



Mayor: Mario Garza
Mayor Pro-Tem: Leonardo “Lenny” Sanchez
Commissioners: Adina “Dina” Santillan
Ernesto “Neto” Guajardo
Marco “Markie” Villegas

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SAN JUAN CITY COMMISSION

Location: San Juan Memorial Library
Multipurpose Meeting Room
1010 S. Standard
San Juan, Texas 78589
Tuesday, August 24, 2021

REGULAR MEETING AGENDA 6:00 PM

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. PUBLIC COMMENTS

V. PRESENTATIONS

A. Presentation on Departmental Reports: Department of Finance, Fire Department, Police Department, Municipal Court, and Department of Utilities.

1. Department of Finance Monthly Report.

2. Fire Department Monthly Report.

3. Police Department Monthly Report.

4. Municipal Court Monthly Report.

5. Department of Utilities Monthly Report.

B. Update Presentation on City Hall/Transit Terminal Building.

VI. PUBLIC HEARINGS

A. Hold Public Hearing on the Adopting the Proposed Tax Rate and Levy for the City of San Juan, Texas for the Fiscal Year Beginning October 1, 2021 and Ending September 30, 2022.

VII. ORDINANCES

A. Consideration and Approval of an Ordinance Authorizing the Issuance of “City of San Juan, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2021”; Providing for the Payment of Said Certificates by the Levy of an Ad Valorem Tax Upon all Taxable Property within the City and Further Securing said Certificates by a Lien on and Pledge of the Pledged Revenues of the System; Providing the Terms and Conditions of said Certificates and Resolving other Matters Incident and Related Thereto.

VIII. DISCUSSION AND POSSIBLE ACTION ON ALL THE FOLLOWING MATTERS:

A. Discussion and Possible Action Regarding Hidalgo County Elections Department Request of the San Juan Memorial Library Multipurpose Room for the November 2, 2021 Constitutional Amendment Election for Early Voting and Election Day.

B. Discussion and Possible Action to Authorize City Manager to Solicit Bids for the Construction of the New City Hall / Transit Terminal.

C. Discussion and Possible Action to Authorize City Manager to Solicit Bids for Sewer Line Infrastructure Improvements at the New City Hall / Transit Terminal Building.

IX. RESOLUTIONS

A. Consider and Approve a Resolution by the City Commission of the City of San Juan to Accept Allocation of the American Rescue Plan Act Funds 2021.

B. Consider Authorizing the City Manager to Submit a Grant Application to the Texas Parks and Wildlife for Participating in the Local Park Grant Program and to Execute all Grant Documents Relating Thereto.

X. CONSENT AGENDA

- A.** Consider Second and Final Reading of an Ordinance for a Conditional Use Permit to Allow “The Industrial Ballroom” Event Center located at 1200 E. Business 83 Suite 1201, legally described as Lots 122 – 125, VIP East Subdivision, as Requested by Johnny Rodriguez.
- B.** Consider Second and Final Reading of the Ordinance for the Rezoning Request from Single-Family Residence District (R-S) to the Expressway Corridor District (EC) of the following properties:
- M.L. Woods Co. Tract No. 3 E165’-N200’ Lot 6 and W10’-N200’ Lot 7 0.80 AC GR 0.72 AC NET
 - M.L. Woods Co. Tract No. 3 E115.35’-W125.36’-N100’ Lot 7, 0.26 AC
 - M.L. Woods Co. Tract No. 3 S100’-E115.35’-W125.36’-N200’ Lot 7, 0.26 AC
 - M.L. Woods Co. Tract No. 3 E151.64’-N200’ Lot 7 & W14.43’-N200’ Lot 8, 0.76 AC GR, 0.69 AC NET
 - M.L. Woods Co. Tract No. 3 N290.4’-E75’-W89.43’ Lot 8, 0.50 AC GR 0.47 AC NET
 - M.L. Woods Co. Tract No. 3 E5.35 AC Lot 10 EXC 0.53 AC 4.82 AC NET
 - Alamo Land and Sugar Co. 4.54 AC- AN IRR TR-BEING E 502’-N788.5’ Lot 2 Block 35, 4.13 AC NET
 - Alamo Land and Sugar Co. AN IRR TR S140.2’-N356.05’-W178’-E188’ Lot 2 & NEC 0.29 Lot 2 & W118’-N229’ Lot 3 Block 35, 1.20 AC NET
 - Alamo Land and Sugar Co. E87’-W250’-N280’ & S71’-N300’-W118’ Lot 3, Block 35, 0.75 AC
 - Alamo Land and Sugar Co. E100’-W305’-N300’ Lot 3, Block 35
 - Alamo Land and Sugar Co. E60’-W660’ Lot 3, Block 35, 1.82 AC GR, 1.79 AC NET, as Requested by the City of San Juan.
- C.** Consider Second and Final Reading of an Ordinance for the Rezoning Request from Single-Family Residence District (R-S) to Neighborhood Commercial District (C-1) at the property located at 315 W. 1st Street, legally described as Lot 3, Block 6, San Juan Original Townsite Subdivision, as Requested by Maria Guadalupe Garcia.
- D.** Consider Second and Final Reading of an Ordinance Amending Chapter 1 General Provisions, Article 1.05 Administrative Fees, Section 1.05.006 San Juan Memorial Park, Section 1.05.007 Mayfield Park, and Section 1.05.009 Parks and Recreation of the City Of San Juan's Code of Ordinances to Consolidate all Provisions Related to Parks and Recreation Fees Under Section 1.005.006, to be Renamed as Parks and Recreation Fees and to Include Additional Related Fees for the San Juan Sports Complex and the San Juan Municipal Park; Providing for Effective Date; Providing for Publication; Providing for Codification; Providing for a Severability Clause; and Providing for a Repealer Clause.
- E.** Tax Collection Report - July 2021

XI. EXECUTIVE SESSION

CITY COMMISSION MEETING AGENDA

AUGUST 24, 2021

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A. The San Juan City Commission will Convene in Executive Session, in Accordance with the Texas Open Meeting Act, Vernon's Texas Statutes and Codes Annotated, Government Code Chapter §551.071 and §551.072 (Consultation with Attorney and Deliberation Regarding Real Property).

1. Discussion and Possible Action Regarding the Purchase, Exchange, Lease, or Value of Real Property on a Tract of Land Containing 1.59 Acres of Land, Situated in Hidalgo County, Texas, Being Part or Portion of Lot 8, Block 35, Alamo Land Sugar Company Subdivision.

2. Discussion and Possible Action Regarding Issues Concerning a Festival Event to take Place on December 17, 2021.

XII. RECONVENE

A. The City Commission will Reconvene in Open Session to Take Necessary Action, if any, in Accordance with Chapter 551, Open Meetings, Subchapter E, Procedures Relating to Closed Meeting 551, Requirements to take Vote or Take Final Action in Open Meeting.

XIII. ADJOURNMENT

CERTIFICATION

I certify that the above notice of the Regular Called Meeting of the City of San Juan is true and correct; and that I posted such notice on the bulletin board. A place convenient and readily accessible to the public on the in accordance with the Texas Open Meetings Act (Tex. Gov't. Code §551-041 - §551.050).

DIANA CAVAZOS
CITY SECRETARY
CITY OF SAN JUAN, TEXAS

CERTIFICATION OF REMOVAL

I certify that the agenda of items to be considered by the City Commission was removed by the City Secretary's Office from the San Juan City Hall bulletin area on the the _____ of _____, 2021.

OFFICE OF THE CITY SECRETARY



Mayor: Mario Garza
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Commissioners: Adina “Dina” Santillan
Ernesto “Neto” Guajardo
Marco “Markie” Villegas

MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Leroy Gonzales, Director of Finance

DATE: 8/13/2021

SUBJECT: Department of Finance Monthly Report.

Finance Department

Department Description

Finance Department has the responsibility to safeguard City's financial assets and manage its resources in according with state law, City Charter, and ordinances enacted by the City Commission.

- Process accounts payable and payroll for the City of San Juan and Economic Development Corporation.
- Provide monthly financial reports to Departments and City Commission
- Generate financial reporting according to GAAP
- Maintain an adequate level of liquidity and meet financial responsibility of City's investments policy prioritizing objective of safety, liquidity and yield

Additional Information

- 7 STAFF MEMBERS
- Maintained 26 funds, assisted 24 departments and posted 2,313 journal entries, issued 3,858 disbursement checks and processed 5,887 payroll checks and direct deposits, during the months of July 2021
- May Sales Tax 12.06% Increase of \$53,932 Compared to last year.
- Audit FY 2019/2020 Completed and presented March 29, 2021.
- Reconciled 10 Bank Accounts
- Budget Adjustments (50)

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- Budget Amendments (6)
- Manage a 25.2 million budget

General Fund Budget of 13.2 million

Utility & Sanitation Fund 7.2 million

Stormwater Fund 305 thousand

Debt Service Fund 1.9 million

Other Funds 2.5 million

Utility Billing Department

Department Description

The Utility Billing Department is responsible for billing and collection of water usage, sanitary sewer, residential garbage collection and responding to customers complaints.

- The City collects about 6,856 water and 9,584 sewer accounts.
- North Alamo Water Supply Corporation service 3,132 sewer accounts.
- Per Audited Financial Report, in FY ending 9/30/2020, Utility Fund collected 5.8 million and Sanitation Fund 3.6 million with a combined 9.4 million.
- Received 2 Chevy Colorado Vehicles for Meter Division
- Email Billing (102)
- Service Orders
 1. Connects 35
 2. Meter information 18
 3. Disconnect 43
 4. Dead Meters Change 08
 5. Past Due Notice 1,517
 6. Cut Off Register 18
 7. Cut List 190
 - Payments are made by
 - 65 % paid in person
 - 1 % juniors
 - 22 % online
 - 6 % bank drafts
 - 6 % other locations
- Staff of 7 Employees



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MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Tirso Garza, Fire Chief

DATE: 8/17/2021

SUBJECT: Fire Department Monthly Report.

The San Juan Fire Department had the following activity during the month of July 2021:

Emergency Calls

A total of 56 Calls for the month of July 2021. (Please see attached report.)

- A Shift = 18
- B Shift = 17
- C Shift = 21

Med-Care Response

Due to COVID19 Med-Care EMS responded along with the Fire Department for a total of 14 calls with no delays for the Month of July 2021. The Med-Care report has not been submitted by Med-Care.

County Calls

For the month of July 2021, the San Juan Fire Department had no County Calls.

Volunteer Department

The San Juan Volunteer Fire Department was not able to meet for a monthly business meeting due to COVID-19.

Fire Inspections

A total of 17 inspections were conducted in the Month of July 2021, please see attached for detailed information about each conducted inspection.

Plan Reviews

The following plans were reviewed for the month of July 2021:

- Plaza San Juan Subdivision
- McDonalds
- Merit Commercial Real Estates
- R.E. Garcia Associates
- Plaza San Juan Subdivision (Second Plans)
- DJP III, LLC
- Christian Estates

Fuel Utilization

Please note that the total amount of gallons mentioned in this report belong only to the logs that were submitted by the Fire Chief, Lieutenant or Firefighter in Charge for the month of July 2021 to the Administration Office.

- A total of 100.6 Gallons of Unleaded
- A total of 605.4 Gallons of Diesel



Rudy Muniz
Acting Lieutenant

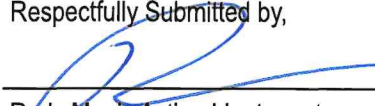
**July 2021
Call Volume Monthly Breakdown**

Fire House Code	Incident Type	Total
322	Motor Vehicle Accidents w/Injuries	3
323	Auto-Pedestrian	0
324	Motor Vehicle Accidents w/o Injuries	1
311	Medical Call	15
142/143	Grass/Brush Fires	0
131	Vehicle Fires	5
700/750	False Alarms	13
154	Trash Fires	0
550/551	Assist other Agency/Dept.:	0
651	Smoke Scare	2
111	Structure Fires	0
1101	Equipment Fire	3
412	Gas Leak	2
480	Attempted burning, Illegal action	0
600	Good Intent Call	2
611	Cancelled in Route	0
622	Wrong Location/No Incident Found	0
541	Bee attack/ Animal Problem	4
331	Child Locked in a Vehicle	3
440/1601	Electrical Equipment Problem (Pole)	1
1131	Cooking Fire	0
100	Fire, Other	1
Grand Total:		56

Call Volume for each shift:

A Shift 18
B Shift 17
C Shift 21

Respectfully Submitted by,


Rudy Muniz Acting Lieutenant



Tirso Garza, Fire Chief
2301 N. Raul Longoria
San Juan, TX 78589
Office: 956-223-2470
Fax: 956-783-3441

Med-Care Response Times

[July] 2021

Date	Incident #	Location	Dispatched Time	Arrival	Delay Time	Incident Type
7/2/21	21-356	1220 South Ohio	15:44	15:48	4min	Medical Call
7/5/21	21-364	420 Citrus Circle	13:19	13:30	11min	Lift Assist
7/5/21	21-365	131 East 2nd street	19:33	19:41	8min	Medical Call
7/7/21	21-370	1330 South Shufford	18:49	19:02	13min	Possible Suicide
7/8/21	21-371	Raul Longoria 495	17:36	17:52	16min	MVA
7/12/21	21-372	733 San Lucas	22:05	22:14	9min	MVA
7/17/21	21-379	800 North Raul Longoria	10:23	10:35	12min	Medical Call
7/17/21	21-380	212 West San Diego	17:22	17:31	9min	Stroke
7/21/21	21-385	424 West Business 83	22:44	22:48	4min	Medical Assist
7/23/21	21-389	105 Blue Bird	16:36	16:47	11min	Medical Assist

7/27/21	21-395	SouthGate / Raul Longoria	23:20	23:27	7min	Vehicle Fire
7/28/21	21-398	Raul Longoria / Sioux Rd	23:14	23:19	5min	MVA
7/30/21	21-404	529 South I RD	7:18	7:28	10min	Medical Call
7/30/21	21-405	1908 South Standard	18:31	18:44	13min	Medical Call

Fire Inspection July 2021

	Date	Name of Business	Address	Contact	Inspector	App/Deny
1	7/7/21	Dollar Tree Store, Inc	1614 N Raul Longoria HWY	Evelyn Martinez	J. Salinas	Approved
2	7/8/21	Taqueria La Mexicana	1803 N Raul Longoria HWY	Ma Pilar Castaneda	J. Salinas	Approved
3	7/9/21	Nutricion Xtrema	1209 E 495, Ste B	Manuela Garcia	J. Salinas	Approved
4	7/12/21	Cabrera Meat Market & Tortilleria	2211 N Veterans RD, Ste 3	Ricardo Cabrera	J. Salinas	Approved
5	7/13/21	Colchones & Muebles BBB, LLC	1806 N Raul Longoria HWY, Ste 4	Javier A. Rodriguez	J. Salinas	Approved
6	7/14/21	Mi Hacienda Adult Daycare	4011 N I RD	Melinda Ornelas	J. Salinas	Approved
7	7/14/21	Dairy Queen of San Juan	800 W 83 BUS	Cricelda Hinojosa	J. Salinas	Approved
8	7/15/21	Agua Dental	105 S Cesar Chavez RD	Andrea Hino	J. Salinas	Approved
9	7/16/21	GA Produce LLC	2504 S Veterans RD	Mere Flores	J. Salinas	Approved
10	7/16/21	Christina's Health Club	232 W 83 BUS, Ste E	Maria Bermea	J. Salinas	Approved
11	7/20/21	Don Carnitas Taqueria	915 E 495	Cesar parra	J. Salinas	Approved
12	7/20/21	Felicia Decor	2604 N Raul Longoria HWY, Ste 108	Felicia Segura	J. Salinas	Approved
13	7/21/21	El Pato Mexican Food	1626 N Raul Longoria HWY	Heleazar Solis	J. Salinas	Approved
14	7/26/21	P & E Tax Service LLC	200 W 83 EXPY, Ste M	Erika A Munoz	J. Salinas	Approved
15	7/26/21	Victory Motors	2710 N Raul Longoria HWY	Jorge Ramsden	J. Salinas	Approved
16	7/29/21	Tierra Santa Adult Daycare	508 S Standard AVE	Fathi haj	J. Salinas	Approved
17	7/30/21	JV Nutrition	2012 N Raul Longoria HWY, Ste A	Nellie B. Garza	J. Salinas	Approved
18						
19						
20						
21						
22						
23						
24						
25						
26						
27						

FUEL LOG

July 2021

[illegible]

Sandra Guajardo, Administrative Assistant

FUEL LOG

July 2021

DATE	TIME	UNIT/DIESEL CONTAINER	GALLONS	OFFICER IN CHARGE
7/1/2021	11:23 a.m.	1202	15.4	C. Alaniz
7/2/2021	8:03 a.m.	1202	9.1	C. Alaniz
7/2/2021	2:04 p.m.	Engine-2	24.9	R. Torres
7/2/2021	2:11 p.m.	Brush-1	11	O. Ortega
7/6/2021	5:31 p.m.	Engine-2	6.2	O. Ortega
7/8/2021	11:08 a.m.	1202	12.2	C. Alaniz
7/8/2021	12:31 p.m.	Ladder-1	13.1	J. Mata
7/8/2021	1:20 p.m.	Brush-3	17	R. Torres
7/9/2021	7:18 a.m.	1201	20.1	Chief T. Garza
7/9/2021	12:59 p.m.	Ladder-1	6.1	J. Mata
7/12/2021	1:20 p.m.	Ladder-1	20.4	O. Escamilla
7/12/2021	2:24 p.m.	Engine-2	19.8	J. E. Mata
7/12/2021	2:31 p.m.	Rescue-1	8	R. Campos
7/14/2021	1:04 p.m.	Ladder-1	15.6	O. Escamilla
7/14/2021	2:33 p.m.	Engine-2	21.6	J. E. Mata
7/15/2021	8:26 a.m.	1202	9.2	C. Alaniz
7/15/2021	2:00 p.m.	Engine-1	9.2	V. Sanchez
7/16/2021	8:01 a.m.	1201	16.9	Chief T. Garza
7/16/2021	1:26 p.m.	Engine-2	13.4	B. Rodriguez
7/16/2021	1:44 p.m.	Ladder-1	16.3	J. Mata
7/19/2021	1:15 p.m.	Ladder-1	25.5	H. Leal
7/19/2021	1:48 p.m.	Engine-2	19.5	A. M. Garza
7/19/2021	2:04 p.m.	Rescue-1	7	R. Campos
7/20/2021	1:56 p.m.	Ladder-1	12.2	A. Foster
7/20/2021	2:21 p.m.	Engine-2	14.7	B. Rodriguez
7/20/2021	2:25 p.m.	Brush-1	5	O. Ortega
7/21/2021	12:40 p.m.	Engine-1	15	A. M. Garza
7/21/2021	1:00 p.m.	Ladder-1	17	O. Escamilla
7/21/2021	2:27 p.m.	1202	12.5	C. Alaniz
7/22/2021	2:07 p.m.	Brush-3	7.3	B. Rodriguez
7/23/2021	12:55 p.m.	Engine-1	15	A. M. Garza
7/24/2021	6:40 a.m.	Ladder-1	17.8	J. Mata
7/26/2021	12:04 p.m.	Ladder-1	14.5	J. Lopez
7/26/2021	12:34 p.m.	Engine-2	15	N. Garza
7/27/2021	1:45 p.m.	Ladder-1	15	R. Torres
7/27/2021	2:04 p.m.	Engine-2	11.1	N. Garza
7/27/2021	2:33 p.m.	Brush-1	7.4	S. Salinas
7/28/2021	1:27 p.m.	Ladder-1	17.5	M. Bazan
7/29/2021	8:43 a.m.	Brush-3	1.7	A. M. Garza

DATE	TIME	UNIT/DIESEL CONTAINER	GALLONS	OFFICER IN CHARGE
7/29/2021	12:46 p.m.	Engine-2	24	B. Rodriguez
7/29/2021	1:32 p.m.	Ladder-1	9.5	J. Lopez
7/29/2021	1:36 p.m.	Brush-3	8	A. M. Garza
7/30/2021	1:31 p.m.	Rescue-1	13.1	R. Campos
7/31/2021	11:01 a.m.	Ladder-1	14.6	R. Torres
TOTAL of Diesel			605.4	



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Marco “Markie” Villegas

MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Ruben Morin, Chief of Police

DATE: 8/16/2021

SUBJECT: Police Department Monthly Report.

This memorandum is to keep you all informed on our Monthly operational statistics, and any other significant cases or events that occurred during the month of July, 2021.

STATISTICS: POLICE

	<u>JULY</u>
•Calls for service:	1191
•Incident reports:	173
•Accidents:	108
•911 Calls:	1491
•Patrol Citations Issued:	71
•Violations:	91
•Patrol & CID Arrests:	41
•CID Issued Warrants:	16

SPECIAL GRANT DETAILS:

	<u>JULY</u>
•Stone Garden hours:	
•Vehicle Stops:	0
•Citations:	
•Border Star hours:	137.5
•Vehicle Stops:	0
•Contacts:	16
•Misdemeanor Arrest:	2
•Felony Arrest:	13
•Cases Investigated:	5

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- Citations: 0
- Tx-Dot STEP-Wave Traffic Enforcement hours: 0 (Did not work)

TRAFFIC ENFORCMENT:

JULY

- Cruiser enforcement (Thursday Nights) traffic stops. 40
- Citations: 21
- Arrest: 1
- Regular patrol city wide. 182 TRAFFIC STOP/ 71 CITATIONS

FEDERAL & STATE ASSET FOREFEITURE PROGRAM:

- Received state forfeiture awards: Nothing to report
- Received federal forfeiture awards: Nothing to report.
- Department is in full compliance with federal and state guidelines (Audits).

CRIME STOPPERS:

- No board meetings were scheduled.

SAN JUAN POLICE PERSONNEL:

Nothing to Report

TELE-COMMUNICATORS:

- No new event to report.

FLEET

- Fleet's old decals are being replaced with new patrol unit decals.

STATISTICS: ANIMAL CONTROL

JULY

- Calls for Service: 250
- Citations Issued: 1
- Violations: 2

UNIFORM CRIME REPORT:

Comparing the Month of July 2021 to July 2020, the City of San Juan's major crimes have decreased 20 percent.

COVID-19 OPERATIONS:

- San Juan Police Department followed the guidelines set forth by the Mayor, County Judge and the Governor of Texas.

SPECIAL EVENTS:

- Nothing to report

Respectfully,

Ruben Morin, Chief of Police
San Juan Police Department
"A Commitment to the Future"



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MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: Mary Enriquez, Court Administrator

DATE: 8/16/2021

SUBJECT: Municipal Court Monthly Report.

The Municipal Court is responsible for the legal enforcement of City Ordinances and laws. It deposits and prepares daily reports to the Department of Finance.

Amount Collected	\$ 17,682.09
Defensive Driving	1
Deferred	3
Pre-Trials	14
Bench Trials	4
Scofflaw	\$ 2,373.30

COLLECTIONS 2020
July - \$ 17,189.95

COLLECTIONS 2021
July - \$ 17,682.09

CITATIONS ISSUED 2020
July - 64

CITATIONS ISSUED 2021
July - 71

SCOFFLAW COLLECTIONS 2020
July - \$ 4,337.85

SCOFFLAW COLLECTIONS 2021
July - \$ 2,373.30

City Marshal - Warrants and Fines collected - \$ 3,833.00
Warrants - 13
Phone calls - 90

Total Warrants Issued - 0



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MEMORANDUM

TO: Benjamin Arjona, City Manager

FROM: David Salinas, Director of Utilities

DATE: 8/20/2021

SUBJECT: Department of Utilities Monthly Report.

Texas Drought Outlook

- 1% of Texas is in a drought (August 16, 2021)
- RGV is Normal
- Falcon and Amistad are @ 39.63%
- STAGE II IS STILL IN FULL EFFECT

System Outlook

- Water Connections – 6,856
- Sewer Connections – 10,529 (3726 NAWSC)

Water Treatment Facility

- Combined Gallons Treated: 66.742 MG
- Combined Gallons Produced: 72.127 MG

Water Treatment Facility No. 1

- 0.466 MG treated
- 28.191 MG delivered
- 22.426 MG Transferred from WTF No. 2
- 5.251 MG RAW (Reservoir)
- 0.059 MG Backwash
- 0 MG Well

Water Treatment Facility No. 2

709 S. Nebraska Ave. • San Juan, Texas 78589-2649
Phone: (956)223-2200 • Fax: (956) 787-5978

- 66.276 Treated
- 43.936 MG Delivered
- 22.426 MG Transferred to WTF No. 1
- 45.95 MG RAW (Reservoir)
- 1.66313 MG Backwash

WTP 3.5 MGD Expansions and Rehab 100%

Operated Water Plant as Efficiently as Possible

Sludge Management Continues to be Critical

Proposed Budget Pending TWDB Approval

Water Distribution System

- Leaks – 3
- Breaks – 5
- Taps – 4

Water Loss

- Reported – 296,500 gals
- Unreported – 88,000 gals

Hydrants

- Flushed – 52
- Repaired/Replaced – 0
- STAGE II WATER CONSERVATION STILL IN EFFECT

Valves

- Worked – 10
- Repaired/Replaced – 0

Utility Billing

- Work Orders – 0

We Continue Our Hydrant and Valve Maintenance

One Vacancy – WM

Wastewater Treatment Facility

- Treated – 75.561 MG
- Wetland – 1.894 MG

- 420 - Cubic Yards of Sludge Hauled to Landfill
- Solids Dewatering Facility 100% Final Pay App Submitted
- Quarterly Biomonitoring all species passed
- TCEQ Virtual Compliance Investigation (Pending Report)
- Permit Compliance Issue CBOD 30day and 7 Day Average

Wastewater Collections

Work orders

- Sewer Main Repaired – 0
- Sewer Main Installed – 0
- Sewer Backups Reported – 17
- Sewer Backups Cleared – 6
- Odor Complaints – 0
- Locates – 16
- Manhole Repaired/replaced – 0
- New Manholes installed – 0
- Unauthorized Discharges - 1

Administration

Financials

- Administration – 48.47%
- Water Treatment – 25.27%
- Distribution: – 60.36%
- Sewer Collection – 48.74%
- Wastewater Treatment – 43.39%

Projects

- WTF No. 2 Pending TWDB Budget Approval
- WWTF BFP – 100% Complete
- WWTF Rehab Design – 100% Complete (CHC) Pending Constructability Review
- WTF No. 1 Rehab – 100%, Pending Constructability Review
- LS 13 Design – 100% Complete (CHC) Pending Constructability Review

Training

- Admin – 0
- Water Treatment – 0
- Distribution – 0
- Sewer Collection – 0
- Wastewater Treatment - 1

Certification

- Water Treatment - 0

- Distribution – 0
- Sewer Collection - 0
- Wastewater Treatment – 0
- Renewals - 0

**PLEASE ENTER THE PROJECTED TIMELINE FOR THE CITY OF SAN JUAN CITY HALL /
TRANSIT TERMINAL BUILDING**

If there is a step that I omitted, please enter it as well.

CITY OF SAN JUAN CITY HALL / TRANSIT TERMINAL BUILDING

November 9th 2020	Board approval of a procurement method of construction for this project
February 26th 2021	Board approval of Schematic Design documents
April 16th 2021	Completion of Design Development Phase – Administrative Approval Only
August 13th 2021	Completion of Construction Documents Phase – Administrative Review & Approval
August 27th 2021	Completion of Construction Documents Phase – Bidding Set
August 29th 2021	1 st advertising in The Monitor
August 30th 2021	Release plans and specifications
September 5th 2021	2 nd advertising in The Monitor
September 8th 2021	Pre-Proposal Conference (San Juan Library)
September 10th 2021	RFI Deadline
September 17th 2021	Compile Final Set
September 21st 2021	Deadline to receive proposals
September 22nd 2021	Ranking and Recommendation
September 28th 2021	Board approval of ranking of proposals to select contractor (regular Board meeting)
October 28th 2021	Issuance of Notice to Proceed to awarded contractor
September 30th 2022	Estimated substantial completion of projects

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
AUGUST 24, 2021

Hold Public Hearing on the Adopting the Proposed Tax Rate and Levy for the City of San Juan, Texas for the Fiscal Year Beginning October 1, 2021 and Ending September 30, 2022.

STAFF COMMENTS AND RECOMMENDATIONS:

On Tuesday August 10, 2021, the City Commission voted and approved the Proposed Tax Rate of (\$0.6876/\$100) for Fiscal Year October 1, 2021 through September 30, 2022 and scheduled one required public hearing on August 24, 2021. However, in accordance with property tax law, if the proposed tax rate (\$0.6876/\$100) exceeds the No-New-Revenue Tax Rate (\$0.650911/\$100) or VAR NOT adjusted for Unused Increment Rate (\$0.666021/\$100), therefore public hearing on the proposed rate will be required before the City Commission adopts the tax rate ordinance.

The Ordinance Adopting the Tax Rate for the Tax Year 2021 and Fiscal Year Beginning October 1, 2021 through September 30, 2022 will be considered on first reading by the Commission on August 24, 2021.

RECOMMENDATION:

Consider Reading of Ordinance Adopting the Proposed Tax Rate and Levy for the City of San Juan, for Fiscal Year Beginning October 1, 2021, and Ending September 30, 2022.

PREPARED BY:

Leroy Gonzales,
Director of Finance

APPROVED BY:

Benjamin Arjona, City
Manager

2021 Governing Body Summary #1A*

Benchmark 2021 Tax Rates

City of San Juan

Date: 08/03/2021 11:05 AM

DESCRIPTION OF TAX RATE	TAX RATE PER \$100	THIS YEAR'S TAX LEVY**	ADDITIONAL TAX LEVY
No-New-Revenue Tax Rate	\$0.650911	\$7,855,131	
One Percent \$100 Tax Increase***	\$0.657420	\$7,933,681	\$78,550
One Cent per \$100 Tax Increase***	\$0.660911	\$7,975,810	\$120,679
De Minimis Rate	\$0	\$0	\$0
VAR NOT adjusted for Unused Increment Rate	\$0.666021	\$8,037,477	\$182,346
VAR adjusted for Unused Increment Rate	\$0.692821	\$8,360,897	\$505,766
Last Year's Tax Rate	\$0.692600	\$8,358,230	\$503,099
Proposed Tax Rate	\$0.687600	\$8,297,890	\$442,759

*These figures are provided as estimates of possible outcomes resulting from varying the tax rate. Please be aware that these are only estimates and should not be used alone in making budgetary decisions.

**Tax levies are calculated using line 21 of the No-New-Revenue Tax Rate Worksheet and this year's frozen tax levy on homesteads of the elderly or disabled.

***Tax increase compared to no-new-revenue tax rate.

Benchmark 2020 and 2021 Tax Rate Comparison City of San Juan, Texas							
2020 Total Taxable Value	\$	1,097,775,420					
2021 Total Taxable Value	\$	1,206,790,294					
2020-2021 Taxable Value Increase	\$	109,014,874					
			2020		2021		
	Tax Rate Per \$100	Tax Levy	Tax Rate Per \$100	Tax Levy	Additional Tax Levy	2020-2021 Comparison	
No-New-Revenue Rate	0.6534	\$ 7,172,865	0.650911	\$ 7,855,131	\$ -	\$ -	
One Percent per \$100 Tax Increase	0.6634	\$ 7,282,642	0.65742	\$ 7,933,681	\$ 78,550		
One Cent per \$100 Tax Increase	0.6834	\$ 7,502,197	0.660911	\$ 7,975,810	\$ 120,679		
Notice of Hearing Limit	0.8191	\$ 8,991,878	0.666021	\$ 8,037,477	\$ 182,346		
Rollback Tax Rate	0.6926	\$ 7,603,193	0.692821	\$ 8,360,897	\$ 505,766		
Last Year's Current Tax Rate	0.6993	\$ 7,676,744	0.692600	\$ 8,358,230	\$ 503,099	\$ 681,486	
Proposed Tax Rate	0.6893	\$ 7,566,966	0.6876	\$ 8,297,890	\$ 442,759		

ORDINANCE NO. ____

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE CITY OF SAN JUAN, TEXAS ADOPTING THE TAX RATE AND LEVYING AD VALOREM TAXES FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF SAN JUAN, TEXAS, FOR THE 2021-2022 FISCAL YEAR ENDING SEPTEMBER 30, 2022 AND THE TAX YEAR 2021 IN CONFORMITY WITH THE CHARTER PROVISIONS AND ORDINANCES OF THE CITY AND THE PROPERTY TAX CODE OF THE STATE OF TEXAS; PROVIDING FOR A REPEALER CLAUSE; PROVIDING FOR PUBLICATION; AND ORDIAINING OTHER PROVISIONS RELATED TO THE SUBJECT MATTER THEREOF.

WHEREAS, Section 26.05 Texas Tax Code provides for the procedures for adoption of the ad valorem tax rate for municipalities; and

WHEREAS, the vote on the tax rate must be a record vote as reflected hereunder and such vote was separate from the vote of the City Commissioners adopting the budget as required by law; and

WHEREAS, a motion being first made as follows: "I move that property taxes be decreased by the Adoption of the Rate of \$0.6876", and upon vote of the City Commissions as follows:

	<u>Aye</u>	<u>Nay</u>	<u>Absent</u>
Mayor Mario Garza	—	—	—
Mayor Pro-Leronardo "Lenny" Sanchez	—	—	—
Commissioner Jesus "Jesse" Ramirez	—	—	—
Commissioner Ernesto "Neto" Guajardo	—	—	—
Commissioner Marco "Markie" Villegas	—	—	—

AND, WHEREAS, THIS TAX RATE WILL RAISE MORE TAXES FOR MAINTENANCE AND OPERATIONS THAN LAST YEAR'S TAX RATE.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE CITY OF SAN JUAN, TEXAS, THAT:

SECTION I: There shall be and is hereby levied for the fiscal year ending September 30, 2021, and the Tax year 2020, upon the assessed taxable value of all property of every description subject to taxation within the City of San Juan, Texas, on the 1st day of January A.D. 2020, the following tax rates, to wit:

- (a) An ad valorem tax to be computed at the rate of \$0.5303 per \$100.00 of the assessed taxable value thereof estimated in lawful currency of the United States of America for the purpose of paying the general expenses of the City Government for the period ending **September 30, 2022**, as provided in the appropriate ordinance adopted by the Board of Commissioners of the City of San Juan, Texas, and when collected such monies are to be deposited in the fund known as the "General Fund" and disbursed for the purposes stated in said ordinance.
- (b) An ad valorem tax to be computed at the rate of \$0.1574 per \$100.00 of the assessed taxable value thereof estimated in lawful currency of the United States of America for the purpose of paying the interest and principal on the several outstanding debt issues of the City of San Juan, Texas, such levy being in conformity with the requirement of the levy of taxes heretofore made by ordinance and orders of the Board of Commissioners of the said City of San Juan, Texas relating to such indebtedness.

