attracting additional retail, fast food, commercial and multi-family development.

## **SECTION IV – REINVESTMENT ZONE FINANCING PLAN**

### **Tax Increment Financing**

The Tax Increment Financing Act (Chapter 311 of the Tax Code), provides for municipalities to create “reinvestment zones” within which various public works and improvements can be undertaken, using tax increment revenues, bonds or notes, to pay for those improvements. At the time an area is designated a reinvestment zone for tax increment financing (“TIF”), the existing total of appraised value of real property in the zone is identified and designated as the “tax increment base.” Taxing units levying taxes in the zone during its life are limited to revenues from this base.

Public improvements are made in the area to attract private development that would not otherwise occur. As the costs of new development are added to the tax rolls, property values will rise. This rise in new value is called the “captured appraised value.” The taxes that are collected by the participating taxing jurisdictions on the increment between the base value and the new higher value, the tax increment, are then deposited into a TIF Trust Fund, which is used to pay for the public improvements. Once the public improvements are completed and paid for, the TIF is dissolved and any remaining amounts of taxes collected are kept by the taxing jurisdiction. In effect, the taxing jurisdictions are “investing” future earnings to receive the benefit of higher tax revenues from new development. Taxing jurisdictions are not restricted from raising or lowering their tax rate during the life of the zone.

### **Financing Plan**

The Reinvestment Zone Financing Plan developed by the City provides that potentially \$5,438,873 of public improvements will be paid for with TIF funds. The Reinvestment Zone Financing Plan also projects incremental funds for financing and revenues for the City of Pharr TIRZ# 2. It is not anticipated that tax increment funds in an amount to fully reimburse the City for all approved project costs will be generated over the projected life of the Zone

Financing Method: Incremental funds will be spent as they accrue and TIF Revenue Bonds may be issued for larger projects and paid for with annual TIRZ proceeds

Financing Policy: The goal of the City of Pharr Tax Increment Reinvestment Zone is to borrow only those funds needed as the necessity arises in order to reduce interest expense.

**Long Term Financing:** The developers of the warehouse/commercial/industrial/retail sites will arrange for long term financing for their individual projects.

**Tax Increment Bonds:** The City may at some point in the future issue bonds for capital improvements within the Zone. However, the City will issue no bonds without sufficient Zone revenue to service the principal and interest on the bonds.

**Development Schedule And Assumptions**

The Development Schedule is based upon the immediate needs of the City and the public works are listed by priority. The City intends to remain flexible in order to leverage other funds with TIRZ funds to maximize the efficiency of the City’s funds.

	2017	2025
Begin Construction		
Construction Complete		
Street & ROW	\$ 2,650,000.00	
Water Infrastructure	\$ 250,000.00	
Sewer Infrastructure	\$ 350,000.00	
Drainage Improvements	\$ 8,248,116.60	
Administrative Expense	\$ 20,000	
<b>Total Costs</b>	<b>\$ 11,518,117</b>	

**Financial Assumptions**

No tax rate changes have been factored into the financial pro forma's for the District. It has also been assumed that the taxing entities will continue to collect tax revenues at the same rate and that homestead and other exemption rates will remain unchanged. The finance plan assumes a collection rate of 97.5% because 100% of the new development will be in the form of commercial construction. The long-term lenders who do the permanent financing for these types of projects generally require annual proof that the taxes are current. The City acknowledges that in any given year the collection rate will initially be lower with the balance of the taxes due being paid in arrears over a 5 year period of time.

# City of Pharr Project Review

## City of Pharr - TIF Reinvestment Zone # Two B

### Summary Fact Sheet December 4, 2015

**Plan of Finance**

Site Area	253.2149 Acres
Base Value (January 1, 2015 estimate)	\$29,333,786

**Project:**

Phase 1	2016	\$	14,500,000	Commercial
Phase 2	2017	\$	6,500,000	Commercial
Phase 3	2019	\$	3,500,000	Commercial
Phase 4	2020	\$	2,750,000	Commercial
Phase 5	2021	\$	2,500,000	Commercial
Phase 6	2022	\$	10,000,000	Commercial
Phase 7	2323	\$	7,500,000	Commercial
Phase 8	2024	\$	3,750,000	Commercial
Phase 9	2525	\$	2,750,000	Commercial
Phase 10	2026	\$	3,750,000	Commercial

<b>Totals</b>		\$	57,500,000
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<b>Assumptions</b>	Captured Value	\$	57,500,000
	Growth Factor		0.00%
	Collection Rate		97.50%
	Estimated Total TIF Revenues	\$	5,412,420
	Estimated TIF Life		20 Years

### Projected Value of New Tax Increment

Tax Year	Tax Increment Zone			City of Pharr			Hidalgo County		
	Beginning Assessed Value	Annual Value of New Development	Projected Year-End Assessed Value	Captured Taxable Value	Tax Rate Contribution	Tax Increments	Captured Taxable Value	Tax Rate Contribution	Tax Increments
2015	25,236,179		25,236,179	-	0.436575		-	0.261250	
2016	25,236,179	14,500,000	39,736,179	14,500,000	0.436575	61,721	14,500,000	0.261250	36,934
2017	39,736,179	6,500,000	46,236,179	21,000,000	0.436575	89,389	21,000,000	0.261250	53,491
2018	46,236,179	3,500,000	49,736,179	24,500,000	0.436575	104,287	24,500,000	0.261250	62,406
2019	49,736,179	2,750,000	52,486,179	27,250,000	0.436575	115,993	27,250,000	0.261250	69,411
2020	52,486,179	2,500,000	54,986,179	29,750,000	0.436575	126,634	29,750,000	0.261250	75,779
2021	54,986,179	10,000,000	64,986,179	39,750,000	0.436575	169,200	39,750,000	0.261250	101,251
2022	64,986,179	7,500,000	72,486,179	47,250,000	0.436575	201,125	47,250,000	0.261250	120,355
2023	72,486,179	3,750,000	76,236,179	51,000,000	0.436575	217,087	51,000,000	0.261250	129,907
2024	76,236,179	2,750,000	78,986,179	53,750,000	0.436575	228,793	53,750,000	0.261250	136,911
2025	78,986,179	3,750,000	82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2026	82,736,179	-	82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2027	82,736,179		82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2028	82,736,179		82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2029	82,736,179		82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2030	82,736,179		82,736,179	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
2031	82,736,179		82,736,179	66,550,000	0.436575	244,755	66,550,000	0.261250	146,463
2032	94,250,000		94,250,000	66,550,000	0.436575	201,125	66,550,000	0.261250	120,355
2033	94,250,000		94,250,000	66,550,000	0.436575	201,125	66,550,000	0.261250	120,355
2034	94,250,000		94,250,000	66,550,000	0.436575	201,125	66,550,000	0.261250	120,355
<b>S 57,500,000</b> Annual Growth Factors Years 2016-2017 Thereafter Combined Compound Growth Rate				Participation Level Tax Rate Growth Factor Tax Rate Collection Factor	S 3,386,131 75% 0.00% 97.50%	S 2,026,289 50% 0.00% 97.50%			

