

December 3, 2014

A Regular Meeting of the Harlingen Elective Commission was held on Wednesday, December 3, 2014 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

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
Elena Garza, Assistant 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 Michael Mezmar

Commissioner Mezmar gave the invocation.

Pledge of Allegiance/Welcome

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

1) Public Announcement of Events

Dave Ralph, Public Information Officer announced the following events.

- a) Lighting of the Arroyo – McKelvey Park, Thursday, December 4, 2014 starting at 6:30 p.m.;
- b) Retirement & Asset Protection Workshop, Harlingen Public Library, Thursday, December 4, 2014, 6:00 p.m. to 7:00 p.m.;
- c) RGV Jaycees 2014, "Country Christmas Parade," Downtown Jackson Street, Friday, December 5, 2014, 7:00 p.m.;
- d) Holiday Crafts, Harlingen Public Library, Saturday, December 6, 2014 from 2:00 p.m. to 4 p.m.;
- e) Reading Wonderland, Harlingen Public Library, Thursday, December 18, 2014, 6:00 p.m. to 8:00 p.m.;
- f) Wonderland Helpers, Harlingen Public Library, Thursday, December 18, 2014 from 5:30 p.m. to 8:30 p.m.;
- g) 11th Annual City of Harlingen Winter Texas Appreciation Fiesta, Casa de Amistad Monday, January 19, 2015, 11:00 a.m. to 2:00 p.m.; and
- h) Christmas Tree Forest Exhibit, Harlingen Arts & Heritage Museum, December 2 -26, 2014.

2) Proclamation – proclaiming November 16-23, 2014 as "National Hunger and Homelessness Awareness Week."

Mayor Boswell read and presented the proclamation to Bill Reagan, Director of Loaves and Fishes proclaiming November 16-23, 2014 as "National Hunger and Homelessness Awareness Week."

Mr. Reagan thanked the Mayor and City Commissioners for their support to the Loaves and Fishes Organization.

3) Presentation by E. Ray Gard, MA, Program Director with UT Health Science Center San Antonio regarding City of Harlingen assessment on active living and healthy eating.

Dr. Belinda Reiniger of the UT Health Science Center of San Antonio stated they had been working with Ramiro Gonzalez, Health Environmental Director and Adrianna Dominguez, Community Health Worker. Ms. Reiniger reported on the services that they provided as per the provisions of the contract. Their main purposed was to bring awareness to the citizens about chronic diseases within communities and provide information on how best to reduce the environmental risk factors. A community assessment was conducted specifically for the City of Harlingen and highlighted the results which included the topics of walk/bike ability, safety measures for walking/biking, free or low cost public facilities available for physical activities, community engagement, and access to healthy foods. A new contract was created for an additional year. Some of the highlights of the new contract included environmental change projects, the expansion of blood pressure follow-ups, no-cost influenza immunizations, continued education on the benefits of eating healthier fruits and vegetables and the benefits of physical activities. Dr. Reiniger felt comfortable that the new community assessment survey would show additional improvements.

Mayor Boswell stated this information could be incorporated into the Harlingen Comprehensive Plan.

4) Presentation by Pat TurmanWhite, President of the Humane Society of Harlingen to propose to the City of Harlingen the adoption of an ordinance for mandatory spay/neuter and micro-chipping for the City of Harlingen.

Pat Turman White, President of the Humane Society stated the Humane Society of Harlingen was requesting for the City Commission to consider an ordinance for mandatory spay/neuter and micro chipping for the City of Harlingen. In addition, they were asking for the City Commission to consider an amendment to Chapter 90, Ordinance 90.125 to allow City residents to have a maximum of five animals per household. Ms. Turman gave a brief power point presentation and reported that 14% of the population dropped animals annually at the Harlingen shelter, 10% to 12% of those animals were adopted annually and 4% of the animals dropped at the shelter were claimed by the original owners. Animals were euthanized three times a day to make space at the shelter and 80% of the animals were brought to the shelter to be euthanized.

Kim Warunek, Executive Director of the Harlingen Animal Shelter stated if the City adopted an ordinance to spay and neuter the animal it would decrease the number of homeless and roaming animals in the community. By being proactive and taking these measures it would increase property values, the community would become safer and more desirable for people to want to live in Harlingen.

Commissioner Uhlhorn asked if the Humane Society was proposing to micro-chip every animal. Some facilities tattoo animals after they were spay/neuter. What measures would the Humane Society take to mark these animals?

Ms. Warunek responded the Humane Society charged \$15 to micro-chip the animals. If the proposed amendment was adopted the Humane Society would run a \$10 special to micro-chip each animal for a grace period of 120 days. In regards to the animals that were tattoo, the veterinarian would properly document those animals.