SECTION II: All ordinances or parts of ordinance in conflict herewith are hereby repealed.

SECTION III: This Ordinance shall be and remain in full force and effect from and after its passage by the Board of Commissioners.

SECTION IV: The City Secretary is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in San Juan, Hidalgo County, Texas in accordance with the Home Rule Charter of the City of San Juan, Texas, Section 2.15 (C) **Printing of Ordinances and Resolutions**; but it shall not be published in the Code of Ordinances of the City of San Juan as it is not amendatory thereof; however, it shall be cited in the appropriate appendix of the Code of Ordinances.

SECTION V: If any part or parts of this Ordinance are found to be invalid or unconstitutional by a court having competent jurisdiction, then such invalidity or unconstitutionality shall not affect the remaining parts hereof and such remaining parts shall remain in full force and effect, and to the extent this Ordinance is considered severable.

READ, CONSIDERED, PASSED and APPROVED on FIRST READING at a regular meeting of the City Commission of the San Juan, Texas at which a quorum was present and which was held in accordance with Chapter 551 of the Texas Government Code on this 24 day of August 2021.

CITY OF SAN JUAN

By: _____

Mario Garza, Mayor

ATTEST:

By: _____

Diana Cavazos, City Secretary

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
AUGUST 24, 2021

Consideration and Approval of an Ordinance Authorizing the Issuance of “City of San Juan, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2021”; Providing for the Payment of Said Certificates by the Levy of an Ad Valorem Tax Upon all Taxable Property within the City and Further Securing said Certificates by a Lien on and Pledge of the Pledged Revenues of the System; Providing the Terms and Conditions of said Certificates and Resolving other Matters Incident and Related Thereto.

STAFF COMMENTS AND RECOMMENDATIONS:

Staff is requesting consideration and approval of an Ordinance authorizing the Issuance of "City of San Juan, Texas combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2021 as presented on July 7, 2021 during a Special Called Meeting.

RECOMMENDATION:

Approve as recommended.

PREPARED BY:

Diana Cavazos, City
Secretary

APPROVED BY:

Benjamin Arjona, City
Manager



600 Congress Avenue
Suite 2200
Austin, TX 78701
Telephone: 512-305-4700
Fax: 512-305-4800
www.lockelord.com

Arnold Cantu, III
Direct Telephone: 512-305-4735
Direct Fax: 512-391-4735
arnold.cantu@lockelord.com

August 20, 2021

By Email

Mr. Benjamin Arjona
City Manager
City of San Juan
709 South Nebraska Avenue
San Juan, Texas 78589

Re: City of San Juan, Texas Combination Tax and Limited Pledge Revenue Certificates of
Obligation, Series 2021

Dear Ben:

I enclose, as Exhibit A to this letter, the agenda items to be utilized in preparing the agenda for the August 24, 2021 regular meeting of the City Commission (the "City Commission"). Thank you for ensuring that these agenda items are posted in accordance with the provisions of the Texas Open Meetings Act. I also enclose, as Exhibit B, the suggested forms of these motions.

I also enclose a draft copy of the Ordinance for inclusion in the City Commission's agenda packets. The final form of the Ordinance for the City Commission's consideration and approval will be completed and delivered prior to the date of the Meeting. Please send me any comments you may have to the Ordinance so that it can be finalized.

Thank you, in advance, for your prompt attention to this matter. If I can provide any additional assistance concerning this matter, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Arnold Cantu III".

Arnold Cantu III

AC:jcq

Attachments

Mr. Benjamin Arjona
August 20, 2021
Page 2

cc: Ms. Diana Cavazos (City of San Juan, Texas)
Mr. Leroy Gonzales (City of San Juan, Texas)
Ms. Nayeli Guerrero (City of San Juan, Texas)
Mr. Cris Vela (Hilltop Securities Inc.)
Mr. Andre Ayala (Hilltop Securities Inc.)
Mr. Jorge Delgado (Hilltop Securities Inc.)
Ms. Penny Brooker (Hilltop Securities Inc.)

EXHIBIT A

Consideration and approval of an ordinance authorizing the issuance of “City of San Juan, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2021”; providing for the payment of said Certificates by the levy of an ad valorem tax upon all taxable property within the City and further securing said Certificates by a lien on and pledge of the Pledged Revenues of the System; providing the terms and conditions of said Certificates and resolving other matters incident and related thereto

EXHIBIT B

I move to approve an ordinance authorizing the issuance of “City of San Juan, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2021”

ORDINANCE

AN ORDINANCE AUTHORIZING THE ISSUANCE OF “CITY OF SAN JUAN, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021”; PROVIDING FOR THE PAYMENT OF SAID CERTIFICATES BY THE LEVY OF AN AD VALOREM TAX UPON ALL TAXABLE PROPERTY WITHIN THE CITY AND FURTHER SECURING SAID CERTIFICATES BY A LIEN ON AND PLEDGE OF THE PLEDGED REVENUES OF THE SYSTEM; PROVIDING THE TERMS AND CONDITIONS OF SAID CERTIFICATES AND RESOLVING OTHER MATTERS INCIDENT AND RELATING TO THE ISSUANCE, PAYMENT, SECURITY, SALE, AND DELIVERY OF SAID CERTIFICATES, INCLUDING THE APPROVAL AND DISTRIBUTION OF AN OFFICIAL STATEMENT PERTAINING THERETO; AUTHORIZING THE EXECUTION OF A PAYING AGENT/REGISTRAR AGREEMENT AND AN OFFICIAL BID FORM; COMPLYING WITH THE REQUIREMENTS OF THE LETTER OF REPRESENTATIONS PREVIOUSLY EXECUTED WITH THE DEPOSITORY TRUST COMPANY; AUTHORIZING THE EXECUTION OF ANY NECESSARY ENGAGEMENT AGREEMENT WITH THE CITY’S FINANCIAL ADVISORS; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City Commission of the City of San Juan, Texas (the *City*) has caused notice to be given of its intention to issue certificates of obligation in the maximum principal amount of \$9,500,000 as provided pursuant to the provisions of the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code, Section 271.041 through 271.064, for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) acquiring vehicles, heavy machinery, and equipment for sanitation and street maintenance and repair; (2) constructing street improvements (including utilities repair, replacement and relocation), curbs, gutters, and sidewalk improvements; (3) acquiring, constructing, improving, renovating, and equipping parks and recreational facilities, including drainage incidental thereto; (4) acquiring, constructing, improving, renovating, and equipping public safety facilities (including a fire station); (5) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements; and (6) the payment of professional services related to the design, construction, project management, and financing of the aforementioned projects. This notice has been posted on the City’s website, if available, and duly published in a newspaper hereby found and determined to be of general circulation in the City, once a week for two (2) consecutive weeks, the date of the first publication of such notice being not less than forty-six (46) days prior to the tentative date stated therein for the passage of the ordinance authorizing the issuance of such certificates of obligation; and

WHEREAS, in accordance with the provisions of Section 271.049, as amended, Texas Government Code, the City confirms that notice of the City’s intention to issue certificates of

obligation was approved by resolution at a public meeting and stated (1) the then current principal of all outstanding debt of the City; (2) the then current combined principal and interest required to pay all outstanding debt obligations of the City on time and in full, based on the City's expectations relative to the interest due on any variable rate debt obligations, as applicable (3) the maximum principal amount of the certificates of obligation to be authorized; (4) the estimated combined principal and interest required to pay the certificates of obligation in full; (5) the estimated interest rate for the certificates of obligation or that the maximum interest rate for the certificates of obligation may not exceed the maximum legal interest rate; and (6) the maximum maturity date of the certificates of obligation; and

WHEREAS, no petition protesting the issuance of the certificates of obligation described in this notice, signed by at least 5% of the qualified electors of the City, has been presented to or filed with the City Secretary or Acting City Secretary prior to the date tentatively set in such notice for the passage of this ordinance; and

WHEREAS, the City Commission hereby finds and determines that the issuance of the certificates of obligation, under the terms herein specified, is in the best interests of the City and its residents; and

WHEREAS, the City Commission hereby finds and determines that certificates of obligation in the principal amount of \$_____ described in such notice should be issued and sold at this time; now, therefore,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS THAT:

SECTION 1. Authorization - Designation - Principal Amount - Purpose. The certificates of obligation of the City shall be and are hereby authorized to be issued in the aggregate principal amount of _____ AND NO/100 DOLLARS (\$_____), to be designated and bear the title of "CITY OF SAN JUAN, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021" (the *Certificates*), for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) acquiring vehicles, heavy machinery, and equipment for sanitation and street maintenance and repair; (2) constructing street improvements (including utilities repair, replacement and relocation), curbs, gutters, and sidewalk improvements; (3) acquiring, constructing, improving, renovating, and equipping parks and recreational facilities, including drainage incidental thereto; (4) acquiring, constructing, improving, renovating, and equipping public safety facilities (including a fire station); (5) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements; and (6) the payment of professional services related to the design, construction, project management, and financing of the aforementioned projects, pursuant to the authority conferred by and in conformity with the laws of the State of Texas, particularly the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code Section 271.041 through Section 271.064, Chapter 1502, as amended, Texas Government Code, and the City's Home Rule Charter.

SECTION 2. Fully Registered Obligations - Authorized Denominations - Stated Maturities - Interest Rates - Certificate Date. The Certificates are issuable in fully registered form only; shall be dated September 1, 2021 (the *Certificate Date*) and shall be issued in denominations of \$5,000 or any integral multiple (within a Stated Maturity) thereof, and the Certificates shall become due and payable on February 15 in each of the years and in principal amounts (the *Stated Maturities*) and bear interest on the unpaid principal amounts from the Closing Date, or from the most recent Interest Payment Date (hereinafter defined) to which interest has been paid or duly provided for, to the earlier of redemption or Stated Maturity, at the per annum rates, while Outstanding, in accordance with the following schedule:

<u>Years of Stated Maturity</u>	<u>Principal Amounts (\$)</u>	<u>Interest Rates (%)</u>
-------------------------------------	-----------------------------------	-------------------------------

The Certificates shall bear interest on the unpaid principal amounts from the Closing Date (anticipated to occur on or about September 21, 2021), or from the most recent Interest Payment Date to which interest has been paid or duly provided for, to Stated Maturity or prior redemption, while Outstanding, at the rates per annum shown in the above schedule (calculated on the basis of a 360-day year of twelve 30-day months). Interest on the Certificates shall be payable on February 15 and August 15 in each year (each, an *Interest Payment Date*), commencing February 15, 2022 while the Certificates are Outstanding.

SECTION 3. Payment of Certificates - Paying Agent/Registrar. The principal of, premium, if any, and interest on the Certificates, due and payable by reason of Stated Maturity, redemption, or otherwise, shall be payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts, and such payment of principal of, premium, if any, and interest on the Certificates shall be without exchange or collection charges to the Holder (hereinafter defined) of the Certificates.

The selection and appointment of BOKF, NA, Dallas, Texas (the *Paying Agent/Registrar*), to serve as the initial Paying Agent/Registrar for the Certificates is hereby approved and confirmed, and the City agrees and covenants to cause to be kept and maintained at the corporate trust office of the Paying Agent/Registrar books and records (the *Security Register*) for the registration, payment and transfer of the Certificates, all as provided herein, in accordance with the terms and provisions of a Paying Agent/Registrar Agreement, attached, in substantially final form, as Exhibit A hereto, and such reasonable rules and regulations as the Paying Agent/Registrar and City may prescribe. The City covenants to maintain and provide a Paying Agent/Registrar at all times while the Certificates are Outstanding, and any successor Paying Agent/Registrar shall be (i) a national or state banking institution or (ii) an association or a corporation organized and doing business under the laws of the United States of America or of any state, authorized under such laws to exercise trust powers. Such Paying Agent/Registrar shall be subject to supervision or examination by federal or state authority and authorized by law to serve as a Paying Agent/Registrar.

The City reserves the right to appoint a successor Paying Agent/Registrar upon providing the previous Paying Agent/Registrar with a certified copy of a resolution or ordinance terminating such agency. Additionally, the City agrees to promptly cause a written notice of this substitution to be sent to each Holder of the Certificates by United States mail, first-class postage prepaid, which notice shall also give the address of the new Paying Agent/Registrar.

Principal of, premium, if any, and interest on the Certificates, due and payable by reason of Stated Maturity, redemption, or otherwise, shall be payable only to the registered owner of the Certificates appearing on the Security Register (the *Holder* or *Holders*) maintained on behalf of the City by the Paying Agent/Registrar as hereinafter provided (i) on the Record Date (hereinafter defined) for purposes of payment of interest thereon, (ii) on the date of surrender of the Certificates for purposes of receiving payment of principal thereof upon redemption of the Certificates or at the Certificates' Stated Maturity, and (iii) on any other date for any other purpose. The City and the Paying Agent/Registrar, and any agent of either, shall treat the Holder as the owner of a Certificate for purposes of receiving payment and all other purposes whatsoever, and neither the City nor the Paying Agent/Registrar, or any agent of either, shall be affected by notice to the contrary.

Principal of and premium, if any, on the Certificates shall be payable only upon presentation and surrender of the Certificates to the Paying Agent/Registrar at its corporate trust office. Interest on the Certificates shall be paid to the Holder whose name appears in the Security Register at the close of business on the last business day of the month next preceding an Interest Payment Date for the Certificates (the *Record Date*) and shall be paid (i) by check sent on or prior to the appropriate date of payment by United States mail, first-class postage prepaid, by the Paying Agent/Registrar, to the address of the Holder appearing in the Security Register or (ii) by such other method, acceptable to the Paying Agent/Registrar, requested in writing by the Holder at the Holder's risk and expense.

If the date for the payment of the principal of, premium, if any, or interest on the Certificates shall be a Saturday, Sunday, a legal holiday, or a day on which banking institutions in the city where the corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day

which is not such a day. The payment on such date shall have the same force and effect as if made on the original date any such payment on the Certificates was due.

In the event of a non-payment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a Special Record Date) will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the *Special Payment Date* - which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Holder appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

SECTION 4. Redemption.

A. Optional Redemption. The Certificates having Stated Maturities on and after February 15, 2032 shall be subject to redemption prior to Stated Maturity, at the option of the City, on February 15, 2031, or on any date thereafter, as a whole or in part, in principal amounts of \$5,000 or any integral multiple thereof (and if within a Stated Maturity selected at random and by lot by the Paying Agent/Registrar), at the redemption price of par plus accrued interest to the date of redemption.

B. Exercise of Redemption Option. At least forty-five (45) days prior to a date set for the redemption of Certificates (unless a shorter notification period shall be satisfactory to the Paying Agent/Registrar), the City shall notify the Paying Agent/Registrar of its decision to exercise the right to redeem Certificates, the principal amount of each Stated Maturity to be redeemed, and the date set for the redemption thereof. The decision of the City to exercise the right to redeem Certificates shall be entered in the minutes of the governing body of the City.

C. Selection of Certificates for Redemption. If less than all Outstanding Certificates of the same Stated Maturity are to be redeemed on a redemption date, the Paying Agent/Registrar shall select at random and by lot the Certificates to be redeemed, provided that if less than the entire principal amount of a Certificate is to be redeemed, the Paying Agent/Registrar shall treat such Certificate then subject to redemption as representing the number of Certificates Outstanding which is obtained by dividing the principal amount of such Certificate by \$5,000.

D. Notice of Redemption. Not less than thirty (30) days prior to a redemption date for the Certificates, the Paying Agent/Registrar shall cause a notice of redemption to be sent by United States mail, first-class postage prepaid, in the name of the City and at the City's expense, by the Paying Agent/Registrar to each Holder of a Certificate to be redeemed, in whole or in part, at the address of the Holder appearing on the Security Register at the close of business on the business day next preceding the date of mailing such notice, and any notice of redemption so mailed shall be conclusively presumed to have been duly given irrespective of whether received by the Holder. This notice may also be published once in a financial publication, journal, or reporter of general circulation among securities dealers in the City of New York, New York (including, but not limited to, The Bond Buyer and The Wall Street Journal), or in the State of Texas (including, but not limited to, The Texas Bond Reporter).

All notices of redemption shall (i) specify the date of redemption for the Certificates, (ii) identify the Certificates to be redeemed and, in the case of a portion of the principal amount to be redeemed, the principal amount thereof to be redeemed, (iii) state the redemption price, (iv) state that the Certificates, or the portion of the principal amount thereof to be redeemed, shall become due and payable on the redemption date specified, and the interest thereon, or on the portion of the principal amount thereof to be redeemed, shall cease to accrue from and after the redemption date, and (v) specify that payment of the redemption price for the Certificates, or the principal amount thereof to be redeemed, shall be made at the corporate trust office of the Paying Agent/Registrar only upon presentation and surrender thereof by the Holder.

If a Certificate is subject by its terms to redemption and has been called for redemption and notice of redemption thereof has been duly given or waived as herein provided, such Certificate (or the principal amount thereof to be redeemed) so called for redemption shall become due and payable, and if money sufficient for the payment of such Certificates (or of the principal amount thereof to be redeemed) at the then applicable redemption price is held for the purpose of such payment by the Paying Agent/Registrar, then on the redemption date designated in such notice, interest on the Certificates (or the principal amount thereof to be redeemed) called for redemption shall cease to accrue and such Certificates shall not be deemed to be Outstanding in accordance with the provisions of this Ordinance.

E. Transfer/Exchange of Certificates. Neither the City nor the Paying Agent/Registrar shall be required (1) to transfer or exchange any Certificate during a period beginning forty-five (45) days prior to the date fixed for redemption of the Certificates or (2) to transfer or exchange any Certificate selected for redemption, provided, however, such limitation of transfer shall not be applicable to an exchange by the Holder of the unredeemed balance of a Certificate which is subject to redemption in part.

SECTION 5. Execution - Registration. The Certificates shall be executed on behalf of the City by its Mayor or Mayor Pro Tem under the seal of the City reproduced or impressed thereon and attested by its City Secretary or Acting City Secretary. The signature of either of said officers on the Certificates may be manual or facsimile. Certificates bearing the manual or facsimile signatures of individuals who were, at the time of the Certificate Date, the proper officers of the City shall bind the City, notwithstanding that such individuals or either of them shall cease to hold such offices prior to the delivery of the Certificates to the Purchasers (hereinafter defined), all as authorized and provided in Chapter 1201, as amended, Texas Government Code.

No Certificate shall be entitled to any right or benefit under this Ordinance, or be valid or obligatory for any purpose, unless there appears on such Certificate either a certificate of registration substantially in the form provided in Section 8C, executed by the Comptroller of Public Accounts of the State of Texas or his duly authorized agent by manual signature, or a certificate of registration substantially in the form provided in Section 8D, executed by the Paying Agent/Registrar by manual signature, and either such certificate upon any Certificate shall be conclusive evidence, and the only evidence, that such Certificate has been duly certified or registered and delivered.

SECTION 6. Registration - Transfer - Exchange of Certificates - Predecessor Certificates. The Paying Agent/Registrar shall obtain, record, and maintain in the Security Register the name

and address of every owner of the Certificates, or if appropriate, the nominee thereof. Any Certificate may, in accordance with its terms and the terms hereof, be transferred or exchanged for Certificates of other authorized denominations upon the Security Register by the Holder, in person or by his duly authorized agent, upon surrender of such Certificate to the Paying Agent/Registrar for cancellation, accompanied by a written instrument of transfer or request for exchange duly executed by the Holder or by his duly authorized agent, in form satisfactory to the Paying Agent/Registrar.

Upon surrender for transfer of any Certificate at the corporate trust office of the Paying Agent/Registrar, the City shall execute and the Paying Agent/Registrar shall register and deliver, in the name of the designated transferee or transferees, one or more new Certificates of authorized denomination and having the same Stated Maturity and of a like interest rate and aggregate principal amount as the Certificate or Certificates surrendered for transfer.

At the option of the Holder, Certificates may be exchanged for other Certificates of authorized denominations and having the same Stated Maturity, bearing the same rate of interest and of like aggregate principal amount as the Certificates surrendered for exchange upon surrender of the Certificates to be exchanged at the corporate trust office of the Paying Agent/Registrar. Whenever any Certificates are so surrendered for exchange, the City shall execute, and the Paying Agent/Registrar shall register and deliver, the Certificates to the Holder requesting the exchange.

All Certificates issued upon any transfer or exchange of Certificates shall be delivered at the corporate trust office of the Paying Agent/Registrar, or be sent by registered mail to the Holder at his request, risk, and expense, and upon the delivery thereof, the same shall be the valid and binding obligations of the City, evidencing the same obligation to pay, and entitled to the same benefits under this Ordinance, as the Certificates surrendered upon such transfer or exchange.

All transfers or exchanges of Certificates pursuant to this Section shall be made without expense or service charge to the Holder, except as otherwise herein provided, and except that the Paying Agent/Registrar shall require payment by the Holder requesting such transfer or exchange of any tax or other governmental charges required to be paid with respect to such transfer or exchange.

Certificates cancelled by reason of an exchange or transfer pursuant to the provisions hereof are hereby defined to be Predecessor Certificates, evidencing all or a portion, as the case may be, of the same debt evidenced by the new Certificate or Certificates registered and delivered in the exchange or transfer therefor. Additionally, the term Predecessor Certificates shall include any Certificate registered and delivered pursuant to Section 25 in lieu of a mutilated, lost, destroyed, or stolen Certificate which shall be deemed to evidence the same obligation as the mutilated, lost, destroyed, or stolen Certificate.

SECTION 7. Initial Certificate. The Certificates herein authorized shall be issued initially either (i) as a single fully registered Certificate in the total principal amount of \$_____ with principal installments to become due and payable as provided in Section 2 and numbered T-1, or (ii) as one (1) fully registered Certificate for each year of Stated Maturity in the applicable principal amount and denomination and to be numbered consecutively from T-1 and upward (the *Initial Certificate*) and, in either case, the Initial Certificate shall be registered in the

name of the Purchasers or the designee thereof. The Initial Certificate shall be the Certificate submitted to the Office of the Attorney General of the State of Texas for approval, certified and registered by the Office of the Comptroller of Public Accounts of the State of Texas and delivered to the Purchasers. Any time after the delivery of the Initial Certificate to the Purchasers, the Paying Agent/Registrar, pursuant to written instructions from the Purchasers or their designee, shall cancel the Initial Certificate delivered hereunder and exchange therefor definitive Certificates of authorized denominations, Stated Maturities, principal amounts and bearing applicable interest rates on the unpaid principal amounts from the Closing Date, or from the most recent Interest Payment Date to which interest has been paid or duly provided for, to Stated Maturity, and shall be lettered "R" and numbered consecutively from one (1) upward for transfer and delivery to the Holders named at the addresses identified therefor; all pursuant to and in accordance with such written instructions from the Purchasers, or the designee thereof, and such other information and documentation as the Paying Agent/Registrar may reasonably require.

SECTION 8. Forms.

A. Forms Generally. The Certificates, the Registration Certificate of the Comptroller of Public Accounts of the State of Texas, the Registration Certificate of Paying Agent/Registrar, and the form of Assignment to be printed on each of the Certificates shall be substantially in the forms set forth in this Section with such appropriate insertions, omissions, substitutions, and other variations as are permitted or required by this Ordinance and may have such letters, numbers, or other marks of identification (including identifying numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Bankers Association) and such legends and endorsements (including insurance legends in the event the Certificates, or any Stated Maturities thereof, are insured, and any reproduction of an opinion of Bond Counsel (hereinafter referenced)) thereon as may, consistent herewith, be established by the City or determined by the officers executing the Certificates as evidenced by their execution thereof. Any portion of the text of any Certificate may be set forth on the reverse thereof, with an appropriate reference thereto on the face of the Certificate.

The definitive Certificates shall be printed, lithographed, or engraved, produced by any combination of these methods, or produced in any other similar manner, all as determined by the officers executing the Certificates as evidenced by their execution thereof, but the Initial Certificate submitted to the Attorney General of the State of Texas may be typewritten or photocopied or otherwise reproduced.

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B. Form of Definitive Certificate.

REGISTERED
NO. _____

REGISTERED
PRINCIPAL AMOUNT
\$ _____

United States of America
State of Texas
County of Hidalgo
CITY OF SAN JUAN, TEXAS
COMBINATION TAX AND LIMITED PLEDGE REVENUE
CERTIFICATES OF OBLIGATION, SERIES 2021

Certificate Date: September 1, 2021	Interest Rate:	Stated Maturity:	CUSIP No.
--	----------------	------------------	-----------

REGISTERED OWNER: _____

PRINCIPAL AMOUNT: _____

The City of San Juan, Texas (the *City*), a body corporate and municipal corporation in the County of Hidalgo, State of Texas, for value received, acknowledges itself indebted to and hereby promises to pay to the order of the Registered Owner specified above, or the registered assigns thereof, on the Stated Maturity date specified above, the Principal Amount specified above (or so much thereof as shall not have been paid upon prior redemption) and to pay interest on the unpaid Principal Amount hereof from the Closing Date (anticipated to occur on or about September 21, 2021), or from the most recent Interest Payment Date (hereinafter defined) to which interest has been paid or duly provided for until such Principal Amount has become due and payment thereof has been made or duly provided for, to the earlier of redemption or Stated Maturity, while Outstanding, at the per annum rate of interest specified above computed on the basis of a 360-day year of twelve 30-day months; such interest being payable on February 15 and August 15 in each year (each, an *Interest Payment Date*), commencing February 15, 2022.

Principal and premium, if any, of this Certificate shall be payable to the Registered Owner hereof (the *Holder*), upon presentation and surrender, at the corporate trust office of the Paying Agent/Registrar executing the registration certificate appearing hereon or a successor thereof. Interest shall be payable to the Holder of this Certificate (or one or more Predecessor Certificates, as defined in the Ordinance hereinafter referenced) whose name appears on the Security Register maintained by the Paying Agent/Registrar at the close of business on the Record Date, which is the last business day of the month next preceding each Interest Payment Date. All payments of principal of and interest on this Certificate shall be in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts. Interest shall be paid by the Paying Agent/Registrar by check sent on or prior to the appropriate date of payment by United States mail, first-class postage prepaid, to the Holder hereof at the address appearing in the Security Register or by such other method, acceptable to the Paying Agent/Registrar, requested by the Holder hereof at the Holder's risk and expense.

This Certificate is one of the series specified in its title issued in the aggregate principal amount of \$_____ (the *Certificates*) pursuant to an Ordinance adopted by the governing body of the City (the *Ordinance*), for the purpose of paying contractual obligations of the City to be incurred for making permanent public improvements and for other public purposes, to-wit: (1) acquiring vehicles, heavy machinery, and equipment for sanitation and street maintenance and repair; (2) constructing street improvements (including utilities repair, replacement and relocation), curbs, gutters, and sidewalk improvements; (3) acquiring, constructing, improving, renovating, and equipping parks and recreational facilities, including drainage incidental thereto; (4) acquiring, constructing, improving, renovating, and equipping public safety facilities (including a fire station); (5) the purchase of materials, supplies, equipment, machinery, landscaping, land, and rights-of-way for authorized needs and purposes relating to the aforementioned capital improvements; and (6) the payment of professional services related to the design, construction, project management, and financing of the aforementioned projects, under and in strict conformity with the laws of the State of Texas, the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code, Section 271.041 through 271.064, and the City's Home Rule Charter.

As provided in the Ordinance, the Certificates having Stated Maturities on and after February 15, 2032 shall be subject to redemption prior to Stated Maturity, at the option of the City, on February 15, 2031, or on any date thereafter, as a whole or in part, in principal amounts of \$5,000 or any integral multiple thereof (and if within a Stated Maturity selected at random and by lot by the Paying Agent/Registrar), at the redemption price of par plus accrued interest to the date of redemption provided, however, that at least thirty (30) days prior written notice shall be sent to the Holders of the Certificates to be redeemed by United States mail, first-class postage prepaid, and subject to the terms and provisions relating thereto contained in the Ordinance. If this Certificate is subject to redemption prior to Stated Maturity and is in a denomination in excess of \$5,000, portions of the principal sum hereof in installments of \$5,000 or any integral multiple thereof may be redeemed, and, if less than all of the principal sum hereof is to be redeemed, there shall be issued, without charge therefor, to the Holder hereof, upon the surrender of this Certificate to the Paying Agent/Registrar at its corporate trust office, a new Certificate or Certificates of like Stated Maturity and interest rate in any authorized denominations provided in the Ordinance for the then unredeemed balance of the principal sum hereof.

If this Certificate (or any portion of the principal sum hereof) shall have been duly called for redemption and notice of such redemption has been duly given, then upon such redemption date this Certificate (or the portion of the principal sum hereof to be redeemed) shall become due and payable, and, if the money for the payment of the redemption price and the interest accrued on the principal amount to be redeemed to the date of redemption is held for the purpose of such payment by the Paying Agent/Registrar, interest shall cease to accrue and be payable hereon from and after the redemption date on the principal amount hereof to be redeemed. If this Certificate is called for redemption, in whole or in part, the City or the Paying Agent/Registrar shall not be required to issue, transfer, or exchange this Certificate within forty-five (45) days of the date fixed for redemption; provided, however, such limitation of transfer shall not be applicable to an exchange by the Holder of the unredeemed balance hereof in the event of its redemption in part.

The Certificates of this series are payable from the proceeds of an ad valorem tax levied upon all taxable property within the City, within the limitations prescribed by law, and are further

payable from and secured by a lien on and pledge of the Pledged Revenues (identified and defined in the Ordinance), being a limited amount of the Net Revenues derived from the operation of the City's combined utility system (the *System*), such lien on and pledge of the limited amount of Net Revenues being subordinate and inferior to the lien on and pledge of such Net Revenues securing payment of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations hereafter issued by the City. The City has previously authorized the issuance of the currently outstanding Limited Pledge Obligations (identified and defined in the Ordinance) that are payable, in part, from and secured by a lien on and pledge of a limited amount of the Net Revenues of the System in the manner and as described in the ordinances authorizing the issuance of the currently outstanding Limited Pledge Obligations. In the Ordinance, the City reserves and retains the right to issue Additional Prior Lien Obligations, Junior Lien Obligations, Subordinate Lien Obligations, and Additional Limited Pledge Obligations (all as identified and defined in the Ordinance), while the Certificates are Outstanding, without limitation as to principal amount but subject to any terms, conditions or restrictions as may be applicable thereto under law or otherwise.

Reference is hereby made to the Ordinance, a copy of which is on file in the corporate trust office of the Paying Agent/Registrar, and to all of the provisions of which the Holder by his acceptance hereof hereby assents, for definitions of terms; the description of and the nature and extent of the tax levied and the revenues pledged for the payment of the Certificates; the terms and conditions under which the City may issue Additional Prior Lien Obligations, Junior Lien Obligations, Subordinate Lien Obligations, and Additional Limited Pledge Obligations; the terms and conditions relating to the transfer or exchange of the Certificates; the conditions upon which the Ordinance may be amended or supplemented with or without the consent of the Holder; the rights, duties, and obligations of the City and the Paying Agent/Registrar; the terms and provisions upon which this Certificate may be redeemed or discharged at or prior to the Stated Maturity thereof, and deemed to be no longer Outstanding thereunder; and for the other terms and provisions specified in the Ordinance. Capitalized terms used herein without definition have the same meanings assigned in the Ordinance.

This Certificate, subject to certain limitations contained in the Ordinance, may be transferred on the Security Register upon presentation and surrender at the corporate trust office of the Paying Agent/Registrar, duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Paying Agent/Registrar duly executed by the Holder hereof, or his duly authorized agent, and thereupon one or more new fully registered Certificates of the same Stated Maturity, of authorized denominations, bearing the same rate of interest, and of the same aggregate principal amount will be issued to the designated transferee or transferees.

The City and the Paying Agent/Registrar, and any agent of either, shall treat the Holder hereof whose name appears on the Security Register (i) on the Record Date as the owner hereof for purposes of receiving payment of interest hereon, (ii) on the date of surrender of this Certificate as the owner hereof for purposes of receiving payment of principal hereof at its Stated Maturity or its redemption, in whole or in part, and (iii) on any other date as the owner hereof for all other purposes, and neither the City nor the Paying Agent/Registrar, or any such agent of either, shall be affected by notice to the contrary. In the event of a non-payment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a *Special Record Date*) will be established by the Paying Agent/Registrar, if and when funds for the

payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the *Special Payment Date* - which shall be fifteen (15) days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Holder appearing on the Security Register at the close of business on the last business day next preceding the date of mailing of such notice.

It is hereby certified, covenanted, and represented that all acts, conditions, and things required to be performed, exist, and be done precedent to or in the issuance of this Certificate in order to render the same a legal, valid, and binding obligation of the City have been performed, exist, and have been done, in regular and due time, form, and manner, as required by the laws of the State of Texas and the Ordinance, and that issuance of the Certificates does not exceed any constitutional or statutory limitation; and that due provision has been made for the payment of the principal of, premium if any, and interest on the Certificates by the levy of a tax and collection of Pledged Revenues as aforestated. In case any provision in this Certificate or any application thereof shall be deemed invalid, illegal, or unenforceable, the validity, legality, and enforceability of the remaining provisions and applications shall not in any way be affected or impaired thereby. The terms and provisions of this Certificate and the Ordinance shall be construed in accordance with and shall be governed by the laws of the State of Texas.

IN WITNESS WHEREOF, the City has caused this Certificate to be duly executed under its official seal.

CITY OF SAN JUAN, TEXAS

Mayor

ATTEST:

City Secretary

(CITY SEAL)

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C. *Form of Registration Certificate of Comptroller of Public Accounts to Appear on Initial Certificate Only.

REGISTRATION CERTIFICATE OF
COMPTROLLER OF PUBLIC ACCOUNTS

OFFICE OF THE COMPTROLLER OF
PUBLIC ACCOUNTS

§
§
§
§

REGISTER NO.

I HEREBY CERTIFY that this Certificate has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and duly registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS my signature and seal of office this

Comptroller of Public Accounts of the State
of Texas

(SEAL)

*NOTE TO PRINTER: Do not print on Definitive Certificates.

D. Form of Certificate of Paying Agent/Registrar to Appear on Definitive Certificates Only.

REGISTRATION CERTIFICATE OF PAYING AGENT/REGISTRAR

This Certificate has been duly issued under the provisions of the within-mentioned Ordinance; the Certificate or Certificates of the above-entitled and designated series originally delivered having been approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts, as shown by the records of the Paying Agent/Registrar.

Registered this date:

BOKF, NA, Dallas, Texas, as Paying
Agent/Registrar

By: _____
Authorized Signature

*NOTE TO PRINTER: Print on Definitive Certificates.