**Schedule of Projected Income From Value of New Tax Increment Continued**

<b>Fiscal Year Ending</b>	<b>TIF Revenue</b>	<b>Cumulative TIF Revenues</b>
2015		
2016	98,655	98,655
2017	142,880	241,535
2018	166,693	408,228
2019	185,403	593,631
2020	202,413	796,044
2021	270,451	1,066,495
2022	321,479	1,387,974
2023	346,993	1,734,967
2024	365,704	2,100,671
2025	391,218	2,491,889
2026	391,218	2,883,108
2027	391,218	3,274,326
2028	391,218	3,665,544
2029	391,218	4,056,762
2030	391,218	4,447,980
2031	321,480	4,769,460
2032	321,480	5,090,940
2033	321,480	5,412,420
2034	321,480	5,412,420

**\$ 5,412,420**

## Project Budget

### City of Pharr - TIF Reinvestment Zone #

#### Sources & Uses

##### Sources of Funds

TIF Revenues	\$	5,412,420
<b>Total TIF Proceed Funds</b>	\$	5,412,420
<b>Total Sources of Funds</b>	\$	<u>5,412,420</u>

##### Uses of Funds

Begin Construction	2017
Construction Complete	2025
Street & ROW	\$ 2,650,000.00
Water Infrastructure	\$ 250,000.00
Sewer Infrastructure	\$ 350,000.00
Drainage Improvements	\$ 8,248,116.60
Administrative Expense	\$ 20,000
<b>Total Costs</b>	\$ 11,518,117
<b>Project Financing Surplus (Shortage)</b>	\$ (6,105,696)

## Financial Feasibility

Based upon a set of conservative assumptions and analysis of the project financing plan, the City of Pharr has concluded that the plan is feasible.

## Conclusions

Based upon a set of conservative assumptions and analysis of the City of Pharr Tax Increment Reinvestment Zone District Project Plan and Reinvestment Zone Financing Plan, The City of Pharr TIRZ Board has concluded that the City of Pharr TIRZ Project Plan and Reinvestment Zone Financing Plan is feasible. The success of the City of Pharr TIRZ project plan will encourage other mixed-use commercial/food service/retail/lodging and market rate residential and affordable housing. The new residential population base; will support an expanding retail base, will supplement the existing job market, will attract additional private development into the City of Pharr and Hidalgo County and will serve to stabilize and enhance future property values.

# CITY OF PHARR - PROPOSED TIRZ 2 2015 -Exhibit A



**EXHIBIT "A" Continued Zone Account Numbers**

**Prop ID**

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202890  
657111  
1013055  
1013056  
1013311  
1013310  
1013309  
1013305  
897870  
897871  
897872  
897873  
258877  
902654  
230524  
258891  
258876  
816221  
846991  
961801  
719457  
719456  
719455  
231082  
1013404  
230950

Source: Hidalgo County Appraisal District

**Exhibit B**

**Zone Board Members**

Chairperson	Oscar Elizondo
Vice-Chairperson	Eleazar Guajardo
Secretary	Mario Bracamontes
Board Member	Ricardo Medina
Board Member	Hidalgo County Appointee

## Exhibit C

### TIRZ REQUIREMENTS

Section 311 of the State Tax Code (Tax Increment Financing Act) specifies that TIRZ (TIF) project and financing plans meet certain requirements. These requirements are listed below, along with a reference indicating where these elements can be located in the plan.

#### **Project Plan**

- |  |           |
|--|-----------|
| 1. Map of Zone Properties                | Exhibit A |
| 2. List proposed of sources and uses     | Page 15   |
| 3. Description of Zone Property          | Exhibit A |
| 4. Project Feasibility                   | Page 9    |
| 5. Proposed zoning changes               | Page 8    |
| 6. Estimated non-project costs           | Page 8    |
| 7. Relocation plan for current residents | Page 8    |

#### **Financing Plan**

- |   |          |
|---|----------|
| 1. Detailed estimate of project costs           | Page 15  |
| 2. Proposed public improvements                 | Page 15  |
| 3. Project Timeline                             | Page 15  |
| 4. Estimated amount of bonded indebtedness      | Page N/A |
| 5. Time when costs/obligations will be incurred | Page 15  |
| 6. Methods of financing, sources of Revenue     | Page 13  |
| 7. Current total appraised value                | Page 13  |
| 8. Estimated captured appraised value           | Page 14  |
| 9. Duration of Zone                             | Page 13  |



**Exhibit C**

**Board Meeting Minutes and Ordinance**

C-1	December 1, 2015 Minutes
C-2	December 8, 2015 Minutes
C-3	O-2015-01-TIRZ
C-4	July 22, 2016 Minutes
C-5	August 23, 2016 Minutes

**Exhibit C-1**

**Board Meeting Minutes**

**December 1, 2015**

**[See attached – 2 pages]**

**THE TAX INCREMENT REINVESTMENT ZONE NUMBER TWO  
REGULAR CALLED MEETING MINUTES  
COMMENCING AT 5:30 PM  
TUESDAY, DECEMBER 1, 2015**

**TIRZ #2 Board Members Present:** Board Member Comm. Oscar Elizondo, Jr.  
Board Member Comm. Eleazar Guajardo  
Board Member Comm. Ricardo Medina  
Board Member Comm. Mario Bracamontes  
Board Member Bobby Villarreal

**Absent:** None

**STAFF PRESENT:** Juan Guerra, City Manager  
Edward Wylie, Assistant City Manager  
Hilda Pedraza, City Clerk  
Imelda Barrera, Assistant City Clerk  
Karla Moya, Finance Director  
Ruben Villescas, Police Chief  
Lenny Perez, Interim Fire Chief  
Sergio Contreras, EDC Director  
Melanie Cano, Interim Development Services Dir.  
Luis Bazar, Bridge Director  
Bill Ueckert, City Engineer

**CITY ATTORNEY** Patricia A. Rigney, City Attorney

**ITEM 1 ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY ABSENT MEMBERS OF THE GOVERNING BODY**

Chairperson Mayor Pro Tem Elizondo called the meeting to order at 5:30 pm. Roll Call established a quorum.

