

DRAFT

Official Minutes for Webb County Commissioners Court Special Meeting

**Tuesday, January 19, 2016 at 9:00 AM
(Approved DATE)**

Let it be remembered that a special meeting of the Webb County Commissioners Court was held at 9:00 a.m. at the regular meeting place with the following members present to wit:

Tano E. Tijerina,	County Judge
Frank Sciaraffa,	Commissioner, Pct. 1
Rosaura "Wawi" Tijerina,	Commissioner, Pct. 2
John C. Galo,	Commissioner, Pct. 3
Jaime Alberto Canales,	Commissioner, Pct. 4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the Agenda as posted in the meeting notice of the 15th day of January 2016. Present also were Ms. Virginia Martinez, Deputy County Clerk representing Mrs. Margie Ramirez Ibarra, Ex-officio Clerk of the Commissioners Court, various officers and others interested in the business of the Court.

CALL TO ORDER BY THE HONORABLE TANO E. TIJERINA, WEBB COUNTY JUDGE

- 1. Roll Call by Ms. Virginia Martinez, Recording Secretary on behalf of the Honorable Margie Ramirez-Ibarra, Webb County Clerk**

Motion by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina, seconded by Commissioner, Pct. 4 Jaime Alberto Canales to excuse both Judge Tano Tijerina and Cmr. Frank Sciaraffa

Vote: 3 - 0 Motion Carried

- 2. Pledge of Allegiance**

- 3. Communications**

Cmr. Tijerina - No comments.

Cmr. Galo - No comments.

Cmr. Canales - No comments.

- 4. Public Comment - This section provides the public the opportunity to address the Commissioners Court on any items on the Agenda. Members of the public wishing to participate must complete a Witness Card specifying which agenda item they wish to comment on. Each public member will be allowed a total of Three (3) minutes within which to make any/all public comments.**

Cynthia Collazo, City of Laredo

Ms. Collazo thanked the Commissioners Court for all their work and support regarding item #5.

Phillip Waters, Senior VP with the Horizon Group

Mr. Waters thanked the Commissioners Court for all their support regarding item #5.

COURT TO DISCUSS AND ACT ON THE FOLLOWING:

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to open up the Public Hearing

Vote: 3 - 0 Motion Carried

Commissioners Court Administrator

OPEN PUBLIC HEARING

- 5. Discussion and possible action by the Webb County Commissioners Court, for review and possible approval of a Resolution and/or Order approving the entering into a Webb County Economic Development Grant and Ad-Valorem Tax Abatement Agreement as authorized by Article III, Section 52-a of the Texas Constitution, Chapter 312 of the Texas Tax Code, Chapter 381, Section 381.004 (g) of the Texas Local Government Code, the amended Webb County Tax Abatement Policy Guidelines, Criteria and Methodology approved by the Webb County Commissioners Court on November 23, 2015, and as per City of Laredo Ordinance Numbers 2009-0-221, and 2014-0-156 designating the city limits and the extra-territorial jurisdiction located five miles outside the city limits of the City of Laredo as the City's Tax Abatement Reinvestment Zone for commercial/industrial tax abatements, by and between Webb County and EL PORTAL CENTER, LLC., an Illinois Limited Liability Company, for a grant of public money in the form of an annual ad-valorem tax abatements paid to Webb County, Texas for a term**

of up to Ten years (10 yrs.), to be based on a percentage of the annual added real and/or personal property value increase over the January 1, 2016 base year ad-valorem tax value for the proposed redevelopment project of the existing retail center formerly known as the "River Drive Mall", into a retail outlet shopping mall and to operate and maintain the redeveloped retail outlet shopping mall to be known as "The Outlet Shoppes at Laredo" along with associated infrastructure and business' to consist of approximately 357,901 sq. ft. of leasable retail space to be operated on the real property situated in the City of Laredo, Webb County, Texas, as described herein-below. This grant agreement in the form of annual tax abatements is in recognition of, and conditioned upon and derived from the positive economic benefits to Webb County derived from EL PORTAL CENTER, LLC.', development of real and personal property improvements and/or expenditures thereon as well as the creation of new construction jobs, and new permanent job creation and retention and other associated economic benefits derived from the redeveloped retail outlet shopping mall project to be located thereon; and any other matters incident thereto.

