

Minutes
TIF Meeting
April 19, 2016

On this 19th day of April 2016, at 5:30 p.m., the Board of Directors for the City of Devine Tax Increment Reinvestment Zone Number Two convened in a Meeting; the same being opened to the public at their regular meeting place; thereof, at City Hall, 303 S. Teel Drive, Devine, Texas. The following members being present:

William L. Herring, Chairman
Hal Lance
Kathy Wilkins
Steve A. Lopez
David Espinosa

Absent being: Board Member David Valdez; thus, constituting a quorum.

Personnel present: Joe Ramos, City Administrator; Dora V. Rodriguez, Assistant City Administrator/ City Secretary; Denise Duffy, City Accountant; and Tom Cate, City Attorney.

Others present: Lance Elliott, TIF Consultant; and Sonia J. Lance of Devine, Texas.

The first order of business was Roll Call.

Chairman William L. Herring called the meeting to order. Everyone was present with the exception of Board Member David Valdez.

The second order of business was Citizens to be heard.

There were no citizens to be heard at this time.

The third order of business was Election of Secretary.

Board Member Kathy Wilkins volunteered for this position.

Motion made by Board Member Steve A. Lopez, seconded by Board Member Hal Lance to elect Board Member Kathy Wilkins for Secretary.

Ayes	--	Four
Nays	--	None
Absent	--	One – Board Member David Valdez

Motion carried.

The fourth order of business was discussion and consideration of annexing additional property into City of Devine TIRZ #2 as shown on the attached map.

The Board reviewed the proposed TIRZ map and all properties (colored in purple) to be annexed into the City of Devine TIRZ # 2.

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City Administrator Joe Ramos explained that initially the TIRZ included the Walmart property and city property across from SH-173 (behind Triple-C). He explained his vision is to develop that area but also the entrance of Devine coming in from IH-35 & SH-173 towards the downtown area. He wanted to include the properties down SH-173 so that in case it ever gets developed, we will have money in that fund to provide infrastructure when needed.

Mr. Lance Elliott, TIF Consultant, added that he is also including the city park and also the city pump station in TIRZ because it is city property adjacent to the Zone. He explained there was a problem with the map in that we need to include the corner lot on SH-173 that is not colored purple and also need to exclude the property on Hayden Avenue that is colored purple when we make the motion to approve the map. He explained this is a map anomaly that the Appraisal Office will need to correct.

Mr. Lance Elliott, TIF Consultant, explained that as properties along SH-173 come up for sale, it gives the Zone a chance to help in the redevelopment of those properties. According to City Administrator Joe Ramos, he is looking at re-zoning these residential properties to Commercial. This will not impact the residential properties now but if a property is sold, it will become a matter for the new owner because they won't be able to build a new house on that property. It's just planning for the future.

Motion by Board Member Steve A. Lopez, seconded by Board Member Kathy Wilkins to approve annexing the additional property into City of Devine TIRZ #2 shown in purple on the map, including the corner property on SH-173 that is not colored purple and excluding the property on Hayden Avenue that is colored purple.

Ayes	--	Four
Nays	--	None
Absent	--	One – Board Member David Valdez

Motion carried.

Chairman William L. Herring read aloud Resolution 2016-1 and modified it to read:

BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF DEVINE TIRZ 2:

The property shaded in purple on the attached map is annexed into the Zone as of January 1, 2016, including the corner property on SH-173 that is not colored purple and excluding the property on Hayden Avenue that is colored purple on the map.

Motion by Board Member Kathy Wilkins, seconded by Board Member Hal Lance to adopt Resolution 2016-1.

Resolution 2016-1 attached as Exhibit A.

Ayes	--	Four
Nays	--	None
Absent	--	One – Board Member David Valdez

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Motion carried.

The fifth order of business was consideration and possible action on the City of Devine TIRZ # Two Revised Final Finance and Development Plan.

Mr. Lance Elliott, TIF Consultant, briefly reminded Council that our TIRZ #1 got paid off in 2015, three years in advance. So now he, Mayor Herring, and City Administrator Joe Ramos will be going back to the Medina County Commissioner's Court to request that they participate in this new Zone, so he has included Medina County in the finance plan. He explained that Tax Increment Reinvestment Zones are the only mechanisms in the State of Texas by which counties can leave their money in cities for the cities to use for redevelopment so it doubles the money that the city has available. Other than changing the dates, the primary change of the plan is to include the County for the next 23 years.

Chairman William L. Herring read aloud Resolution 2016-2.

Motion by Board Member Hal Lance, seconded by Board Member Kathy Wilkins to adopt Resolution 2016-2, a Resolution of the Board of Directors of Tax Increment Reinvestment Zone Number Two, City of Devine approving a Revised Final Project Plan and Financing Plan.

Resolution 2016-2 attached as Exhibit B.

Ayes	--	Four
Nays	--	None
Absent	--	One – Board Member David Valdez

Motion carried.

The sixth order of business was consideration and possible action on a Revised Inter-local Agreement for the City of Devine TIRZ # Two by and between Medina County, the City of Devine and the Board of Directors City of Devine TIRZ Number 2.

Mr. Lance Elliott, TIF Consultant, explained that in approving an inter-local agreement and in complying with state law, it really puts the cart before the horse because this is a legal document but the Board has to approve it first in order to give it to the City for the City Attorney to review, and then the City Attorney has to look at it and then give it to the County Attorney to review. So, he explained that the Resolution states that Council would be approving it subject to minor changes in wording by the City Attorney and by the County Attorney. If there are substantial revisions, then it will come back to the Board before it is approved. This is the next step we need to do before going to the County.