E. Form of Assignment.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns, and transfers unto (Print or typewrite name, address, and zip code of transferee): _____ (Social Security or other identifying number): _____ the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints _____ attorney to transfer the within Certificate on the books kept for registration thereof, with full power of substitution in the premises.

DATED: _____

NOTICE: The signature on this assignment must correspond with the name of the registered owner as it appears on the face of the within Certificate in every particular.

Signature guaranteed:

F. Form of Initial Certificate. The Initial Certificate shall be in the form set forth in paragraph B of this Section, except that the form of a single fully registered Initial Certificate shall be modified as follows:

- (i) immediately under the name of the Certificate the headings "Interest Rate and "Stated Maturity shall both be completed "as shown below";
- (ii) the first two paragraphs shall read as follows:

The City of San Juan, Texas (the *City*), a body corporate and municipal corporation in the County of Hidalgo, State of Texas, for value received, acknowledges itself indebted to and hereby promises to pay to the order of the Registered Owner named above, or the registered assigns thereof, the Principal Amount specified above stated to mature on the fifteenth day of February in each of the years and in principal amounts and bearing interest at per annum rates in accordance with the following schedule:

<u>Years of</u> <u>Stated Maturity</u>	<u>Principal</u> <u>Amounts (\$)</u>	<u>Interest</u> <u>Rates (%)</u>
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(Information to be inserted
from schedule in Section 2 hereof)

(or so much thereof as shall not have been paid upon prior redemption) and to pay interest on the unpaid Principal Amounts hereof from the Closing Date (anticipated to occur on or about September 21, 2021) specified above, or from the most recent Interest Payment Date (hereinafter defined) to which interest has been paid or duly provided for until the Principal Amount has become due and payment thereof has been made or duly provided for, to the earlier of redemption or Stated Maturity, at the per annum rates of interest specified above, computed on the basis of a 360-day year of twelve 30-day months; such interest being payable on February 15 and August 15 in each year (each, an *Interest Payment Date*), commencing February 15, 2022.

Principal of this Certificate shall be payable to the Registered Owner hereof (the *Holder*), upon its presentation and surrender, to Stated Maturity or prior redemption, while Outstanding, at the corporate trust office of BOKF, NA, Dallas, Texas, (the *Paying Agent/Registrar*). Interest shall be payable to the Holder of this Certificate whose name appears on the Security Register maintained by the Paying Agent/Registrar at the close of business on the Record Date, which is the last business day of the month next preceding each Interest Payment Date. All payments of principal of and interest on this Certificate shall be in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts. Interest shall be paid by the Paying Agent/Registrar by check sent on or prior to the appropriate date of payment by United States mail, first-class postage prepaid, to the Holder hereof at the address appearing in the Security Register or by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Holder hereof.

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G. Insurance Legend. If bond insurance is obtained by the City or the Purchasers for the Certificates, the Definitive Certificates and the Initial Certificate shall bear an appropriate legend as provided by the bond insurer to appear under the following header:

[BOND INSURANCE] or [STATEMENT OF INSURANCE]

SECTION 9. Definitions. For all purposes of this Ordinance (as defined below), except as otherwise expressly provided or unless the context otherwise requires: (i) the terms defined in this Section have the meanings assigned to them in this Section, and certain terms used in Sections 27 and 44 of this Ordinance have the meanings assigned to them in Sections 27 and 44 of this Ordinance, and all such terms, include the plural as well as the singular; (ii) all references in this Ordinance to designated “Sections” and other subdivisions are to the designated Sections and other subdivisions of this Ordinance as originally adopted; and (iii) the words “herein”, “hereof”, and “hereunder” and other words of similar import refer to this Ordinance as a whole and not to any particular Section or other subdivision.

A. The term *Additional Limited Pledge Obligations* shall mean (i) any bonds, notes, warrants, certificates of obligation or other evidences of indebtedness hereafter issued by the City payable, in part, from a limited pledge of and lien on Net Revenues of the System, being a lien on and pledge of Net Revenues that is subordinate and inferior to the lien thereon and pledge thereof securing the payment of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations hereafter issued by the City, which pledge of revenues is limited pursuant to Section 1502.052, as amended, Texas Government Code all as further provided in Section 20 of this Ordinance, and (ii) any obligations issued to refund the foregoing as determined by the City Commission in accordance with any applicable law.

B. The term *Additional Prior Lien Obligations* shall mean (i) any bonds, notes, warrants, certificates of obligation or any similar obligations hereafter issued by the City that are payable in whole or in part from and equally and ratably secured by a prior and first lien on and pledge of the Net Revenues of the System, all as further provided in Section 20 of this Ordinance, and (ii) obligations hereafter issued to refund any of the foregoing that are payable from and equally and ratably secured by a prior and first lien on and pledge of the Net Revenues as determined by the City Commission in accordance with any applicable law.

C. The term *Authorized Officials* shall mean the Mayor, the Mayor Pro Tem, the City Manager, the Finance Director, and/or the City Secretary or Acting City Secretary.

D. The term *Certificates* shall mean the \$_____ “CITY OF SAN JUAN, TEXAS COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021” authorized by this Ordinance.

E. The term *Certificate Fund* shall mean the special Fund created and established by the provisions of Section 10 of this Ordinance.

F. The term *City* shall mean the City of San Juan, located in Hidalgo County, Texas and, where appropriate, the City Commission of the City.

G. The term *Closing Date* shall mean the date of physical delivery of the Initial Certificate in exchange for the payment of the agreed purchase price for the Certificates.

H. The term *Collection Date* shall mean, when reference is being made to the levy and collection of annual ad valorem taxes, the date the annual ad valorem taxes levied each year by the City become delinquent.

I. The term *Debt Service Requirements* shall mean, as of any particular date of computation, with respect to any obligations and with respect to any period, the aggregate of the amounts to be paid or set aside by the City as of such date or in such period for the payment of the principal of, premium, if any, and interest (to the extent not capitalized) on such obligations; assuming, in the case of obligations without a fixed numerical rate, that such obligations bear interest at the maximum rate permitted by the terms thereof and further assuming in the case of obligations required to be redeemed or prepaid as to principal prior to Stated Maturity, the principal amounts thereof will be redeemed prior to Stated Maturity in accordance with the mandatory redemption provisions applicable thereto.

J. The term *Depository* shall mean an official depository bank of the City.

K. The term *Fiscal Year* shall mean the annual financial accounting period for the System now ending on September 30th of each year; provided, however, the City Commission may change such annual financial accounting period to end on another date if such change is found and determined to be necessary for accounting purposes or is required by applicable law.

L. The term *Government Securities*, as used herein, shall mean (i) direct noncallable obligations of the United States, including obligations that are unconditionally guaranteed by, the United States of America; (ii) noncallable obligations of an agency or instrumentality of the United States, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the governing body of the issuer adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent; (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the governing body of the issuer adopts or approves the proceedings authorizing the issuance of refunding bonds, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, or (iv) any additional securities and obligations hereafter authorized by the laws of the State of Texas as eligible for use to accomplish the discharge of obligations such as the Certificates.

M. The term *Gross Revenues* for any period shall mean all revenue during such period in respect or on account of the operation or ownership of the System, excluding refundable meter deposits, restricted gifts, and grants in aid of construction, but including earnings and income derived from the investment or deposit of money in any special fund or account (except the Certificate Fund) created and established for the payment or security of the Certificates.

N. The term *Holder* or *Holder*s shall mean the registered owner, whose name appears in the Security Register, for any Certificate.

O. The term *Insurance Policy* shall mean the insurance policy issued by the Insurer guaranteeing the scheduled payment of principal of and interest on the Certificates when due.

P. The term *Insurance Premium* shall mean the premium paid by the Purchasers for the Insurance Policy.

Q. The term *Insurer* shall mean _____, _____, _____, or any successor thereto or assignee thereof.

R. The term *Interest Payment Date* shall mean the date interest is payable on the Certificates, being February 15 and August 15 of each year, commencing February 15, 2022, while any of the Certificates remain Outstanding.

S. The term *Junior Lien Obligations* shall mean (i) any bonds, notes, warrants, certificates of obligation or any similar obligations hereafter issued by the City that are payable in whole or in part from and equally and ratably secured by a junior and inferior lien on and pledge of the Net Revenues of the System, such pledge being junior and inferior to the lien on and pledge of the Net Revenues of the System that are pledged to the currently outstanding Prior Lien Obligations and may be pledged to the payment of any Additional Prior Lien Obligations hereafter issued by the City, but prior and superior to the lien on and pledge of the Net Revenues of the System that are or will be pledged to the payment of the currently outstanding Limited Pledge Obligations, the Certificates, and any Subordinate Lien Obligations or Additional Limited Pledge Obligations hereafter issued by the City all as further provided in Section 20 of this Ordinance, and (ii) obligations hereafter issued to refund any of the foregoing that are payable from and equally and ratably secured by a junior and inferior lien on and pledge of the Net Revenues as determined by the City Commission in accordance with any applicable law.

T. The term *Limited Pledge Obligations* shall mean (i) the Certificates and the outstanding and unpaid obligations of the City that are payable, in part, from and secured by a subordinate and inferior lien on and pledge of a limited amount of the Net Revenues of the System and designated as follows:

(1) “City of San Juan, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2014”, dated February 15, 2014, in the original principal amount of \$2,240,000;

(2) “City of San Juan, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2015”, dated October 15, 2015, in the original principal amount of \$4,205,000; and

(3) “City of San Juan, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2017”, dated April 1, 2017, in the original principal amount of \$4,680,000;

(4) “City of San Juan, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2018”, dated December 1, 2018, in the original principal amount of \$3,020,000;

(5) “City of San Juan, Texas Combination Tax and Limited Pledge Revenue Certificates of Obligation, Series 2020”, dated August 15, 2020, in the original principal amount of \$4,835,000;

and (ii) obligations hereafter issued to refund any of the foregoing as determined by the City Commission in accordance with any applicable law.

U. The term *Maintenance and Operating Expenses* shall mean all current expenses of operating and maintaining the System, including all salaries, labor, materials, repairs and extensions necessary to render efficient service; provided, however, that only such repairs and extensions, as in the judgment of the City Commission, reasonably and fairly exercised, are necessary to maintain the operations and render adequate service to the City and the inhabitants thereof, or such as might be necessary to meet some physical accident or condition which would otherwise impair obligations payable from Net Revenues shall be deducted in determining “Net Revenues”. Depreciation charges shall not be considered Maintenance and Operating Expenses. Maintenance and Operating Expenses shall include payments under contracts for the purchase of water supply, treatment of sewage or other materials, goods or services for the System to the extent authorized by law and the provisions of such contract.

V. The term *Net Revenues* for any period shall mean the Gross Revenues of the System less the Maintenance and Operating Expenses of the System.

W. The term *Ordinance* shall mean this ordinance as finally passed and adopted by the City Commission of the City.

X. The term *Outstanding* when used in this Ordinance with respect to Certificates shall mean, as of the date of determination, all Certificates issued and delivered under this Ordinance, except:

(1) those Certificates cancelled by the Paying Agent/Registrar or delivered to the Paying Agent/Registrar for cancellation;

(2) those Certificates for which payment has been duly provided by the City in accordance with the provisions of Section 29 of this Ordinance; and

(3) those Certificates that have been mutilated, destroyed, lost, or stolen and replacement Certificates have been registered and delivered in lieu thereof as provided in Section 25 of this Ordinance.

Y. The term *Pledged Revenues* shall mean, while the Certificates remain Outstanding, an amount of Net Revenues not in excess of \$1,000. The Pledged Revenues shall be deposited, allocated, and expended in accordance with Section 10 of this Ordinance.

Z. The term *Pledged Revenue Amount* shall mean the total amount, not to exceed \$1,000 while the Certificates are Outstanding, of Net Revenues that may be transferred in whole or in part by the City in any given Fiscal Year (however, any amounts transferred prior to the final maturity date of the Certificates may not exceed the total amount of \$1,000) to the Certificate Fund.

AA. The term *Prior Lien Obligations* shall mean (i) the outstanding and unpaid obligations of the City that are payable from and equally and ratably secured by a first and prior lien on and pledge of the Net Revenues of the System and designated as follows:

(1) “City of San Juan, Texas Waterworks and Sewer System Revenue Bonds, Series 2012”, dated July 1, 2012, in the original principal amount of \$445,000;

(2) “City of San Juan, Texas Waterworks and Sewer System Revenue Bonds, Series 2013-A”, dated June 15, 2013, in the original principal amount of \$6,170,000;

(3) “City of San Juan, Texas Waterworks and Sewer System Revenue Bonds, Series 2013-B”, dated October 29, 2013, in the original principal amount of \$1,400,000;

(4) “City of San Juan, Texas Waterworks and Sewer System Revenue Bonds, Series 2014”, dated June 15, 2014, in the original principal amount of \$135,000;

(5) “City of San Juan, Texas Waterworks and Sewer System Revenue Bonds, Series 2017”, dated July 1, 2017, in the original principal amount of \$2,285,000;

(6) “City of San Juan, Texas Waterworks and Sewer System Revenue Bonds, Series 2018”, dated June 1, 2018, in the original principal amount of \$1,270,000;

(7) “City of San Juan, Texas Waterworks and Sewer System Revenue Bonds, Series 2019”, dated May 1, 2019 in the original principal amount of \$6,645,000.00;

(8) “City of San Juan, Texas Waterworks and Sewer System Revenue Bonds, Series 2019A”, dated May 1, 2019, in the original principal amount of \$1,715,000;

and (ii) any obligations hereafter issued to refund the foregoing if issued in a manner so as to be payable from and equally and ratably secured by a first and prior lien on and pledge of the Net Revenues of the System as determined by the City Commission in accordance with any applicable law.

BB. The term *Purchasers* shall mean the initial purchaser or purchasers of the Certificates named in Section 26 of this Ordinance.

CC. The term *Stated Maturity* shall mean the annual principal payments of the Certificates payable on February 15 of each year the Certificates are Outstanding as set forth in Section 2 of this Ordinance.

DD. The term *Subordinate Lien Obligations* shall mean (i) any bonds, notes, warrants, certificates of obligation, or any similar obligations hereafter issued by the City that are payable, in whole or in part, from and equally and ratably secured by a lien on and pledge of the Net Revenues of the System, such pledge being subordinate and inferior to the lien on and pledge of the Net Revenues of the System that are or may be pledged to the payment of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations or Junior Lien Obligations hereafter issued by the City, but prior and superior to the lien on and pledge of the limited amount of the Net Revenues securing, in part, the payment of the currently outstanding

Limited Pledge Obligations, the Certificates, or any Additional Limited Pledge Obligations hereafter issued by the City, all as further provided in Section 20 of this Ordinance and (ii) any obligations hereafter issued to refund any of the foregoing if issued in a manner so as to be payable from and equally and ratably secured by a subordinate and inferior lien on and pledge of the Net Revenues of the System as determined by the City Commission in accordance with any applicable law.

EE. The term *System* shall mean all properties, facilities and plants currently owned, operated and maintained by the City for the supply, treatment and transmission of treated potable water, the collection, treatment and disposal of watercarried wastes, the generation, transmission and distribution of electricity, together with all future extensions, improvements, replacements and additions thereto; provided, however, that notwithstanding the foregoing, and to the extent now or hereafter authorized or permitted by law, the term “System” shall not mean to include facilities of any kind which are declared not to be a part of the System and which are acquired or constructed by or on behalf of the City with the proceeds from the issuance of “Special Facilities Bonds”, which are hereby defined as being special revenue obligations of the City which are not Prior Lien Obligations but which are payable from and secured by other liens on and pledges of any revenues, sources or payments, not pledged to the payment of the currently outstanding Prior Lien Obligations including, but not limited to, special contract revenues or payments received from any other legal entity in connection with such facilities.

SECTION 10. Certificate Fund - Investments. For the purpose of paying the interest on and to provide a sinking fund for the payment, redemption, and retirement of the Certificates, there shall be and is hereby created a special fund to be designated “COMBINATION TAX AND LIMITED PLEDGE REVENUE CERTIFICATES OF OBLIGATION, SERIES 2021, INTEREST AND SINKING FUND” (the *Certificate Fund*), which fund shall be kept and maintained at the Depository, and money deposited in the Certificate Fund shall be used for no other purpose and shall be maintained as provided in Section 27. Authorized Officials of the City are hereby authorized and directed to make withdrawals from the Certificate Fund sufficient to pay the purchase price or the amount of principal of, premium, if any, and interest on the Certificates as the same become due and payable and shall cause to be transferred to the Paying Agent/Registrar from money on deposit in the Certificate Fund an amount sufficient to pay the amount of principal and/or interest stated to mature on the Certificates, such transfer of funds to the Paying Agent/Registrar to be made in such manner as will cause immediately available funds to be deposited with the Paying Agent/Registrar on or before the business day next preceding each interest and principal payment date for the Certificates.

The City, at its sole discretion, may deposit the Pledged Revenue Amount to the Certificate Fund. The Pledged Revenue Amount, if deposited, shall be expended annually to pay principal of and interest on the Certificates as the same become due and payable. This Pledged Revenue Amount shall be accounted for and transferred to the Paying Agent/Registrar in accordance with the provisions of the previous paragraph of this Section.

Pending the transfer of funds to the Paying Agent/Registrar, money deposited in any fund created and established by this Ordinance may, at the option of the City, be placed in time deposits, certificates of deposit, guaranteed investment contracts, or similar contractual agreements, as permitted by the provisions of the Public Funds Investment Act, as amended, Chapter 2256, Texas

Government Code, secured (to the extent not insured by the Federal Deposit Insurance Corporation) by obligations of the type hereinafter described, or be invested, as authorized by any law, including investments held in book-entry form, in securities, including, but not limited to, direct obligations of the United States of America, obligations guaranteed or insured by the United States of America, which, in the opinion of the Attorney General of the United States, are backed by its full faith and credit or represent its general obligations, or invested in indirect obligations of the United States of America, including, but not limited to, evidences of indebtedness issued, insured or guaranteed by such governmental agencies as the Federal Land Banks, Federal Intermediate Credit Banks, Banks for Cooperatives, Federal Home Loan Banks, Government National Mortgage Association, Farmers Home Administration, Federal Home Loan Mortgage Association, Small Business Administration, or Federal Housing Association; provided that all such deposits and investments shall be made in such a manner that the money required to be expended from such fund will be available at the proper time or times. All interest and income derived from deposits and investments in any fund established pursuant to the provisions of this Ordinance shall be credited to, and any losses debited to, such fund. All such investments shall be sold promptly when necessary to prevent any default in connection with the Certificates.

SECTION 11. Tax Levy. To provide for the payment of the Debt Service Requirements on the Certificates being (i) the interest on the Certificates and (ii) a sinking fund for their redemption at Stated Maturity or a sinking fund of 2% (whichever amount shall be the greater), there shall be and there is hereby levied for the current year and each succeeding year thereafter while the Certificates or any interest thereon shall remain Outstanding, a sufficient tax, within the limitations prescribed by law, on each one hundred dollars valuation of taxable property in the City, adequate to pay such Debt Service Requirements, full allowance being made for delinquencies and costs of collection; said tax shall be assessed and collected each year and applied to the payment of the Debt Service Requirements, and the same shall not be diverted to any other purpose. The taxes so levied and collected shall be paid into the Certificate Fund and are thereafter pledged to the payment of the Certificates. The City Commission hereby declares its purpose and intent to provide and levy a tax legally and fully sufficient to pay such Debt Service Requirements, it having been determined that the existing and available taxing authority of the City for such purpose is adequate to permit a legally sufficient tax in consideration of all other outstanding indebtedness and other obligations of the City.

The amount of taxes to be provided annually for the payment of the principal of and interest on the Certificates shall be determined and accomplished in the following manner:

A. Prior to the date the City Commission establishes the annual tax rate and passes an ordinance levying ad valorem taxes each year, the City Commission shall determine:

- (1) the amount of Debt Service Requirements to become due and payable on the Certificates between the Collection Date for the taxes then to be levied and the Collection Date for the taxes to be levied during the next succeeding calendar year;
- (2) the amount on deposit in the Certificate Fund after (a) deducting therefrom the total amount of Debt Service Requirements to become due on Certificates prior to the Collection Date for the ad valorem taxes to be levied and (b) adding thereto the amount of the Pledged Revenues, if any, to be appropriated and allocated during such year to pay such

Debt Service Requirements, if any, prior to the Collection Date for the ad valorem taxes to be levied; and

(3) the amount of Pledged Revenues, if any, appropriated and set aside for the payment of the Debt Service Requirements on the Certificates between the Collection Date for the taxes then to be levied and the Collection Date for the taxes to be levied during the next succeeding Fiscal Year.

B. The amount of taxes to be levied annually each year to pay the Debt Service Requirements on the Certificates shall be the amount established in paragraph (1) above less the sum total of the amounts established in paragraphs (2) and (3), after taking into consideration delinquencies and costs of collecting such annual taxes.

SECTION 12. Pledge of Revenues. The City hereby covenants and agrees that, subject to (i) any prior lien on and pledge of the Net Revenues of the System to the payment and security of the currently outstanding Prior Lien Obligations or any Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations hereafter issued by the City and (ii) the lien on and pledge of a limited amount of the Net Revenues to the payment and security of the currently outstanding Limited Pledge Obligations, the Certificates, and any Additional Limited Pledge Obligations hereafter issued by the City, the Pledged Revenues are hereby irrevocably pledged to the payment of the principal of and interest on the Certificates and the pledge of Pledged Revenues herein made for the payment of the Certificates shall constitute a lien on the Pledged Revenues in accordance with the terms and provisions hereof and be valid and binding without any physical delivery thereof or further act by the City.

SECTION 13. System Fund. The City hereby covenants and agrees that all Gross Revenues derived from the operation of the System shall be kept separate and apart from all other funds, accounts and money of the City and shall be deposited as collected into the "CITY OF SAN JUAN, TEXAS UTILITY SYSTEM FUND" (the *System Fund*). All money deposited in the System Fund shall be pledged and appropriated to the extent required for the following purposes and in the order of priority shown:

- First: to the payment of the reasonable and proper Maintenance and Operating Expenses of the System required by statute or ordinances authorizing the issuance of any indebtedness of the City to be a first charge on and claim against the Gross Revenues of the System;
- Second: To the payment of the amounts that must be deposited in the special funds and accounts created and established for the payment, security, and benefit of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations hereafter issued by the City in accordance with the terms and provisions of any ordinance authorizing their issuance;
- Third: To the payment of the amounts that must be deposited in the special funds and accounts created and established for the payment, security, and benefit of any Junior Lien Obligations hereafter issued by the City in accordance with the terms and provisions of any ordinance authorizing their issuance;

- Fourth: To the payment of the amounts that must be deposited in the special funds and accounts created and established for the payment, security, and benefit of any Subordinate Lien Obligations hereafter issued by the City in accordance with the terms and provisions of any ordinance authorizing their issuance; and
- Fifth: To the payment of the amounts that may be deposited in the special funds and accounts established for the payment of the currently outstanding Limited Pledge Obligations, including the Certificates, and any Additional Limited Pledge Obligations hereafter issued by the City in accordance with the terms and provisions of any ordinances authorizing their issuance.

Any Net Revenues remaining in the System Fund after satisfying the foregoing payments, or making adequate and sufficient provision for the payment, security and benefit thereof, may be appropriated and used for any other City purpose now or hereafter permitted by law.

SECTION 14. Deposits to Certificate Fund – Surplus Certificate Proceeds. The City hereby covenants and agrees to cause to be deposited in the Certificate Fund prior to a principal and interest payment date for the Certificates, from the Pledged Revenues in the System Fund, after the deduction of all payments required to be made to the special funds or accounts created for the payment, security, and benefit of (i) the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations hereafter issued by the City and (ii) the currently outstanding Limited Pledge Obligations, including the Certificates or any Additional Limited Pledge Obligations hereafter issued by the City, and any amounts budgeted to be paid therefrom in such Fiscal Year.

Accrued interest, if any, received from the Purchasers of the Certificates shall be deposited to the Certificate Fund and ad valorem taxes levied and collected for the benefit of the Certificates shall be deposited to the Certificate Fund. In addition, any surplus proceeds, including investment income therefrom, from the sale of the Certificates not expended for authorized purposes shall be deposited in the Certificate Fund, and such amounts so deposited shall reduce the sums otherwise required to be deposited in said fund from ad valorem taxes.

SECTION 15. Security of Funds. All money on deposit in the funds for which this Ordinance makes provision (except any portion thereof as may be at any time properly invested as provided herein) shall be secured in the manner and to the fullest extent required by the laws of State of Texas for the security of public funds, and money on deposit in such funds shall be used only for the purposes permitted by this Ordinance.

SECTION 16. Maintenance of System - Insurance. The City covenants and agrees that while the Certificates remain Outstanding it will maintain and operate the System with all possible efficiency and maintain casualty and other insurance (including a system of self-insurance) on the properties of the System and its operations of a kind and in such amounts customarily carried by municipal corporations in the State of Texas engaged in a similar type of business and that it will faithfully and punctually perform all duties with reference to the System required by the laws of the State of Texas. All money received from losses under such insurance policies, other than public liability policies, are held for the benefit of the holders of the Certificates until and unless the proceeds are paid out in making good the loss or damage in respect of which such proceeds are

received, either by replacing the property destroyed or repairing the property damaged, and adequate provision for making good such loss or damage must be made within ninety (90) days after the date of loss. The payment of premiums for all insurance policies required under the provisions hereof shall be considered Maintenance and Operating Expenses. Nothing in this Ordinance shall be construed as requiring the City to expend any funds which are derived from sources other than the operation of the System but nothing herein shall be construed as preventing the City from doing so.

SECTION 17. Rates and Charges. The City hereby covenants and agrees with the Holders of the Certificates that rates and charges for utility services afforded by the System will be established and maintained to provide Gross Revenues sufficient at all times:

A. to pay, together with any other lawfully available funds, all operating, maintenance, depreciation, replacement, betterment, and other costs incurred in the maintenance and operation of the System, including, but not limited to, Maintenance and Operating Expenses; provided, however, that the City expressly reserves the right to utilize other lawfully available funds to pay the Maintenance and Operating Expenses;

B. to produce Net Revenues sufficient, together with any other lawfully available funds, to pay (i) the interest on and principal of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations hereafter issued by the City as the same becomes due and payable and the amounts required to be deposited in any special fund created and established for the payment, security, and benefit thereof; (ii) the interest on and principal of any Junior Lien Obligations hereafter issued by the City as the same becomes due and payable and the amounts required to be deposited in any special fund created and established for the payment, security, and benefit thereof; (iii) the interest on and principal of any Subordinate Lien Obligations hereafter issued by the City as the same becomes due and payable and the amounts required to be deposited in any special fund created and established for the payment, security, and benefit thereof, and (iv) the amounts that may be deposited in the special funds established for the payment of the currently outstanding Limited Pledge Obligations, the Certificates or any Additional Limited Pledge Obligations hereafter issued by the City; and

C. to pay other legally incurred indebtedness payable from the Net Revenues of the System and/or secured by a lien on the System or the Net Revenues thereof.

SECTION 18. Records and Accounts - Annual Audit. The City further covenants and agrees that so long as any of the Certificates remain Outstanding it will keep and maintain separate and complete records and accounts pertaining to the operations of the System in which complete and correct entries shall be made of all transactions relating thereto, as provided by Chapter 1502, as amended, Texas Government Code, or other applicable law. The Holders of the Certificates or any duly authorized agent or agents of the Holders shall have the right to inspect the System and all properties comprising the same. The City further agrees that, following the close of each Fiscal Year, it will cause an audit of such books and accounts to be made by an independent firm of certified public accountants. Expenses incurred in making the annual audit of the operations of the System are to be regarded as Maintenance and Operating Expenses.

SECTION 19. Remedies in Event of Default. In addition to all the rights and remedies provided by the laws of the State of Texas, the City covenants and agrees particularly that in the event the City (a) defaults in the payments to be made to the Certificate Fund, or (b) defaults in the observance or performance of any other of the covenants, conditions, or obligations set forth in this Ordinance, the Holders of any of the Certificates shall be entitled to seek a writ of mandamus issued by a court of proper jurisdiction compelling and requiring the governing body of the City and other officers of the City to observe and perform any covenant, condition, or obligation prescribed in this Ordinance.

No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein, and every such right and power may be exercised from time to time and as often as may be deemed expedient. The specific remedies herein provided shall be cumulative of all other existing remedies and the specification of such remedies shall not be deemed to be exclusive.

SECTION 20. Issuance of Additional Prior Lien Obligations, Junior Lien Obligations, Subordinate Lien Obligations, and Additional Limited Pledge Obligations. The City hereby expressly reserves the right to hereafter issue bonds, notes, warrants, certificates of obligation, or similar obligations, payable, wholly or in part, as appropriate, from and secured by a pledge of and lien on the Net Revenues of the System with the following priorities, without limitation as to principal amount, but subject to any terms, conditions, or restrictions applicable thereto under existing ordinances, laws, or otherwise:

A. Additional Prior Lien Obligations payable from and equally and ratably secured by a first and prior lien on and pledge of the Net Revenues of the System;

B. Junior Lien Obligations payable from and equally and ratably secured by a lien on and pledge of the Net Revenues that is junior and inferior to the lien on and pledge thereof securing the payment of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations hereafter issued by the City, but prior and superior to the lien on and pledge of the Net Revenues securing, in part, the payment of the currently outstanding Limited Pledge Obligations and the Certificates and any Subordinate Lien Obligations or Additional Limited Pledge Obligations hereafter issued by the City;

C. Subordinate Lien Obligations payable from and equally and ratably secured by a lien on and pledge of the Net Revenues that is subordinate and inferior to the lien on and pledge thereof securing the payment of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations or Junior Lien Obligations hereafter issued by the City, but prior and superior to the lien on and pledge of the Net Revenues securing, in part, the payment of the currently outstanding Limited Pledge Obligations, the Certificates, and any Additional Limited Pledge Obligations hereafter issued by the City; and

D. Additional Limited Pledge Obligations secured by a lien on and pledge of a limited amount of the Net Revenues in accordance with the provisions of the following paragraph.

Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations, if issued, may be payable, in whole or in part, from Net Revenues (without

impairment of the obligation of contract with the holders of the currently outstanding Limited Pledge Obligations and the Certificates) upon such terms and conditions as the City Commission may determine. Additional Limited Pledge Obligations, if issued and payable, in whole or in part, from Pledged Revenues (defined in the same or similar terms as provided in Section 9 of this Ordinance or in the ordinances authorizing the issuance of the currently outstanding Limited Pledge Obligations), shall not in any event be construed to be payable from the Pledged Revenues authorized by this Ordinance or in the respective ordinances authorizing the issuance of the currently outstanding Limited Pledge Obligations to be budgeted and appropriated for the payment of the Certificates or the respective ordinances authorizing the issuance of the currently outstanding Limited Pledge Obligations. However, the lien on and pledge of the limited amount of Net Revenues securing, in part, the payment of the Certificates, the Limited Pledge Obligations, and any Additional Limited Pledge Obligations shall be subordinate and inferior to the pledge of and lien on the Net Revenues securing the payment of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations hereafter issued by the City.

SECTION 21. Special Covenants. The City hereby further covenants that:

A. it has the lawful power to pledge the Pledged Revenues supporting the Certificates and has lawfully exercised said powers under the laws of the State of Texas, including power existing under Chapter 1502, as amended, Texas Government Code, the Certificate of Obligation Act of 1971, as amended, Texas Local Government Code, Section 271.041 through Section 271.064, and the City's Home Rule Charter;

B. other than for the payment of the currently outstanding Prior Lien Obligations, the currently outstanding Limited Pledge Obligations and the Certificates, the Net Revenues of the System have not in any manner been pledged to the payment of any debt or obligation of the City or of the System;

C. as long as any Certificates or any interest thereon remain Outstanding, the City will not sell, lease or encumber (except in the manner provided in Section 20 of this Ordinance) the System or any substantial part thereof, provided that this covenant shall not be construed to prohibit the sale of such machinery, or other properties or equipment which has become obsolete or otherwise unsuited to the efficient operation of the System;

D. to the extent that it legally may, the City further covenants and agrees that, so long as any of the Certificates, or any interest thereon, are Outstanding, no franchise shall be granted for the installation or operation of any competing utility systems other than those owned by the City, and the operation of any such systems by anyone other than the City is hereby prohibited; and

E. no free service of the System shall be allowed, and should the City or any of its agents or instrumentalities make use of the services and facilities of the System, payment of the reasonable value thereof shall be made by the City out of funds from sources other than the revenues and income of the System.

SECTION 22. Application of the Covenants and Agreements of any Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations. It is the intention of the City Commission and accordingly hereby recognized and stipulated that the provisions, agreements, and covenants contained herein bearing upon the management and operations of the System, and the administration and application of Gross Revenues derived from the operation thereof, shall to the extent possible be harmonized with like provisions, agreements, and covenants contained in the ordinances authorizing the issuance of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations hereafter issued by the City; and to the extent of any irreconcilable conflict between the provisions contained herein and in the ordinances authorizing the issuance of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations hereafter issued by the City, the provisions, agreements, and covenants contained therein shall prevail to the extent of such conflict and be applicable to this Ordinance, especially the priority of rights and benefits conferred thereby to the holders of the currently outstanding Prior Lien Obligations and any Additional Prior Lien Obligations, Junior Lien Obligations, or Subordinate Lien Obligations hereafter issued by the City. It is expressly recognized that prior to the issuance of any Additional Prior Lien Obligations, Junior Lien Obligations, Subordinate Lien Obligations, or Additional Limited Pledge Obligations, the City must comply with each of the conditions precedent contained in the respective ordinances authorizing the issuance of the currently outstanding Prior Lien Obligations, Limited Pledge Obligations, and the Certificates, as appropriate.

SECTION 23. Notices to Holders - Waiver. Wherever this Ordinance provides for notice to Holders of any event, such notice shall be sufficiently given (unless otherwise herein expressly provided) if in writing and sent by United States mail, first-class postage prepaid, to the address of each Holder as it appears in the Security Register at the close of business on the business day next preceding the mailing of such notice.

In any case where notice to Holders is given by mail, neither the failure to mail such notice to any particular Holders, nor any defect in any notice so mailed, shall affect the sufficiency of such notice with respect to all other Holders. Where this Ordinance provides for notice in any manner, such notice may be waived in writing by the Holder entitled to receive such notice, either before or after the event with respect to which such notice is given, and such waiver shall be the equivalent of such notice. Waivers of notice by Holders shall be filed with the Paying Agent/Registrar, but such filing shall not be a condition precedent to the validity of any action taken in reliance upon such waiver.