**ITEM 2 DISCUSSION AND POSSIBLE ACTION, IF ANY, ON ORDINANCE ADOPTING THE TAX INCREMENT REINVESTMENT ZONE #2 PROJECT PLAN AND FINANCING PLAN.**

Juan Guerra, City Manager, introduced the item and stated no action would be taken at this time.

**ITEM 3 CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE BOARD OF TAX INCREMENT REINVESTMENT ZONE NUMBER ONE HEREBY GIVES NOTICE THAT IT MAY MEET IN EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA, INCLUDING ITEM(S) 2**

None.

TIRZ #2  
Regular Meeting  
December 1, 2015

**ITEM 4 RECONVENE** into Open Session, and consider action if necessary, on item(s) discussed in executive session.

None.

**ITEM 5 ADJOURNMENT**

There being no further business, Board Member Comm. Medina moved to adjourn. Board Member Comm. Bracamontes seconded and when put to a vote the motion carried unānimosly. Meeting adjourned at 5:31 pm.

  
\_\_\_\_\_  
Mayor Pro-Tem Oscar Elizondo Jr.,  
Chairperson

ATTEST

  
\_\_\_\_\_  
Secretary

**Exhibit C-2**

**Board Meeting Minutes**

**December 8, 2015**

**[See attached – 2 pages]**

**THE TAX INCREMENT REINVESTMENT ZONE NUMBER TWO  
REGULAR CALLED MEETING MINUTES  
COMMENCING AT 5:00 PM  
TUESDAY, DECEMBER 8, 2015**

**TIRZ #2 Board Members Present:** Board Member Comm. Oscar Elizondo, Jr.  
Board Member Comm. Eleazar Guajardo  
Board Member Comm. Ricardo Medina  
Board Member Comm. Mario Bracamontes

**Absent:** Board Member Bobby Villarreal

**STAFF PRESENT:** Juan Guerra, City Manager  
Edward Wylie, Assistant City Manager  
Imelda Barrera, Assistant City Clerk  
Karla Moya, Finance Director  
Lenny Perez, Interim Fire Chief  
Roel Garza, PAL/Parks & Rec. Director  
Jason Arms, IT Director  
Sergio Contreras, EDC Director  
Raul Garza, CDBG Director  
Melanie Cano, Interim Development Services Dir.  
Roy S. Garcia, Events Center Director

**CITY ATTORNEY** Patricia A. Rigney, City Attorney

**ITEM 1 ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY ABSENT MEMBERS OF THE GOVERNING BODY**

Chairperson Mayor Pro Tem Elizondo called the meeting to order at 5:02 pm. Roll Call established a quorum.

Board Member Comm. Guajardo moved to excuse Board Member Villarreal. Board Member Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

**ITEM 2 ELECTION OF OFFICER(S) – CHAIRMAN, VICE-CHAIRMAN, AND SECRETARY.**

Juan Guerra, City Manager, introduced the item and recommended same officers as TIRZ No. 1, those people being: Chairperson Mayor Pro Tem Elizondo, Vice-Chairperson Comm. Guajardo and Secretary Comm. Bracamontes.

Board Member Comm. Guajardo moved to approve. Board Member Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

**ITEM 3 CONSIDERATION AND ACTION, IF ANY, ON MINUTES FOR DECEMBER 1, 2015.**

Juan Guerra, City Manager, introduced the item and recommended approval.

Board Member Comm. Guajardo moved to approve. Board Member Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

TIRZ #2  
Regular Meeting  
December 8, 2015

**ITEM 4 DISCUSSION AND POSSIBLE ACTION, IF ANY, ON ORDINANCE ADOPTING THE TAX INCREMENT REINVESTMENT ZONE #2 PROJECT PLAN AND FINANCING PLAN.**

Juan Guerra, City Manager, introduced the item and recommended approval.

Board Member Comm. Guajardo moved to approve. Board Member Comm. Medina seconded the motion and when put to a vote, it carried unanimously.

**ITEM 5 DISCUSSION AND POSSIBLE ACTION, IF ANY, ON ORDINANCE ADOPTING AN ALTERNATE TAX INCREMENT REINVESTMENT ZONE #2 PROJECT PLAN AND FINANCING PLAN.**

Juan Guerra, City Manager, introduced the item and stated no alternate available, therefore, recommended no action.

**ITEM 6 DISCUSSION AND POSSIBLE ACTION, ON TAX INCREMENT REINVESTMENT ZONE #2 INCENTIVE FUNDS DISTRIBUTION AND PRIORITIZATION.**

Juan Guerra, City Manager, introduced the item and stated that the City would get reimbursed first before any developer, recommended approval.

Board Member Comm. Guajardo moved to approve. Board Member Comm. Bracamontes seconded the motion and when put to a vote, it carried unanimously.

**ITEM 7 CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE BOARD OF TAX INCREMENT REINVESTMENT ZONE NUMBER ONE HEREBY GIVES NOTICE THAT IT MAY MEET IN EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA, INCLUDING ITEM(S) 2**

None.

**ITEM 8 RECONVENE** into Open Session, and consider action if necessary, on item(s) discussed in executive session.


None.

**ITEM 9 ADJOURNMENT**

There being no further business, Board Member Comm. Guajardo moved to adjourn. Board Member Comm. Medina seconded and when put to a vote the motion carried unanimously. Meeting adjourned at 5:05 pm.

