

CITY COMMISSION

REGULAR MEETING

HARLINGEN, TEXAS

February 4, 2015

A Regular Meeting of the Harlingen Elective Commission was held on Wednesday, February 4, 2015 at 5:30 p.m., 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. The following proceedings were held.

Invocation/Commissioner Tudor Uhlhorn

Commissioner Uhlhorn gave the invocation.

Pledge of Allegiance/Welcome

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

1) Proclamation – proclaiming February 22, 2015 as “Ms. South Texas Senior America Pageant Day.”

Mayor Boswell presented a proclamation to Elia Lopez, Pageant Director/Founder, Mary Jo Vela, Ms. Texas Senior America 2014 and pageant contestants of the 2015 Ms. South Texas Senior America Pageant, proclaiming February 22, 2015 as “Ms. South Texas Senior America Pageant Day.”

2) Approval of Minutes

a) Regular Meeting of January 21, 2015

Motion was made by Commissioner Sanchez and seconded by Mayor Pro-Tem Leal to approve the minutes as presented. Motion carried unanimously.

CONSENT AGENDA

a) Consider and take action to approve a request from RGV LEAD – In the Business of Education (formerly Tech Prep RGV) to close Fair Park Blvd. between “L” Street and “J” Street and all the entry and exit points in the parking lot located in 1200 Block of Fair Park Blvd. From 8 a.m. to 1 p.m., Thursday, October 8, 2015 for their Annual Education and Career EXPO.

b) Consider and take action to approve a request from the Rotary Club of Harlingen to close Fair Park Blvd. between “J” Street and North “L” Street from 1:00 p.m. to 9:00 p.m., Friday, February 20, 2015 for their combined Rotary Clubs Annual Shrimp Fest Fund Raiser.

Motion was made by Commissioner Mezmar and seconded by Commissioner Sanchez to approve the items under the consent agenda. Motion carried unanimously.

- 4) Consider and take action to approve a resolution in support of a Housing Tax Credit Application to the Texas Department of Housing and Community Affairs submitted by Picerne Real Estate Group.

Tammy DeGannes, Director of the Community Development Block Grant Program stated this was an existing development located at 2802 North 7th Street known as the Windstar Apartments. The apartments were constructed in 1997 and consisted of 80 units. Windstar Apartments would extend its affordability restrictions for an additional thirty five years to allow the Harlingen residents to continue residing at the Windstar Apartments at discounted rents. The Windstar Apartments served low income tenants with 8 units at a 30% of the area median income or lower. She recommended approval of the resolution.

Owen Dundee, Representative with Picerne Affordable Development of Texas, LLC gave a power point presentation on the history of the corporation, projects and achievements across Texas. Mr. Dundee highlighted the Windstar Apartment rehabilitation cost and preliminary construction scope per unit, on sight amenities, unit features, tenant services, and management and operation criteria.

Commissioner Mezmar questioned if previous tax credits had been issued in the past for this development.

Mr. Dundee responded yes. The property was developed with tax credits in 1997 by the Texas Department of Housing. He mentioned after fifteen years, the Corporation could address any rehab issues in regards to the apartment complex.

Motion was made by Commissioner Castillo and seconded by Commissioner Uhlhorn to approve the resolution. Motion carried unanimously.

- 5) Consider and take action to approve a resolution appointing Juanita Vallejo as the Local Registrar for the City of Harlingen.

Ramiro Gonzalez, Environmental Health Director stated that due to the recent retirement of Rebecca Infante, Local Registrar and in accordance with the Texas Government Code, Title 5, Subtitle A, Chapter 551 a resolution was required to appoint the next local registrar for the City. Ms. Juanita Vallejo was previously employed with the City of Weslaco for 10 years. Ms. Vallejo was employed by the City of Harlingen on August, 2014 and had experience in the Vital Statistics Division. He recommended approval of the resolution.

Motion was made by Commissioner Uhlhorn and seconded by Mayor Pro-Tem Leal to approve the resolution appointing Ms. Juanita Vallejo as the Local Registrar for the City of Harlingen. Motion carried unanimously.

- 6) Consider and take action to approve a contract between the City of Harlingen and Veronica Castillo Baca to provide Summer Lego Robotics Camp at Gutierrez Middle School as part of the City's Recreation Summer Program.

