

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

April 04, 2018

A Regular Meeting of the Harlingen Elective Commission was held on April 4, 2018 at 5:30 p.m., City Hall, Town Hall Meeting Room, 2nd Floor, 118 E. Tyler Street, Harlingen, Texas. Those in attendance were:

Mayor and Commissioners

Chris Boswell, Mayor
Michael Mezmar, Mayor Pro-Tem, District 3
Richard Uribe, City Commissioner, District 1
Tudor Uhlhorn, City Commissioner, District 2
Ruben de la Rosa, City Commissioner, District 4
Victor Leal, City Commissioner, District 5

Staff Present

Dan Serna, City Manager
Amanda C. Elizondo, City Secretary
Ric Navarro, City Attorney

Mayor Boswell called the meeting to order and announced the meeting was duly posted according to State Law. The following proceedings were held:

Invocation/Commissioner Victor Leal

Pledge of Allegiance/Welcome

Mayor Boswell read and presented the following proclamations to the CDBG Board Members: Lupita Muniz, Tina Puente, Elaine Flores, and Cesar Morales.

- 1) Proclamation – proclaiming the week of April 2nd through April 6th, 2018 as “Community Development Block Grant Week.”
- 2) Proclamation – proclaiming the month of April, 2018 as “Fair Housing Month.”

Mayor Boswell congratulated them and expressed his sincere appreciation for the continuing services that they provided to the community. It is uplifting to see the results when a family is placed in a home through the efforts of the CDBG Board to ensure citizens have a good home.

- 3) Approval of Minutes
 - a) Regular Meeting of March 7, 2018

Motion was made by Commissioner Uhlhorn and seconded by Commissioner De La Rosa to approve the minutes of March 7, 2018. Motion carried unanimously.

- 4a) Second and final reading to approve and adopt an ordinance to rezone from Residential, Triplex and Quadruplex (“M-1”) District to Residential, Multi-Family (“M-2”) District for Lots 1 and 2, Block 1, Adams Treasure Subdivision located at the northeast corner of 7th Street and Vinson Avenue. Applicant: Town and Country Homes, c/o Armando Elizarde.
- b) Second and final reading to approve and adopt an ordinance to rezone from Not Designated (“N”) District to Residential, Single Family (“R-1”) District for 19.75 acres of land out of Block 139, Adams Gardens Subdivision “C” located on the west side of Tamm Lane north of Hughes Road. Applicant: Moore Land Surveying.
- c) Second and final reading to approve and adopt an ordinance to rezone from Residential Single Family (“R-1”) District to Residential Duplex (R-2) for 7.56 acres of land situated in and being 7.336 acres at Block 160, and 0.224 acres in Drain ROW, Adams Gardens Subdivision “C” located on FM 800 south of Hick Hill Road. Applicant: Moore Land Surveying.
- d) Second and final reading to approve and adopt an ordinance to rezone from Light Industry (“LI”) District to General Retail (“GR”) District for Lots 1-12, Block 5, and Lots 1-13, Block 8, Commercial Heights Subdivision and Lots 18-25, Block 4, Duerson and Hasselmeier Subdivision and Lots 1-10, Block 1, “L” Street, Hurst Subdivision generally

located between Monroe and Jackson Avenues, west of "L" Street. Applicant: City of Harlingen.

- e) Consideration and possible action to approve a request from Ms. Cindy Lerma to close the Intersection of West Liberty and South Dakota Streets to the alleyway before Colorado Street, Saturday, April 21, 2018 from 3:00 p.m. to 10:00 p.m. for her daughter's 6th Birthday Celebration.
- f) Consideration and possible action to approve a request from the Downtown Harlingen Office for street closures for the 11th Annual Jackson Street Classic Car Show, Saturday, April 14, 2018 from 7:00 a.m. to 3:00 p.m.
- g) Consideration and possible action to approve a request from the Harlingen – San Benito MPO Transportation Planner for street closures for the Viva Streets Harlingen 5K Adventure Run/Walk Event on Friday, April 13, 2018 from 5:30 p.m. to 8:30 p.m.

Mayor Boswell removed Item 4a from the consent agenda and entertained a motion for Items 4(b) through (g).

Motion was made by Commissioner Leal and seconded by Commissioner de la Rosa to approve Items 4 (b) through (g). Motion carried unanimously.

For the record, Mayor Boswell relinquished his chair and exited the meeting room to avoid "an appearance of impropriety." He signed an Affidavit on Abstention from Voting Form. The form is filed in the City Secretary's Office.

Mayor Pro-Tem Mezmar continued with Item 4 (a) of the consent agenda.

Motion was made by Commissioner Leal and seconded by Commissioner Uhlhorn to approve the consent agenda Item 4 (a). Motion carried unanimously.

Mayor Boswell returned to the meeting room and proceeded with Item No. 5.

- 5) Consideration and possible action to approve an ordinance on first reading approving a negotiated resolution between the City of Harlingen and Texas Gas Service regarding the cost of service adjustment tariff filing.