ATTEST

  
Secretary

  
\_\_\_\_\_  
Mayor Pro-Tem Oscar Elizondo Jr.,  
Chairperson

**Exhibit C-3**

**Board Ordinance**

**O-2015-01-TIRZ**

**[See attached – 18 pages]**

A

**ORDINANCE NO. O-2015- 01 - TIRZ**

**AN ORDINANCE APPROVING THE REINVESTMENT ZONE PROJECT &  
FINACNING PLAN IN CONNECTION WITH REINVESTMENT ZONE  
NUMBER TWO, CITY OF PHARR, TEXAS**

WHEREAS, pursuant to Ordinance No. O-2015-52 adopted by the City Council of the CITY OF PHARR, TEXAS (the "City") on November 17, 2015 the City approved the creation of REINVESTMENT ZONE NUMBER TWO, CITY OF PHARR, TEXAS (the "Zone"); and

WHEREAS, the Zone was created in accordance with the provisions of Chapter 311, Texas Tax Code, as amended, (the "Act"); and

WHEREAS, it is hereby 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 Chapter 551, Texas Government Code.

**NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF TAX INCREMENT REINVESTMENT ZONE #2 OF THE CITY OF PHARR, THAT:**

**SECTION 1. APPROVAL OF REINVESTMENT ZONE PROJECT & FINANCING PLAN.** In satisfaction of Section 311.011(d) of the Act, the Board hereby approves the *Reinvestment Zone Financing Plan* attached hereto as Exhibit A.

**SECTION 2. INCORPORATION OF RECITALS.** The Board hereby finds that the statements set forth in the recitals of this Ordinance are true and correct.

PASSED AND APPROVED ON THE FIRST READING BY THE BOARD OF TAX INCREMENT REINVESTMENT ZONE #2 OF THE CITY OF PHARR, TEXAS, on this the 8th day of December 2015.

CITY OF PHARR

  
\_\_\_\_\_  
PRESIDENT

ATTEST:

  
\_\_\_\_\_  
SECRETARY

# CITY OF PHARR - PROPOSED TIRZ 2 2015



**REINVESTMENT ZONE PROJECT &  
FINANCING PLAN**

**City of Pharr Tax Increment Reinvestment  
Zone #2**



**December 4, 2015**

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## **SECTION I – EXECUTIVE SUMMARY**

### **Overview of Plan**

The City of Pharr Tax Increment Reinvestment Zone (“TIRZ”) Number Two represents an important opportunity for the City of Pharr in partnership with Hidalgo County to promote and encourage construction of new retail, food service, mixed use commercial, multi-family, and senior, retired and assisted living facilities in areas of the City that has significant and varied impediments to development.

Tracts of land in the western sector of the city primarily along Jackson Road have remained vacant due to inadequate city street infrastructure, inadequately sized or no utility lines, drainage issues, water and sewer availability, and lack of adequate fire flow. The costs associated with the remediation of these development and redevelopment issues are of a magnitude that without additional sources of funds the growth of the city will be significantly impaired.

The creation of the TIRZ will provide the following benefits:

1. Funding for necessary public improvements, primarily drainage, associated with needed development in this sector of the City
2. Replace low value existing land uses with high value retail, commercial, food service and senior multi-family and assisted living facilities.
3. Offer employment opportunities and reduce commuting time for Pharr and Hidalgo County residents.
4. Provide a more efficient use of existing city and county services.
5. Help to address structural imbalances in the Pharr economy and housing market.

The proposed TIRZ is comprised of vacant and partially improved land in the western sector of the City. Also included within the TIRZ boundaries are the public rights of way and the associated alley ways of the streets as well as all utility easements, drainage easements, drainage structures and detention facilities located within the TIRZ boundaries. All of the right of way of Jackson Road from Moore Road to Owassa Road as well as the Right of way of Ridge Road from Cage Road to Jackson Road and the right of way of the Business 83 and Hwy 83 turnaround are included within the boundaries of the Zone

### **Development Goals and Objectives**

The development goals and objectives, which are expected to meet the specific needs of the City of Pharr Tax Increment Reinvestment Zone, are:

- Provide for new commercial and retail uses through the installation of the “West Downtown Drainage System” improvements
- Provide commercial and industrial opportunities for developers and companies seeking commercial building sites through the extension of existing City streets
- Provide employment opportunities to service increasing population growth within the City of Pharr and surrounding Hidalgo County.
- Solve long-range storm drainage issues that affect both City residents as well as, surrounding Hidalgo County residents.

The City of Pharr Tax Increment Reinvestment Zone Project Plan and Reinvestment Zone Financing Plan provides a long term program to increase business opportunities and population within the District and the City, using tax increment financing to fund required public improvements. This long-term program is expected to attract additional commercial, retail, food service and residential development to include affordable, work force and market rate housing.

### **Planned Private Development**

The City of Pharr TIRZ Private Development Program includes;

Phase 1	2016	\$	14,500,000	Commercial
Phase 2	2017	\$	6,500,000	Commercial
Phase 3	2019	\$	3,500,000	Commercial
Phase 4	2020	\$	2,750,000	Commercial
Phase 5	2021	\$	2,500,000	Commercial
Phase 6	2022	\$	10,000,000	Commercial
Phase 7	2323	\$	7,500,000	Commercial
Phase 8	2024	\$	3,750,000	Commercial
Phase 9	2525	\$	2,750,000	Commercial
Phase 10	2026	\$	3,750,000	Commercial

The total private investment is expected to be in excess of \$ 57,500,000.

The projected values of future commercial development are based upon an analysis of the 2014 and 2015 building permits issued by the City of Pharr. Consideration has also been given to visits to the City from third party developers looking at commercial sites and enquiring about the availability of sewer and water.

### **Planned Public Improvements**

The public improvements enumerated in the Project Plan, with an estimated cost of \$11,513,117 provide for the extension of sewer and water lines sized to provide service to the entire TIRZ area, drainage structures and detention facilities and the extension of streets, water and sewer line to service individual tracts of land. The improvements planned for the district are designed to help meet the long-term needs to secure and insure growth and investment in the City of Pharr and in Hidalgo County.

### **Planned Public Construction**

Planned Public Improvements Include:

Street & ROW	\$	650,000.00
Water Infrastructure	\$	250,000.00
Sewer Infrastructure	\$	350,000.00
Drainage Improvements	\$	10,248,116.60

The Tax Increment Reinvestment Zone Financing Plan provides for tax increment allowable expenses in the approximate amount of \$ 5,191,257. The Reinvestment Zone Financing Plan provides for incremental financing and predicts revenues for the City of Pharr Tax Increment Reinvestment Zone Number Two.