Javier Mendez, Parks and Recreation Director stated the City Summer Playground Program and Gutierrez Middle School would like to partner to host a Summer Lego Robotics Camp during the first week of August. The registration fee was \$100 per child. The fee would cover the hiring of a Professional Texas Computer Education Association Instructor to teach the technical part of the robotic program, plus expenses for program materials and supplies. The goal was to register 100 participants, but if they got less than 54 participants they would not proceed with the camp. The City would be responsible for administering the registration, collection, and depositing any and all funds collected. He recommended approval of the contract.

Motion was made by Commissioner Sanchez and seconded by Commissioner Mezmar to approve the contact between the City of Harlingen and Veronica Castillo Baca to provide Summer Lego Robotics Camp at Gutierrez Middle School as part of the City Recreation Summer Program. Motion carried unanimously.

- 7) Consider and take action to accept the grant award of \$396,020 and authorize City Manager to submit the grant agreement with Valley Baptist Legacy Foundation for the expansion of the Harlingen Hometown Heroes Trail at Pendleton Park. Applicant: City of Harlingen.

Mr. Mendez stated The City of Harlingen submitted an application to the Valley Baptist Legacy Foundation for a grant. The City received notice that the City was awarded \$366,020.00. Currently, the trail at Pendleton Park was half of a mile. The grant would allow the extension of another one mile. He recommended approval to accept the grant award and authorize the City Manager to submit the agreement.

Motion was made by Commissioner Mezmar and seconded by Mayor Pro-Tem Leal to accept the award of \$396,020.00 and authorize City Manager to submit the grant agreement to Valley Baptist Legacy Foundation. Motion carried unanimously.

Commissioner Castillo asked if any lighting improvements were being considered for the Harlingen Hometown Heroes Trail.

Mr. Mendez responded no, staff was looking at different options and working with American Power Company (AEP) or the possibility of solar power light fixtures to minimize the electricity cost.

Commissioner Castillo encouraged staff to look into other resources. Members of the Police and Fire department were certified as practitioners and the staff should get their input to seize the opportunity of increasing security along the walkways. The cost to provide the security may have to be increase, but the benefit, would out weight the additional cost.

Commissioner Uhlhorn stated the lighting along City Lake in the early morning was inadequate. More citizens would use the lake and feel safer, if there, was sufficient lighting along the lake, especially during the early morning hours. He urged staff to carefully evaluate the lighting plan to insure that it would adequate Pendleton Park.

Motion carried unanimously.

- 8) Consider and take action to authorize the Mayor on behalf of the City of Harlingen to execute the submission of General Victim Assistance Grant through the Criminal Justice Division Governor's Office to secure funds for a Crime Victim Liaison.

Luciano Rubio, Deputy Chief stated the Police Department was requesting authorization to submit a grant application to the Office of the Governor for the Victims of Crime Act Formula Grant Program. Total project amount was \$43,558.37 which includes \$34,870.70 requested from the Governor's Office with a cash match/in-kind obligation from the City of \$8,717.67.

Motion was made by Commissioner Mezmar and seconded by Commissioner Castillo to authorize the Mayor on behalf of the City of Harlingen to execute any and all documents related to the submission of the General Victim Assistance Grant to secure funds for a Criminal Victim Liaison. Motion carried unanimously.

- 9) Consider and take action to approve a resolution requesting that the City of Harlingen and the Texas Department of Transportation (TXDOT) submit petitions for the annexation of city owned property at 24200 FM 5609 roadway that adjoins the city limits of the City of Harlingen.

Richard Bilbie, City Attorney stated the City recently purchased a facility and parcel at 24200 FM 509 to assist the City in providing various public and emergency services to citizens of Harlingen. He recommended approval of the resolution to begin the annexation process of the parcel and the portion of FM 509 road-way to incorporate into the city limits. The City asked for assistance from TxDOT with this process because a portion of FM 509 was necessary to complete the annexation. The City and TxDOT needed to submit a petition for consideration by the City Commission to begin the process.

Motion was made by Mayor Pro-Tem Leal and seconded by Commissioner Castillo to approve the resolution subject to the correction of the legal description. Motion carried unanimously.

- 10) Consider and take action to accept bids and award contract for Janitorial Maintenance Services under Bid 2015-02.

Dan Serna, Assistant City Manager stated the City received six sealed bids for Janitorial Maintenance Services for the maintenance of City Hall, Lon C. Hill Building, Public Library and the Golf Course Club House. The term of the contract was for 36 months with a possible two (2) year extension based on the terms and conditions upon written approval by both parties. He recommended awarding the lowest bid to C&C Cleaning & Janitorial Services, lowest bidder for \$5,460.00 per month.