Situated in City of Laredo, Webb County, Texas, as per the Original Map of the City of Laredo, Webb County, Texas; to wit;

Tract I. - All of Block 24, Western Division

Tract II. - Lots 5, 6, 7, 8, 9, and 10, Block 276-A, Western Division

Tract III. - Lots 1, 2, 3, 7, 8, 9, and 10, Block 23, Western Division

Tract IV. - Lots 4, 5, 6, and 7, Block 281, Western Division, Save and Except the North 20 feet of said Lots 4 and 5

Tract V. – Lots 5 and 6 Block 278-A, Save and Except the West 30 feet of said block

Tract VI. -All of Block 277-A, Western Division

Tract VII. – Situated in Webb County, Texas; Being a 30 foot wide tract of land lying between Blocks 277-A and 278-A, Western Division as Per the Original Map of the City of Laredo, Webb County, Texas;

Tract VIII.- Being a tract of land containing 6,666.60 sq. ft. (0.1530 of an acre) being out of Davis Avenue right-of-way between the south right-of-way line of Zaragoza Street and the north right-of-way of Water Street, this tract of land bounded on the east by Block No. 276A, Western Division, and on the west by Block No. 277A, Western Division, City of Laredo, as recorded in Vol.7, page 15 of the Plat Records of Webb County, Texas (said former street having been closed by City of Laredo Ordinance No. 2004-0-341 dated December 20, 2004.)

Tract IX. - (Meza Lot) Lots 1,2,3 and 4, Block 276-A, Western Division

Tract X.- (Zaragoza Lot) Lot 4, Block 23, Western Division

Discussion on file at the Webb County Clerk's Office January 19, 2016 Commissioners Court Special Meeting DVD.

Commissioners Court Administrator, Mr. Leroy Medford was present to address the Commissioners Court on item #5.

Comr. Tijerina asked if anyone was for or against.

No one responded.

County Attorney's Office, Mr. Ray Rodriguez and City of Laredo, Ms. Cynthia Collazo were both present to address the Commissioners Court on item #5.

CLOSED PUBLIC HEARING

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 4 Jaime Alberto Canales to close Public Hearing

Vote: 3 - 0 Motion Carried

Motion by Commissioner, Pct. 3 John C. Galo, seconded by Commissioner, Pct. 4 Jaime Alberto Canales to adopt the Resolution & Order and the Tax Abatement Contract granting a Tax Abatement to El Portal LLC not to exceed ten (10) years and not to exceed 3.3 million with all other items involved in the guidelines

Vote: 3 - 0 Motion Carried

- 6. Discussion and possible action to accept a Tax Abatement Application (Phase II) from El Portal Center LLC for the proposed second phase of construction for the redevelopment of the existing retail center on the property formerly known as the "River Drive Mall" and authorizing the Webb County Attorney's Office to commence and enter into formal contractual negotiations only, with El Portal Center, LLC., for the terms, conditions, criteria and/or other necessary requirements as needed for entering into a possible ad-valorem tax abatement agreement with said company; and any other matters incident thereto.**

Discussion on file at the Webb County Clerk's Office January 19, 2016
Commissioners Court Special Meeting DVD.

Commissioners Court Administrator, Mr. Leroy Medford, County
Attorney's Office, Ms. Alexandra Solis Colessides, Mr. Ray Rodriguez,
and Senior VP with the Horizon Group, Mr. Phillip Waters were all
present to address the Commissioners Court on item #6.

Motion by Commissioner, Pct. 4 Jaime Alberto Canales, seconded by
Commissioner, Pct. 3 John C. Galo

Vote: 3 - 0 Motion Carried

Purchasing

7. **Discussion and possible action to reject Letters of Interest (LOIs) submitted for Notice of Intent (NOI): Extension Roadway Across Reuthinger property, previously due on January 7, 2016 and to authorize the Purchasing Agent to work with Texas Department of Transportation (TxDot) and county staff to resolicit the contract as a Request for Qualifications (RFQ) to ensure that all Professional Engineering Procurement Service (PEPS) requirements are met. All LOIs that have been submitted will remain unopened and will be returned to the original sender for an opportunity to re-submit their qualifications verifying compliance with the PEPS, once the revised contract is approved by the court.**

Issue: The court approved the solicitation of Letters of Interest from prospective vendors for the Notice of Intent (NOI): Extension Roadway Across Reuthinger property. Certain Professional Engineering Procurement Service (PEPS) requirements were not properly followed by county staff who initiated the request which could have jeopardized the allocation of funds for the contract.

Solution: Recommendation is to reject the current Letters of Interest (LOIs) submitted for Notice of Intent with the corrected criteria and information necessary to ensure that all PEPS requirements are followed in this procurement process.

Result: Ensure compliance with all PEPS criteria in solicitation of contract and qualification for funding.

Motion by Commissioner, Pct. 3 John C. Galo, seconded by
Commissioner, Pct. 4 Jaime Alberto Canales

Vote: 3 - 0 Motion Carried

8. **Adjourn**

Motion by Commissioner, Pct. 3 John C. Galo, seconded by
Commissioner, Pct. 2 Rosaura "Wawi" Tijerina to adjourn

Vote: 3 - 0 Motion Carried