Mr. Lance Elliott, TIF Consultant, explained he took the existing Inter-local Agreement the City has with the County and just changed the dates, changed the amounts, and modernized it a bit and cleaned up some language since the last Inter-local Agreement we had was done in 2004, but it's the exact same document, and it is a legal document so it will need to be signed by the City Attorney and the County Attorney.

Chairman William L. Herring read aloud Resolution 2016-3.

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Motion by Board Member Steve A. Lopez, seconded by Board Member Hal Lance to adopt Resolution 2016-3, a Resolution of the Board of Directors of Tax Increment Reinvestment Zone # Two, City of Devine approving a Revised Inter-local Agreement by and between the Zone, Medina County and the City of Devine.

Resolution 2016-3 attached as Exhibit C.

Ayes	--	Four
Nays	--	None
Absent	--	One – Board Member David Valdez

Motion carried.

The seventh order of business was discuss and consider a date for the next meeting.

Mr. Lance Elliott, TIF Consultant, suggested that once he, Mayor Herring and City Administrator Joe Ramos meet with the Commissioner's Court and get a schedule from them, then they would need to come back so that when these items come up on the next council meeting, perhaps they can meet before the council meeting to update the Board on exactly what the Commissioners decided. We are looking to go to the County in May, if we can get on their agenda.

There being no further business to come before the Board, motion made by Board Member Hal Lance to adjourn meeting.

Chairman

Secretary

EXHIBIT A

Resolution NO. 2016-1

**AN RESOLUTION
ANNEXING PROPERTY INTO TAX INCREMENT
REINVESTMENT ZONE NUMBER TWO (2)
CITY OF DEVINE**

WHEREEAS, the City Council (the council) of the City of DEVINE, Texas (the "City") created Tax Increment Reinvestment Zone Number Two (the "Zone"), the DEVINE Redevelopment Program, on March 21, 2013 through Ordinance No. 2013-3 with boundaries pursuant to the provisions of the Tax Increment Financing Act (the "Act"), Texas Tax Code, Chapter 311 as amended; and

WHEREAS, the Board of Directors of TIRZ # 2, City of Devine, desire to amend the boundary map adopted at said meeting; and

WHEREAS, the City and County will benefit from improvements to properties fronting Hwy173; and

WHEREAS, the annexation of the property must be approved by the City Council of the City of Devine to be in full force and effect.

NOW THEREFORE:

**BE IT ORDAINED BY THE BOARD OF DIRECTORS OF THE CITY OF DEVINE
TIRZ 2:**

The property shaded in purple on the attached map is annexed into the Zone as of January 1, 2016.

PASSED and APPROVED at a regularly scheduled meeting of the Board of Directors of the City of DEVINE TIRZ #2, on the 19th day of April, 2016.


Chairman

Witness:


Secretary

EXHIBIT B

Resolution 2016-2

**A RESOLUTION OF THE BOARD OF DIRECTORS OF TAX
INCREMENT REINVESTMENT ZONE NUMBER TWO, CITY
OF DEVINE APPROVING A REVISED FINAL PROJECT PLAN AND
FINANCING PLAN.**

WHEREAS, Section 311.011(a) of the Texas Tax Code requires the Board of Directors to prepare and adopt a finance plan and project plan, and

WHEREAS, The project plan and finance plan must be submitted to the Devine City Council for approval by ordinance; therefore

BE IT ORDAINED BY THE BY THE BOARD OF DIRECTORS:

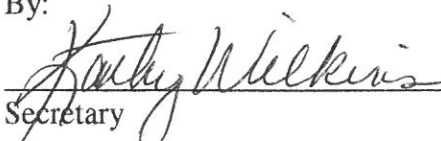
The attached Revised Project and Finance Plan is approved and shall be submitted to the Devine City Council for their approval by ordinance.

PASSED, APPROVED, AND ADOPTED THIS APRIL 19, 2016, BY THE Board of Directors of the City of Devine Tax Increment Reinvestment Zone Number Two.

Signed:


Chairman

By:


Secretary

Resolution 2016-3

**A RESOLUTION OF THE BOARD OF DIRECTORS OF TAX
INCREMENT REINVESTMENT ZONE NUMBER TWO, CITY
OF DEVINE APPROVING A REVISED INTERLOCAL AGREEMENT BY AND
BETWEEN THE ZONE, MEDINA COUNTY AND THE CITY OF DEVINE**

WHEREAS, Chapter 791, Texas Government Code and Chapter 311 of the Texas Tax Code provide for the joint participation of City and County in the City of Devine Tax Increment Reinvestment Zone, and

WHEREAS, The Interlocal Agreement upon approval of the Board of Directors must be submitted to Medina County Commissioners Court and the City Council of the City of Devine for approval.

BE IT ORDAINED BY THE BOARD OF DIRECTORS:

The attached Interlocal Agreement is approved, subject to minor corrections in language by the County, City or Zone Attorneys, and shall be submitted to the Devine City Council and the Medina County Commissioners Court for their approval by ordinance.

PASSED, APPROVED, AND ADOPTED THIS 19th day of April, 2016, by the Board of Directors of the City of Devine Tax Increment Reinvestment Zone Number Two.

Signed:


Chairman

By:


Secretary