Gabriel Gonzalez, Asst. City Manager stated Texas Gas Service (TGS) filed a statement of Intent to increase base rates with the cities in its Rio Grande Valley Service Area on June 2017. The Federal Tax Cuts and Jobs Act of 2017 passed and TGS will reduce the corporate rate beginning on March 27, 2018. TGS will also provide a refund in the form of a credit to its Rio Grande Valley customers from the period of January through March, 2018 totaling \$386,650.

Rebecca Hayward, Asst. City Attorney read the caption of the ordinance.

Motion was made by Commissioner Uribe and seconded by Commissioner Uhlhorn to approve an ordinance on first reading approving a negotiated resolution between the City of Harlingen and Texas Gas Service regarding the cost of service adjustment tariff filing. Motion carried unanimously.

- 6) Consideration and possible action to authorize the Harlingen Police Department to purchase 18 ballistic vests for the HPD Swat Team and 4 active shooter ballistic vests for the Harlingen International Airport Police Department for \$58,311.20.

Deputy Chief, Hector Leal with the Harlingen Police Department stated they would like to purchase 18 rifle-resistant tactical ballistic vests for the Harlingen Police Dept. Swat Team and four (4) active shooter ballistic vests for the Valley International Airport Police Department at a total cost of \$58,311.20. He stated \$50,400 was funded by the Rifle-Resistant Body Armor Grant Program and \$7,911.20 was funded by the State or Federal Forfeiture Funds to purchase the body armor to replace the worn and expired ones and provide four (4) ballistic vests to the Valley International Airport officers.

Motion was made by Commissioner Uribe and seconded by Commissioner De La Rosa to authorize the Harlingen Police Department to purchase 18 ballistic vests for the HPD Swat Team and four (4) active shooter ballistic vests for the Harlingen International Airport Police Department for \$58,311.20.

- 7) Consideration and possible action to adopt a resolution to authorize the transfer of real property located at 315 W. Washington to a non-profit organization (Habitat for Humanity) to construct a single family home for a low income family.

Tammy Jackson, Community Development Director stated there is a vacant property at 315 W. Washington which needed to meet eligible CDBG activity and Habitat for Humanity agreed to partner with the City to construct a single family home on the property for a low to moderate income family.

Motion was made by Commissioner Leal and seconded by Commissioner Uhlhorn to authorize the transfer of real property located at 315 W. Washington to a non-profit organization (Habitat for Humanity) to construct a single family home for a low income family. Motion carried unanimously.

- 8) Consideration and possible action to approve the proposed rental rates for the Harlingen Convention Center.

Brandon Raney with BCLR Convention Services, LLC stated he was present to recap what had been presented to the City Commission on the proposed rental rates. Approximately a month ago they had presented a preliminary marketing plan which included the proposed rates for the convention center. Since then his group had been working with City staff and the consultant from HVS Consultants to refine the rental rates. They had done some rate comparisons with some local and regional competitors. The City engaged the services of HVS Consultants to do a back check on what they had done on about 20 facilities around the state comparable to the City's proposed convention center. They had incorporated the comments from the consultant into their final analysis.

Motion was made by Commissioner Uribe and seconded by Commissioner Uhlhorn to approve the proposed rental rates for the Harlingen Convention Center. Motion carried unanimously.

- 9) Consideration and possible action to approve the rental contract for rental of the Harlingen Convention Center.

Motion was made by Commissioner Mezmar and seconded by Commissioner De La Rosa to approve the proposed rental rates for the Harlingen Convention Center. Motion carried unanimously.

- 10) Board Appointments

None

- 11) Executive/Closed Session on the following items:

- a) pursuant to Section 551.071, Texas Gov't Code to consult with the City Attorney in connection with the MPO Merger.
- b) pursuant to Tex. Gov't Code Sec. 552.071(2) on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with this chapter; Tex. Gov't Code Sec. 551.072 regarding the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the City of Harlingen in negotiations with a third person; and Tex. Gov't Code Sec. 551.087(1) to discuss or deliberate regarding commercial or financial information that the City of Harlingen has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations related to the operation of the University Articulation and Career Center.
- c) pursuant to Tex. Gov't Code Sec. 551.087(1) to discuss or deliberate regarding commercial or financial information that the City of Harlingen has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations related to Cardone Industries.

At 5:50 p.m., Mayor Boswell announced the City Commission would convene into executive session to discuss Item 11 (a) through (c).

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to convene into executive session to discuss Item 11 (a) through (c). Motion carried unanimously.

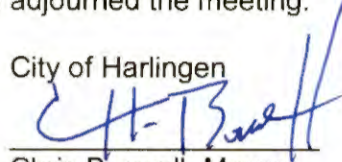
At 6:49 p.m., Mayor Boswell announced the City Commission had completed its executive session and declared the meeting open to the public.

12) Citizen Communication

None

There being no further business to discuss, Mayor Boswell adjourned the meeting.

City of Harlingen



Chris Boswell, Mayor

ATTEST:



Amanda C. Elizondo, City Secretary