SECTION 24. Cancellation. All Certificates surrendered for payment, redemption, transfer, exchange, or replacement, if surrendered to the Paying Agent/Registrar, shall be promptly cancelled by it and, if surrendered to the City, shall be delivered to the Paying Agent/Registrar and, if not already cancelled, shall be promptly cancelled by the Paying Agent/Registrar. The City may at any time deliver to the Paying Agent/Registrar for cancellation any Certificates previously certified or registered and delivered which the City may have acquired in any manner whatsoever, and all Certificates so delivered shall be promptly cancelled by the Paying Agent/Registrar. All cancelled Certificates held by the Paying Agent/Registrar shall be destroyed as directed by the City.

SECTION 25. Mutilated, Destroyed, Lost, and Stolen Certificates. If (1) any mutilated Certificate is surrendered to the Paying Agent/Registrar, or the City and the Paying Agent/Registrar receive evidence to their satisfaction of the destruction, loss, or theft of any Certificate, and (2) there is delivered to the City and the Paying Agent/Registrar such security or indemnity as may be required to save each of them harmless, then, in the absence of notice to the City or the Paying Agent/Registrar that such Certificate has been acquired by a bona fide purchaser, the City shall execute and, upon its request, the Paying Agent/Registrar shall register and deliver, in exchange for or in lieu of any such mutilated, destroyed, lost, or stolen Certificate, a new Certificate of the same Stated Maturity and interest rate and of like tenor and principal amount, bearing a number not contemporaneously Outstanding.

In case any such mutilated, destroyed, lost, or stolen Certificate has become or is about to become due and payable, the City in its discretion may, instead of issuing a new Certificate, pay such Certificate.

Upon the issuance of any new Certificate or payment in lieu thereof, under this Section, the City may require payment by the Holder of a sum sufficient to cover any tax or other governmental charge imposed in relation thereto and any other expenses and charges (including attorney's fees and the fees and expenses of the Paying Agent/Registrar) connected therewith.

Every new Certificate issued pursuant to this Section in lieu of any mutilated, destroyed, lost, or stolen Certificate shall constitute a replacement of the prior obligation of the City, whether or not the mutilated, destroyed, lost, or stolen Certificate shall be at any time enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and ratably with all other Outstanding Certificates.

The provisions of this Section are exclusive and shall preclude (to the extent lawful) all other rights and remedies with respect to the replacement and payment of mutilated, destroyed, lost, or stolen Certificates.

SECTION 26. Sale of the Certificates at Competitive Sale; Approval of Official Statement; Proceeds of Sale. The Certificates authorized by this Ordinance are hereby sold by the City to _____, _____, _____, as the authorized representative of a group of purchasers at a competitive sale (the *Purchasers*, having all of the rights, duties, and obligations of a Holder), in accordance with the provisions of an Official Bid Form (the "Official Bid Form"), dated August 24, 2021, attached hereto as Exhibit B and incorporated herein by reference as a part of this Ordinance for all purposes, at the price of par, plus a net reoffering premium of \$_____ (including the Purchasers' compensation of \$_____, plus the Insurance Premium of \$_____), and no accrued interest to the date of initial delivery of the Certificates to the Purchasers, and is hereby approved and confirmed. The Initial Certificate shall be registered in the name of _____. It is hereby officially found, determined, and declared that the Purchasers are the highest bidder for the Certificates whose bid, received as a result of invitations for competitive bids in compliance with applicable law, produced the lowest true interest cost to the City. The pricing and terms of the sale of the Certificates are hereby found and determined to be the most advantageous reasonably obtainable by the City. Any Authorized Official is hereby authorized and directed to execute the Official Bid Form for and on behalf of the City and as the act and deed of this City Commission, and in regard to the approval and

execution of the Official Bid Form, the City Commission hereby finds, determines and declares that the representations, warranties, and agreements of the City contained in the Official Bid Form are true and correct in all material respects and shall be honored and performed by the City. Delivery of the Certificates to the Purchasers shall occur as soon as practicable after the adoption of this Ordinance, upon payment therefor in accordance with the terms of the Official Bid Form.

Proceeds from the sale of the Certificates shall be applied as follows:

(1) Accrued interest, if any, received from the Purchasers, shall be deposited into the Certificate Fund.

(2) The City expects to receive a net reoffering premium from the sale of the Certificates of \$_____ which is allocated by the City in the following manner: (1) \$_____ to pay the Purchasers' compensation (which includes \$_____ to pay the Insurer's Insurance Premium, (2) \$_____ shall be deposited into the construction account established in paragraph (3) below, and (3) \$_____ to pay certain costs of issuance of the Certificates.

(3) The balance of the proceeds in the amount of \$_____ (being the principal amount of the Certificates in the amount of \$_____ and a portion of the reoffering premium in the amount of \$_____ derived from the sale of the Certificates (after paying costs of issuance) shall be deposited into the special construction account or accounts created for the project to be constructed with the proceeds of the Certificates and used to pay costs of such projects. This special construction account shall be established and maintained at the Depository and shall be invested in accordance with the provisions of Section 10 of this Ordinance. Interest earned on the proceeds of the Certificates pending completion of construction of the projects financed with such proceeds shall be accounted for, maintained, deposited, and expended as permitted by the provisions of Chapter 1201, as amended, Texas Government Code, or as required by any other applicable law. Thereafter, such amounts shall be expended in accordance with Section 14 of this Ordinance.

Furthermore, the City hereby ratifies, confirms, and approves in all respects (i) the City's prior determination that the Preliminary Official Statement was, as of its date, "deemed final" in accordance with the Rule (hereinafter defined) and (ii) the use and distribution of the Official Notice of Sale, Official Bid Form, and Preliminary Official Statement by the Purchasers in connection with the public offering and sale of the Certificates. The final Official Statement, being a modification and amendment of the Preliminary Official Statement to reflect the terms of sale referenced in the Official Bid Form (together with such changes approved by any Authorized Official or any one or more of said officials), shall be and is hereby in all respects, including form and content approved and the Purchasers are hereby authorized to use and distribute the final Official Statement, dated August 24, 2021, in the reoffering, sale and delivery of the Certificates to the public. The Mayor, Mayor Pro Tem, and/or City Secretary or Acting City Secretary are further authorized and directed to manually execute and deliver for and on behalf of the City copies of the Official Statement in final form as may be required by the Purchasers, and such final Official Statement in the form and content manually executed by said officials shall be deemed to be approved by the City Commission and constitute the Official Statement authorized for distribution

and use by the Purchasers. Each Authorized Official is hereby authorized to execute and deliver a certificate pertaining to such Official Statement as prescribed therein, dated as of the date of payment for and delivery of the Certificates.

SECTION 27. Covenants to Maintain Tax-Exempt Status.

A. Definitions. When used in this Section, the following terms have the following meanings:

Closing Date means the date on which the Certificates are first authenticated and delivered to the initial purchasers against payment therefor.

Code means the Internal Revenue Code of 1986, as amended by all legislation, if any, effective on or before the Closing Date.

Computation Date has the meaning set forth in Section 1.148-1(b) of the Regulations.

Gross Proceeds means any proceeds as defined in Section 1.148-1(b) of the Regulations, and any replacement proceeds as defined in Section 1.148-1(c) of the Regulations, of the Certificates.

Investment has the meaning set forth in Section 1.148-1(b) of the Regulations.

Nonpurpose Investment means any investment property, as defined in section 148(b) of the Code, in which Gross Proceeds of the Certificates are invested and which is not acquired to carry out the governmental purposes of the Certificates.

Rebate Amount has the meaning set forth in Section 1.148-1(b) of the Regulations.

Regulations means any proposed, temporary, or final Income Tax Regulations issued pursuant to sections 103 and 141 through 150 of the Code, and 103 of the Internal Revenue Code of 1954, which are applicable to the Certificates. Any reference to any specific Regulation shall also mean, as appropriate, any proposed, temporary or final Income Tax Regulation designed to supplement, amend or replace the specific Regulation referenced.

Yield of

(1) any Investment has the meaning set forth in Section 1.148-5 of the Regulations; and

(2) the Certificates means the yield as calculated pursuant to Section 1.148-4 of the Regulations.

B. Not to Cause Interest to Become Taxable. The City shall not use, permit the use of, or omit to use Gross Proceeds or any other amounts (or any property the acquisition, construction or improvement of which is to be financed directly or indirectly with Gross Proceeds)

in a manner which if made or omitted, respectively, would cause the interest on any Certificate to become includable in the gross income, as defined in section 61 of the Code, of the owner thereof for federal income tax purposes. Without limiting the generality of the foregoing, unless and until the City receives a written opinion of counsel nationally recognized in the field of municipal bond law to the effect that failure to comply with such covenant will not adversely affect the exemption from federal income tax of the interest on any Certificate, the City shall comply with each of the specific covenants in this Section.

C. No Private Use or Private Payments. Except to the extent it will not cause the Certificates to become “private activity bonds” within the meaning of section 141 of the Code and the Regulations and rulings thereunder, the City shall at all times prior to the last Stated Maturity of Certificates:

(1) exclusively own, operate and possess all property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with Gross Proceeds of the Certificates, and not use or permit the use of such Gross Proceeds (including all contractual arrangements with terms different than those applicable to the general public) or any property acquired, constructed or improved with such Gross Proceeds in any activity carried on by any person or entity (including the United States or any agency, department and instrumentality thereof) other than a state or local government, unless such use is solely as a member of the general public; and

(2) not directly or indirectly impose or accept any charge or other payment by any person or entity who is treated as using Gross Proceeds of the Certificates or any property the acquisition, construction or improvement of which is to be financed or refinanced directly or indirectly with such Gross Proceeds, other than taxes of general application within the City or interest earned on investments acquired with such Gross Proceeds pending application for their intended purposes.

D. No Private Loan. Except to the extent it will not cause the Certificates to become “private activity bonds” within the meaning of section 141 of the Code and the Regulations and rulings thereunder, the City shall not use Gross Proceeds of the Certificates to make or finance loans to any person or entity other than a state or local government. For purposes of the foregoing covenant, such Gross Proceeds are considered to be “loaned” to a person or entity if: (1) property acquired, constructed or improved with such Gross Proceeds is sold or leased to such person or entity in a transaction which creates a debt for federal income tax purposes; (2) capacity in or service from such property is committed to such person or entity under a take-or-pay, output or similar contract or arrangement; or (3) indirect benefits, or burdens and benefits of ownership, of such Gross Proceeds or any property acquired, constructed or improved with such Gross Proceeds are otherwise transferred in a transaction which is the economic equivalent of a loan.

E. Not to Invest at Higher Yield. Except to the extent it will not cause the Certificates to become “arbitrage bonds” within the meaning of section 148 of the Code and the Regulations and rulings thereunder, the City shall not at any time prior to the final Stated Maturity of the Certificates directly or indirectly invest Gross Proceeds in any Investment, if as a result of such investment the Yield of any Investment acquired with Gross Proceeds, whether then held or previously disposed of, materially exceeds the Yield of the Certificates.

F. Not Federally Guaranteed. Except to the extent permitted by section 149(b) of the Code and the Regulations and rulings thereunder, the City shall not take or omit to take any action which would cause the Certificates to be federally guaranteed within the meaning of section 149(b) of the Code and the Regulations and rulings thereunder.

G. Information Report. The City shall timely file the information required by section 149(e) of the Code with the Secretary of the Treasury on Form 8038-G or such other form and in such place as the Secretary may prescribe.

H. Rebate of Arbitrage Profits. Except to the extent otherwise provided in section 148(f) of the Code and the Regulations and rulings thereunder:

(1) The City shall account for all Gross Proceeds (including all receipts, expenditures and investments thereof) on its books of account separately and apart from all other funds (and receipts, expenditures and investments thereof) and shall retain all records of accounting for at least six years after the day on which the last Outstanding Certificate is discharged. However, to the extent permitted by law, the City may commingle Gross Proceeds of the Certificates with other money of the City, provided that the City separately accounts for each receipt and expenditure of Gross Proceeds and the obligations acquired therewith.

(2) Not less frequently than each Computation Date, the City shall calculate the Rebate Amount in accordance with rules set forth in section 148(f) of the Code and the Regulations and rulings thereunder. The City shall maintain such calculations with its official transcript of proceedings relating to the issuance of the Certificates until six years after the final Computation Date.

(3) As additional consideration for the purchase of the Certificates by the Purchasers and the loan of the money represented thereby and in order to induce such purchase by measures designed to insure the excludability of the interest thereon from the gross income of the owners thereof for federal income tax purposes, the City shall pay to the United States out of the Certificate Fund or its general fund, as permitted by applicable Texas statute, regulation or opinion of the Attorney General of the State of Texas, the amount that when added to the future value of previous rebate payments made for the Certificates equals (i) in the case of a Final Computation Date as defined in Section 1.1483(e)(2) of the Regulations, one hundred percent (100%) of the Rebate Amount on such date; and (ii) in the case of any other Computation Date, ninety percent (90%) of the Rebate Amount on such date. In all cases, the rebate payments shall be made at the times, in the installments, to the place and in the manner as is or may be required by section 148(f) of the Code and the Regulations and rulings thereunder, and shall be accompanied by Form 8038-T or such other forms and information as is or may be required by section 148(f) of the Code and the Regulations and rulings thereunder.

(4) The City shall exercise reasonable diligence to assure that no errors are made in the calculations and payments required by paragraphs (2) and (3), and if an error is made, to discover and promptly correct such error within a reasonable amount of time thereafter (and in all events within one hundred eighty (180) days after discovery of the

error), including payment to the United States of any additional Rebate Amount owed to it, interest thereon, and any penalty imposed under Section 1.148-3(h) of the Regulations.

I. Not to Divert Arbitrage Profits. Except to the extent permitted by section 148 of the Code and the Regulations and rulings thereunder, the City shall not, at any time prior to the earlier of the Stated Maturity or final payment of the Certificates, enter into any transaction that reduces the amount required to be paid to the United States pursuant to Subsection H of this Section because such transaction results in a smaller profit or a larger loss than would have resulted if the transaction had been at arm's length and had the Yield of the Certificates not been relevant to either party.

J. Certificates Not Hedge Bonds.

(1) The City reasonably expects to spend at least 85% of the spendable proceeds of the Certificates within three years after such Certificates are issued.

(2) Not more than 50% of the proceeds of the Certificates will be invested in Nonpurpose Investments having a substantially guaranteed Yield for a period of 4 years or more.

K. Elections. The City hereby directs and authorizes any Authorized Official, either individually or any combination of them, to make elections permitted or required pursuant to the provisions of the Code or the Regulations, as they deem necessary or appropriate in connection with the Certificates, in the Certificate as to Tax Exemption or similar or other appropriate certificate, form or document. Such elections shall be deemed to be made on the Closing Date.

L. Qualified Tax-Exempt Obligations. The City hereby designates the Certificates as qualified tax-exempt obligations for purposes of section 265(b) of the Code. In furtherance of such designation, the City represents, covenants and warrants the following: (a) during the calendar year in which the Certificates are issued, the City (including any subordinate entities) has not designated nor will designate obligations, which when aggregated with the Certificates, will result in more than \$10,000,000 of "qualified tax-exempt obligations" being issued; (b) the City reasonably anticipates that the amount of tax-exempt obligations issued during the calendar year 2021 by the City (including any subordinate entities) will not exceed \$10,000,000; and the City will take such action or refrain from such action as is necessary in order that the Certificates will not be considered "private activity bonds" within the meaning of section 141 of the Code.

SECTION 28. Control and Custody of Certificates. The Mayor of the City shall be and is hereby authorized to take and have charge of all necessary orders and records pending investigation by the Attorney General of the State of Texas and shall take and have charge and control of the Certificates pending their approval by the Attorney General of the State of Texas, the registration thereof by the Comptroller of Public Accounts of the State of Texas and the delivery of the Certificates to the Purchasers.

Furthermore, any Authorized Official, either individually or any combination of them, are hereby authorized and directed to furnish and execute such documents relating to the City and its financial affairs as may be necessary for the issuance of the Certificates, the approval of the Attorney General of the State of Texas and their registration by the Comptroller of Public Accounts

of the State of Texas and, together with the City's financial advisors, Bond Counsel, and the Paying Agent/Registrar, make the necessary arrangements for the delivery of the Initial Certificate to the Purchasers and, when requested in writing by the Purchasers, the initial exchange thereof for definitive Certificates.

SECTION 29. Satisfaction of Obligation of City. If the City shall pay or cause to be paid, or there shall otherwise be paid to the Holders, the principal of, premium, if any, and interest on the Certificates, at the times and in the manner stipulated in this Ordinance, then the pledge of taxes levied and the lien on and pledge of the Pledged Revenues under this Ordinance and all covenants, agreements, and other obligations of the City to the Holders shall thereupon cease, terminate, and be discharged and satisfied.

Certificates, or any principal amount(s) thereof, shall be deemed to have been paid within the meaning and with the effect expressed above in this Section when (i) money sufficient to pay in full such Certificates or the principal amount(s) thereof at Stated Maturity or to the redemption date therefor, together with all interest due thereon, shall have been irrevocably deposited with and held in trust by the Paying Agent/Registrar, or an authorized escrow agent, and/or (ii) Government Securities shall have been irrevocably deposited in trust with the Paying Agent/Registrar, or an authorized escrow agent, which Government Securities mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money, together with any money deposited therewith, if any, to pay when due the principal of and interest on such Certificates, or the principal amount(s) thereof, on and prior to the Stated Maturity thereof or (if notice of redemption has been duly given or waived or if irrevocable arrangements therefor acceptable to the Paying Agent/Registrar have been made) the redemption date thereof for the Certificates. In the event of a defeasance of the Certificates, the City shall deliver a certificate from its financial advisor, the Paying Agent/Registrar, an independent accounting firm, or another qualified third party concerning the deposit of cash and/or Government Securities to pay, when due, the principal of redemption premium (if any), and interest due on any defeased Certificate. To the extent applicable, if at all, the City covenants that no deposit of money or Government Securities will be made under this Section and no use made of any such deposit which would cause the Certificates to be treated as arbitrage bonds within the meaning of section 148 of the Code (as defined in Section 27 hereof).

Any money so deposited with the Paying Agent/Registrar, and all income from Government Securities held in trust by the Paying Agent/Registrar, or an authorized escrow agent, pursuant to this Section which is not required for the payment of the Certificates, or any principal amount(s) thereof, or interest thereon with respect to which such money has been so deposited shall be remitted to the City or deposited as directed by the City. Furthermore, any money held by the Paying Agent/Registrar for the payment of the principal of and interest on the Certificates and remaining unclaimed for a period of three (3) years after the Stated Maturity of the Certificates, or applicable redemption date of the Certificates, such money was deposited and is held in trust to pay shall upon the request of the City be remitted to the City against a written receipt therefor, subject to the unclaimed property laws of the State of Texas.

Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem defeased Certificates that is made in conjunction with the payment arrangements specified in subsection (i) or (ii) above shall not be irrevocable, provided

that: (1) in the proceedings providing for such defeasance, the City expressly reserves the right to call the defeased Certificates for redemption; (2) gives notice of the reservation of that right to the owners of the defeased Certificates immediately following the defeasance; (3) directs that notice of the reservation be included in any redemption notices that it authorizes; and (4) at the time of the redemption, satisfies the conditions of (i) or (ii) above with respect to such defeased debt as though it was being defeased at the time of the exercise of the option to redeem the defeased Certificates, after taking the redemption into account in determining the sufficiency of the provisions made for the payment of the defeased Certificates.

SECTION 30. Printed Opinion. The Purchasers' obligation to accept delivery of the Certificates is subject to their being furnished a final opinion of Locke Lord LLP, San Antonio, Texas, as Bond Counsel, approving certain legal matters as to the Certificates, this opinion to be dated and delivered as of the date of initial delivery and payment for such Certificates. Printing of a true and correct copy of this opinion on the reverse side of each of the Certificates, with appropriate certificate pertaining thereto executed by facsimile signature of the City Secretary or Acting City Secretary of the City is hereby approved and authorized.

SECTION 31. CUSIP Numbers. CUSIP numbers may be printed or typed on the definitive Certificates. It is expressly provided, however, that the presence or absence of CUSIP numbers on the definitive Certificates shall be of no significance or effect as regards the legality thereof, and neither the City nor Bond Counsel are to be held responsible for CUSIP numbers incorrectly printed or typed on the definitive Certificates.

SECTION 32. Effect of Headings. The Section headings herein are for convenience only and shall not affect the construction hereof.

SECTION 33. Ordinance a Contract, Amendments - Outstanding Certificates. The City acknowledges that the covenants and obligations of the City herein contained are a material inducement to the purchase of the Certificates. This Ordinance shall constitute a contract with the Holders from time to time, binding on the City and its successors and assigns, and it shall not be amended or repealed by the City so long as any Certificate remains Outstanding except as permitted in this Section. The City may, without the consent of or notice to any Holders, from time to time and at any time, amend this Ordinance in any manner not detrimental to the interests of the Holders, including the curing of any ambiguity, inconsistency, or formal defect or omission herein. In addition, the City may, with the written consent of Holders holding a majority in aggregate principal amount of the Certificates then Outstanding affected thereby, amend, add to, or rescind any of the provisions of this Ordinance; provided, however, that, without the consent of all Holders of Outstanding Certificates, no such amendment, addition, or rescission shall (1) extend the time or times of payment of the principal of and interest on the Certificates, reduce the principal amount thereof, the redemption price therefor, or the rate of interest thereon, or in any other way modify the terms of payment of the principal of, premium, if any, or interest on the Certificates, (2) give any preference to any Certificate over any other Certificate, or (3) reduce the aggregate principal amount of Certificates required for consent to any such amendment, addition, or rescission.

SECTION 34. Benefits of Ordinance. Nothing in this Ordinance, expressed or implied, is intended or shall be construed to confer upon any person other than the City, Bond Counsel, Paying

Agent/Registrar, and the Holders, any right, remedy, or claim, legal or equitable, under or by reason of this Ordinance or any provision hereof, this Ordinance and all its provisions being intended to be and being for the sole and exclusive benefit of the City, Bond Counsel, Paying Agent/Registrar, and the Holders.

SECTION 35. Inconsistent Provisions. All ordinances and resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters ordained herein.

SECTION 36. Governing Law. This Ordinance shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 37. Severability. If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Commission hereby declares that this Ordinance would have been enacted without such invalid provision.

SECTION 38. Construction of Terms. If appropriate in the context of this Ordinance, words of the singular number shall be considered to include the plural, words of the plural number shall be considered to include the singular, and words of the masculine, feminine or neuter gender shall be considered to include the other genders.

SECTION 39. Incorporation of Preamble Recitals. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the City Commission of the City.

SECTION 40. Authorization of Paying Agent/Registrar Agreement. The City Commission of the City hereby finds and determines that it is in the best interest of the City to authorize the execution of a Paying Agent/Registrar Agreement concerning the payment, exchange, registration, and transferability of the Certificates. A copy of the Paying Agent/Registrar Agreement is attached hereto, in substantially final form, as Exhibit A and is incorporated by reference to the provisions of this Ordinance.

SECTION 41. Public Meeting. It is officially found, determined, and declared that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 42. Unavailability of Authorized Publication. If, because of the temporary or permanent suspension of any newspaper, journal, or other publication, or, for any reason, publication of notice cannot be made meeting any requirements herein established, any notice required to be published by the provisions of this Ordinance shall be given in such other manner and at such time or times as in the judgment of the City or of the Paying Agent/Registrar shall most effectively approximate such required publication and the giving of such notice in such

manner shall for all purposes of this Ordinance be deemed to be in compliance with the requirements for publication thereof.

SECTION 43. No Recourse Against City Officials. No recourse shall be had for the payment of principal of, premium, if any, or interest on any Certificate or for any claim based thereon or on this Ordinance against any official of the City or any person executing any Certificate.

SECTION 44. Continuing Disclosure Undertaking.

A. Definitions.

As used in this Section, the following terms have the meanings ascribed to such terms below:

EMMA means the MSRB's Electronic Municipal Market Access system, accessible by the general public, without charge, on the internet through the uniform resource locator (URL) <http://www.emma.msrb.org>.

Financial Obligation means a (a) debt obligation; (b) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (c) guarantee of a debt obligation or any such derivative instrument; provided that "financial obligation" shall not include municipal securities (as defined in the Securities Exchange Act of 1934, as amended) as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

MSRB means the Municipal Securities Rulemaking Board.

Rule means SEC Rule 15c2-12, as amended from time to time.

SEC means the United States Securities and Exchange Commission.

Undertaking means the City's continuing disclosure undertaking, described in Paragraphs B through F below, hereunder accepted and entered into by the City for the purpose of compliance with the Rule.

B. Annual Reports.

The City shall file annually with the MSRB, (1) within six months after the end of each fiscal year of the City ending in or after 2021, financial information and operating data with respect to the City of the general type included in the final Official Statement authorized by Section 26 of this Ordinance, being the information described in Exhibit C hereto, and (2) if not provided as part of such financial information and operating data, audited financial statements of the City, when and if available. Any financial statements so to be provided shall be (i) prepared in accordance with the accounting principles described in Exhibit C hereto, or such other accounting principles as the City may be required to employ from time to time pursuant to state law or regulation, and (ii) audited, if the City commissions an audit of such financial statements and the audit is completed within the period during which they must be provided. If the audit of such financial

statements is not complete within such period, then the City shall file unaudited financial statements within such period and audited financial statements for the applicable fiscal year to the MSRB, when and if the audit report on such financial statements becomes available. Under current Texas law, including, but not limited to, Chapter 103, as amended, Texas Local Government Code, the City must have its records and accounts audited annually and shall have an annual financial statement prepared based on the audit. The annual financial statement, including the auditor's opinion on the statement, shall be filed in the office of the City Secretary or Acting City Secretary within 180 days after the last day of the City's fiscal year. Additionally, upon the filing of this financial statement and the annual audit, these documents are subject to the Texas Open Records Act, as amended, Texas Government Code, Chapter 552.

If the City changes its fiscal year, it will file notice of such change (and of the date of the new fiscal year end) with the MSRB prior to the next date by which the City otherwise would be required to provide financial information and operating data pursuant to this Section.

C. Notice of Certain Events.

The City shall file notice of any of the following events with respect to the Certificates to the MSRB in a timely manner and not more than 10 business days after occurrence of the event:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB), or other material notices or determinations with respect to the tax status of the Certificates, or other material events affecting the tax status of the Certificates;
- (7) Modifications to rights of Holders of the Certificates, if material;
- (8) Certificate calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution, or sale of property securing repayment of the Certificates, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership, or similar event of the City, which shall occur as described below;

(13) The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of its assets, other than in the ordinary course of business, the entry into of a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

(14) Appointment of a successor or additional paying agent/registrar or the change of name of a paying agent/registrar, if material.

(15) Incurrence of a Financial Obligation of the City, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the City, any of which affect security holders, if material; and

(16) Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the City, any of which reflect financial difficulties.

For these purposes, (a) any event described in the immediately preceding paragraph (12) is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent, or similar officer for the City in a proceeding under the United States Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement, or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City, and (b) the City intends the words used in the immediately preceding paragraphs (15) and (16) and the definition of Financial Obligation in this Section to have the same meanings as when they are used in the Rule, as evidenced by SEC Release No. 34-83885, dated August 20, 2018.

The City shall file notice with the MSRB, in a timely manner, of any failure by the City to provide financial information or operating data in accordance with this Section by the time required by this Section.

D. Limitations, Disclaimers, and Amendments.

The City shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the City remains an “obligated person” with respect to the Certificates within the meaning of the Rule, except that the City in any event will give notice of any deposit that causes the Certificates to be no longer Outstanding.

The provisions of this Section are for the sole benefit of the holders and beneficial owners of the Certificates, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The City undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the City’s financial results, condition, or prospects or hereby undertake to update any information provided

in accordance with this Section or otherwise, except as expressly provided herein. The City does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Certificates at any future date.

UNDER NO CIRCUMSTANCES SHALL THE CITY BE LIABLE TO THE HOLDER OR BENEFICIAL OWNER OF ANY CERTIFICATE OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE CITY, WHETHER NEGLIGENT OR WITH OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR *MANDAMUS* OR SPECIFIC PERFORMANCE.

No default by the City in observing or performing its obligations under this Section shall constitute a breach of or default under this Ordinance for purposes of any other provision of this Ordinance.

Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the City under federal and state securities laws.

The provisions of this Section may be amended by the City from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the City, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Certificates in the primary offering of the Certificates in compliance with the Rule, taking into account any amendments or interpretations of the Rule to the date of such amendment, as well as such changed circumstances, and (2) either (a) the holders of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the Outstanding Certificates consent to such amendment or (b) a person that is unaffiliated with the City (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interests of the holders and beneficial owners of the Certificates. The City may also repeal or amend the provisions of this Section if the SEC amends or repeals the applicable provisions of the Rule or any court of final jurisdiction enters judgment that such provisions of the Rule are invalid, and the City also may amend the provisions of this Section in its discretion in any other manner or circumstance, but in either case only if and to the extent that the provisions of this sentence would not have prevented an underwriter from lawfully purchasing or selling Certificates in the primary offering of the Certificates, giving effect to (a) such provisions as so amended and (b) any amendments or interpretations of the Rule. If the City so amends the provisions of this Section, the City shall include with any amended financial information or operating data next provided in accordance with this Section an explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information or operating data so provided.

E. Information Format – Incorporation by Reference.

The City information required under this Section shall be filed with the MSRB through EMMA in such format and accompanied by such identifying information as may be specified from

time to time thereby. Under the current rules of the MSRB, continuing disclosure documents submitted to EMMA must be in word-searchable portable document format (PDF) files that permit the document to be saved, viewed, printed, and retransmitted by electronic means and the series of obligations to which such continuing disclosure documents relate must be identified by CUSIP number or numbers.

Financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document (including an official statement or other offering document) available to the public through EMMA or filed with the SEC.

F. General Policies and Procedures Concerning Compliance with the Rule.

Because the issuance of the Certificates is subject to the provisions of the Rule and because the potential “underwriters” in a negotiated sale of the Certificates or the initial purchasers in a competitive sale of the Certificates may be subject to MSRB rules and regulations with respect to such sale (including certain due diligence and suitability requirements, among others), the City hereby adopts the General Policies and Procedures Concerning Compliance with the Rule (the *Policies and Procedures*), attached hereto as Exhibit E, with which the City shall follow to assure compliance with the Undertaking. The City has developed these Policies and Procedures for the purpose of meeting its requirements of the Undertaking and, in connection therewith, has sought the guidance from its internal staff charged with administering the City’s financial affairs, its co-municipal or financial advisors, its legal counsel (including its Bond Counsel), and its independent accountants (to the extent determined to be necessary or advisable). The Policies and Procedures can be amended at the sole discretion of the City and any such amendment will not be deemed to be an amendment to the Undertaking. Each Authorized Official is hereby authorized to amend the Policies and Procedures as a result of a change in law, a future issuance of indebtedness subject to the Rule, or another purpose determined by the Authorized Official to be necessary or desirable for or with respect to future compliance with the Undertaking.

SECTION 45. Book-Entry Only System.

The Certificates shall initially be registered so as to participate in a securities depository system (the DTC System) with the Depository Trust Company, New York, New York, or any successor entity thereto (DTC), as set forth herein. Each Stated Maturity of the Certificates shall be issued (following cancellation of the Initial Certificates described in Section 7) in the form of a single definitive Certificate. Upon issuance, the ownership of each such Certificate shall be registered in the name of Cede & Co., as the nominee of DTC, and all of the Outstanding Certificates shall be registered in the name of Cede & Co., as the nominee of DTC. The City and the Paying Agent/Registrar are authorized to execute, deliver, and take the actions set forth in such letters to or agreements with DTC as shall be necessary to effectuate the DTC System, including the Letter of Representations attached hereto as Exhibit D (the Representation Letter).

With respect to the Certificates registered in the name of Cede & Co., as nominee of DTC, the City and the Paying Agent/Registrar shall have no responsibility or obligation to any broker-dealer, bank, or other financial institution for which DTC holds the Certificates from time to time as securities depository (a Depository Participant) or to any person on behalf of whom such a

Depository Participant holds an interest in the Certificates (an Indirect Participant). Without limiting the immediately preceding sentence, the City and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co., or any Depository Participant with respect to any ownership interest in the Certificates, (ii) the delivery to any Depository Participant or any other person, other than a registered owner of the Certificates, as shown on the Security Register, of any notice with respect to the Certificates, including any notice of redemption, or (iii) the delivery to any Depository Participant or any Indirect Participant or any other Person, other than a Holder of a Certificate, of any amount with respect to principal of, premium, if any, or interest on the Certificates. While in the DTC System, no person other than Cede & Co., or any successor thereto, as nominee for DTC, shall receive a bond certificate evidencing the obligation of the City to make payments of principal, premium, if any, and interest pursuant to this Ordinance. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks or drafts being mailed to the Holder, the word "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

In the event that (a) the City determines that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter, (b) the Representation Letter shall be terminated for any reason, or (c) DTC or the City determines that it is in the best interest of the beneficial owners of the Certificates that they be able to obtain certificated Certificates, the City shall notify the Paying Agent/Registrar, DTC, and the Depository Participants of the availability within a reasonable period of time through DTC of bond certificates, and the Certificates shall no longer be restricted to being registered in the name of Cede & Co., as nominee of DTC. At that time, the City may determine that the Certificates shall be registered in the name of and deposited with a successor depository operating a securities depository system, as may be acceptable to the City, or such depository's agent or designee, and if the City and the Paying Agent/Registrar do not select such alternate securities depository system then the Certificates may be registered in whatever name or names the Holders of Certificates transferring or exchanging the Certificates shall designate, in accordance with the provisions hereof.

Notwithstanding any other provision of this Ordinance to the contrary, so long as any Certificate is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Certificate and all notices with respect to such Certificate shall be made and given, respectively, in the manner provided in the Representation Letter.

SECTION 46. Further Procedures. The officers and employees of the City are hereby authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and under the corporate seal and on behalf of the City all such instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the initial sale and delivery of the Certificates, the Official Bid Form, the Paying Agent/Registrar Agreement, and the Official Statement. In addition, prior to the initial delivery of the Certificates, any Authorized Official and Bond Counsel are hereby authorized and directed to approve any technical changes or corrections to this Ordinance or to any of the instruments authorized and approved by this Ordinance and as described in the Official Statement necessary in order to (i) correct any

ambiguity or mistake or properly or more completely document the transactions contemplated and approved by this Ordinance, (ii) obtain a rating from any of the national bond rating agencies, or (iii) obtain the approval of the Certificates by the Texas Attorney General's office. In case any officer of the City whose signature shall appear on any certificate shall cease to be such officer before the delivery of such certificate, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

SECTION 47. Contract with Financial Advisor. The City Commission authorizes any Authorized Official, or their designees, to take all actions necessary to execute any necessary financial advisory contract with Hilltop Securities Inc., as the financial advisor to the City (the *Financial Advisor*). The City understands that under applicable federal securities laws and regulations that the City must have a contractual arrangement with its Financial Advisor relating to the sale, issuance, and delivery of the Certificates.