## **Section II – Project Plan**

### **Background**

On June 16, 2015 the City Commission of the City of Pharr indicated its intent to create a tax increment reinvestment zone by entering into a Contract with TIF Services of South Texas for the creation of the City of Pharr Tax Increment Reinvestment Zone Number Two. On November 17, 2015 the City Commission approved Ordinance # 0-2015-52 authorizing the creation of the Tax Increment Reinvestment Zone.

Meetings and presentations were held with individuals and taxing entities in Hidalgo County on the following dates:

- Hidalgo County Economic Development Office, February, October and November 2015
- Hidalgo County Commissioner Pct. 2 and Staff, November 12, 2015
- Hidalgo County Commissioners Court Executive Session December 1, 2015.

### **Program Concepts**

The City of Pharr Tax Increment Reinvestment Zone Number Two represents an important opportunity for the City of Pharr in partnership with Hidalgo County to develop a viable long-range plan for an area of the City, which has lagged in development of a wide range of commercial, retail and multi-family projects. New commercial retail, food service and multi-family are the key components of the development program. Increased employment opportunities for Pharr and surrounding county and community residents will be enhanced through the development activity within the Zone.

### **Development Goals and Objectives**

The planned public improvements within the City of Pharr Tax Increment Reinvestment Zone Number Two will insure the future of the City as a viable option as national and regional companies looked to expand their presence in the Valley.

## **Description of District**

The City of Pharr Tax Increment Reinvestment Zone Number Two is located in the western sector of the City. The market value of property within the Zone is estimated to be \$35,429,120 however, the total assessed value of the property in the Zone, the Base Value of the Zone, is estimated at \$25,078,620 per preliminary figures from the Hidalgo County Appraisal District. The City of Pharr TIRZ includes approximately 253.2149+/- acres of public and privately held land as shown on the Exhibit "A"

## **Existing Uses and Conditions**

Exhibit "A" is a map of the proposed zone boundaries and reflects the existing uses and conditions of properties within the proposed Zone.

The City of Pharr has determined that the improvements in the Zone will significantly enhance the value of all of the taxable real property in the Zone and will be of general benefit to the municipality, and that the Zone area meets the requirements of Section 311.005 of the Act, being that the Zone area:

"is predominantly open or undeveloped, and because of obsolete platting, deterioration of structures or site improvements, or other factors, substantially impairs or arrests the sound growth of the City" and

The City of Pharr, pursuant to the Act, further finds and declares that:

1. the proposed zone is a contiguous geographical area located wholly within the City limits or extraterritorial jurisdiction of Pharr;
2. less than thirty percent (30%) of the property in the proposed Zone is used for residential purposes, as the term "residential" is defined in Section 311.006(d) of the Act;
3. the total appraised value of the taxable real property in the proposed Zone or in existing reinvestment zones, if any, does not exceed fifty per cent (50%) of the total appraised value of taxable real property in the City and in industrial districts, if any, created by the City;
4. the proposed Zone does not contain more than fifty percent (50%) of the total appraised value of real property taxable by Hidalgo County and the PSJA, Hidalgo or Valley View Independent School Districts,
5. development or redevelopment within the boundaries of the proposed Zone will not occur solely through private investment in the reasonably foreseeable future.

### **City of Pharr TIRZ Zoning**

The City of Pharr has the following zoning categories. Properties in the Zone are primarily “District A-O,” Agriculture and/or open space district with some “District H-C,” Heavy Commercial and “District NC,” Neighborhood Commercial District.

District A-O	Agricultural and/or open space district
District R-1	Single-family residential district
District R-TH	Townhouse residential district
District R-2	Two-family residential district
District R-3	Medium-density multifamily residential district
District R-4	High-density multifamily residential district
District R-MH	Mobile home district
District OP	Office professional district
District NC	Neighborhood commercial district
District C	General business district
District C-2	Business district
District HC	Heavy commercial district
District LI	Limited industrial district
District HI	Heavy industrial district
District PUD	Planned unit development district

There are no proposed changes in zoning ordinances, the City of Pharr Comprehensive Master Plan, building codes or subdivision rules and regulations that would affect properties in the Zone. The City has from time to time updates its Comprehensive Master Plan, however, in any future update the City shall treat properties in the Zone the same as properties outside the Zone.

### **Relocation of Area Residents**

The plan does not include the relocation of any existing residents located within the boundaries of the Zone

### **Non Project Costs**

The plan does not contemplate any non-project costs. However, the Board shall reserve the right to incur non-project costs in the event that drainage issues that are affecting property within the Zone require the expenditure of funds outside the boundaries of the Zone in order to ameliorate drainage issues within the Zone.

### **Proposed Public Improvements**

## **DRAINAGE**

Over the past 20 years Pharr like almost every other City in the Valley has experienced unanticipated and unplanned economic growth. Many of the drainage improvements that were installed in prior decades have proved inadequate to carry increased runoff from this development. Additionally as land has been converted from farm use to other uses and often time to just vacant land, the land has lost some of its ability to retain water The City has proposed a massive and comprehensive drainage project for the western sector of the City which is called the "West Downtown Drainage Project." It will control flooding in the Business 83 to Ridge Road corridor

## **WATER, SEWER and STREETS**

The construction of the "Westside Downtown Drainage" project will cause a number of streets to be reconstructed including new sewer and water lines.

The planned improvements are designed to begin to meet the long-term needs to secure growth and investment in Pharr and central Hidalgo County.

## **CONCLUSIONS**

Based upon a set of conservative assumptions and analysis of the Project Plan and Zone Financing Plan, the City of Pharr has concluded that the Project Plan and Reinvestment Zone Financing Plan are feasible.

## **SECTION III - Project Feasibility**

The feasibility of any development has two aspects that must be considered:

1. Financial or economic feasibility
2. Market feasibility.

The purpose of the TIRZ is to address the financial or economic feasibility aspect of the development. TIRZ incremental funds provide for a portion of the development costs incurred for public improvements, thus insuring the financial feasibility of the Project. This project is financially feasible and can be developed with the funding of public improvements from TIRZ funds, however the City acknowledges that the incremental funds to be generated from the project do not cover all of the cost of the proposed public improvements and that other funding sources will be necessary.

