

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

November 20, 2019

A Meeting of the Harlingen City Commission was held November 20, 2019 at 5:30 p.m., City Hall, Town Hall Meeting Room, 118 E. Tyler Street, Harlingen, Texas. Those in attendance were:

Mayor and Commissioners

Mayor Chris Boswell
Michael Mezmar, Mayor Pro-Tem, District 3
Richard Uribe, Commissioner, District 1
Frank Puente, Commissioner, District 2
Ruben De La Rosa, Commissioner, District 4
Victor Leal, Commissioner, District 5

City Staff

Dan Serna, City Manager
Mayra V. Herrera, Assistant City Secretary
Rebecca Hayward, Assistant City Attorney

Invocation/Mayor Pro-Tem Michael Mezmar

Pledge of Allegiance/Welcome

Mayor Boswell recited the Pledge of Allegiance and welcomed those in attendance.

Called Meeting to Order

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

Citizen Communication / Input

- Eduard Rocha – 538 Lake Drive – Tony Butler Golf Course
- Ron Lozano – 2410 Riverside Drive – Agenda Item No. 1

1) Presentation by Ric Navarro, City Attorney, regarding the duties and functions of the Legal Department.

Ric Navarro, City Attorney, stated the City Attorney is a charter position and hired through a contractual arrangement. The contract requires them to provide the City's legal services across the board in all matters through the existing legal department budget which was established when the City had two (2) in-house city attorneys. They have remained stabled for the last three (3) years. The firm has been able to work within the allowable budget to provide the services. The San Antonio and Austin Firms provide staff whenever accessible for assistance. The City Attorney is appointed by the governing body and the firm's relationship is with the elected officials and top administrative staff and is an attorney-client relationship with a public corporation. They are governed by the Texas Rules of Disciplinary conduct which defines how the firm works for the City. They represent the local government and assist in general counsel and litigation matters.

2) Approval of Minutes

a) Regular Meeting of October 2nd, 2019

Motion was made by Commissioner Puente and seconded by Commissioner Leal to approve the minutes of October 2nd, 2019. Motion carried unanimously.

3a) Consideration and possible action to approve a request from the Harlingen Chamber of Commerce to close the following sections of roadways / streets for the Fall Festival to be held at Lon C. Hill Park on Fair Park Blvd., Saturday, November 23, 2019 from 4:00 p.m. to 10 p.m.

- L St. the W. Adams St. Intersection
- L St. closed at the Fair Park Blvd. Intersection
- Fair Park Blvd. at the L St. Intersection

- Auditorium Driveway at Fair Park Blvd. on the west side of the Auditorium
- Auditorium Parking Lots entrance/exits on Fair Park Blvd.
- Fair Park Blvd. at the N. J St. Intersection
- Parking Lot entrance/exit to the Harlingen Community Theatre on N. J. ST.

Motion was made by Commissioner Leal and seconded by Commissioner Puente to approve Item 3 (a) under the Consent Agenda. Motion carried unanimously.

- 4) Consideration and possible action to allow a license to encroach 14.5 ft. by approximately 412 ft. out of the south side right-of-way along Bowie Avenue adjacent to Block 7, Clift Addition, located at 1417 E. Austin Avenue. Applicant: Tracy Lamon, c/o St. Alban's Episcopal Church and School.

Xavier Cervantes, Planning and Development Director, stated Tracy Lamon, in c/o of St. Alban's Episcopal Church and School; applicant, is requesting a license to encroach 14 ft. by approximately 412 ft. out of the south side right-of-way along Bowie Avenue to establish legal authority as to who could park on the existing parking spaces during school hours. There is an existing church and school on the property. The school was constructed August 1974. The property has 306 ft. of frontage on High Street and 790 ft. of frontage on Austin and Bowie Avenue. There are 44 parking spaces adjacent to the north side of the property located on 14.5 ft. of the remaining right-of-way to the south of Bowie Avenue. Bowie Avenue is a two (2) lane 31 ft. wide street with curb and gutter and dead ends east of High Street. The surrounding land use on the north side of Bowie Avenue east of High Street consists of single family homes. The request was reviewed by the Engineering Department and the appropriate utility companies and they had no objections subject to the Engineering Department's request that the licensee maintaining the lot.

Motion was made by Commissioner Uribe and seconded by Commissioner Leal to allow a license to encroach 14.5 ft. by approximately 412 ft. out of the south side right-of-way along Bowie Avenue adjacent to Block 7, Clift Addition, located at 1417 E. Austin Avenue. Motion carried unanimously.

- 5) Consideration and possible action to authorize staff to proceed with disposing of surplus properties.

Joel Garza, Special Projects Director, stated the City of Harlingen has acquired a number of properties for various reasons including right-of-ways, economic development, easements, etc. The City owns a surplus of properties and staff recommends disposing of them by either an auction or the bidding process. This would generate some revenue place the properties on the tax role. The properties for consideration are as follow based on the information provided by the Cameron County Appraisal District.