SECTION 48. City's Consent to Provide Information and Documentation to the Texas MAC. The Municipal Advisory Council of Texas (the *Texas MAC*), a non-profit membership corporation organized exclusively for non-profit purposes described in section 501(c)(6) of the Internal Revenue Code and which serves as a comprehensive financial information repository regarding municipal debt issuers in Texas, requires provision of written documentation regarding the issuance of municipal debt by the issuers thereof. In support of the purpose of the Texas MAC and in compliance with applicable law, the City hereby consents to and authorizes any Authorized Official, Bond Counsel to the City, and/or Financial Advisor to the City to provide to the Texas MAC information and documentation requested by the Texas MAC relating to the Certificates; provided, however, that no such information and documentation shall be provided prior to the Closing Date. This consent and authorization relates only to information and documentation that is a part of the public record concerning the issuance of the Certificates.

SECTION 49. Municipal Bond Insurance. The payment of the debt service requirements on the Certificates is insured by the Insurer pursuant to the Insurance Policy.

SECTION 50. Effective Date. Pursuant to the provisions of Section 1201.028, as amended, Texas Government Code, this Ordinance shall be effective immediately upon adoption, notwithstanding any provision in the City's Home Rule Charter to the contrary concerning a multiple reading requirement for the adoption of ordinances.

(The remainder of this page intentionally left blank)

PASSED, APPROVED, AND ADOPTED on the 24th day of August, 2021.

CITY OF SAN JUAN, TEXAS

Mayor

ATTEST:

City Secretary

(CITY SEAL)

INDEX TO EXHIBITS

Exhibit A.....	Paying Agent/Registrar Agreement
Exhibit B	Official Bid Form
Exhibit C	Description of Annual Financial Information
Exhibit D.....	DTC Letter of Representations
Exhibit E	General Policies and Procedures Concerning Compliance with the Rule

EXHIBIT A

PAYING AGENT/REGISTRAR AGREEMENT

See Tab No. ____

EXHIBIT B

OFFICIAL BID FORM

See Tab No. ____

EXHIBIT C

DESCRIPTION OF ANNUAL FINANCIAL INFORMATION

The following information is referred to in Section 44 of this Ordinance.

Annual Financial Statements and Operating Data

The financial information and operating data with respect to the City to be provided annually in accordance with such Section are as specified (and included in the Appendix or under the headings of the Official Statement referred to) below:

1. The City's audited financial statements for the most recently concluded fiscal year or to the extent these audited financial statements are not available, the portions of the unaudited financial statements of the City attached to the Official Statement as Appendix B, but for the most recently concluded fiscal year.

2. The information of the type included in Tables 1 through 6 and 8 through 15, and in Appendix B.

Accounting Principles

The accounting principles referred to in such Section are generally accepted accounting principles for governmental units as prescribed by the Government Accounting Standards Board from time to time.

EXHIBIT D

DTC LETTER OF REPRESENTATIONS

See Tab No. ____

EXHIBIT E

General Policies and Procedures Concerning Compliance with the Rule

I. Capitalized terms used in this Exhibit have the meanings ascribed thereto in Section 44 of the Ordinance. *Certificates* refer to the Certificates that are the subject of the Ordinance to which this Exhibit is attached.

II. As a capital markets participant, the Issuer is aware of its continuing disclosure requirements and obligations existing under the Rule prior to February 27, 2019, the effective date of the most recent amendment to the Rule (the *Effective Date*), and has implemented and maintained internal policies, processes, and procedures to ensure compliance therewith. Adherence to these internal policies, processes, and procedures has enabled underwriters in non-exempt negotiated sales and initial purchasers in non-exempt competitive sales to comply with their obligations arising under various MSRB rules and regulations concerning due diligence and findings of suitability, among other matters, regarding the Issuer's compliance with the Rule.

III. The Issuer is aware that the Rule was amended as of the Effective Date (the *Rule Amendment*) and has accommodated this amendment by adding subparagraphs (15) and (16) to Section 44C of the Ordinance, which provisions are a part of the Undertaking.

IV. The Issuer is aware that "participating underwriters" (as such term is defined in the Rule) of the Certificates must make inquiry and reasonably believe that the Issuer is likely to comply with the Undertaking and that the standards for determining compliance have increased over time as a result of, among others, the United States Securities and Exchange Commission's Municipalities Continuing Disclosure Cooperation Initiative and regulatory commentary relating to the effectiveness of the Rule Amendment.

V. The Issuer now establishes the following general policies and procedures (the *Policies and Procedures*) for satisfying its obligations pursuant to the Undertaking, which policies and procedures have been developed based on the Issuer's informal policies, procedures, and processes utilized prior to the Effective Date for compliance with the Issuer's obligations under the Rule, the advice from and discussions with the Issuer's internal senior staff (including staff charged with administering the Issuer's financial affairs), its municipal or financial advisors, its legal counsel (including Bond Counsel), and its independent accountants, to the extent determined to be necessary or advisable (collectively, the *Compliance Team*):

1. the Finance Director (the *Compliance Officer*) shall be responsible for satisfying the Issuer's obligations pursuant to the Undertaking through adherence to these Policies and Procedures;
2. the Compliance Officer shall establish reminder or "tickler" systems to identify and timely report to the MSRB, in the format thereby prescribed from time to time, the Issuer's information of the type described in Section 44B of the Ordinance;
3. the Compliance Officer shall promptly determine the occurrence of any of the events described in Section 44C of the Ordinance;

4. the Compliance Officer shall work with external consultants of the Issuer, as and to the extent necessary, to timely prepare and file with the MSRB the annual information of the Issuer and notice of the occurrence of any of the events referenced in Clauses 2 and 3 above, respectively, the foregoing being required to satisfy the terms of the Undertaking;
5. the Compliance Officer shall establish a system for identifying and monitoring any Financial Obligations, whether now existing or hereafter entered into by the Issuer, and (upon identification) determining if such Financial Obligation has the potential to materially impact the security or source of repayment of the Certificates;
6. upon identification of any Financial Obligation meeting the materiality standard identified in Clause 5 above, the Compliance Officer shall establish a process for identifying and monitoring any Issuer agreement to covenants, events of default, remedies, priority rights, or other similar terms under such Financial Obligation;
7. the Compliance Officer shall establish a process for identifying the occurrence of any default, event of acceleration, termination event, modification of terms, or other similar events under the terms of any Financial Obligation, the occurrence of any of which reflect financial difficulties of the Issuer; and
8. the Compliance Officer shall annually review these Policies and Procedures with the remainder of the Compliance Team, make any modifications on an internal document retained by the Compliance Officer and available to any “participating underwriter” (as defined in the Rule), if requested, and on the basis of this annual review (to the extent determined to be necessary or desirable), seek additional training for herself or himself, as well as other members of the Issuer’s internal staff identified by the Compliance Officer to assist with the Issuer’s satisfaction of the terms and provisions of the Undertaking.

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
AUGUST 24, 2021

Discussion and Possible Action Regarding Hidalgo County Elections Department Request of the San Juan Memorial Library Multipurpose Room for the November 2, 2021 Constitutional Amendment Election for Early Voting and Election Day.

STAFF COMMENTS AND RECOMMENDATIONS:

The Hidalgo County Elections Department is requesting the San Juan Memorial Library Multipurpose Room for the upcoming November 2, 2021 Constitutional Amendment Election for Early Voting and Election Day. The County is requesting the following dates: Monday, October 18th through October 29th from 7:00 a.m. to 7:00 p.m. Monday through Saturday and Sunday from 10:00 a.m. to 3:00 p.m. for Early Voting. For Election Day Saturday, November 2nd from 7:00 a.m. to 7:00 p.m.

RECOMMENDATION:

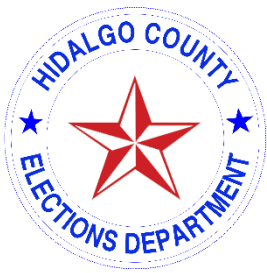
Staff Recommends Approval.

PREPARED BY:

Diana Cavazos, City
Secretary

APPROVED BY:

Benjamin Arjona, City
Manager



November 2, 2021
Constitutional Amendment Election
Early Voting and/or Election Day
Polling Location Request Form

Facility Requested: San Juan Memorial Library - 1010 S. Standard Ave. San Juan, TX		
Designated Voting Area	<u>Early Voting</u> Multi-Purpose Room	<u>Election Day</u> Multi-Purpose Room

Contact Information			
Contact #1	Name:	Title:	
Phone #:		Email:	
Contact #2	Name:	Title:	
Phone #:		Email:	
Contact #3	Name:	Title:	
Phone #:		Email:	

Please check ALL that apply	YES	NO
Is the Hidalgo County Elections Department authorized to use this facility?		
Will the following be provided:	YES	NO
• Tables and Chairs		
• Facility restrooms (stocked with hand soap, paper towels, and toilet paper)		
• Water fountains		
• Breakroom, if available		
• Parking for Election Judge and Clerks		
Has the staff of the building been informed of the usage for this upcoming election?		

I represent that I have the Authority to authorize the use of this polling location for the Election(s) listed. I certify that the information on this form is true and correct.

Signature

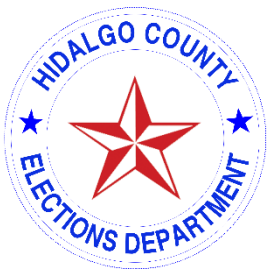
Print Name

Date

PLEASE FAX/EMAIL THIS FORM AS SOON AS POSSIBLE

Hidalgo County Elections Department: (956) 393-2039 **ATTN: ELECTIONS SURVEYOR**

eberto.gauna@co.hidalgo.tx.us

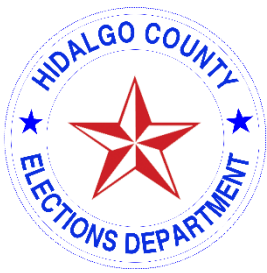


November 2, 2021
Constitutional Amendment Election
Polling Location Safety Questionnaire
 Polling Location Safety and Emergency Management

Contact Information	
Building Coordinator/Manager/Director	Name:
Phone Number:	Email:
Will contact if structural changes are needed for Accessibility.	
Director of Maintenance or Facilities	Name:
Phone Number:	Email:
May contact if structural changes are needed for Accessibility.	
Contact #1 (Key Holder)	Name:
Phone Number:	Email:
May contact to gain access to the building if locked.	
Contact #2 (Key Holder)	Name:
Phone Number:	Email:
May contact to gain access to the building if locked.	

Safety Information			
Law Enforcement Department	Entity:		
Contact #1:	Contact #2:		
Law enforcement that responds to this location.			
Security Present at Location (Check one please)			YES ☐ NO ☐
Schedule:	Entity:		
Fire Department	Entity:		
Fire Department that responds to this location.			
Fire Extinguisher Present			YES ☐ NO ☐

Requested Documents		
Fire Exit Map available for Voting Area (Check one please)		YES ☐ NO ☐
Additional Emergency Procedures (Check one please)		YES ☐ NO ☐
Please attach ALL documents if available		
Schools please submit ALL Emergency Procedures Available.		



November 2, 2021
Constitutional Amendment Election
Polling Location Safety Questionnaire
COVID-19

COVID-19 Supplemental Information and PPE Disposal & Facility Management	YES	NO
1. Will the designated voting area be cleared out for poll worker setup?		
2. Will you be providing trash cans and trash bags at the polling location?		
3. Can your facilities management visit twice daily to dispose of trash?		
a. If NO , how many times can they visit?		

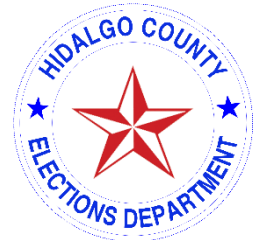
COVID-19 Facility Protocols	YES	NO
1. Is there check in process required for Cage drop-off or pick-up? Please add below.		
2. Is there a designated entry for us to use? _____		
3. Can you provide a list of procedures to better prepare for the delivery of supplies? If applicable.		
If there is additional information to provide, please list below or attach and return.		



Via facsimile

ELECTIONS DEPARTMENT

County of Hidalgo



November 2, 2021

Constitutional Amendment Election

Early Voting and Election Day Request(s)

August 4, 2021

We are requesting the use of your facility(s) as an Early Voting and Election Day polling location(s) for the upcoming November Constitutional Amendment Election. Please review the dates below.

Early Voting

Day	Date	Hours
Monday/ lunes	Oct. 18, 2021	7: 00 A.M.- 7:00 P.M.
Tuesday/ martes	Oct. 19, 2021	7: 00 A.M.- 7:00 P.M.
Wednesday/ miércoles	Oct. 20, 2021	7: 00 A.M.- 7:00 P.M.
Thursday/ jueves	Oct. 21, 2021	7: 00 A.M.- 7:00 P.M.
Friday/ viernes	Oct. 22, 2021	7: 00 A.M.- 7:00 P.M.
Saturday/ sabado	Oct. 23, 2021	7: 00 A.M.- 7:00 P.M.
Sunday/ domingo	Oct. 24, 2021	10: 00 A.M.- 3:00 P.M.
Monday/ lunes	Oct. 25, 2021	7: 00 A.M.- 7:00 P.M.
Tuesday/ martes	Oct. 26, 2021	7: 00 A.M.- 7:00 P.M.
Wednesday/ miércoles	Oct. 27, 2021	7: 00 A.M.- 7:00 P.M.
Thursday/ jueves	Oct. 28, 2021	7: 00 A.M.- 7:00 P.M.
Friday/ viernes	Oct. 29, 2021	7: 00 A.M.- 7:00 P.M.

Election Day

Day	Date	Hours
Tuesday/ martes	Nov. 2, 2021	7: 00 A.M.- 7:00 P.M.

Please complete the separate form along with this letter and fax, (956) 393-2039, or email your response to the email located below as soon as possible. If you have any questions, please do not hesitate to contact me.

Sincerely,

Eberto Gauna

Elections Surveyor II

(956)318-2570 ext. 5730

Email: eberto.gauna@co.hidalgo.tx.us

Visit our website <https://www.hidalgocounty.us/105/Elections-Department>

Register & Vote!

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
AUGUST 24, 2021

Discussion and Possible Action to Authorize City Manager to Solicit Bids for the Construction of the New City Hall / Transit Terminal.

STAFF COMMENTS AND RECOMMENDATIONS:

City staff is requesting approval for the City Manager to solicit bids for the new City Hall / Transit Terminal Building. If authorized, on August 29th, 2021 it will be advertised on the Monitor newspaper and the second advertisement will be on September 5th, 2021. Attached is the projected timeline for the City of San Juan City Hall / Transit Terminal Building.

RECOMMENDATION:

Approve as recommended.

PREPARED BY:

Benjamin Arjona,
City Manager

APPROVED BY:

Benjamin Arjona, City
Manager

**PLEASE ENTER THE PROJECTED TIMELINE FOR THE CITY OF SAN JUAN CITY HALL /
TRANSIT TERMINAL BUILDING**

If there is a step that I omitted, please enter it as well.

CITY OF SAN JUAN CITY HALL / TRANSIT TERMINAL BUILDING

November 9th 2020	Board approval of a procurement method of construction for this project
February 26th 2021	Board approval of Schematic Design documents
April 16th 2021	Completion of Design Development Phase – Administrative Approval Only
August 13th 2021	Completion of Construction Documents Phase – Administrative Review & Approval
August 27th 2021	Completion of Construction Documents Phase – Bidding Set
August 29th 2021	1 st advertising in The Monitor
August 30th 2021	Release plans and specifications
September 5th 2021	2 nd advertising in The Monitor
September 8th 2021	Pre-Proposal Conference (San Juan Library)
September 10th 2021	RFI Deadline
September 17th 2021	Compile Final Set
September 21st 2021	Deadline to receive proposals
September 22nd 2021	Ranking and Recommendation
September 28th 2021	Board approval of ranking of proposals to select contractor (regular Board meeting)
October 28th 2021	Issuance of Notice to Proceed to awarded contractor
September 30th 2022	Estimated substantial completion of projects

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
AUGUST 24, 2021

Discussion and Possible Action to Authorize City Manager to Solicit Bids for Sewer Line Infrastructure Improvements at the New City Hall / Transit Terminal Building.

STAFF COMMENTS AND RECOMMENDATIONS:

City staff is requesting approval for the City Manager to solicit bids for sewer line infrastructure improvements at the new City Hall / Transit Terminal Building.

RECOMMENDATION:

Approve as recommended.

PREPARED BY:

Benjamin Arjona,
City Manager

APPROVED BY:

Benjamin Arjona, City
Manager

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
AUGUST 24, 2021

Consider and Approve a Resolution by the City Commission of the City of San Juan to Accept Allocation of the American Rescue Plan Act Funds 2021.

STAFF COMMENTS AND RECOMMENDATIONS:

Resolution for Accepting American Rescue Plan Act Funds, where the City of San Juan is eligible for funding from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021.

RECOMMENDATION:

Approve as recommended.

PREPARED BY:

Benjamin Arjona,
City Manager

APPROVED BY:

Benjamin Arjona, City
Manager

RESOLUTION NO. _____

**STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF SAN JUAN**

Resolution for Accepting American Rescue Plan Act funds

WHEREAS, the _____ is eligible for funding from the Coronavirus State and Local Fiscal Recovery Funds of H.R. 1319 American Rescue Plan Act of 2021 (CSLRF).

WHEREAS, TDEM will provide for the distribution of funds to eligible Texas municipalities; and;

WHEREAS, before receiving a payment, the City Commission is required to formally accept the CSLRF funds;

WHEREAS, revenue received under the CSLRF must only be spent for purposes authorized by the CSLRF, and applicable regulations, and by state law;

WHEREAS, revenue received under the CSLRF must be accounted for in a separate fund and not co-mingled with other revenue for accounting purposes; and

WHEREAS, the City of San Juan must comply with all applicable budgeting, accounting, contracting, reporting, and other compliance requirements for CSLRF funds.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of San Juan that we do hereby accept and request CSLRF funding to be distributed by the State of North Carolina; and

FURTHER RESOLVED that the City of San Juan affirms that the CSLRF revenue will only be used for the purposes prescribed in the CSLRF, and in US Treasury guidance in 31 CFR, Part 35, and any applicable regulations, and in accordance with state law; and

FUTHER RESOLVED that the City of San Juan will comply with procedures created by the North Carolina General Assembly and the US Treasury Department to receive funds under the act; and

FURTHER RESOLVED that the City of San Juan will account for CSLRF in a separate fund and not co-mingle it with other revenues for accounting purposes and will comply with all applicable federal and state budgeting, accounting, contracting, reporting, and other compliance requirements for CSLRF funds; and

FURTHER RESOLVED that the City Commission of the City of San Juan designates and directs the [City Manager/City Attorney/Mayor/City Finance Officer] to take all actions necessary on behalf of the City Commission to receive the CSLRF funds.

ADOPTED, this the ____ day of _____, 20 ____.

CITY OF SAN JUAN

Mayor: Mario Garza

ATTEST:

City Secretary: Diana Cavazos

APPROVED BY:

Palacios, Garza & Thompson, P.C

CITY ATTORNEY

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
AUGUST 24, 2021

Consider Authorizing the City Manager to Submit a Grant Application to the Texas Parks and Wildlife for Participating in the Local Park Grant Program and to Execute all Grant Documents Relating Thereto.

STAFF COMMENTS AND RECOMMENDATIONS:

Staff is seeking permission to submit a grants application to the Texas Parks and Wildlife for the purpose of a new park along the proposed new Parks and Recreation Center.

RECOMMENDATION:

Approve as recommended.

PREPARED BY:

Benjamin Arjona,
City Manager

APPROVED BY:

Benjamin Arjona, City
Manager



HOLLIS RUTLEDGE & ASSOCIATES INC.

Business Management • Marketing Consultants • Real Estate • Governmental Affairs

City of San Juan

Texas Parks and Wildlife Proposed Timeline

- August 20, 2021 Submit Parks Master Plan to TPWD
- August 20, 2021 Have final Project location and estimated Cost selected.
- August 20, 2021 Begin to schedule Public Hearing and Surveys, add resolution to city council, begin working on narrative, send out letters of support
- September 1, 2021 Have final site plans, final cost, match, etc.
- September 8, 2021 Finish collecting deed, site photos, Engineering,
- September 15, 2021 Collect all letters of support, pending documentation, finish the narrative and begin review of grant application.
- September 23, 2021 finish and if ready submit application.
- September 30, 2021 FINAL AGENCY DEADLINE to Submit Parks Grant.



Local Park Grant Program Applicant's Certification & Program Assurances

As the duly authorized representative of the sponsor designated in the Resolution Section 3, ***I certify that the Applicant:***

1. Has complied with all pertinent local and state laws, and Local Parks Grants Program requirements regarding public hearings, including floodplain development, if appropriate.
2. Has the required proportionate share of funds available and sufficient for the project as required by Section 13.309 of the Parks and Wildlife Code.
3. Will maintain and operate areas acquired or developed with program assistance at sponsor expense as required by Section 13.309 of the Parks & Wildlife Code.
4. Will permanently dedicate for public park and recreation use all project area(s) which receive program assistance, as required by Chapter 640.1.2 of the *Local Park Grant Program Manual*.
5. Has the legal authority to apply for program assistance and the institutional, managerial and financial capability to ensure proper planning, management and completion of the project described in this application.
6. Will give the State of Texas, hereafter referred to as "State," through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the assistance; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
7. Will not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the Texas Parks & Wildlife Department, and will record any federal interest in the title of real property in accordance with U. S. Department of Interior directives.
8. Will dedicate and permanently maintain any property designated as a natural area, wetland, or open space to meet program guidelines.
9. Will comply with all provisions of the "Summary of Guidelines for Administration of Local Park Grant Acquisition & Development Projects."
10. Will comply with the requirements of the Department with regard to the drafting, review and approval of construction plans and specifications.
11. Will obtain all required state and/or federal permits related to project development.
12. Will provide and maintain competent and adequate engineering supervision at the construction site to ensure that the completed work conforms to the approved plans and specifications.
13. Will furnish quarterly progress reports and such other information as may be required by the Department.
14. Will initiate and complete the work within the applicable time frame after receipt of approval from the Department.
15. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest or personal gain.

Applicant's Certification & Program Assurances - Continued

16. Will comply with all State and Federal statutes relating to non-discrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of race, color or national origin; (b) Title IX of the Education Amendments of 1972, as amended (20 U.S.C. §§ 1681-1686) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 794) which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107) which prohibits discrimination on the basis of age; (e) any other non-discrimination provisions in the specific statute(s) under which application for program assistance is being made, and (f) the requirements of any other non-discrimination statute(s) which may apply to the application.
17. Will comply with the flood insurance purchase requirements of Section 4012(a) of the Flood Disaster Protection Act of 1973 which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance in an amount at least equal to its development or project cost.
18. Will comply with environmental standards which may be prescribed to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplain in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S. C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
19. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.
20. Will assist the Department in assuring compliance with the Texas Antiquities Code.
21. Will cause to be performed the required financial and compliance audits in accordance with the state or federal Single Audit requirements.
22. Will comply with all applicable requirements of all other State and Federal laws, regulations and policies governing this program.

Sponsor/ Project Name

Signature of Official Authorized in Resolution

Print Name and Title of Official

Date

STATE OF TEXAS
COUNTY OF HIDALGO
CITY OF SAN JUAN



**Local Park Grant Program
Resolution Authorizing Application**

A resolution of the _____ as hereinafter referred to as "Applicant," designating certain officials as being responsible for, acting for, and on behalf of the Applicant in dealing with the Texas Parks & Wildlife Department, hereinafter referred to as "Department," for the purpose of participating in the Local Park Grant Program, hereinafter referred to as the "Program"; certifying that the Applicant is eligible to receive program assistance; certifying that the Applicant matching share is readily available; and dedicating the proposed site for permanent (or for the term of the lease for leased property) public park and recreational uses.

WHEREAS, the Applicant is fully eligible to receive assistance under the Program; and

WHEREAS, the Applicant is desirous of authorizing an official to represent and act for the Applicant in dealing with the Department concerning the Program;

BE IT RESOLVED BY THE APPLICANT:

SECTION 1: That the Applicant hereby certifies that they are eligible to receive assistance under the Program, and that notice of the application has been posted according to local public hearing requirements.

SECTION 2: That the Applicant hereby certifies that the matching share for this application is readily available at this time.

SECTION 3: That the Applicant hereby authorizes and directs the _____ to act for the Applicant in dealing with the Department for the purposes of the Program, and that _____ is hereby officially designated as the representative in this regard.

SECTION 4: The Applicant hereby specifically authorizes the official to make application to the Department concerning the site to be known as _____ in the _____ of _____ or use as a park site and is hereby dedicated (or will be dedicated upon completion of the proposed acquisition) for public park and recreation purposes in perpetuity (or for the lease term, if legal control is through a lease). Projects with federal monies may have differing requirements.

Introduced, read and passed by an affirmative vote of the "Applicant" on this _____ day of _____,

20____.

CITY OF SAN JUAN

Mayor: Mario Garza

ATTEST:

City Secretary: Diana Cavazos

APPROVED BY:

Palacios, Garza & Thompson

CITY ATTORNEY

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
AUGUST 24, 2021

Consider Second and Final Reading of an Ordinance for a Conditional Use Permit to Allow “The Industrial Ballroom” Event Center located at 1200 E. Business 83 Suite 1201, legally described as Lots 122 – 125, VIP East Subdivision, as Requested by Johnny Rodriguez.

STAFF COMMENTS AND RECOMMENDATIONS:

At the City Commission Meeting on August 10, 2021, the City Commission approved the First Reading of the Ordinance as presented by staff.

Previously, staff provided the following background:

Mr. Rodriguez is applying for a conditional use permit to operate an event center at a commercial plaza located at Business 83 and Sunchase Street. The commercial plaza was built in 2005 with approximately 20,000 square feet. A rehabilitation center and Premier High School are located in the same plaza. Parking lot is available along the North and East side of the building; a total of 75 parking lots are available.

Applicant must agree to pay an annual fee to maintain the conditional use permit with the city.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to Thirty-one (31) property owners within a two hundred (200) foot radius and received no comments in favor or against this request.

RECOMMENDATION:

During the Regular Meeting on July 29, 2021, the Planning and Zoning Commission unanimously recommended approval of the conditional user permit with a 6-0 vote.

PREPARED BY:

Roberto Escobar,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 07/29/2021
CITY COMMISSION – 08/24/2021
DATE PREPARED – 08/16/2021

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STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Conditional Use Permit to allow a Social Event Center “The Industrial Ballroom” in a commercial area.
APPLICANT:	Johnny Rodriguez
SURVEYOR/ENGINEER:	N/A
LEGAL:	Lots 122 thru 125, VIP East Subdivision
LOCATION:	1200 E. Business 83, Suite 1201
USE / EXISTING ZONING:	Commercial Plaza / General Business District (C-2)
EXISTING LAND USE/ ADJACENT ZONING:	<i>North</i> – Institutional; Single-Family Residence District (C-2) <i>South</i> – Residential; Single-Family Residence District (R-S) <i>East</i> – Commercial; General Business District (C-2) <i>West</i> – Apartments; General Business District (C-2)
ACCESS AND CIRCULATION:	This property has access onto East Business 83 and Sunchase Street
PUBLIC SERVICES:	Water and sewer services are provided by the City of San Juan.
RECOMMENDATION:	Staff recommends approval of the conditional use subject to comply with conditions in the attached report.

EVALUATION AND CONDITIONS FOR APPROVAL

Mr. Rodriguez is applying for a conditional use permit to operate an event center at a commercial plaza located at Business 83 and Sunchase Street. The commercial plaza was built in 2005 with approximately 20,000 square feet. A rehabilitation center and Premier High School are located in the same plaza. Parking lot is available along the North and East side of the building; a total of 75 parking lots are available.

Applicant must agree to pay an annual fee to maintain the conditional use permit with the city.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to Thirty-one (31) property owners within a two hundred (200) foot radius and received no comments in favor or against this request.

The following are the list of requirements for an event center:

1. The property line of the lot of any business, especially those having late hours (after 10:00 p.m.) must be a minimum of three hundred (300) feet from the nearest residence, church, school or publicly-owned property or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from the residential areas, and must be designed to prevent disruption of the character of adjacent residential areas.
2. The business must be as close as possible to a major arterial, and shall not allow the traffic it generates onto residential streets, or allow it to exit into and disrupt residential areas;
3. The business must provide parking in accordance with the City off-street parking regulations and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent businesses or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances. The loading and unloading of equipment to be on premises only.
5. The business should do everything possible and be designed to discourage criminal activities and vandalism, both on site and on adjacent properties. Provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site form a public street;
6. The business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
7. The business shall restrict the number of persons within the building to the number determined for occupancy levels by the Fire Department.
8. The business must comply with the city’s noise ordinance.

**CONDITIONAL USE PERMIT
“THE INDUSTRIAL BALLROOM”
AUGUST 24, 2021**

PAGE 3

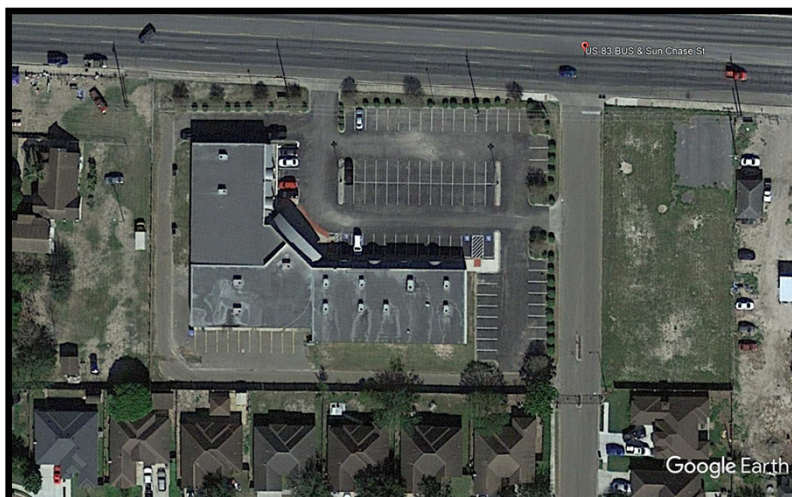
9. The business must comply with the City’s Security Cameras Ordinance.
10. Owner agrees to pay an annual fee to the City of San Juan to maintain the Occupational License and Conditional Use Permit thru the City.
11. There shall be no smoking inside the premises at any time.

ATTACHMENTS:

- Location Map
- Aerial Photo
- Zoning Map
- Conditional Use Permit Request Letter
- Subdivision Plat
- Site Plan
- List of neighboring property owners receiving notice
- Ordinance



“Proposed Site”



**CONDITIONAL USE PERMIT
“THE INDUSTRIAL BALLROOM”
AUGUST 24, 2021**

PAGE 4

FINAL RESOLUTION OF REQUEST & COMMENTS:

P&Z – 07/29/2021 Commissioner Alaniz made a motion to approve of the conditional use permit as presented by Staff. Commissioner Perez seconded the motion. The motion passed unanimously with a (6-0) vote.

Mr. Escobar said the Conditional Use Permit is to operate a Social Event Center at 1200 E. Business 83, which is an existing commercial plaza where Premier High School is located. No alcohol will be served at the location. A total of seventy-five (75) parking spaces are available. Letters were mailed out and public notice was on the newspaper.

Johnny Rodriguez, applicant, said that building was already existing and he is doing the finish out to open an event center. He said that he is proposing a small venue for weekends and afternoons. The building is a brick construction with very well insulation for the noise.

Ana Jimenez, resident, said that she lived behind the commercial plaza. She said that her main concern is the traffic along Sunchase Street. She asked about the school operation hours and where the venue is going to be located.

Commissioner Alaniz asked about the operation hours attached to the packet, Sunday through Saturday from 8:00 a.m. to 12:00 a.m. Mr. Escobar said that operation hours are uncertain because of the different type of event. Mr. Rodriguez, the applicant, said that he owns a Rehab Center and he would use the venue to host some seminars or conferences during the day.

Ana Jimenez, resident, asked about the traffic at the subdivision entrance. Mr. Escobar responded that the Event Center will not interfere with the traffic in the residential area. Mr. Rodriguez said that commercial plaza has enough parking area and they will not block traffic to the subdivision.

Norma Rodriguez, resident, asked when the venue is going to be open. Mr. Escobar responded that applicant needs to comply with the city requirements and inspections before open the venue.

ORDINANCE NO.

**AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO
ALLOW “THE INDUSTRIAL BALLROOM” AT 1200 E. BUSINESS 83
SUITE 1201, LEGALLY DESCRIBED AS LOTS 122-125, VIP EAST
SUBDIVISION, AS PROVIDED IN ARTICLE IV, OF THE ZONING
ORDINANCE, CITY OF SAN JUAN, HIDALGO COUNTY, TEXAS,
PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE;
PROVIDING FOR A CODE DISPOSITION.**

WHEREAS, Johnny Rodriguez has applied for a Conditional Use Permit under Article IV; of the Zoning Ordinance of the City of San Juan to allow “*The Industrial Ballroom*” in a commercial area.

WHEREAS, this type of activity is prohibited by said Zoning Ordinance unless a Conditional Use Permit is granted; and,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS, AS FOLLOWS:

SECTION I. That a Conditional Use Permit under Article IV of the Zoning Ordinance of the City of San Juan, Texas, be granted to Johnny Rodriguez for a Conditional Use Permit at “The Industrial Ballroom” located at 1200 E. Business 83 Suite 1201, subject to the following conditions:

1. The property line of the lot of any business, especially those having late hours (after 10:00 p.m.) must be a minimum of three hundred (300) feet from the nearest residence, church, school or publicly-owned property or must provide sufficient buffering and sound insulation of the building such that the business is not visible and cannot be heard from the residential areas, and must be designed to prevent disruption of the character of adjacent residential areas.
2. The business must be as close as possible to a major arterial, and shall not allow the traffic it generates onto residential streets, or allow it to exit into and disrupt residential areas;
3. The business must provide parking in accordance with the City off-street parking regulations and make provisions to prevent use of adjacent streets for parking, especially those in adjacent residential areas, by providing additional on-site parking.
4. The business must do everything possible to prevent the unauthorized parking of its patrons on adjacent business or residential properties including, when necessary, the installation of fences and hedges, and the reorientation of entrances. The loading and unloading of equipment to be on premises only.
5. The business should do everything possible and be designed to discourage criminal activities and vandalism, both on site and on adjacent properties. Provision of sufficient lighting and perimeter fencing, elimination of dark areas, and the orientation of the building such that it provides maximum visibility of as much as possible of the site from a public street;

6. The business must make provisions to keep litter to a minimum, and to keep it from blowing onto adjacent streets and properties;
7. The business shall restrict the number of persons within the building to the number determined for occupancy levels by the Fire Department.
8. The business must comply with the city's noise ordinance.
9. The business must comply with the City's Security Cameras Ordinance.
10. Owner agrees to pay an annual fee to the City of San Juan to maintain the Occupational License and Conditional Use Permit thru the City.
11. There shall be no smoking inside the premises at any time.