Market feasibility addresses issues relating to product absorption, type of product, and demand. As properties are brought out of flood zones and as new fast food and retail begins to agglomerate it will expand the economy of the City of Pharr and Hidalgo County thereby attracting additional retail, fast food, commercial and multi-family development.

## **SECTION IV – REINVESTMENT ZONE FINANCING PLAN**

### **Tax Increment Financing**

The Tax Increment Financing Act (Chapter 311 of the Tax Code), provides for municipalities to create “reinvestment zones” within which various public works and improvements can be undertaken, using tax increment revenues, bonds or notes, to pay for those improvements. At the time an area is designated a reinvestment zone for tax increment financing (“TIF”), the existing total of appraised value of real property in the zone is identified and designated as the “tax increment base.” Taxing units levying taxes in the zone during its life are limited to revenues from this base.

Public improvements are made in the area to attract private development that would not otherwise occur. As the costs of new development are added to the tax rolls, property values will rise. This rise in new value is called the “captured appraised value.” The taxes that are collected by the participating taxing jurisdictions on the increment between the base value and the new higher value, the tax increment, are then deposited into a TIF Trust Fund, which is used to pay for the public improvements. Once the public improvements are completed and paid for, the TIF is dissolved and any remaining amounts of taxes collected are kept by the taxing jurisdiction. In effect, the taxing jurisdictions are “investing” future earnings to receive the benefit of higher tax revenues from new development. Taxing jurisdictions are not restricted from raising or lowering their tax rate during the life of the zone.

### **Financing Plan**

The Reinvestment Zone Financing Plan developed by the City provides that potentially \$6,192,815 of public improvements will be paid for with TIF funds. The Reinvestment Zone Financing Plan also projects incremental funds for financing and revenues for the City of Pharr TIRZ# 2. It is not anticipated that tax increment funds in an amount to fully reimburse the City for all approved project costs will be generated over the projected life of the Zone

Financing Method: Incremental funds will be spent as they accrue and TIF Revenue Bonds may be issued for larger projects and paid for with annual TIRZ proceeds

Financing Policy: The goal of the City of Pharr Tax Increment Reinvestment Zone is to borrow only those funds needed as the necessity arises in order to reduce interest expense.

Long Term Financing: The developers of the warehouse/commercial/industrial/retail sites will arrange for long term financing for their individual projects.

Tax Increment Bonds: The City may at some point in the future issue bonds for capital improvements within the Zone. However, the City will issue no bonds without sufficient Zone revenue to service the principal and interest on the bonds.

### **Development Schedule And Assumptions**

The Development Schedule is based upon the immediate needs of the City and the public works are listed by priority. The City intends to remain flexible in order to leverage other funds with TIRZ funds to maximize the efficiency of the City's funds.

Begin Construction	2017
Construction Complete	2025
Street & ROW	\$ 650,000.00
Water Infrastructure	\$ 250,000.00
Sewer Infrastructure	\$ 350,000.00
Drainage Improvements	\$ 10,248,116.60
Administrative Expense	\$ 20,000
<b>Total Costs</b>	<b>\$ 11,518,117</b>

### **Financial Assumptions**

No tax rate changes have been factored into the financial pro forma's for the District. It has also been assumed that the taxing entities will continue to collect tax revenues at the same rate and that homestead and other exemption rates will remain unchanged. The finance plan assumes a collection rate of 97.5% because 100% of the new development will be in the form of commercial construction. The long-term lenders who do the permanent financing for these types of projects generally require annual proof that the taxes are current. The City acknowledges that in any given year the collection rate will initially be lower with the balance of the taxes due being paid in arrears over a 5 year period of time.

## City of Pharr Project Review

### City of Pharr - TIF Reinvestment Zone # Two B

#### Summary Fact Sheet December 6, 2015

**Plan of Finance**

Site Area	253.2149	Acres
Base Value (January 1, 2015 estimate)	\$29,333,786	

**Project:**

Phase 1	2016	\$	14,500,000	Commercial
Phase 2	2017	\$	6,500,000	Commercial
Phase 3	2019	\$	3,500,000	Commercial
Phase 4	2020	\$	2,750,000	Commercial
Phase 5	2021	\$	2,500,000	Commercial
Phase 6	2022	\$	10,000,000	Commercial
Phase 7	2323	\$	7,500,000	Commercial
Phase 8	2024	\$	3,750,000	Commercial
Phase 9	2525	\$	2,750,000	Commercial
Phase 10	2026	\$	3,750,000	Commercial

<b>Totals</b>	<b>\$</b>	<b>57,500,000</b>
---------------	-----------	-------------------

<b>Assumptions</b>	Captured Value	<b>\$</b>	<b>57,500,000</b>
	Growth Factor		0.00%
	Collection Rate		97.50%
	Estimated Total TIF Revenues	<b>\$</b>	<b>5,412,420</b>
	Estimated TIF Life		<b>20 Years</b>