PROPERIES ID NUMBERS

64230, 64229, 64228, 64233, 72157, 72341,
72395, 74045, 76870, 79102, 80812, 83330, 83329.

A short discussion was held regarding whether or not the property between Harrison and Tyler Avenue was private or not and the cost to obtain an appraisal of the property.

Mr. Garza responded the property in question is private and he did not have an appraisal of the property.

Motion was made y Commissioner Puente and seconded by Commissioner Leal to authorize staff to proceed with the disposition of the surplus properties. Motion carried unanimously.

- 6) Consideration and possible action to change the primary and alternate appointments from the City of Harlingen to the Technical Advisory Committee (TAC) of the Rio Grande Valley Metropolitan Planning Organization (RGVMPO).

Dan Serna, City Manager, stated on July 2, 2019 the City Commission approve the appointment of Gabriel Gonzalez, Asst. City Manager, as the primary member, and Carlos Sanchez, Asst. City Manager, as the alternate member, to serve on the Technical Advisory Committee. Staff is recommending changing the TAC appointments to allow Joel Garza to serve as the primary member, and Gabriel Gonzalez, Asst. City Manager, to serve as the alternate member. Mr. Garza served as the previous MPO Director and has the experienced on the MPO process. Mr. Sanchez will continue to provide project information as needed.

Motion was made by Commissioner Leal and seconded by Commissioner Puente to change the primary and alternate appointments in the Technical Advisory Committee (TAC) of the Rio Grande Valley Metropolitan Planning Organization (RGVMPO), primary member from Gabriel Gonzalez to Joel Garza and Carlos Sanchez, alternate member to Gabriel Gonzalez. Motion carried unanimously.

7) Consideration and possible action to accept or reject bids and award contract for the Jefferson Drain Ditch Repair Project under Bid No. 2020-02.

Andy Vigstol, City Engineer, stated this project is for the rehabilitation of the existing concrete line drainage ditch, which was damaged during the storm events of June 2018 and June 2019. The project consists of removing and replacing the damaged concrete panels, installation of new curb and gutter, chain link fence, and roadway repair along Jefferson Road within the limits of 21st and 25th Street adjacent to Bonham Elementary School, an estimated net length of 0.23 miles. The City solicited sealed bids and received three bids for this project. On October 8, 2019 a pre-bid conference was held and on October 17, 2019, staff opened the bids. All three (3) bidders that submitted a bid attended the pre-bid conference. Diamond Eight Industries, lowest bidder, failed to recognize the addendum; submitted a non-responsive bid and was disqualified. After tabulation of the bids and review of the contractor's qualifications, staff is recommending awarding the project to the lowest responsible bidder; GO Underground, LLC for \$278,895. This company has worked for TxDOT, City of Weslaco, and has 20 years of doing this business. They worked with concrete and are insured. Staff will be conducting the engineering work on this project.

Motion was made by Commissioner Leal and seconded by Commissioner Puente to award the contract for the Jefferson Drain Ditch Repair Project under Bid No. 2020-02 to GO Underground, LLC for \$278,895. Motion carried unanimously.

8) Consideration and possible action to change the Regular City Commission Meetings of January 1st to January 8th, and January 15th to January 22nd, 2020 due to the Holidays.

Mr. Serna recommended canceling the first City Commission meeting of January 1st, 2020 due to the holidays and leave the regular City Commission meeting of January 15th, 2020 as scheduled.

Motion was made by Mayor Pro-Tem Mezmar and seconded by Commissioner Puente to cancel the first meeting of January 1, 2020 and leave the January 15, 2020 as scheduled. Motion carried unanimously.

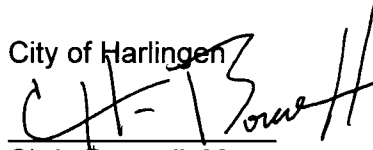
9) Board Appointments

Commissioner Leal reappointed Shelly Mitchell to the Animal Shelter Advisory Committee, Ernesto Flores to the Zoning Board of Adjustments and appointed Kristin Appell to the Museum Advisory Board to replace Brent Hunter.

Motion was made by Commissioner Puente and seconded by Mayor Pro-Tem Mezmar to approve the reappointment of Shelly Mitchell to the Animal Shelter Advisory Committee, Ernesto Flores to the Zoning Board of Adjustments, and the appointment of Kristin Appell to the Museum Advisory Board. Motion carried unanimously.

Adjournment

There being no other business to discuss, Mayor Boswell adjourned the meeting at 6:05 p.m.

City of Harlingen

Chris Boswell, Mayor

ATTEST:


Mayra Hererra, Asst. City Secretary