SECTION II. PUBLICATION AND EFFECTIVE DATE CLAUSE. This Ordinance shall be published in the official newspaper of the City of San Juan, Texas, as provided by law, and shall be and remain in full force and effect from the after said date of publication.

PASSED and **APPROVED** on first reading on the 10th day of August, 2021.

PASSED and **APPROVED** on second and final reading on the 24th day of August, 2021.

CITY OF SAN JUAN

MARIO GARZA, MAYOR

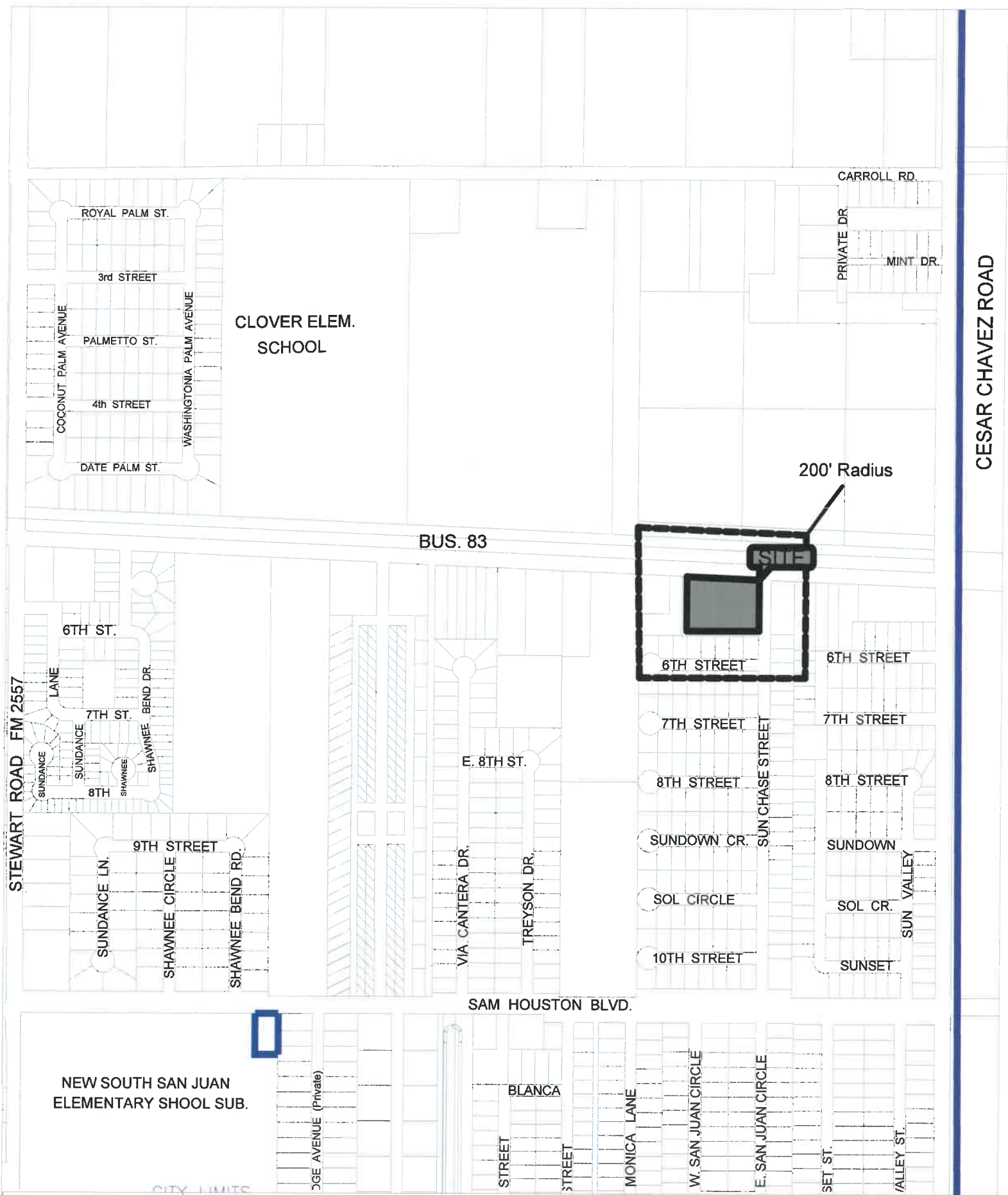
ATTEST:

APPROVED BY:

Palacios, Garza & Thompson, P.C.

DIANA CAVAZOS
CITY SECRETARY

CITY ATTORNEY



CESAR CHAVEZ ROAD

Legend

- CITY LIMITS
- Proposed area

Conditional Use Permit to allow "The Industrial Ballroom" Event Center at 1200 E. Business 83, legally described as Lots 122 - 125, VIP East Subdivision, as Requested by Johnny Rodriguez.





Legend

-  CITY LIMITS
-  Proposed area

Conditional Use Permit to allow "The Industrial Ballroom" Event Center at 1200 E. Business 83, legally described as Lots 122 - 125, VIP East Subdivision, as Requested by Johnny Rodriguez.





CESAR CHAVEZ ROAD

Conditional Use Permit Request

By: Johnny Rodriguez/The Industrial Ballroom, LLC

Items requested by City:

- 1. Site plan:**
 - Copies have been provided to city with building permit request at start of shell finish out
 - Alcohol will not be sold at this location
- 2. Days and Hours of Operation:**
 - Sunday through Saturday
 - 8:00 a.m. to 12:00 a.m.
 - Use of Facility:
 - When rented for special occasion events
- 3. Property's Legal Description and Physical Address:**
 - VIP East Subdivision Lot 122-125
 - Address: 1200 E. Business 83, Suite 1201, San Juan, TX 78589
- 4. Number of Employees: 5**
- 5. Narrative of Proposal:**
 - The conditional use permit (CUP) request is for the proposed event center located at 1200 E. Business 83, Suite 1201, San Juan, TX. The venue will be marketed to the community as a location that can be used for weddings, quinceneras, birthday celebrations, business conferences and other special occasion events.

PROJECT: 1201 E Business Hwy. 83 Suite 3 & 4

DATE: 09-14-20

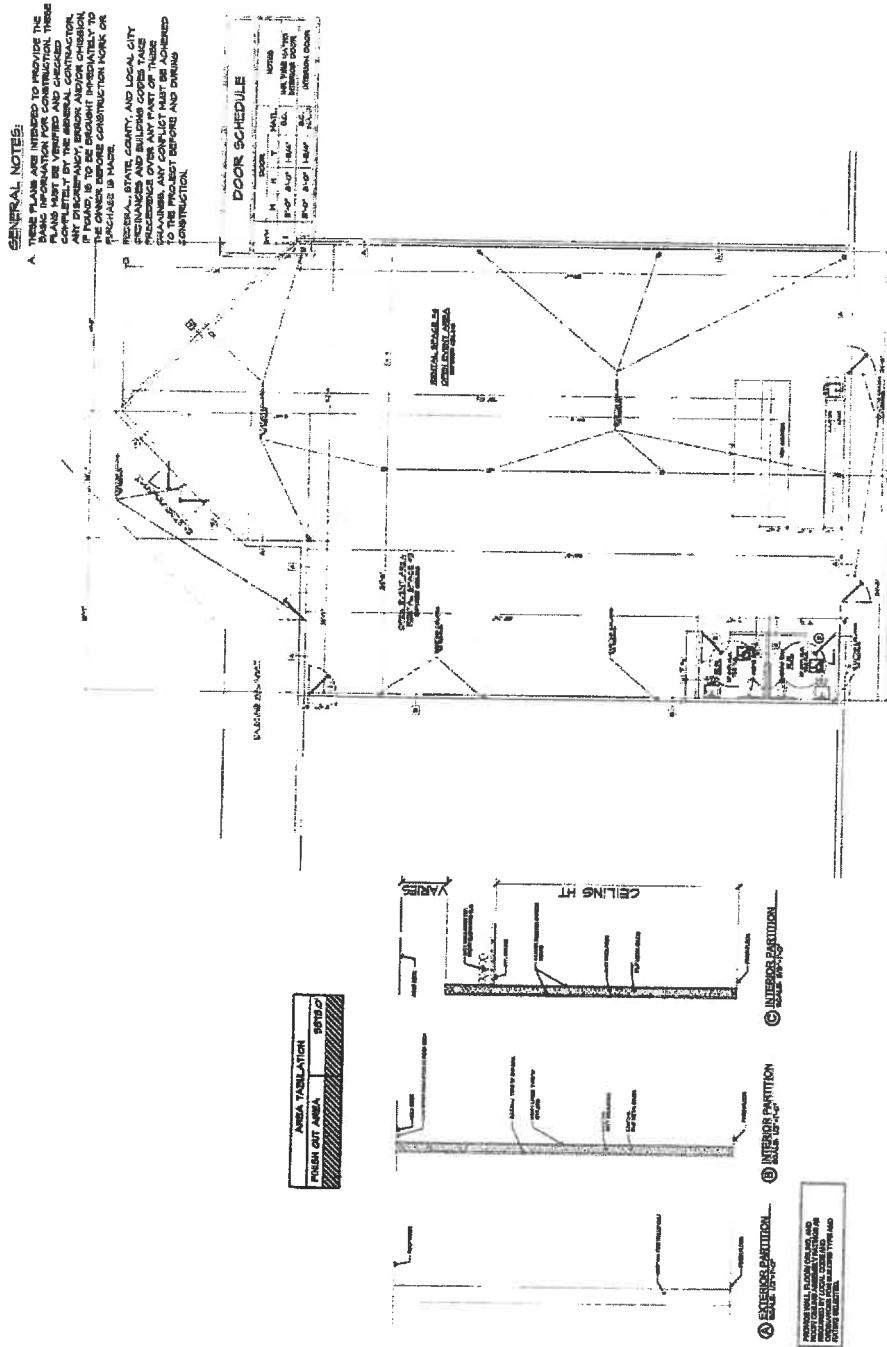
PLAN: #0384-20

DISTINCTIVE DRAFTING & DESIGN L.L.C.
 2404 S. EXPRESSWAY 83 SUITE # E
 HARLINGEN, TX 78552
 OFFICE: (956) 425-7040
 FAX: (956) 425-7714

DISTINCTIVE DRAFTING & DESIGN HEREBY RESERVES ITS COMMON COPYRIGHT LAW & OTHER PROPERTY RIGHTS IN THESE PLANS & DESIGNS. THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO ANY THIRD PARTY, WITHOUT FIRST OBTAINING THE EXPRESS WRITTEN PERMISSION FROM DISTINCTIVE DRAFTING & DESIGN. DISTINCTIVE DRAFTING & DESIGN TAKES NO RESPONSIBILITY FOR THE CONSTRUCTION OF THE RESIDENCE OR BUILDING.

SHEET

A-1



Conditional Use Permit to allow "The Industrial Ballroom" event center located at 1200 E. Business 83, legally described as Lots 122 – 125, VIP East Subdivision, as Requested by Johnny Rodriguez.

Rodriguez, Johnny
1200 E. Business 83, Suite 1201
San Juan, TX 78589

Vega, Salvador and Stephanie M.
Eguia
1102 E. 6th Street
San Juan, TX 78589

Ley, Brenda and Carlos I. Mtz.
1042 Valley Blvd.
Alamo, TX 78516

General Unified Prtnshp LLC.
1106 Business 83
McAllen, TX 78502

Cavazos, Alfredo and San Juana
132 Val Bar Dr.
Alamo, TX 78516

Buenorostro, Edgar J. Ramirez
601 Sunchase St.
San Juan, TX 78589

Gonzalez, Abdon and Alicia
1101 E. Business 83
San Juan, TX 78589

Ordonez, Rosa Isela
1101 E. 6th Street
San Juan, TX 78589

Cantu, Francisco
1005 Salinas St.
Pharr, TX 78577

Mireles, Armando
Elizabeth Mireles
1201 Houston Way
San Juan, TX 78589

Gonzalez, Jose Abdon
1103 E. 6th Street
San Juan, TX 78589

Lopez, Roque Garza
910 Coil Dr.
San Juan, TX 78589

Carrillo, Juan Cecilio and Erika
Alvarez
1202 E. 6th Street
San Juan, TX 78589

Mendez, Salvador Jr.
1105 E. 6th Street
San Juan, TX 78589

Rivera, Ruben and Dora Alicia
2544 First St.
Ingleside, TX 78362

Gonzalez, David and Laura E. de la
Cruz
1200 E. 6th Street
San Juan, TX 78589

Reyes, Esteban and Sandy
1107 E. 6th Street
San Juan, TX 78589

Baez, Diana
20419 Gathering Oak
San Antonio, TX 78258

Mendoza, Oscar A.
1110 E. 6th Street
San Juan, TX 78589

Lopez, Pamela
1109 E. 6th Street
San Juan, TX 78589

Garcia, Gloria Muniz
606 Sunset St.
San Juan, TX 78589

Guajardo, Patricia
1108 E. 6th Street
San Juan, TX 78589

Jimenez, Joel
1111 E. 6th Street
San Juan, TX 78589

Vela, Ella M. Rodriguez
Maria Cristina Vela
106 W. Hibiscus
McAllen, TX 78501

Garza, Maria del Carmen
1106 E. 6th Street
San Juan, TX 78589

Lopez, Juan Jr. and Juana
1201 E. 6th Street
San Juan, TX 78589

BJN Construction
1600 W. Richmond Avenue
McAllen, TX 78503

Ruiz, Lisa
1104 E. 6th Street
San Juan, TX 78589

Rodriguez, Norma P.
1203 E. 6th Street
San Juan, TX 78589

Cesar Chavez Foundation
Legal Department
P.O. Box 310
Keene, CA 93531

Conditional Use Permit to allow "The Industrial Ballroom" event center located at 1200 E. Business 83, legally described as Lots 122 – 125, VIP East Subdivision, as Requested by Johnny Rodriguez.

Segura, Alicia and Jena
607 Sunchase St.
San Juan, TX 78589

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
AUGUST 24, 2021

Consider Second and Final Reading of the Ordinance for the Rezoning Request from Single-Family Residence District (R-S) to the Expressway Corridor District (EC) of the following properties:

- M.L. Woods Co. Tract No. 3 E165'-N200' Lot 6 and W10'-N200' Lot 7 0.80 AC GR 0.72 AC NET
 - M.L. Woods Co. Tract No. 3 E115.35'-W125.36'-N100' Lot 7, 0.26 AC
 - M.L. Woods Co. Tract No. 3 S100'-E115.35'-W125.36'-N200' Lot 7, 0.26 AC
 - M.L. Woods Co. Tract No. 3 E151.64'-N200' Lot 7 & W14.43'-N200' Lot 8, 0.76 AC GR, 0.69 AC NET
 - M.L. Woods Co. Tract No. 3 N290.4'-E75'-W89.43' Lot 8, 0.50 AC GR 0.47 AC NET
 - M.L. Woods Co. Tract No. 3 E5.35 AC Lot 10 EXC 0.53 AC 4.82 AC NET
 - Alamo Land and Sugar Co. 4.54 AC- AN IRR TR-BEING E 502'-N788.5' Lot 2 Block 35, 4.13 AC NET
 - Alamo Land and Sugar Co. AN IRR TR S140.2'-N356.05'-W178'-E188' Lot 2 & NEC 0.29 Lot 2 & W118'-N229' Lot 3 Block 35, 1.20 AC NET
 - Alamo Land and Sugar Co. E87'-W250'-N280' & S71'-N300'-W118' Lot 3, Block 35, 0.75 AC
 - Alamo Land and Sugar Co. E100'-W305'-N300' Lot 3, Block 35
 - Alamo Land and Sugar Co. E60'-W660' Lot 3, Block 35, 1.82 AC GR, 1.79 AC NET, as Requested by the City of San Juan.
-

STAFF COMMENTS AND RECOMMENDATIONS:

At the City Commission Meeting on August 10, 2021, the City Commission approved the First Reading of the Ordinance as presented by staff.

Previously, staff provided the following background:

The City of San Juan is trying to rezone eleven (11) properties along Sgt. Leonel Trevino Road that were left out from the Expressway Corridor District. The proposed change is from Single-Family Residence District (R-S) to the Expressway Corridor (EC). The Expressway Corridor Master Plan was adopted by the San Juan City Commission on 2017 to give the City a new vision to the future development and redevelopment along the Expressway.

New commercial development along the corridor would generate additional property and sales taxes for the commercial.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to seventy-nine (79) property owners within a two hundred (200) foot radius and received no

comments in favor or against the application.

RECOMMENDATION:

During the Regular Meeting on July 29, 2021, the Planning and Zoning Commission unanimously recommended approval of the rezoning request with a 6-0 vote.

PREPARED BY:

Roberto Escobar,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 07/29/2021
CITY COMMISSION – 08/24/2021
DATE PREPARED – 08/16/2021

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STAFF REPORT
GENERAL INFORMATION

APPLICATION: Rezoning Request from Single-Family Residence District (R-S) to the Expressway Corridor District (EC)

APPLICANT: City of San Juan

AGENT: N/A

LEGAL DESCRIPTION: M.L. Woods Co. Tract No. 3 E165'-N200' Lot 6 and W10'-N200' Lot 7 0.80 AC GR 0.72 AC NET
M.L. Woods Co. Tract No. 3 E115.35'-W125.36'-N100' Lot 7, 0.26 AC
M.L. Woods Co. Tract No. 3 S100'-E115.35'-W125.36'-N200' Lot 7, 0.26 AC
M.L. Woods Co. Tract No. 3 E151.64'-N200' Lot 7 & W14.43'-N200' Lot 8, 0.76 AC GR, 0.69 AC NET
M.L. Woods Co. Tract No. 3 N290.4'-E75'-W89.43' Lot 8, 0.50 AC GR 0.47 AC NET
M.L. Woods Co. Tract No. 3 E5.35 AC Lot 10 EXC 0.53 AC 4.82 AC NET
Alamo Land and Sugar Co. 4.54 AC- AN IRR TR-BEING E 502'-N788.5' Lot 2 Block 35, 4.13 AC NET
Alamo Land and Sugar Co. AN IRR TR S140.2'-N356.05'-W178'-E188' Lot 2 & NEC 0.29 Lot 2 & W118'-N229' Lot 3 Block 35, 1.20 AC NET
Alamo Land and Sugar Co. E87'-W250'-N280' & S71'-N300'-W118' Lot 3, Block 35, 0.75 AC
Alamo Land and Sugar Co. E100'-W305'-N300' Lot 3, Block 35
Alamo Land and Sugar Co. E60'-W660' Lot 3, Block 35, 1.82 AC GR, 1.79 AC NET

LOCATION: Sgt. Leonel Trevino Road

CURRENT USE OF PROPERTY: Residential

EXISTING ZONING: Single-Family Residence District (R-S)

PROPOSED ZONING: Expressway Corridor District (EC)

**REZONING REQUEST
CITY OF SAN JUAN
AUGUST 24, 2021**

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**EXISTING LAND USE/
ADJACENT ZONING:**

North – Residential; Single-Family Residence District (R-S)
South – Commercial; Expressway Corridor District (EC)
East – Commercial; Expressway Corridor District (EC)
West – Commercial; Expressway Corridor District (EC)

ACCESS AND CIRCULATION:

This property has access onto Sgt. Leonel Trevino Road.

PUBLIC SERVICES:

Water and sewer services will be provided by the City of San Juan.

EVALUATION AND CONDITIONS FOR APPROVAL

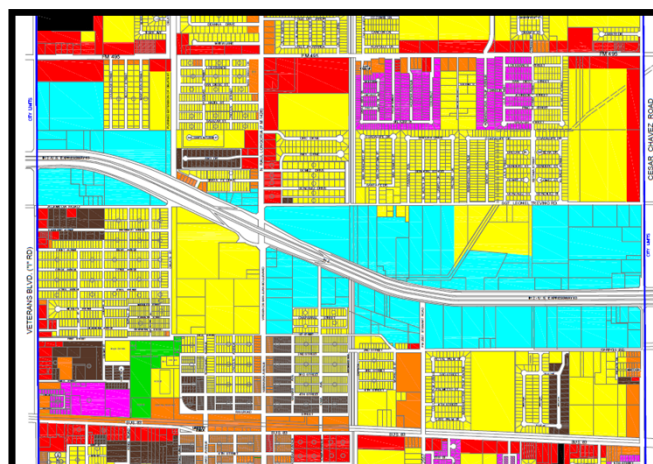
The City of San Juan is trying to rezone eleven (11) properties along Sgt. Leonel Trevino Road that were left out from the Expressway Corridor District. The proposed change is from Single-Family Residence District (R-S) to the Expressway Corridor (EC). The Expressway Corridor Master Plan was adopted by the San Juan City Commission on 2017 to give the City a new vision to the future development and redevelopment along the Expressway.

New commercial development along the corridor would generate additional property and sales taxes for the commercial.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to seventy-nine (79) property owners within a two hundred (200) foot radius and received no comments in favor or against the application.

ATTACHMENTS:

Location Map
Aerial Photo
Zoning Map
List of neighboring property owners receiving notice
Ordinance





FINAL RESOLUTION OF REQUEST & COMMENTS:

P&Z – 07/29/2021 Commissioner Alaniz made a motion to approve the rezoning request. Commissioner Cardenas seconded the motion. The motion passed unanimously with a (6-0) vote.

Mr. Escobar explained that a total of eleven (11) properties were left out the Expressway Corridor study and were zoned as Single-Family Residence District. The Expressway Corridor is a special district for commercial and mixed use developments. The City of San Juan is requesting to change these properties. He listed all the properties and explained the use that they have.

Commissioner Yzaguirre asked if property owners can do improvements to their properties if the zone was change. Mr. Escobar said they can do improvements but as soon as they demolish the residence they would need to comply with the Expressway Corridor requirements.

Emigdio Villanueva, resident, said that he owns one of the eleven (11) properties in question and he is in the process of demolishing the dilapidated structure and build a nice home for himself. He said that he would like to be exempt to continue with his plans. Mr. Escobar responded that Mr. Villanueva approached the City before we start with the zone change and he would be able to continue with their building plans.

Commissioner Cardenas asked if they approved the rezoning Mr. Villanueva's property will be excluded from the change. Mr. Escobar said no, the property will be zoned as Expressway Corridor. Commissioner Alaniz said that property would be considered as grandfathered-in.

Commissioner Magallan asked if the city is going to request additional right-of-way to the property owner. Mr. Escobar said yes, additional right-of-way and easements. Property owner would need to extend all the services to the property. Mr. Villanueva said water and sewer services are available in the property.

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING ORDINANCE NO. 98-006, THE ZONING ORDINANCE OF THE CITY OF SAN JUAN, TO CHANGE THE ZONING DISTRICT FROM SINGLE-FAMILY RESIDENCE DISTRICT (R-S) TO THE EXPRESSWAY CORRIDOR DISTRICT (EC) FOR THE PROPERTIES DESCRIBED, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS:

Consistent with the City's land use plan as set-forth in the land use map that is a part of the City's Zoning Ordinance, and consistent with the City's intentions of allowing and encouraging commercial district development that generates property taxes, water and sewer revenues and sales tax revenues.

The zoning district of the following properties shall be changed to the Expressway Corridor District (EC) and the zoning map shall be amended accordingly.

- M.L. Woods Co. Tract No. 3 E165'-N200' Lot 6 and W10'-N200' Lot 7 0.80 AC GR 0.72 AC NET
- M.L. Woods Co. Tract No. 3 E115.35'-W125.36'-N100' Lot 7, 0.26 AC
- M.L. Woods Co. Tract No. 3 S100'-E115.35'-W125.36'-N200' Lot 7, 0.26 AC
- M.L. Woods Co. Tract No. 3 E151.64'-N200' Lot 7 & W14.43'-N200' Lot 8, 0.76 AC GR, 0.69 AC NET
- M.L. Woods Co. Tract No. 3 N290.4'-E75'-W89.43' Lot 8, 0.50 AC GR 0.47 AC NET
- M.L. Woods Co. Tract No. 3 E5.35 AC Lot 10 EXC 0.53 AC 4.82 AC NET
- Alamo Land and Sugar Co. 4.54 AC- AN IRR TR-BEING E 502'-N788.5' Lot 2 Block 35, 4.13 AC NET
- Alamo Land and Sugar Co. AN IRR TR S140.2'-N356.05'-W178'-E188' Lot 2 & NEC 0.29 Lot 2 & W118'-N229' Lot 3 Block 35, 1.20 AC NET
- Alamo Land and Sugar Co. E87'-W250'-N280' & S71'-N300'-W118' Lot 3, Block 35, 0.75 AC
- Alamo Land and Sugar Co. E100'-W305'-N300' Lot 3, Block 35
- Alamo Land and Sugar Co. E60'-W660' Lot 3, Block 35, 1.82 AC GR, 1.79 AC NET

PASSED and **APPROVED** on first reading on the 10th day of August, 2021.

PASSED and **APPROVED** on second and final reading on the 24th day of August, 2021.

CITY OF SAN JUAN

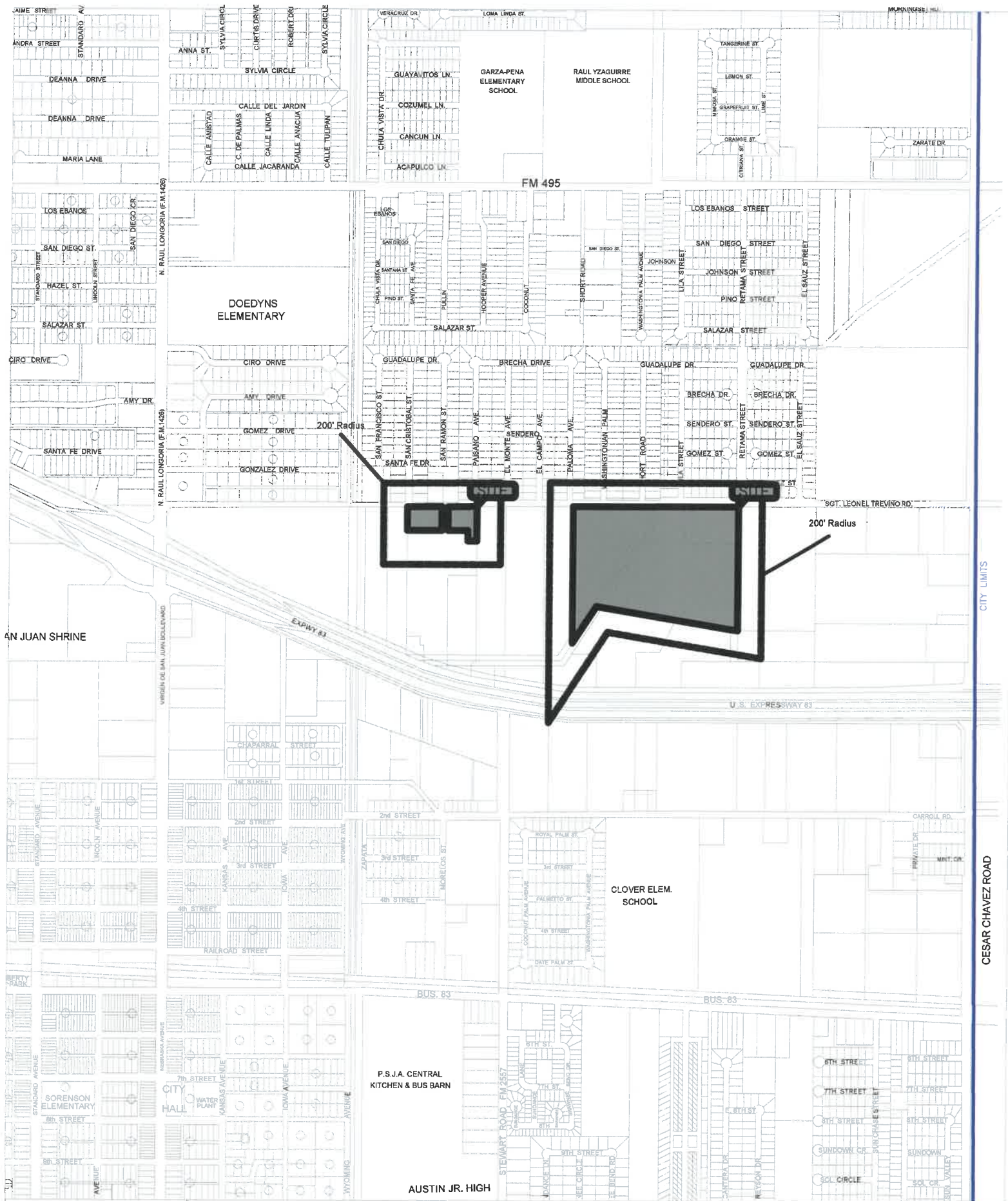
**MARIO GARZA
MAYOR**

ATTEST:

APPROVED BY:
Palacios, Garza & Thompson, P.C.

**DIANA CAVAZOS
CITY SECRETARY**

CITY ATTORNEY



Legend

- CITY LIMITS
- Proposed area

Rezoning Request from Single-Family Residence District (R-S) to the Expressway Corridor District (EC).



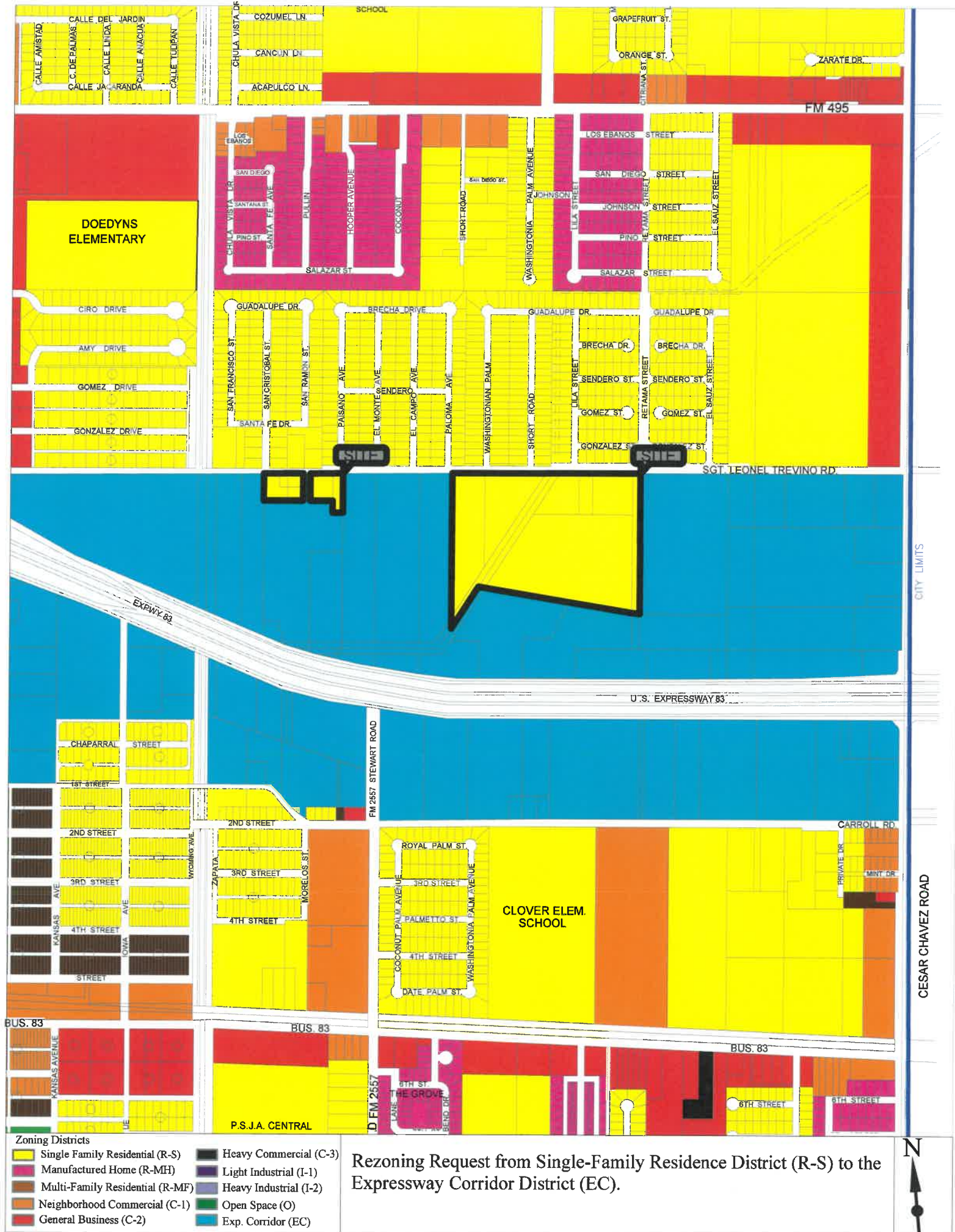


Legend

- CITY LIMITS
- Proposed area

Rezoning Request from Single-Family Residence District (R-S) to the Expressway Corridor District (EC).