**ected Value of New Tax Increment**

Tax Increment Zone				City of Pharr			Hidalgo County		
Beginning Assessed Value	Annual Value of New Development	Projected Year-End Assessed Value	Projected Captured Value	Captured Taxable Value	Tax Rate Contribution	Tax Increments	Captured Taxable Value	Tax Rate Contribution	Tax Increments
25,236,179		25,236,179		-	75% M&O		-	50% M&O	
25,236,179	14,500,000	39,736,179	14,500,000	14,500,000	0.436575	6,172.1	14,500,000	0.261250	36,934
39,736,179	6,500,000	46,236,179	21,000,000	21,000,000	0.436575	89,389	21,000,000	0.261250	53,491
46,236,179	3,500,000	49,736,179	24,500,000	24,500,000	0.436575	104,287	24,500,000	0.261250	62,406
49,736,179	2,750,000	52,486,179	27,250,000	27,250,000	0.436575	115,993	27,250,000	0.261250	69,411
52,486,179	2,500,000	54,986,179	29,750,000	29,750,000	0.436575	126,634	29,750,000	0.261250	75,779
54,986,179	10,000,000	64,986,179	39,750,000	39,750,000	0.436575	169,200	39,750,000	0.261250	101,251
64,986,179	7,500,000	72,486,179	47,250,000	47,250,000	0.436575	201,125	47,250,000	0.261250	120,355
72,486,179	3,750,000	76,236,179	51,000,000	51,000,000	0.436575	217,087	51,000,000	0.261250	129,907
76,236,179	2,750,000	78,986,179	53,750,000	53,750,000	0.436575	228,793	53,750,000	0.261250	136,911
78,986,179	3,750,000	82,736,179	57,500,000	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
82,736,179	-	82,736,179	57,500,000	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
82,736,179		82,736,179	57,500,000	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
82,736,179		82,736,179	57,500,000	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
82,736,179		82,736,179	57,500,000	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
82,736,179		82,736,179	57,500,000	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
82,736,179		82,736,179	57,500,000	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
82,736,179		82,736,179	57,500,000	57,500,000	0.436575	244,755	57,500,000	0.261250	146,463
94,250,000		94,250,000	66,550,000	66,550,000	0.436575	201,125	66,550,000	0.261250	120,355
94,250,000		94,250,000	66,550,000	66,550,000	0.436575	201,125	66,550,000	0.261250	120,355
94,250,000		94,250,000	66,550,000	66,550,000	0.436575	201,125	66,550,000	0.261250	120,355
\$ 57,500,000						\$ 3,386,131			\$ 2,026,289
Annual Growth Factors Years 2016-2017 Thereafter				Participation Level		75%	Participation Level		50%
Combined Compound Growth Rate				Tax Rate Growth Factor		0.00%	Tax Rate Growth Factor		0.00%
				Tax Rate Collection Factor		97.50%	Tax Rate Collection Factor		97.50%

**Schedule of Projected Income From Value of New Tax Increment Continued**

<b>Fiscal Year Ending</b>	<b>TIF Revenue</b>	<b>Cumulative TIF Revenues</b>
2015		
2016		
2017	98,655	98,655
2018	142,880	241,535
2019	166,693	408,228
2020	185,403	593,631
2021	202,413	796,044
2022	270,451	1,066,495
2023	321,479	1,387,974
2024	346,993	1,734,967
2025	365,704	2,100,671
2026	391,218	2,491,889
2027	391,218	2,883,108
2028	391,218	3,274,326
2029	391,218	3,665,544
2030	391,218	4,056,762
2031	391,218	4,447,980
2032	321,480	4,769,460
2033	321,480	5,090,940
2034	321,480	5,412,420

**\$ 5,412,420**

## Project Budget

### City of Pharr - TIF Reinvestment Zone # 2

#### Sources & Uses

##### Sources of Funds

TIF Revenues	\$	5,412,420
<b>Total TIF Proceed Funds</b>	\$	5,412,420
<b>Total Sources of Funds</b>	\$	<u>5,412,420</u>

##### Uses of Funds

Begin Construction	2017
Construction Complete	2025
Street & ROW	\$ 650,000.00
Water Infrastructure	\$ 250,000.00
Sewer Infrastructure	\$ 350,000.00
Drainage Improvements	\$ 10,248,116.60
Administrative Expense	\$ 20,000
<b>Total Costs</b>	\$ 11,518,117
<b>Project Financing Surplus (Shortage)</b>	\$ (6,105,696)

#### Financial Feasibility

Based upon a set of conservative assumptions and analysis of the project financing plan, the City of Pharr has concluded that the plan is feasible.

#### Conclusions

Based upon a set of conservative assumptions and analysis of the City of Pharr Tax Increment Reinvestment Zone District Project Plan and Reinvestment Zone Financing Plan, The City of Pharr TIRZ Board has concluded that the City of Pharr TIRZ Project Plan and Reinvestment Zone Financing Plan is feasible. The success of the City of Pharr TIRZ project plan will encourage other mixed-use commercial/food service/retail/lodging and market rate residential and affordable housing. The new residential population base; will support an expanding retail base, will supplement the existing job market, will attract additional private development into the City of Pharr and Hidalgo County and will serve to stabilize and enhance future property values.

## Exhibit C

### TIRZ REQUIREMENTS

Section 311 of the State Tax Code (Tax Increment Financing Act) specifies that TIRZ (TIF) project and financing plans meet certain requirements. These requirements are listed below, along with a reference indicating where these elements can be located in the plan.

#### Project Plan

- |  |           |
|--|-----------|
| 1. Map of existing uses and conditions   | Exhibit A |
| 2. List proposed improvements and uses   | Page 16   |
| 3. Description of Zone Property          | Exhibit A |
| 4. Project Feasibility                   | Page 8    |
| 5. Proposed zoning changes               | Page 8    |
| 6. Estimated non-project costs           | Page 8    |
| 7. Relocation plan for current residents | Page 8    |

#### Financing Plan

- |   |          |
|---|----------|
| 1. Detailed estimate of project costs.          | Page 16  |
| 2. Proposed public improvements                 | Page 16  |
| 3. Project Timeline                             | Page 14  |
| 4. Estimated amount of bonded indebtedness      | Page N/A |
| 5. Time when costs/obligations will be incurred | Page 16  |
| 6. Methods of financing, sources of Revenue     | Page 14  |
| 7. Current total appraised value.               | Page 14  |
| 8. Estimated captured appraised value           | Page 17  |
| 9. Duration of Zone                             | Page 14  |

**Exhibit C-4**  
**Board Meeting Minutes**

**July 22, 2016**

**[See attached – 2 pages]**

**THE TAX INCREMENT REINVESTMENT ZONE NUMBER TWO  
SPECIAL CALLED MEETING MINUTES  
COMMENCING AT 4:05 PM  
FRIDAY, JULY 22, 2016**

**TIRZ #2 BOARD MEMBERS PRESENT:** Board Member Comm. Oscar Elizondo, Jr.  
Board Member Comm. Eleazar Guajardo  
Board Member Comm. Ricardo Medina

**ABSENT:** Board Member Comm. Mario Bracamontes

**STAFF PRESENT:** Juan Guerra, City Manager  
Edward Wylie, Assistant City Manager  
Hilda Pedraza, City Clerk  
Imelda Barrera, Assistant City Clerk  
Karla Moya, Finance Director  
Ruben Villescas, Police Chief  
Sergio Contreras, EDC Director  
Luis Bazar, Bridge Director

**CITY ATTORNEY** Patricia A. Rigney, City Attorney

**ITEM 1 ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY ABSENT MEMBERS OF THE GOVERNING BODY**

Chairperson Mayor Pro Tem Elizondo called the meeting to order at 4:20 pm. Roll Call established a quorum.