Motion was made by Commissioner Mezmar and seconded by Commissioner Sanchez to award the bid to the lowest bidder, C&C Cleaning & Janitorial Services for \$5,460.00 per month (65,520.00 per year). Motion carried unanimously.

11) Board Appointment

Mayor Boswell

Nick Consiglio – Airport Advisory Board (re-appointment)

Tito Resendez – Airport Advisory Board (re-appointment)

Motion as made by Commissioner Mezmar and seconded by Commissioner Sanchez to approve the board appointments. Motion carried unanimously.

12) Executive/Closed Session on the following items:

a) Pursuant to Chapter 551, Subchapter D, V.T.C.A., Texas Government Code Section 551.072 regarding the purchase, exchange, lease or value of real property.

b) Pursuant to Chapter 551, Subchapter D, V.T.C.A. Texas Government Code, Sections 551.071 and 551.087 regarding deliberations relating to economic development negotiations and/or to discuss or deliberate financial or other incentives with the business prospects known as **PROJECT MOUNTAIN** and to seek legal advice from the City Attorney regarding the subject.

At 6:04 p.m., Mayor Boswell announced the City Commission would convene into executive session to discuss Item No. 12 (a) and (b).

Motion was made by Commissioner Uhlhorn and seconded by Commissioner Castillo to convene into executive session to discuss Item No. 12 (a) and (b). Motion carried unanimously.

At 6:20 p.m., Mayor Boswell announced the City Commission had completed its executive session and declared the meeting open to the public.

13) Consider and possible action to approve a 380 Agreement between the City of Harlingen and an entity known as Project Mountain and authorize the City Manager to execute the agreement.

Motion was made by Commissioner Uhlhorn and seconded by Commissioner Castillo to approve the 380 Agreement between the City of Harlingen and an entity known as Project Mountain. Motion carried unanimously.

14) Consider and take action to accept the recommendation from the Harlingen Community Improvement Board (4B) to authorize the City Manager to negotiate a contract for the Baxter Building pursuant to the proposals received on January 15, 2015.

Motion was made by Commissioner Sanchez and seconded by Commissioner Castillo to accept the recommendation by the Harlingen Community Improvement Board (4B) and authorize the City Manager to negotiate the contract for the Baxter Building. Motion carried unanimously.

15) Consider and take action to authorize the City Manager to pursue with the purchase of property located at Stuart Place Road, legal description, Stuart Place Road Survey 42/137/297, Block 4 N, 5.0000 acres and all documents associated with the purchase of the property.

Carlos Yerena, City Manager requested approval to purchase 5 acres of property at the corner of Stuart Place and Brennaman Road for the purchase price of \$225,000 plus all other related fees for a total price of approximately \$240,000. Staff would proceed with the preliminary plans for the construction of a fire station. The fire station would be staffed with existing personnel, resulting in a savings to the taxpayers of approximately \$600,000 annually.

Motion was made by Mayor Pro-Tem Leal and seconded by Commissioner Castillo to authorize the City Manager to purchase the property located at Stuart Place Road, legal description, Stuart Place Road Survey 42/137/297, Block 4 N, 5.0000 acres and sign all documents associated with the purchase of the property. Motion carried unanimously.

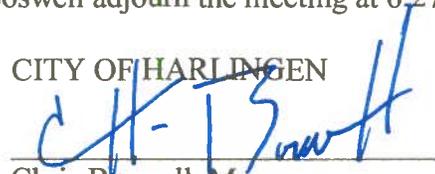
16) Citizen Communication

Yolanda Shoffeitt, 284 Altas Palmas, stated Lockheed Martin and Space X Project were in competition and both companies would provide the same services. She referred to the Baxter Building and stated that a deal that sounded too good to be true probably was not.

Joe Rubio, Jr., 2309 Hacienda Road thanked the Commission for wisely choosing a new Police Chief. He hoped that some of the negative things that were happening would stop in the Police Department. Mr. Rubio referred to Police Car #367 and stated during the Police Chief press conference, he found out that on the front page of the newspaper, there was a photo of the squad car repaired. However, he was unable to obtain a copy of the report explaining how it got damaged.

There being no further business to discuss, Major Boswell adjourn the meeting at 6:27 p.m.

CITY OF HARLINGEN


Chris Boswell, Mayor

ATTEST:


Amanda C. Elizondo, City Secretary