SECTION 11.04: ZONING USE CHART:

Uses	Permitted by Right P	Conditional Use C
Automotive		
Automobile, new and preowned sales		C
Automobile, preowned sales		C
Automotive supply		C
Automobile service center		C
New Tire sales and service		C
Vehicle rental		C
Carwash facilities		C
Retail (free standing or in center)		
Antique shop	P	
Bakery, ice cream, or confectionery shop	P	
Cellphone/computer/technology sales and service	P	
Clothing store (men's, ladies', and children's including shoes and other apparel)	P	
Convenience store	P	
Convenience store fuel islands		C
Florist shop	P	
Home furnishings/Furniture store	P	
Hardware store	P	
Hobby shop	P	
Jewelry store	P	
Office equipment sales/service	P	
Paint and wallpaper store	P	
Pharmacy or drugstore	P	
Sporting goods store	P	
Shopping center up to and including 30,000 square feet	P	
Shopping center 30,000 to 75,000 square feet	P	
Shopping center greater than 75,000 square feet		C
Grocery store		C
Big box including grocery and home improvement (over 100,000 square feet)		C
Eating and Drinking Establishments		

Restaurant or cafe without drive-in service, with covered patio	P	
Restaurant or cafe drive-in/thru service		C
Bar, Lounge, Tavern or Cantina		C
Coffee shop	P	
Delicatessen/Specialty foods	P	
Microbrewery		C
Wine bar		C
Personal Services		
Day Spa	P	
Fitness Center/Health Club	P	
Dry cleaning/Laundry (drop off and pick-up only)	P	
Barber or beauty shop	P	
Nail salon	P	
Shoe repair	P	
Alterations and Tailor	P	
Medical and Care facilities		
Clinic: medical, dental, optical, chiropractor, health care services	P	
Emergency/medical ambulatory care facility (limited overnight stays)	P	
Hospital	P	
Optician, Optical shop	P	
Pharmacy or drugstore	P	
Lodging*		
Hotel	P	
Live/work		C
Multifamily - apartments and condominiums		C
Assisted Living		C
Nursing Home (licensed)		C
Mixed Use Development*		
Retail/Residential		C
Retail/Live-Work/Residential		C
Residential/Retail/Office		C
*Planned Unit Development encouraged		
Office, Professional		
Office building	P	
Attorney, Engineer, Architect, Landscape architect, Insurance, Financial advisor, Travel agent	P	
Bank or credit union	P	

Pet		
Veterinary office without boarding except for medical need, no outside runs	P	
Veterinary Clinic with boarding and outside runs		C
Pet Supplies	P	
Pet Grooming (no boarding)	P	
Outdoor Equipment and Supplies		
Plant nursery		C
Landscape and garden supplies		C
Seasonal/temporary sales		C
Lawn, garden, and play structures		C
Miscellaneous		
Office/showroom/warehouse	P	
Light Manufacturing in conjunction with office/showroom/warehouse		C
Mortuary		C
Open space/Plaza	P	
Library, art gallery, studio, museum	P	
Theater	P	
Bike Racks	P	
Automobile charging station		C
ATM (free standing)		C
Public and Private Utilities		
City infrastructure (water, waste water, drainage, fire, police)	P	
Government offices	P	
Private Utilities (telephone, cable)	P	
Cell and telecommunications towers		C

Rezoning Request from Single-Family Residence District (R-S) to the Expressway Corridor District (EC).

Villanueva, Emigdio Jr. P.O. Box 943 Mission, TX 78573	Martinez, Javier M. and Mayra 904 San Cristobal St. San Juan, TX 78589	Castillo, Guadalupe Aguirre 35813 N. Expwy 281 Edinburg, TX 78542
Maldonado, Gerardo and Juana 415A E. Sgt. Leonel Trevino Road San Juan, TX 78589	Sanchez, Juan Jose and Celia 902 San Cristobal St. San Juan, TX 78589	Gloria, Jose Maria Gloria Contreras 906 Paisano St. San Juan, TX 78589
Calzada, Elida M. 415B E. Sgt. Leonel Trevino Road San Juan, TX 78589	Martinez, Gaudy Brigitte 905 San Cristobal St. San Juan, TX 78589	Contreras, Jose M. and Alisia M. Gloria 906 Paisano St. San Juan, TX 78589
DJP III LLC. Attn. Ronald Heller 312 Pearl Parkway #4113 San Antonio, TX 78215	Sanchez, Mario A. and Maria G. 903 San Cristobal St. San Juan, TX 78589	Salinas, Gerardo and Melba 902 Paisano St. San Juan, TX 78589
Texas G&S Investment Incorp. 4403 W. Military Hwy. Suite 701 McAllen, TX 78503	Sanchez, Mario and Maria G. 901 San Cristobal St. San Juan, TX 78589	Wilmot, Viviana Cortez 905 Del Monte Dr. San Juan, TX 78589
Garza, Jose Guadalupe P.O. Box 652 San Juan, TX 78589	Mendoza, Guillermo Jr. and Gloria 412 Sgt. Leonel Trevino San Juan, TX 78589	Torres, Ana Lizeth 1924 Loma Vista Dr. San Juan, TX 78589
Prado, Rogelio Jr. P.O. Box 477 San Juan, TX 78589	Casey Lending LLC. 7200 N. Mopac Expy Suite 120 Austin, TX 78731	Martinez, Angelica P.O. Box 961 Alamo, TX 78516
Vasquez, Rafael Jr. and Nora 209 E. Blue Jay Pharr, TX 78577	Alfaro, Stephanie and Elias Arredondo 1105 Paisano St. San Juan, TX 78589	Morales, Telesforo and Oliveria 904 El Campo San Juan, TX 78589
Espana General Construction Inc. 2507 Monterrey St. Hidalgo, TX 78557	Herrera, Francisco 905 Paisano St. San Juan, TX 78589	Espericueta, Jose I. and Alma R. P.O. Box 1856 San Juan, TX 78589
Gutierrez, Leonel 906 San Cristobal St. San Juan, TX 78589	Teran, Irma and Teodoro 903 Paisano St. San Juan, TX 78589	Valdez, Cruz 900 El Campo Dr. San Juan, TX 78589

Rezoning Request from Single-Family Residence District (R-S) to the Expressway Corridor District (EC).

Salazar, Idalia Berenisse
6109 N. 14 ½ Street
McAllen, TX 78504

Alvarado, Noe and Mirna
900 Washingtonia Palm Avenue
San Juan, TX 78589

Molina, Maria Noemi
1228 N. Cesar Chavez Road
Alamo, TX 78516

Puente, Emilio and Norma Barrios
903 Paloma Dr.
San Juan, TX 78589

Berman, Yessica
5317 Western Plains Ave.
Abilene, TX 79606

Pina, Alberto
1713 Sylvia Circle
San Juan, TX 78589

Montelongo, Jose M. and Ernestina
901 Paloma Dr.
San Juan, TX 78589

Flores, Socorro ET AL
903 Short Rd.
San Juan, TX 78589

Rodriguez, Fidel
820 Gonzalez Dr.
San Juan, TX 78589

Burnias, Jose A. and Enedelia de la
Paz
904 Paloma Dr.
San Juan, TX 78589

Roldan, Martin D. and Rosa M.
901 Short Rd.
San Juan, TX 78589

Herrera, Jose Francisco
822 Gonzalez Dr.
San Juan, TX 78589

Hernandez, Antonio
902 Paloma Dr.
San Juan, TX 78589

Zacarias, Maria Antonia
101 Sgt. Leonel Trevino
San Juan, TX 78589

Campano, Cecilia G.
824 Gonzalez St.
San Juan, TX 78589

Rodriguez, Dominga Galindo
900 Paloma
San Juan, TX 78589

Banda, Jose L. and San Juana
P.O. Box 597
Pharr, TX 78577

Cantu, Guadalupe
904 Gonzalez Dr.
San Juan, TX 78589

Montes, Alberto and Evangelina
Juan A. Montes
905 Washingtonia Palm Avenue
San Juan, TX 78589

Fonseca, Martin and Marcela
904 Lila St.
San Juan, TX 78589

Guevara, Denise
906 Gonzalez Dr.
San Juan, TX 78589

Haidar, Walid N.
903 Washingtonia Palm
San Juan, TX 78589

Munoz, Esperanza
417 E. Westway Ave.
McAllen, TX 78501

Vasquez, Jose Angel Esquivel
3409 Notre Dame Avenue
McAllen, TX 78504

Sanchez, Hermelindo
901 Washingtonia Palm Avenue
San Juan, TX 78589

Castellanos, Humberto Jr.
900 Lila St.
San Juan, TX 78589

Medrano, Jose G. Valladares and
Adriana E. Trevino Jasso
909 Gonzalez Dr.
San Juan, TX 78589

Gracia, Moises and Gloria A.
904 Washingtonia Palm Avenue
San Juan, TX 78589

Vega, Carlos
812 Gonzalez Dr.
San Juan, TX 78589

Cantu, Yesenia
P.O. Box 1941
San Juan, TX 78589

Rezoning Request from Single-Family Residence District (R-S) to the Expressway Corridor District (EC).

Leos, Conrado and Yajaira Adame
de Leos
811 Gonzalez Dr.
San Juan, TX 78589

495 Nursery and Landscaping LLC.
1431 W. State Hwy 495
Alamo, TX 78516

Perez, Santiago Jr.
6503 S. Mars Ln.
Pharr, TX 78577

Longoria, Jose S. and Maria del
Carmen
429 Lark Ave.
McAllen, TX 78504

Salazar, Hugo P. and Rebecca
1013 Sundance Ln.
San Juan, TX 78589

Charles Ivey LTD.
1919 W. US Highway 83
McAllen, TX 78501

Estrada, Fatima
817 Gonzalez Dr.
San Juan, TX 78589

GMW Properties & Management
LLC.
308 4th Ave. NE
Grand Meadow, MN 55936

Estrada, Eduardo
118 Jaime St.
San Juan, TX 78589

Old Oak Properties, LLC.
840 E. Interstate 2
San Juan, TX 78589

Gomez, Graciela Gonzalez
207 W. 3rd Street
San Juan, TX 78589

Agustin, Efrain
5009 N Cypress St.
Pharr, TX 78577

Resendez, Marisa
823 Gonzalez Dr.
San Juan, TX 78589

Beneto, Maria Eugenia del Pilar
Millan
112 W. Gardenia
McAllen, TX 78501

Garcia, Juan Javier
905 Gonzalez
San Juan, TX 78589

City of San Juan
709 S. Nebraska Avenue
San Juan, TX 78589

Garza, Mariano Jr. and Mario and
Carlos
P.O. Box 2402
San Juan, TX 78589

Salazar, Idalia Berenisse
6109 N. 14 ½ Street
McAllen, TX 78504

Wessling, Herbert I. and Ruth C.
P.O. Box 2397
San Juan, TX 78589

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
AUGUST 24, 2021

Consider Second and Final Reading of an Ordinance for the Rezoning Request from Single-Family Residence District (R-S) to Neighborhood Commercial District (C-1) at the property located at 315 W. 1st Street, legally described as Lot 3, Block 6, San Juan Original Townsite Subdivision, as Requested by Maria Guadalupe Garcia.

STAFF COMMENTS AND RECOMMENDATIONS:

At the City Commission Meeting on August 10, 2021, the City Commission approved the First Reading of the Ordinance as presented by staff.

Previously, staff provided the following background:

The applicant is trying to rezone her lot into Neighborhood Commercial District (C-1). The Comprehensive Plan establishes this property as residential use. If approved, the building would need to comply with the city's requirements, as applicable. The surrounding properties consist of mixture of residential and commercial uses.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to twenty-seven (27) property owners within a two hundred (200) foot radius and received no comments in favor or against the application.

RECOMMENDATION:

During the Regular Meeting on June 3, 2021, the Planning and Zoning Commission unanimously recommended denial of the rezoning request with a 4-0 vote.

PREPARED BY:

Roberto Escobar,
Planning Director

APPROVED BY:

Benjamin Arjona, City
Manager

MEETING DATES:
PLANNING AND ZONING COMMISSION – 06/03/2021
CITY COMMISSION – 08/24/2021
DATE PREPARED – 08/16/2021

PAGE 1

STAFF REPORT
GENERAL INFORMATION

APPLICATION:	Rezoning Request from Single-Family Residence District (R-S) to Neighborhood Commercial District (C-1)
APPLICANT:	Maria Guadalupe Garcia
AGENT:	N/A
LEGAL:	Lot 3, Block 6, San Juan Original Townsite
LOCATION:	315 W. 1 st Street
LOT/TRACT SIZE:	50 feet by 140 feet 7,000 square feet
CURRENT USE OF PROPERTY:	Residential
PROPOSED USE OF PROPERTY:	Neighborhood Commercial
EXISTING ZONING:	Single-Family Residence District (R-S)
EXISTING LAND USE/ ADJACENT ZONING:	<i>North</i> – Church; Single-Family Residence District (R-S) <i>South</i> – Residential; Single-Family Residence District (R-S) <i>East</i> – Residential; Single-Family Residence District (R-S) <i>West</i> – Residential; Single-Family Residence District (R-S)
ACCESS AND CIRCULATION:	This property has access onto 1 st Street.
PUBLIC SERVICES:	Water and sewer services will be provided by the City of San Juan.

EVALUATION AND CONDITIONS FOR APPROVAL

The applicant is trying to rezone her lot into Neighborhood Commercial District (C-1). The Comprehensive Plan establishes this property as residential use. If approved, the building would need to comply with the city's requirements, as applicable. The surrounding properties consist of mixture of residential and commercial uses.

Staff mailed a notice of the public hearing before the Planning and Zoning Commission to twenty-seven (27) property owners within a two hundred (200) foot radius and received no comments in favor or against the application.

ATTACHMENTS:

- Location Map
- Aerial Photo
- Zoning Map
- List of neighboring property owners receiving notice
- Ordinance



Proposed Site

FINAL RESOLUTION OF REQUEST & COMMENTS:

P&Z – 06/03/2021 Commissioner Alaniz made a motion to denial the rezoning request. Commissioner Magallan seconded the motion. The motion passed unanimously with a (4-0) vote.

Mr. Escobar said a zone change is from residential to neighborhood commercial district. The applicant is proposing to open a flower shop to serve people from the Basilica. Most of the properties around the area are for residential use. Applicant felt that property should be change to commercial. The Neighborhood Commercial District (C-1) is a light commercial that is nearby residential area. He mentioned a property located at the corner of Oblate and First Street, which was rezoned to commercial in order to open a Child Day Care.

Commissioner Alaniz said that corner of Oblate and First Street was always used as commercial property, since there was a convenience store. Chairwoman Castillo said that there is not enough space for parking area.

Commissioner Alaniz said that would be considered as spot zoning since there is not commercial around the property. Commissioner Magallan stated that he does not think the property complies with the size of a commercial lot.

Mr. Escobar said applicant is aware of special requirements and she wants to try the rezoning of the property.

ORDINANCE NO.

AN ORDINANCE AMENDING THE ZONING ORDINANCE NO. 98-006, THE ZONING ORDINANCE OF THE CITY OF SAN JUAN, TO CHANGE THE ZONING DISTRICT FROM SINGLE-FAMILY RESIDENCE DISTRICT (R-S) TO NEIGHBORHOOD COMMERCIAL DISTRICT (C-1) FOR A PROPERTY LOCATED AT 315 W. 1ST STREET, LEGALLY DESCRIBED AS LOT 3, BLOCK 6, SAN JUAN ORIGINAL TOWNSITE SUBDIVISION, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS:

Consistent with the City's land use plan as set-forth in the land use map that is a part of the City's Zoning Ordinance, and consistent with the City's intentions of allowing and encouraging commercial district development that generates property taxes, water and sewer revenues and sales tax revenues.

The zoning district of the property located at 315 W. 1st Street, legally described as Lot 3, Block 6, San Juan Original Townsite Subdivision, shall be changed to Neighborhood Commercial District (C-1) and the zoning map shall be amended accordingly.

PASSED and **APPROVED** on first reading on the 10th day of August, 2021.

PASSED and **APPROVED** on second and final reading on the 24th day of August, 2021.

CITY OF SAN JUAN

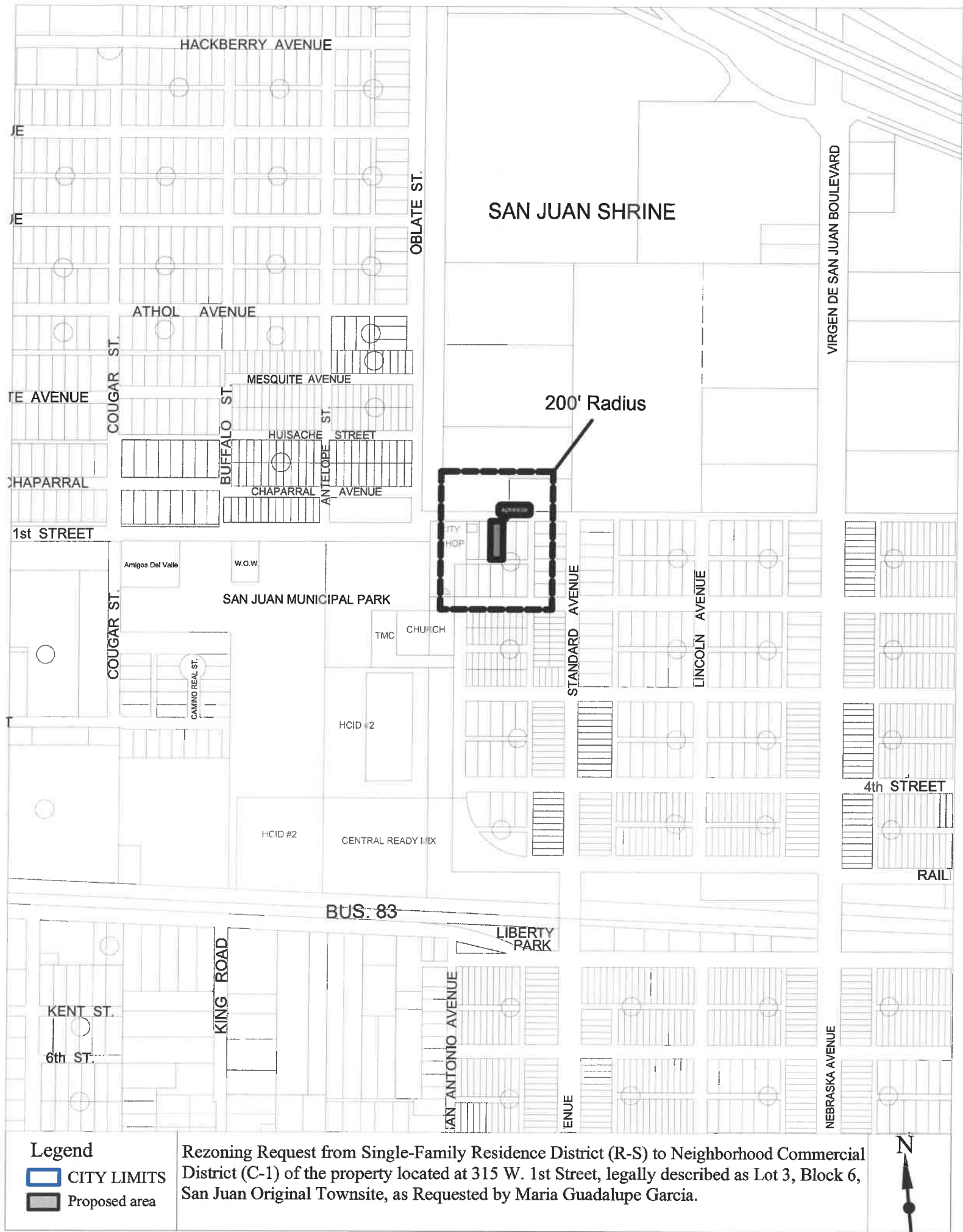
MARIO GARZA
MAYOR

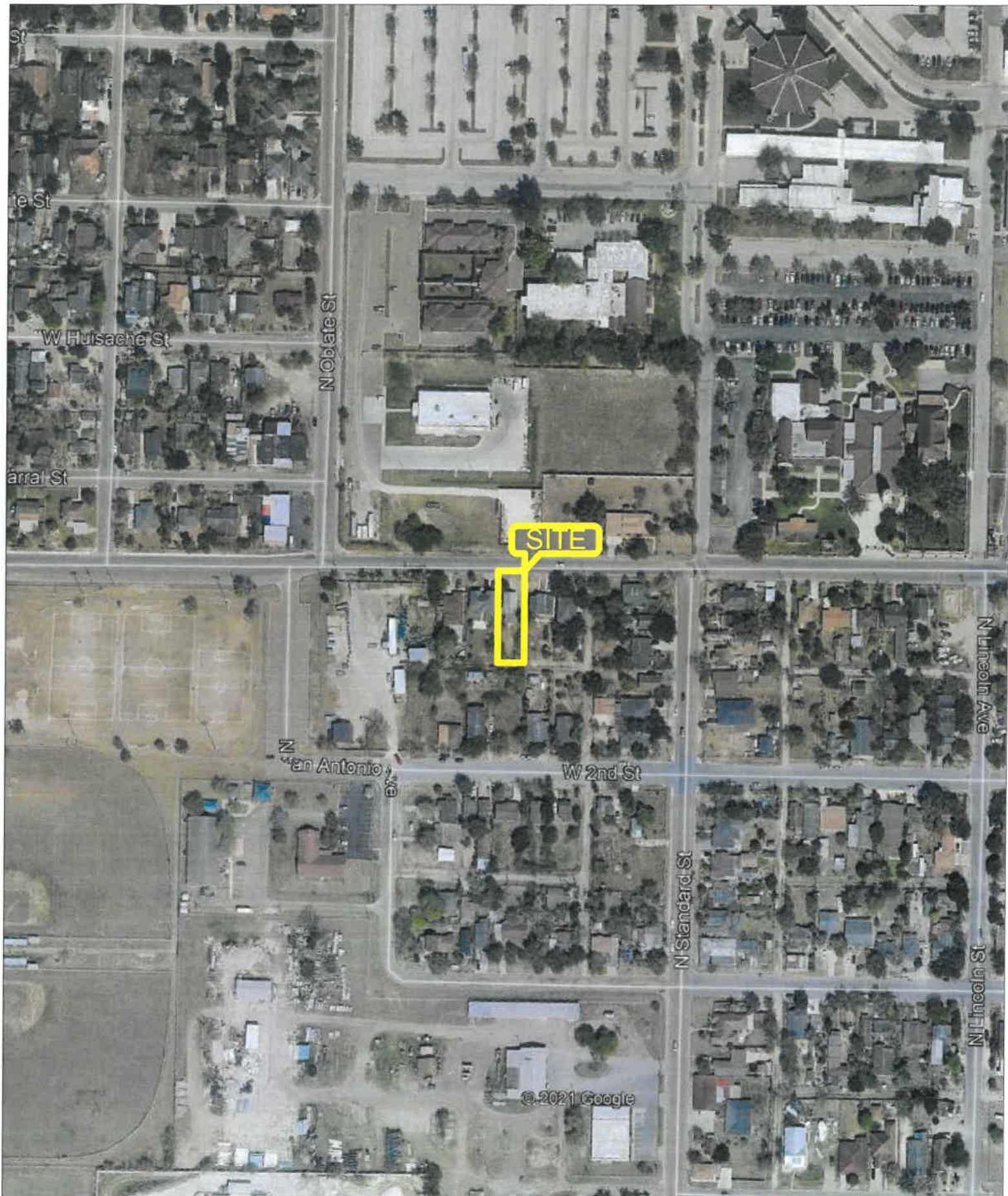
ATTEST:

APPROVED BY:
Palacios, Garza & Thompson, P.C.

DIANA CAVAZOS
CITY SECRETARY

CITY ATTORNEY



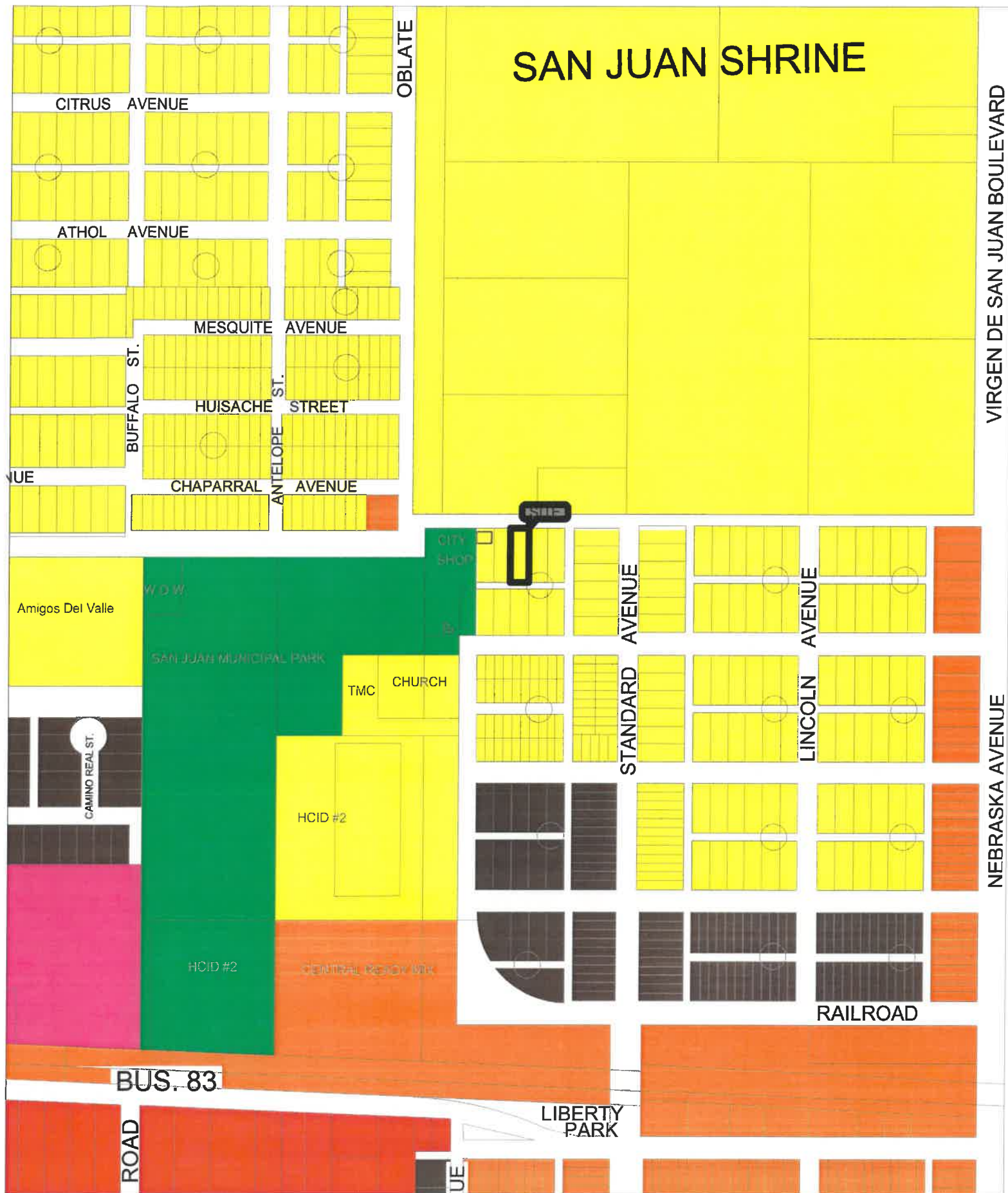


Legend

- CITY LIMITS
- Proposed area

Rezoning Request from Single-Family Residence District (R-S) to Neighborhood Commercial District (C-1) of the property located at 315 W. 1st Street, legally described as Lot 3, Block 6, San Juan Original Townsite, as Requested by Maria Guadalupe Garcia.





Zoning Districts

 Single Family Residential (R-S)	 Heavy Commercial (C-3)
 Manufactured Home (R-MH)	 Light Industrial (I-1)
 Multi-Family Residential (R-MF)	 Heavy Industrial (I-2)
 Neighborhood Commercial (C-1)	 Open Space (O)
 General Business (C-2)	 Exp. Corridor (EC)

Rezoning Request from Single-Family Residence District (R-S) to Neighborhood Commercial District (C-1) of the property located at 315 W. 1st Street, legally described as Lot 3, Block 6, San Juan Original Townsite, as Requested by Maria Guadalupe Garcia.



Rezoning Request from Single-Family Residence District (R-S) to Neighborhood Commercial District (C-1) of the property located at 315 W. 1st Street, legally described as Lot 3, Block 6, San Juan Original Townsite, as Requested by Maria Guadalupe Garcia.

Garcia, Maria Guadalupe
319 W. First St.
San Juan, TX 78589

Guerra, Aurelia C.
P.O. Box 201
San Juan, TX 78589

Garinger, Maria Guadalupe
325 W. 2nd Street
San Juan, TX 78589

Sanchez, Monica M. and Sandra O.
319 W. First St.
San Juan, TX 78589

Alvarado, Ignacia
Carmen Long & Guadalupe Camarillo
3122 Mayfail
San Antonio, TX 78217

Giles, Carlos A.
1219 S. Kansas Avenue
San Juan, TX 78589

Muniz, Elida
313 W. 1st Street
San Juan, TX 78589

Longoria, Patricia E. Medrano
100 N. Standard Avenue
San Juan, TX 78589

Loera, Jesus
321 W. 2nd Street
San Juan, TX 78589

Sanchez, Monica Maribel
319 W. 1st Street
San Juan, TX 78589

Garcia, Jose
102 N. Standard Avenue
San Juan, TX 78589

Martinez, Maria Luisa M.
P.O. Box 1083
San Juan, TX 78589

Lira, Roberto M. and Linda C.
405 Woodhollow Ln.
Harlingen, TX 78550

Hernandez, Maria Teresa
104 N. Standard
San Juan, TX 78589

Nunez, Maria Cruz
311 W. 2nd Street
San Juan, TX 78589

Sanchez, Jorge
319 W. 1st Street
San Juan, TX 78589

Garcia, Rebekah
425 Padre Blvd. B-25
South Padre Island, TX 78597

Garza, Eugenio Jr. and Rosalinda
Nunez-Garza
1134 N. Alamo Road
Alamo, TX 78516

Sarcon Family Home Solution LLC.
2017 E. 8th Street
Mission, TX 78574

Martinez, Cirilo R. and Maria Luisa
108 N. Standard Avenue
San Juan, TX 78589

Pena, Samuel
208 N. Standard Avenue
San Juan, TX 78589

Acosta, Diana Karen
Florinda R. Acosta
P.O. Box 1924
San Juan, TX 78589

Lozano, Juan Jose
110 N. Standard Avenue
San Juan, TX 78589

Salas, Linda
1013 N. 26th Street
McAllen, TX 78501

Roman, Catholic Diocese of
Brownsville
400 Virgen de San Juan
San Juan, TX 78589

Hidalgo County Trustee
P.O. Box 178
Edinburg, TX 78540

Cantu, Olivia
327 W. 2nd Street
San Juan, TX 78589

AGENDA ITEM AND RECOMMENDATION SUMMARY
CITY COMMISSION REGULAR MEETING
AUGUST 24, 2021

Consider Second and Final Reading of an Ordinance Amending Chapter 1 General Provisions, Article 1.05 Administrative Fees, Section 1.05.006 San Juan Memorial Park, Section 1.05.007 Mayfield Park, and Section 1.05.009 Parks and Recreation of the City Of San Juan's Code of Ordinances to Consolidate all Provisions Related to Parks and Recreation Fees Under Section 1.005.006, to be Renamed as Parks and Recreation Fees and to Include Additional Related Fees for the San Juan Sports Complex and the San Juan Municipal Park; Providing for Effective Date; Providing for Publication; Providing for Codification; Providing for a Severability Clause; and Providing for a Repealer Clause.

STAFF COMMENTS AND RECOMMENDATIONS:

This ordinance updates the rental fees for San Juan Municipal Park as well as San Juan Sports Complex, and update the program fees for the Parks and Recreation Department.

RECOMMENDATION:

Staff recommends approval of this item.

PREPARED BY:

Benjamin Arjona,
City Manager

APPROVED BY:

Benjamin Arjona, City
Manager

ORDINANCE NO. 2021-XX

AN ORDINANCE AMENDING CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.05 ADMINISTRATIVE FEES, SECTION 1.05.006 SAN JUAN MEMORIAL PARK, SECTION 1.05.007 MAYFIELD PARK, AND SECTION 1.05.009 PARKS AND RECREATION OF THE CITY OF SAN JUAN'S CODE OF ORDINANCES TO CONSOLIDATE ALL PROVISIONS RELATED TO PARKS AND RECREATION FEES UNDER SECTION 1.05.006, TO BE RENAMED AS PARKS AND RECREATION FEES AND TO INCLUDE ADDITIONAL RELATED FEES FOR THE SAN JUAN SPORTS COMPLEX AND SAN JUAN MUNICIPAL PARK; PROVIDING FOR EFFECTIVE DATE; PROVIDING FOR PUBLICATION; PROVIDING FOR CODIFICATION; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR A REPEALER CLAUSE.

WHEREAS, the City of San Juan provides Parks & Recreation Services to the community and certain fees are necessary to offset the operational and administrative costs incurred by the City in doing so; and

WHEREAS, The City of San Juan currently provides for fees related to parks and recreation programs and such fees are provided for under Chapter 1, Article 1.05, Sections 1.05.006 San Juan Memorial Park, 1.05.007 Mayfield Park and Section 1.05.009 Parks and Recreation of the City of San Juan Code of Ordinances; and

WHEREAS, after review of the current fees, the City Commission desires to amend such fees to consolidate such fees under Section 1.05.006, rename such Section to Parks and Recreation Fees and include additional fees related to the San Juan Sports Complex and the San Juan Municipal Park.

THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SAN JUAN, TEXAS THAT:

SECTION 1: CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.05 ADMINISTRATIVE FEES, SECTION 1.05.006 SAN JUAN MEMORIAL PARK OF THE CITY OF SAN JUAN'S CODE OF ORDINANCES is hereby amended to delete the stricken out language below and add the new provisions as underlined below:

~~Sec. 1.05.006 — San Juan Memorial Park~~

- ~~(a) — Deposit (refundable): \$100.00.~~
- ~~(b) — Rental for city resident: \$125.00.~~
- ~~(c) — Rental for noncity resident: \$175.00.~~
- ~~(d) — Rental for city employee: \$125.00.~~
- ~~(e) — Rental of kitchen: \$50.00.~~
- ~~(f) — Noise permit: \$10.00.~~

Sec. 1.05.006 Parks and Recreation Fees

(A) Park Facility Rental Fees

(1) San Juan Memorial Park

(a) <u>Deposit (refundable):</u>	<u>\$100.00</u>
(b) <u>Rental for city resident:</u>	<u>\$125.00</u>
(c) <u>Rental for noncity resident:</u>	<u>\$175.00</u>
(d) <u>Rental for city employee:</u>	<u>\$125.00</u>
(e) <u>Rental of kitchen:</u>	<u>\$ 50.00</u>
(f) <u>Noise permit:</u>	<u>\$ 10.00</u>

(2) San Juan Sports Complex

(a) <u>Baseball/Softball Field (Practice):</u>	<u>\$ 45.00 per 2 Hour Block</u>
(b) <u>Baseball/Softball Field (Tournament):</u>	<u>\$200.00 per field, per day</u> <u>\$150.00 per field, per day, if City runs</u> <u>the concession stand</u> <u>\$100.00 per field, per day, if City runs</u> <u>the concession stand and the gate</u> <u>entrance.</u>

Note: If a person/entity rents all four (4) baseball/softball fields (located at San Juan Sports Complex and the San Juan Municipal Park) for a tournament and for the same rental period, a \$25 discount will apply per field per day.