Juan Guerra, City Manager, briefly stated Bobby Villarreal, Hidalgo County representative, had not been appointed as TIRZ #2 Board Member by the County yet. Therefore, his absence did not need to be excused at this time.

Board Member Comm. Medina moved to excuse the absence of Board Member Comm. Mario Bracamontes. It was seconded by Board Member Comm. Guajardo. Motion carried unanimously.

**ITEM 2 APPROVAL OF MINUTES FOR DECEMBER 8, 2015 REGULAR CALLED MEETING**

Chairperson Mayor Pro Tem Elizondo introduced the item.

Board Member Comm. Guajardo moved to approve the minutes as submitted. Board Member Comm. Medina seconded and when put to a vote the motion carried unanimously.

**ITEM 3 CONSIDERATION AND ACTION, IF ANY, ACCEPTING AMENDING OF ORDINANCE NO. O-2016-15**

Chairperson Mayor Pro Tem Elizondo introduced the item.

Board Member Comm. Medina moved to approve. Board Member Comm. Guajardo seconded and when put to a vote the motion carried unanimously.

TIRZ #2  
Special Meeting  
July 22, 2016

Ordinance No. O-2016-01 TIRZ II is filed with the City Clerk's Office.

**ITEM 4**      **CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE BOARD OF TAX INCREMENT REINVESTMENT ZONE NUMBER ONE HEREBY GIVES NOTICE THAT IT MAY MEET IN EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA, INCLUDING ITEM(S) 2**

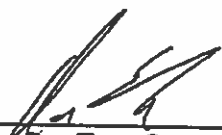
None.

**ITEM 5**      **RECONVENE** into Open Session, and consider action if necessary, on item(s) discussed in executive session.

None.

**ITEM 6**      **ADJOURNMENT**

There being no further business, Board Member Comm. Guajardo moved to adjourn. Board Member Comm. Medina seconded and when put to a vote the motion carried unanimously. Meeting adjourned at 4:21 pm.

  
\_\_\_\_\_  
Mayor Pro-Tem Oscar Elizondo Jr.,  
Chairperson

ATTEST   
\_\_\_\_\_  
Comm. Mario Bracamontes, Secretary

**Exhibit C-5**

**Board Meeting Minutes**

**August 23, 2016**

**[See attached – 2 pages]**

**THE TAX INCREMENT REINVESTMENT ZONE NUMBER TWO  
SPECIAL CALLED MEETING MINUTES  
COMMENCING AT 5:10 PM  
TUESDAY, AUGUST 23, 2016**

**TIRZ #2 BOARD MEMBERS PRESENT:** Board Member Comm. Oscar Elizondo, Jr.  
Board Member Comm. Eleazar Guajardo  
Board Member Comm. Ricardo Medina  
Board Member Comm. Mario Bracamontes

**ABSENT:** None

**STAFF PRESENT:** Juan Guerra, City Manager  
Edward Wylie, Assistant City Manager  
Hilda Pedraza, City Clerk  
Bill Ueckert, City Engineer  
Gary Rodriguez, Events Center Dir.  
Karla Moya, Finance Director  
Anali Cantu, HR Director  
Lenny Perez, Fire Chief  
Melanie Cano, Development Services Dir.  
Eddie De Leon, Public Utilities Assistant Dir.  
Roel Garza, Parks & Recreation Dir.  
Raul Garza, CDBG Director  
Sergio Contreras, EDC Director  
Luis Bazar, Bridge Director

**CITY ATTORNEY** Patricia A. Rigney, City Attorney

**ITEM 1 ROLL CALL AND POSSIBLE ACTION ON THE EXCUSING OF ANY ABSENT MEMBERS OF THE GOVERNING BODY**

Chairperson Mayor Pro Tem Elizondo called the meeting to order at 5:22 pm. Roll Call established a quorum.

**ITEM 2 APPROVAL OF MINUTES FOR JULY 22, 2016 SPECIAL CALLED MEETING**

Chairperson Mayor Pro Tem Elizondo introduced the item.

Board Member Comm. Medina moved to approve the minutes as submitted. Board Member Comm. Guajardo seconded and when put to a vote the motion carried unanimously.

**ITEM 3 CONSIDERATION AND ACTION, IF ANY, ACCEPTING AMENDING OF ORDINANCE NO. O-2015-57 – TIRZ II PROJECT AND FINANCING PLAN (PEDC II)**

Chairperson Mayor Pro Tem Elizondo introduced the item.

Board Member Comm. Medina moved to approve. Board Member Comm. Guajardo seconded and when put to a vote the motion carried unanimously.

TIRZ #2  
Special Meeting  
August 23, 2016

**ITEM 4**      **CLOSED SESSION: IN ACCORDANCE WITH CHAPTER 551 OF THE TEXAS GOV'T. CODE, THE BOARD OF TAX INCREMENT REINVESTMENT ZONE NUMBER ONE HEREBY GIVES NOTICE THAT IT MAY MEET IN EXECUTIVE SESSION TO DISCUSS THE ITEMS LISTED ON THE PUBLIC PORTION OF THE MEETING AGENDA, INCLUDING ITEM(S) 2-3**

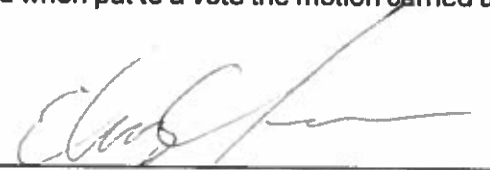
None.

**ITEM 5**      **RECONVENE** into Open Session, and consider action if necessary, on item(s) discussed in executive session.

None.

**ITEM 6**      **ADJOURNMENT**

There being no further business, Board Member Comm. Guajardo moved to adjourn. Board Member Comm. Medina seconded and when put to a vote the motion carried unanimously. Meeting adjourned at 5:23 pm.

  
\_\_\_\_\_  
**FOR: Mayor Pro-Tem Oscar Elizondo Jr.,**  
**Chairperson**

ATTEST

  
\_\_\_\_\_  
Comm. Mario Bracamontes, Secretary