

CITY COMMISSION

SPECIAL MEETING

HARLINGEN, TEXAS

September 24, 2014

A Special Meeting of the Harlingen Elective Commission was held on Wednesday, September 24, 2014 at 5:30 p.m. in Town Hall, City Hall, 118 E. Tyler Street Harlingen, Texas. Those in attendance were:

Mayor and Commissioners

Mayor Chris Boswell
Mayor Pro-Tem Victor Leal, District 5
Danny Castillo, District 1
Tudor Uhlhorn, District 2
Michael Mezmar, District 3
Basilio "Chino" Sanchez, District 4

Staff Present

Carlos Yerena, City Manager
Amanda C. Elizondo, City Secretary
Richard Bilbie, City Attorney

Mayor Boswell called the meeting to order and stated the meeting had been duly posted according to state law.

CONSENT AGENDA

- 1a) Second and final reading to approve and adopt an ordinance to amend the City of Harlingen Subdivision Ordinance No. 07-28, 4.1.6., Sidewalks, to require sidewalks on all local streets.
- b) Second and final reading to approve and adopt an ordinance to amend the City of Harlingen Zoning Ordinance No. 07-27, Section 13, Sidewalk regulations, to eliminate the provision which states that a sidewalk is not required on a new commercial construction when fifty percent or more of the frontage on a street on any block is improved with buildings that do not have a sidewalk.
- c) Second and final reading to approve and adopt an ordinance for a Specific Use Permit "SUP" to allow an adult business (tattoo shop) in a General Retail ("GR") District located at 1837 W. Tyler Avenue, Suite 2 bearing a legal description of Part of the West Part of Lot 1, Block 1, Harlingen- Holiday Subdivision.
- d) Consider and take action to approve a request from the Rotting Flesh Factory to close West Van Buren Avenue between "E" and "F" Streets and the alley adjacent to the street closure to operate a walk-through haunted house attraction from 5:00 p.m. to 1:00 a.m. on the following dates: September 26 & 27; October 3, 4, 5, 10, 11, 12, 17, 18, 19, 24, 25, 26, 26, 30, 31; November 1, 2014.

Mayor Boswell entertained a motion to table Items No. 1(a) and (b) from the consent agent.

Motion was made by Commissioner Castillo and seconded by Commissioner Uhlhorn to table Items No. 1 (a) and (b) from the consent agenda. Motion carried unanimously.

Motion was made by Mayor Pro-Tem Leal and seconded by Commissioner Mezmar to approve Items No. 1 (c) and (d) under the consent agenda. Motion carried unanimously.

For the record, the caption of Ordinance No. 14-40 read as followed:

ORDINANCE 14-40

AN ORDINANCE AMENDING THE ZONING ORDINANCE (ORDINANCE NO. 07-27) OF THE CITY OF HARLINGEN TO ISSUE A SPECIFIC USE PERMIT TO STEVEN R. ARANDA TO ALLOW AN ADULT BUSINESS (TATTOO STUDIO) IN A GENERAL RETAIL ("GR") DISTRICT LOCATED AT 1837 W TYLER SUITE 2, BEARING A LEGAL DESCRIPTION OF PART OF THE WEST PART OF LOT 1, BLOCK 1, HARLINGEN-HOLIDAY SUBDIVISION SUBJECT TO: (1) MAINTAINING THE REQUIRED OFF STREET PARKING SPACES; (2) OBTAINING AND MAINTAINING THE PROPER PERMITS FROM THE CITY AND STATE; AND (3) COMPLY WITH REQUIREMENTS ADMINISTERED BY THE PLANNING, BUILDING INSPECTIONS, POLICE AND FIRE PREVENTION DEPARTMENTS; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FORGOING.

PASSED AND APPROVED on first reading this 17th day of September, 2014

PASSED AND APPROVED on second and final reading this 24th day of September, 2014

City of Harlingen
/s/ Mayor Chris Boswell

ATTEST:

/s/ Amanda C. Elizondo, City Secretary

- 2) Consider and take action to approve the Fire Protection Service Contracts with the Cities of Combes, Primera, and Palm Valley to provide fire protection services at the following cost for each city (Combes - \$63,594; Primera - \$97,758.91; and Palm Valley - \$115,225.45) for Fiscal Year 2014-2015.