(3) San Juan Municipal Park

(a) <u>Baseball/Softball Field (Practice):</u>	<u>\$ 75.00 per 2 hour block</u>
(b) <u>Baseball/Softball Field (Tournament):</u>	<u>\$500.00 per field, per day</u> <u>\$300.00 per field, per day, if City runs</u> <u>the concession stand</u> <u>\$200.00 per field, per day, if City runs</u> <u>the concession stand and the gate</u> <u>entrance.</u>
(c) <u>Batting Cages:</u>	<u>\$ 50.00 per 1 hour and 30 minutes</u>
(d) <u>Soccer Field:</u>	<u>\$300.00 per day</u>
(e) <u>Multipurpose Field:</u>	<u>\$500.00, per day, if event is open to the</u> <u>public at no charge</u> <u>\$3,000.00 per day for ticketed or private</u> <u>events</u> <u>\$250.00 per day for use of electrical</u> <u>outlets</u> <u>\$500.00 for portable fencing</u> <u>\$150.00 per day for gate keeper</u>

Note 1: If a person/entity rents all four (4) baseball/softball fields (located at the San Juan Sports Complex and the San Juan Municipal Park) for a tournament and for the same rental period, a \$25.00 discount will apply per field per day.

Note 2: If a person/entity rents the Multipurpose Field and a ticketed event is held, then, in addition to the applicable rental fee under (e) above, person/entity holding such event shall be required to pay the City \$0.75 for every \$5.00 ticket value, per ticket sold; provided that such fee shall not exceed \$3.00 per ticket value, per ticket sold. For example, if ticket value is \$10.00, person/entity holding event will be required to pay the City \$1.50 per ticket sold.

(B) Pavilion Rental Fees: \$ 45.00

(C) Swimming Pool Admission and Rental Fees

(a) Swimming Pool Admission Fee: \$ 1.00

(b) Swimming Pool Rental Fee: \$160.00

(D) Recreational Program Registration Fees

(a) Youth football registration fee: \$ 65.00

(b) Youth soccer registration fee: \$ 40.00

(c) Youth flag football registration fee: \$ 40.00

(d) Youth basketball registration fee: \$ 40.00

(e) Youth baseball registration fee: \$ 45.00

(f) Youth girl softball registration fee: \$ 45.00

(g) Youth volleyball registration fee: \$ 40.00

(h) TAAF sports program fee: \$ 50.00

(i) Adult men's softball team fee: \$450.00

(j) Summer program activity fee: \$ 40.00

Note: All approved refunds shall be charged a \$15.00 service fee. No refunds shall be approved and/or authorized if requested on the first day the program begins or any day thereafter, unless exigent circumstances exist. Exigent circumstances shall be reviewed on a case by case basis and shall be decided at the sole discretion of the City Manager or his designee.

SECTION 2: CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.05 ADMINISTRATIVE FEES, SECTION 1.05.007 MAYFIELD PARK OF THE CITY OF SAN JUAN'S CODE OF ORDINANCES is delete in its entirety as indicated in the stricken out language below and such Section shall be reserved for future use:

~~Sec. 1.05.007 — Mayfield Park~~

~~(a) Deposit (refundable): \$100.00.~~

~~(b) Rental for city resident (per field): \$250.00.~~

~~(c) Rental for noncity resident (per field): \$300.00.~~

~~(d) Noise permit (per field): \$10.00.~~

~~(e) Small field: \$100.00.~~

SECTION 3: CHAPTER 1 GENERAL PROVISIONS, ARTICLE 1.05 ADMINISTRATIVE FEES, SECTION 1.05.009 PARKS AND RECREATION DEPARTMENT OF THE CITY OF SAN JUAN'S CODE OF ORDINANCES is delete in its entirety as indicated in the stricken out language below and such Section shall be reserved for future use:

~~Sec. 1.05.009—Parks and recreation department~~

- ~~(a)—Pavilions rental: \$45.00.~~
- ~~(b)—Youth football registration: \$60.00.~~
- ~~(c)—Youth soccer registration: \$35.00.~~
- ~~(d)—Youth flag football registration: \$35.00.~~
- ~~(e)—Youth basketball registration: \$35.00.~~
- ~~(f)—Youth baseball registration: \$40.00.~~
- ~~(g)—Youth girl softball registration: \$40.00.~~
- ~~(h)—Youth volleyball registration: \$35.00.~~
- ~~(i)—Youth swimming registration: \$30.00.~~
- ~~(j)—Adult men's softball team: \$250.00.~~
- ~~(k)—Summer program activity fee: \$35.00.~~
- ~~(l)—Swimming pool admission: \$1.00.~~
- ~~(m)—Swimming pool rental: \$160.00.~~
- ~~(n)—Softball field rental: \$200.00.~~

SECTION 4. EFFECTIVE DATE. This ordinance shall take effect after a second reading, where it is read, considered and adopted by the City Commission and until the fifteen (15) days has passed after its first reading.

SECTION 5. PUBLICATION. The City Secretary of the City of San Juan is hereby authorized and directed to cause the caption of this ordinance to be published in a newspaper having general circulation in San Juan, Texas, and in accordance with the applicable laws of this State.

SECTION 6. CODIFICATION. The City Secretary is hereby directed to cause this Ordinance to be codified in the Code of Ordinances of the City of San Juan, Texas, and in accordance with the applicable laws of this State.

SECTION 7. SEVERABILITY. If any section, part, or provision of this Ordinance is declared unconstitutional or invalid, by a court of competent jurisdiction, then, in that event, it is expressly provided, and it is the intention of the City Commission in passing this Ordinance that its parts shall be severable and all other parts of this Ordinance shall not be affected thereby and they shall remain in full force and effect.

SECTION 8. REPEALER CLAUSE. This Ordinance shall be cumulative of all other ordinances dealing with the same subject and any provision of any ordinance in direct conflict with any provision of this Ordinance is hereby repealed and the provisions of this Ordinance shall supersede any provisions in conflict herewith; all provisions of any other ordinance not in conflict herewith shall remain in full force and effect.

READ, PASSED AND APPROVED ON FIRST READING at a regular meeting of the City Commission of the City of San Juan, Texas, at which a quorum was present and which was held in accordance with Vernon's Texas Codes Annotated, Government Code, Section 551.041 on the ____ day of August, 2021.

READ, PASSED AND APPROVED IN SECOND READING at a regular meeting of the City Commission of the City of San Juan, Texas, at which a quorum was present and which was held in accordance with Vernon's Texas Codes Annotated, Government Code, Section 551.041 on the ____ day of August, 2021.

CITY OF SAN JUAN, TEXAS

BY: _____
Mario Garza, Mayor

ATTEST:

BY: _____
Diana Cavazos, City Secretary

APPROVED AS TO FORM:

Palacios Garza & Thompson, P.C.

BY: _____
City Attorney



Mayor: Mario Garza
Mayor Pro-Tem: Leonardo "Lenny" Sanchez
Commissioners: Ernesto "Neto" Guajardo
Marco "Markie" Villegas
Adina "Dina" Santillan

To: Benjamin Arjona, City Manager
From: Leroy Gonzales, Director of Finance
Date: August 17, 2021
Subject: Monthly Collection Report – July, 2021

Attached you will find the above referenced monthly tax collection report as submitted by Pablo "Paul" Villarreal Jr., County of Hidalgo, Tax Collector for the City of San Juan, Texas.

According to the property tax code, Section 10 **Reports and Remittances of Other Taxes**, "Each month the collector of taxes for a taxing unit shall prepare and submit to the governing body of the unit a written report made under oath accounting for all taxes collected for the unit during the preceding month".

The following summary is included into this memorandum for information purposes:

SUMMARY OF TAX LEVY COLLECTIONS					
Tax Year	2020	2019	2018	2017	2016
Tax Levy	8,178,632.23	7,793,728.78	7,286,363.64	7,112,363.88	6,638,277.981
Adjustment to date	267,796.38	(31,767.84)	(16,319.15)	(4,985.64)	(19,259.27)
Adjusted Tax Levy	8,446,428.61	7,761,960.94	7,270,044.49	7,107,378.24	6,619,018.74
Collections to date	8,088,931.19	7,396,436.76	6,913,739.06	6,751,777.82	6,232,308.52
Percentage Collected	95.77%	95.29%	95.10%	95.00%	94.16%

A Property Tax Adjustments Report (by account) for the same month and prior months is available from the Finance Department.

If you have any questions, please do not hesitate in calling me at 956-223-2232.

C: Mayor, Mario Garza
Mayor Pro-Tem, Leonardo "Lenny" Sanchez
Commissioners: Ernesto "Neto" Guajardo
Marco "Markie" Villegas
Adina "Dina" Santillan

709 S. Nebraska Ave. • San Juan, Texas 78589-2649
Phone: (956)223-2200 • Fax: (956) 787-5978

**PABLO "PAUL" VILLARREAL JR., ASSESSOR & COLLECTOR
CITY OF SAN JUAN TAXES COLLECTED FOR:
JULY 2021**

COMPARATIVE RATE OF COLLECTIONS

CITY OF SAN JUAN CSJ (37)	ORIGINAL TAX LEVY	COLLECTED TO DATE	DROPPED YRS AFTER PURGE	MODIF. TO DATE	TAXES OUTSTANDING	PERCENT 2020/2021	COLLECTED 2019/2020
2020 TAX ROLL	8,178,632.23	8,088,931.19	-	267,796.38	357,497.42	95.77%	94.49%
2019 & PRIOR YRS ROLLBACK	1,400,520.59	339,774.93	(6,275.65)	(3,996.97)	1,050,473.04	24.44%	21.26%
		10,997.17		12,094.63	1,097.46	90.93%	100.00%
TOTALS	9,579,152.82	8,439,703.29	(6,275.65)	275,894.04	1,409,067.92		

BREAKDOWN OF TAX COLLECTIONS AND FEES FOR THE MONTH OF JULY 2021

	CITY OF SAN JUAN	MONTHLY MODIFICATIONS
CURRENT YEAR-BASE TAX	50,020.49	CURRENT
CURRENT YEAR-P&I	6,991.85	
PRIOR YEARS-BASE TAX	15,888.89	PRIOR
PRIOR YEARS-P&I	6,717.74	
ROLLBACK	10,997.17	ROLLBACK
ROLLBACK P&I	-	
ATTORNEY FEES	9,234.72	(6,275.65) PURGED
TOTAL COLLECTIONS	99,850.86	(6,275.65)
LESS TRANSFERRED	74,306.88	
LESS IN TRANSIT	22,162.10	
LESS DUE TO HCAD COMM. FEE	5.88	
LESS DUE TO CO TREASURER	3,376.00	
BALANCE	-	

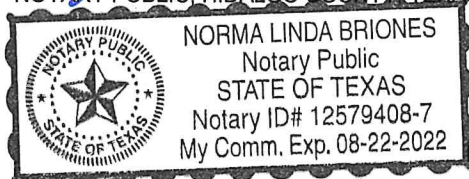
*****AFFIDAVIT*****

I, PABLO "PAUL" VILLARREAL JR., ASSESSOR-COLLECTOR OF TAXES FOR THE CITY OF SAN JUAN, DO SOLEMNLY SWEAR THAT THE ABOVE STATEMENT OF TAXES COLLECTED BY ME FOR THE MONTH OF JULY 2021 IS CORRECT.

ASSESSOR-COLLECTOR OF TAXES FOR CITY OF SAN JUAN, TEXAS

SWORN AND SUBSCRIBED BEFORE ME THIS 10TH DAY OF AUGUST 2021 A.D.

NOTARY PUBLIC, HIDALGO COUNTY, TEXAS



PABLO "PAUL" VILLARREAL JR., ASSESSOR & COLLECTOR
CITY OF SAN JUAN
TAX COLLECTION REPORT
FOR THE MONTH OF JULY 2021

<u>AD VALOREM - CITY OF SAN JUAN</u>	<u>2020-2021</u>	<u>2019-2020</u>	<u>DIFFERENCE</u>
<u>2020 CURRENT</u>			
ORIGINAL LEVY	8,178,632.23	7,793,728.78	384,903.45
MODIFICATIONS	267,796.38	(31,605.07)	299,401.45
CURRENT LEVY	8,446,428.61	7,762,123.71	684,304.90
CURRENT COLLECTIONS THIS MONTH	50,020.49	65,682.32	(15,661.83)
CURRENT COLLECTIONS TO DATE	8,088,931.19	7,334,802.90	754,128.29
OUTSTANDING TO DATE	357,497.42	427,320.81	(69,823.39)
PERCENT COLLECTED/ORIGINAL	98.90%	94.11%	4.79%
PERCENT COLLECTED/MODIFIED	95.77%	94.49%	1.28%
TOTAL COLLECTIONS FISCAL YEAR	8,088,931.19	7,334,802.90	
<u>DELINQUENT</u>			
ORIGINAL LEVY	1,400,520.59	1,392,850.34	7,670.25
MODIFICATIONS	(10,272.62)	(20,095.46)	9,822.84
DELINQUENT LEVY	1,390,247.97	1,372,754.88	17,493.09
DELINQUENT COLLECTIONS THIS MONTH	15,888.89	25,796.75	(9,907.86)
DELINQUENT COLLECTIONS TO DATE	339,774.93	291,825.79	47,949.14
OUTSTANDING TO DATE	1,050,473.04	1,080,929.09	(30,456.05)
PERCENT COLLECTED/ORIGINAL	24.26%	20.95%	3.31%
PERCENT COLLECTED/MODIFIED	24.44%	21.26%	3.18%
TOTAL COLLECTIONS FISCAL YEAR	339,774.93	291,825.79	
<u>ROLLBACK</u>			
ORIGINAL LEVY	0.00	62,463.19	(62,463.19)
MODIFICATIONS	12,094.63	736.97	11,357.66
ROLLBACK LEVY	12,094.63	63,200.16	(51,105.53)
ROLLBACK COLLECTIONS THIS MONTH	10,997.17	736.97	10,260.20
ROLLBACK COLLECTIONS TO DATE	10,997.17	63,200.16	(52,202.99)
OUTSTANDING TO DATE	1,097.46	0.00	1,097.46
PERCENT COLLECTED/ORIGINAL	#DIV/0!	101.18%	#DIV/0!
PERCENT COLLECTED/MODIFIED	90.93%	100.00%	-9.07%
TOTAL COLLECTIONS FISCAL YEAR	10,997.17	63,200.16	

PABLO (PAUL) VILLARREAL, JR., TAX ASSESSOR/COLLECTOR
CITY OF SAN JUAN
TAX COLLECTIONS AS OF JULY 2021

37

REPORT DATE	CURR BASE	CURR P&I	CURR RB	CURR RB P&I	PRIOR BASE	PRIOR P&I	PRIOR RB	ATTY FEES	ATTY RBFEES	TOTAL	TRANS.	DIFF.	DATE OF TRANSF.
1-Jul	274.65	35.88			14.37	6.03		34.52		365.45		365.45	
1-Jul			3,472.99				7,524.18			10,997.17	10,997.17		RB
2-Jul	7,342.66	1,231.26			1,182.31	596.12		1,138.29		10,997.17			
6-Jul	4,778.95	669.28			1,102.62	293.20		365.61		11,490.64			
7-Jul	1,547.89	249.11			669.03	265.57		361.74		7,209.66	15,689.75	11,490.64	12-Jul
8-Jul	761.29	59.75			660.84	272.38		187.60		3,093.34	3,093.34	(8,480.09)	13-Jul
9-Jul	130.59	(59.15)			94.55	23.66		46.23		1,941.86	1,941.86	0.00	14-Jul
12-Jul	1,761.41	215.07			184.93	126.80		248.78		235.88	235.88	-	15-Jul
13-Jul	21.75	0.54			185.48	210.90		59.45		2,536.99	2,536.99	0.00	16-Jul
14-Jul	792.63	142.67			274.89	98.57		168.16		478.12	478.12	(0.00)	19-Jul
15-Jul	1,469.83	161.20			202.95	77.22		200.54		1,476.92	1,476.92	-	20-Jul
16-Jul	4,477.15	769.40			1,782.04	537.53		1,093.12		2,111.74	2,111.74	0.00	21-Jul
19-Jul	2,559.23	390.64			977.09	348.50		566.91		8,659.24	8,659.24	(0.00)	22-Jul
20-Jul	1,220.50	110.44			773.48	285.52		255.49		4,842.37	4,842.37	-	23-Jul
21-Jul	2,190.28	280.85			906.90	260.82		384.83		2,645.43	2,645.43	0.00	26-Jul
22-Jul	1,865.14	281.81			88.42	45.56		297.23		4,023.68	4,023.68	0.00	27-Jul
23-Jul	5,889.63	838.02			1,764.41	981.63		1,198.97		2,578.16	2,578.16	0.00	28-Jul
26-Jul	1,522.73	204.69			231.38	99.24		265.53		10,672.66	10,672.66	(0.00)	29-Jul
27-Jul	2,190.14	275.28			421.23	142.62		351.50		2,323.57	2,323.57	(0.00)	30-Jul
28-Jul	1,371.76	144.00			201.89	62.92		174.11		3,380.77	3,380.77	-	2-Aug
29-Jul	3,743.35	577.08			739.35	269.47		714.75		1,954.68	1,954.68	0.00	3-Aug
30-Jul	4,108.93	414.03			3,430.73	1,713.48		1,121.36		6,044.00	6,044.00	0.00	4-Aug
										10,788.53	10,782.65	5.88	9-Aug
TTL	50,020.49	6,991.85	3,472.99	0.00	15,888.89	6,717.74	7,524.18	9,234.72	0.00	99,850.86	96,468.98	3,381.88	

OVERALL TOTAL	99,850.86
LESS REFUNDS	0.00
LESS HCAD COMM FEES	5.88
LESS COMM/COST (Increased)	3,376.00
BALANCE	96,468.98
LESS TRANSFERRED	74,306.88
LESS TRANSF IN TRANSIT	22,162.10
BALANCE PENDING	0.00

**CITY OF SAN JUAN, TEXAS
AS OF JUNE 2021**

Levy 2020 (20-21 YR)

8,178,632.23	OCT 2020	NOV 2020	DEC 2020	JAN 2021	FEB 2021	MAR 2021	APR 2021	MAY 2021	JUN 2021	JUL 2021	AUG 2021	SEPT 2021
Adjustments	286,189.51	287,603.92	287,434.23	281,486.41	277,644.91	269,697.34	268,515.52	268,245.14	267,796.38	267,796.38	-	-
Adjstd Levy	8,464,821.74	8,466,236.15	8,466,066.46	8,460,118.64	8,456,277.14	8,448,329.57	8,447,147.75	8,446,877.37	8,446,428.61	8,446,428.61	8,178,632.23	7,793,728.78
Collections	130,555.94	684,177.98	3,953,871.77	6,761,511.71	7,363,117.19	7,730,743.55	7,883,151.58	7,958,400.88	8,038,910.70	8,088,931.19	-	-
Percentage	1.54	8.08	46.70	79.92	87.07	91.51	93.32	94.22	95.18	95.77	-	-

Levy 2019 (19-20 YR)

7,793,728.78	OCT 2019	NOV 2019	DEC 2019	JAN 2020	FEB 2020	MAR 2020	APR 2020	MAY 2020	JUN 2020	JUL 2020	AUG 2020	SEPT 2020
Adjustments	(2,881.85)	(8,507.53)	(10,226.02)	(12,344.25)	(8,461.48)	(24,205.85)	(24,205.85)	(26,575.44)	(26,496.84)	(31,605.07)	(31,605.07)	(31,767.84)
Adjstd Levy	7,790,846.93	7,785,221.25	7,783,502.76	7,781,384.53	7,785,267.30	7,769,522.93	7,769,522.93	7,767,153.34	7,767,231.94	7,762,123.71	7,762,123.71	7,761,960.94
Collections	175,292.78	640,774.22	3,552,655.97	6,112,934.56	6,653,965.90	6,935,008.58	7,038,803.16	7,163,810.26	7,269,120.58	7,334,802.90	7,369,890.49	7,396,486.76
Percentage	2.25	8.23	45.64	78.56	85.47	89.26	90.60	92.23	93.59	94.49	94.95	95.29

Levy 2018 (18-19 YR)

7,286,363.64	OCT 2018	NOV 2018	DEC 2018	JAN 2019	FEB 2019	MAR 2019	APR 2019	MAY 2019	JUN 2019	JUL 2019	AUG 2019	SEPT 2019
Adjustments	(1,478.12)	(296.36)	(1,465.69)	(6,625.78)	(9,052.85)	(11,708.08)	(13,529.11)	(14,311.16)	(14,818.41)	(14,818.41)	(14,818.41)	(16,319.15)
Adjstd Levy	7,286,363.64	7,286,067.28	7,284,897.95	7,279,737.86	7,277,310.79	7,274,655.56	7,272,834.53	7,272,052.48	7,271,545.23	7,271,545.23	7,271,545.23	7,270,044.49
Collections	40,446.92	465,847.78	3,420,804.86	5,752,692.83	6,215,142.89	6,505,324.90	6,627,411.69	6,726,104.39	6,801,180.60	6,848,618.95	6,886,059.71	6,913,739.06
Percentage	0.56	6.39	46.96	79.02	85.40	89.42	91.13	92.49	93.53	94.18	94.70	95.10

Levy 2017 (17-18 YR)

7,112,363.88	OCT 2017	NOV 2017	DEC 2017	JAN 2018	FEB 2018	MAR 2018	APR 2018	MAY 2018	JUN 2018	JUL 2018	AUG 2018	SEPT 2018
Adjustments	10,342.19	7,030.81	19,613.03	15,576.11	6,300.15	5,051.36	(822.12)	(3,285.89)	(3,543.48)	(3,543.48)	(4,428.76)	(4,985.64)
Adjstd Levy	7,122,706.07	7,119,394.69	7,131,976.91	7,127,939.99	7,118,664.03	7,117,415.24	7,111,541.76	7,109,077.99	7,108,820.40	7,108,820.40	7,107,935.12	7,107,378.24
Collections	39,756.60	482,899.51	3,199,539.87	5,537,376.14	6,069,205.04	6,342,559.09	6,465,719.48	6,561,382.23	6,639,410.61	6,693,744.82	6,734,386.80	6,751,777.82
Percentage	0.56	6.78	44.86	77.69	85.26	89.11	90.92	92.30	93.40	94.16	94.74	95.00

Levy 2016 (16-17 YR)

6,638,277.98	OCT 2016	NOV 2016	DEC 2016	JAN 2017	FEB 2017	MAR 2017	APR 2017	MAY 2017	JUN 2017	JUL 2017	AUG 2017	SEPT 2017
Adjustments	(2,244.53)	(3,422.70)	(7,758.17)	(10,913.72)	(10,913.72)	(15,052.40)	(16,154.85)	(15,889.62)	(16,537.42)	(16,537.42)	(16,537.42)	(19,259.27)
Adjstd Levy	6,636,033.45	6,634,855.28	6,630,519.81	6,627,364.26	6,627,364.26	6,623,225.58	6,622,123.13	6,622,388.36	6,621,740.56	6,621,740.56	6,621,740.56	6,619,018.71
Collections	38,038.02	484,217.14	2,932,614.30	5,130,709.37	5,593,914.24	5,874,412.22	5,981,376.95	6,063,246.26	6,135,073.86	6,173,392.85	6,211,806.10	6,232,308.52
Percentage	0.57	7.30	44.23	77.42	84.41	88.69	90.32	91.56	92.65	93.23	93.81	94.16

Levy 2015 (15-16 YR)													
6,363,985.51													
Adjustments	OCT 2015	NOV 2015	DEC 2015	JAN 2016	FEB 2016	MAR 2016	APR 2016	MAY 2016	JUN 2016	JUL 2016	AUG 2016	SEPT 2016	
Adjstd Levy	16,923.38	16,343.86	15,174.33	12,248.13	3,359.23	2,743.56	3,689.88	3,689.88	3,643.08	3,453.65	3,453.65	2,492.92	
	6,380,908.89	6,380,329.37	6,379,159.84	6,376,233.64	6,367,344.74	6,366,729.07	6,367,675.39	6,367,675.39	6,367,628.59	6,367,439.16	6,367,439.16	6,366,478.43	
Collections	30,228.48	473,930.57	2,957,041.48	4,868,335.42	5,383,897.22	5,636,678.33	5,759,686.01	5,836,094.81	5,909,114.77	5,945,053.31	5,978,898.45	6,006,559.85	
Percentage	0.47	7.43	46.35	76.35	84.55	88.53	90.45	91.65	92.80	93.37	93.90	94.35	
Levy 2014 (14-15 YR)													
6,062,874.30													
Adjustments	OCT 2014	NOV 2014	DEC 2014	JAN 2015	FEB 2015	MAR 2015	APR 2015	MAY 2015	JUN 2015	JUL 2015	AUG 2015	SEPT 2015	
Adjstd Levy	60,733.51	60,140.93	56,698.99	53,665.41	34,516.60	24,796.93	23,579.34	27,488.04	24,224.31	23,656.24	22,138.85	22,138.85	
	6,123,607.81	6,123,015.23	6,119,573.29	6,116,539.71	6,097,390.90	6,087,671.23	6,086,453.64	6,090,362.34	6,087,098.61	6,086,530.54	6,085,013.15	6,085,013.15	
Collections	16,215.04	492,588.40	2,645,528.79	4,602,715.11	5,106,457.36	5,336,845.78	5,422,212.16	5,505,371.53	5,593,139.34	5,669,786.37	5,702,816.66	5,720,270.90	
Percentage	0.26	8.04	43.23	75.25	83.75	87.67	89.09	90.39	91.89	93.15	93.72	94.01	
Levy 2013 (13-14 YR)													
6,026,969.81													
Adjustments	OCT 2013	NOV 13	DEC 13	JAN 14	FEB 14	MAR 14	APR 14	MAY 14	JUN 14	JUL 2014	AUG 2014	SEPT 14	
Adjstd Levy	(34.83)	4,339.90	2,590.79	(5,378.19)	(6,015.81)	(8,260.56)	(11,819.73)	(8,375.80)	(12,883.52)	(15,059.23)	(15,348.77)	(16,498.87)	
	6,026,934.98	6,031,309.71	6,029,560.60	6,021,591.62	6,020,954.00	6,018,709.25	6,015,150.08	6,018,594.01	6,014,086.29	6,011,910.58	6,011,621.04	6,010,470.94	
Collections	32,279.62	601,876.01	2,596,943.90	4,373,398.17	4,986,813.44	5,265,476.99	5,363,199.71	5,431,795.38	5,510,781.54	5,573,532.08	5,598,332.25	5,620,809.41	
Percentage	0.54	9.98	43.07	72.63	82.82	87.49	89.16	90.25	91.63	92.71	93.13	93.52	
Levy 2012 (12-13 YR)													
5,863,668.66													
Adjustments	OCT 2012	NOV 12	DEC 12	JAN 13	FEB 13	MAR 13	APR 13	MAY 13	JUN 13	JUL 2013	AUG 2013	SEP 13	
Adjstd Levy	-	5,863,668.66	7,624.63	8,071.65	6,337.14	25,567.07	(6,855.00)	(7,107.30)	(13,669.36)	(13,669.36)	(14,510.29)	(15,355.04)	
	5,863,668.66	5,863,668.66	5,871,293.29	5,871,740.31	5,870,005.80	5,889,235.73	5,856,813.66	5,856,561.36	5,849,999.30	5,849,999.30	5,849,158.37	5,848,313.62	
Collections	2,857.95	394,574.30	2,403,399.43	4,142,161.70	4,771,528.55	5,056,363.27	5,208,931.41	5,298,704.35	5,376,134.09	5,421,008.00	5,450,025.91	5,464,167.23	
Percentage	0.05	6.73	40.93	70.54	81.29	85.86	88.94	90.47	91.90	92.67	93.18	93.43	
Levy 2011 (FY 11-12)													
5,807,342.89													
Adjustments	Oct 11	Nov 11	Dec 11	Jan 12	Feb 12	Mar 12	Apr 12	May 12	Jun 12	JUL 2012	AUG 2012	Sept 12	
Adjstd Levy	(434.68)	9,757.00	7,191.02	6,935.04	6,744.28	2,616.92	1,327.13	(8,800.15)	(8,800.15)	(8,800.15)	(8,800.15)	(16,234.68)	
	5,806,908.21	5,817,099.89	5,814,533.91	5,814,277.93	5,814,087.17	5,809,959.81	5,808,670.02	5,798,542.74	5,798,542.74	5,798,542.74	5,798,542.74	5,791,108.21	
Collections	25,371.26	392,871.83	2,396,193.95	4,155,865.79	4,708,746.12	4,965,341.54	5,065,102.65	5,150,088.82	5,222,129.74	5,277,964.33	5,311,263.11	5,330,189.09	
Percentage	0.44	6.75	41.21	71.48	80.99	85.46	87.20	88.82	90.06	91.02	91.60	92.04	
Levy 2010 (FY 10-11)													
5,689,359.60													
Adjustments	Oct 10	Nov 10	Dec 10	Jan 11	Feb 11	Mar 11	Apr 11	May 11	Jun 11	Jul 11	Aug 11	Sept 11	
Adjstd Levy	(369.63)	(2,132.72)	(365.30)	(4,388.62)	(4,901.42)	(5,178.87)	(6,706.52)	(2,962.02)	(4,257.62)	(11,079.53)	(11,173.60)	(11,810.88)	
	5,688,989.97	5,687,226.88	5,688,994.30	5,684,970.98	5,684,458.18	5,684,180.73	5,682,653.08	5,686,397.58	5,685,101.98	5,678,280.07	5,678,186.00	5,677,548.72	
Collections	11,208.32	303,322.85	2,229,933.43	3,961,301.50	4,493,973.39	4,795,345.18	4,910,935.95	5,002,794.49	5,110,911.55	5,160,040.97	5,182,936.93	5,202,931.77	
Percentage	0.20	5.33	39.20	69.68	79.06	84.36	86.42	87.98	89.90	90.87	91.28	91.64	

Levy 2009 (FY 09-10)												
5,701,885.79	OCT 09	NOV 09	DEC 09	JAN 10	FEB 10	MAR 10	APR 10	MAY 10	JUN 10	JUL 10	AUG 10	SEP 10
Adjustments	-	7,424.84	16,530.13	14,684.93	14,684.93	(14,062.27)	(15,130.69)	(14,892.39)	(21,523.95)	(22,109.34)	(23,755.08)	(24,108.71)
Adjusted Levy	5,701,885.79	5,709,310.63	5,718,415.92	5,716,570.72	5,716,570.72	5,687,823.52	5,686,755.10	5,686,993.40	5,680,361.84	5,679,776.45	5,678,130.71	5,677,777.08
Collections	20,202.08	312,328.39	2,062,388.58	3,825,229.28	4,409,951.58	4,628,745.47	4,740,932.15	4,854,551.44	4,950,637.34	5,007,393.58	5,051,197.80	5,080,118.00
Percentage	0.35	5.47	36.07	66.91	77.14	81.38	83.37	85.36	87.15	88.16	88.96	89.47
Levy 2008 (FY 08-09)												
5,024,376.42	OCT 08	NOV 08	DEC 08	JAN 09	FEB 09	MAR 09	APR 09	MAY 09	JUN 09	JUL 09	AUG 09	SEP 09
Adjustments	2,627.82	36,019.13	60,676.90	60,676.90	52,123.47	29,177.11	27,155.50	23,864.16	23,055.80	23,055.80	23,047.86	22,638.15
Adjusted Levy	5,027,004.24	5,060,395.55	5,085,053.32	5,085,053.32	5,076,499.89	5,053,553.53	5,051,531.92	5,048,240.58	5,047,432.22	5,047,432.22	5,047,424.28	5,047,014.57
Collections	58,594.96	304,883.37	1,731,394.12	3,322,372.84	3,910,956.49	4,110,332.08	4,204,850.46	4,313,453.83	4,404,354.93	4,469,283.70	4,497,381.41	4,525,948.61
Percentage	1.17	6.02	34.05	65.34	77.04	81.34	83.24	85.44	87.26	88.55	89.10	89.68
Levy 2007 (FY 07-08)												
4,465,732.01	OCT 07	NOV 07	DEC 07	JAN 08	FEB 08	MAR 08	APR 08	MAY 08	JUN 08	JUL 08	AUG 08	SEP 08
Adjustments	5,634.29	25,650.41	26,468.55	26,317.38	23,912.91	53,985.03	70,876.85	70,208.10	75,527.65	75,857.78	75,857.78	71,443.44
Adjusted Levy	4,471,366.30	4,491,382.42	4,492,200.56	4,492,049.39	4,489,644.92	4,519,717.04	4,536,608.86	4,535,940.11	4,541,259.66	4,541,589.79	4,541,589.79	4,537,175.45
Collections	-	174,014.26	1,414,513.24	2,700,830.81	3,404,823.73	3,610,562.37	3,725,312.50	3,818,853.23	3,936,124.72	3,996,774.34	4,047,092.33	4,084,101.82
Percentage	-	3.87	31.49	60.12	75.84	79.88	82.12	84.19	86.67	88.00	89.11	90.01
Levy 2006 (FY 06-07)												
3,969,895.75	OCT 06	NOV 06	DEC 06	JAN 07	FEB 07	MAR 07	APR 07	MAY 07	JUN 07	JUL 07	AUG 07	SEP 07
Adjustments	652.70	3,094.18	3,880.78	2,673.19	2,956.92	1,511.22	1,882.04	4,476.77	4,476.77	4,196.49	3,820.62	3,820.62
Adjusted Levy	3,970,548.45	3,972,989.93	3,973,776.53	3,972,568.94	3,972,852.67	3,971,406.97	3,971,777.79	3,974,372.52	3,974,372.52	3,974,092.24	3,973,716.37	3,973,716.37
Collections	7,623.95	256,052.80	1,252,142.50	2,367,711.39	2,955,181.63	3,152,274.42	3,241,653.45	3,311,256.82	3,396,702.55	3,450,406.31	3,507,247.07	3,543,750.21
Percentage	0.19	6.44	31.51	59.60	74.38	79.37	81.62	83.32	85.47	86.82	88.26	89.18
Levy 2005 (FY 05-06)												
3,624,334.79	OCT 05	NOV 05	DEC 05	JAN 06	FEB 06	MAR 06	APR 06	MAY 06	JUN 06	JUL 06	AUG 06	SEP 06
Adjustments	11,601.05	27,324.77	27,418.24	26,296.99	25,427.27	25,748.58	25,804.16	25,728.96	25,963.46	25,963.46	25,282.63	24,069.10
Adjusted Levy	3,635,935.84	3,651,659.56	3,651,753.03	3,650,631.78	3,649,762.06	3,650,083.37	3,650,138.95	3,650,063.75	3,650,298.25	3,650,298.25	3,649,617.42	3,648,403.89
Collections	235,068.44	1,216,067.43	1,485,867.17	2,145,921.90	2,680,117.58	2,859,160.58	2,942,344.67	3,001,789.83	3,069,943.94	3,123,142.83	3,160,234.59	3,184,175.39
Percentage	6.47	33.30	40.69	58.78	73.43	78.33	80.61	82.24	84.10	85.56	86.59	87.28
PREPARED BY: Leroy Gonzales												August 17, 2021