Roy Rubio, Fire Chief stated the rate to provide fire protection services to the cities of Combes, Primera, and Palm Valley was .10 cents per \$100 valuation based on the Cities 2014 Certified Net Taxable Value. Each of the cities reviewed the contracts and agreed to the terms of the contracts. The annual rate for each of the cities for Fiscal Year 2014-2015 was as follows: Combes - \$63,594.85; Primera - \$97,758.91; and Palm Valley - \$115,224.45. Chief Rubio recommended approval of the contracts.

Motion was made by Commissioner Sanchez and seconded by Commissioner Castillo to approve the Fire Protection Service Contracts between the City of Harlingen and the Cities of Combes, Primera, and Palm Valley. Motion carried unanimously.

- 3) Consider and take action to approve the Fire Protection Contract with Cameron County Emergency Services District No. 1 for Fiscal Year 2014-2015.

Chief Rubio stated the Proposed Fire Contract between the City of Harlingen and Cameron County ESD No.1 for Fiscal Year 2014-2015 would be \$133,568.21 to provide fire protection services. As per the contract, four quarterly payments would be made to the City of Harlingen of \$33,392.05 on or about December 30th, March 31st, June 30th and September 30th. Chief Rubio recommended approval of the contract.

Motion was made by Commissioner Sanchez and seconded by Commissioner Uhlhorn to approve the Fire Protection Contract between the City of Harlingen and Cameron County Emergency Services District No. 1. Motion carried unanimously.

- 4) Consider and take action to approve naming the multi-purpose trail at the Pendleton Park as "Harlingen Hometown Heroes"

Javier Mendez, Parks and Recreation Director stated the Park Advisory Board received a request to name the trail at Pendleton Park as "Harlingen Hometown Heros". On September 11, 2014, the Harlingen Veterans Advisory Board placed the item on their agenda for consideration, but due to a lack of quorum, no action was taken. The Veterans Advisory Board Chairman

indicated that the members present at the meeting supported the proposed name for the trail. In addition to naming the trail, the Parks Department would be adding wheelchair accessible exercise equipment along the trail near the Veterans Park. The funding was through a grant from the University of Texas School of Public Health. The Parks and Recreation Department had supplemented the cost of the equipment. Mr. Mendez recommended approval of the proposed name.

Motion was made by Mayor Pro-Tem Leal and seconded by Commissioner Mezmar to approve the naming of the multi-purpose trail at Pendleton Park as "Harlingen Hometown Heroes." Motion carried unanimously.

- 5) Consider and take action to approve the recommendation of the Audit Committee on the selection of the External Auditing Services.

Elvia Trevino, Finance Director stated the Auditing Services Contract expired September 30, 2014. The City solicited proposals and received three proposals from Belt Harris & Pechacek, Long Chilton, LLP and White, Samaniego & Campbell. The Audit Committee met on September 22, 2014 to review the qualifications of the firms and based on their review recommended Long Chilton, LLP for External Auditing Services for three years.

Motion was made by Commissioner Castillo and seconded by Commissioner Uhlhorn to approve the recommendation of Long Chilton, LLP for External Auditing Services. Motion carried unanimously.

- 6) Closed/Executive Session pursuant to Chapter 551, Subchapter D. V.T.C.A., Government Code, Section 551.071 consultation with the City Attorney to seek advice regarding legal issues related to changes in the consulting agreement between the City of Harlingen and Terral Smith and Williams Yarnell.

At 5:39 p.m., Mayor Boswell announced the City Commission would convene into executive session to discuss Item No. 6.

Motion was made by Commissioner Mezmar and seconded by Mayor Pro-Tem Leal to go into executive session to discuss Item No. 6. Motion carried unanimously.

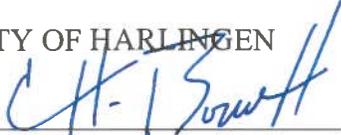
At 5:47 p.m., Mayor Boswell announced the City Commission had completed its executive session and declared the meeting open to the public.

- 7) Consider and take action to approve the consulting service agreement between the City of Harlingen and Terral Smith and William Yarnell.

Motion was made by Commissioner Uhlhorn and seconded by Commissioner Mezmar to approve the consulting services agreement between the City of Harlingen and Terral Smith and William Yarnell. Motion carried unanimously.

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

CITY OF HARLINGEN


Chris Boswell, Mayor

ATTEST:


Amanda C. Elizondo, City Secretary