Ms. Turman White stated one of the major problems was that individuals were not claiming the animals coming to the shelter. This led to a higher euthanization rate. If the animals were micro chipped, the Humane Society Staff would return the animals to its' rightful owners.

Mayor Boswell recommended for staff to meet with Ms. Turman White to further discuss this issue and present recommendations to the City Commission for an amendment to the ordinance.

Commissioner Mezmar asked if the Humane Society staff could distinguish the animals running loose in the community if they were feral or domestic.

Ms. Turman responded absolutely.

Commissioner Castillo stated he was concern about this request because there could be responsible pet owners that did not want their pets to be fixed. He favored the idea of micro-chipping pets in the event they escaped or roamed away from their residences.

Mayor Boswell thanked Ms. Turman and Ms. Warunek for their presentation.

5) Community Wide Clean-up "TRASH-OFF" held November 22, 2014, Rangerville Park, 1101 Rangerville Road.

Carlos Yerena, City Manager reported on the Community Wide Clean-Up held on November 22, 2014 at Rangerville Park. He stated 8.63 tons of debris and 27 tires were collected. This was the last of four events held throughout the year. A total of 30 tons of debris and approximately 500 tires were collected from local property owners. This was a successful year and looked forward to next year.

6) Approval of Minutes

a) Regular Meeting of November 5, 2014

b) Special Meeting of November 13, 2014

Motion was made by Commissioner Uhlhorn and seconded by Commissioner Castillo to approve both sets of minutes with corrections to Regular Meeting of November 5, 2014 on Page 6, Line 35 to read that Mayor Pro Tem Leal announced the City Commission had completed its executive session instead of Mayor Boswell. Motion carried unanimously.

7) Public hearing to consider an ordinance on first reading to name a street "Phoenix Drive" located adjacent to the Harlingen Consolidated Independent School District (HCISD) of Health Professions on the west side of 25th Street (FM 507) and north of Rio Hondo Road.

Joel Olivo, Planning and Zoning Manager stated the HCISD, applicant, was requesting the street adjacent to the School of Health Professions located on the west side of 25th Street and north of Rio Hondo Road be named "Phoenix Drive." The proposed street name reflected the name of the school's mascot. The request was routed to the appropriate City departments, US Post Office, Emergency Management Services, Cameron County, HCISD, Harlingen Water Works System and TxDOT and no objections were received. Mr. Olivo recommended approval of the request.

a) Public Hearing

Mayor Boswell announced this was a public hearing and anyone wishing to speak for or against the item could do so.

There being no comments, Mayor Boswell declared the public hearing closed.

b) Consider and take action to approve an ordinance on first reading for the naming of Phoenix Drive.

Richard Bilbie, City Attorney read the caption of the ordinance.

Motion was made by Commissioner Mezmar and seconded by Commissioner Leal to approve the ordinance on first reading. Motion carried unanimously.

8) Consider and take action to approve a one-year contract between the City of Harlingen and RGV Amateur-Adult Soccer Association for the use of the soccer fields at Vestal Park.

Javier Mendez, Parks and Recreation Director stated the terms of the contract were the same as the previous year with the exception of a modification on Article X. The City was now requiring an accountant annual compilation report instead of an audit annual financial statement. The league had filed all required documents with the City pursuant to the contract. He recommended approval of the contract.

Motion was made by Commissioner Uhlhorn and seconded by Mayor Pro-Tem Leal to approve the contract between the City of Harlingen and RGV Amateur-Adult Soccer Association for a one year term. Motion carried unanimously.

- 9) Consider and take action to renew the Interlocal Agreement between the City of Harlingen and North Central Texas Council of Governments for cooperative purchasing for actuarial shared services.

Elvia Trevino, Finance Director stated the purpose of the agreement was to allow the City to enter into an agreement with Gabriel, Roeder, Smith Company a state approved vendor to perform actuarial consulting services to calculate post employment benefits as in the prior years. She recommended approval to renew the agreement.

Motion was made by Commissioner Uhlhorn and seconded by Commissioner Sanchez to renew the Interlocal Agreement between the City of Harlingen and North Central Texas Council of Governments. Motion carried unanimously.

- 10) Consider and take action to authorize the City Manager to execute an agreement between the City of Harlingen and Gabriel, Roeder, Smith and Company to perform actuarial consulting services as recommended by North Central Texas Council of Governments NCTCOG.

Ms. Trevino recommended the firm of Gabriel, Roeder, Smith Company to perform consulting services to calculate employment benefits as required by governmental accounting standards. This was required every two years.

Motion was made by Commissioner Castillo and seconded by Mayor Pro-Tem Leal to approve the agreement and authorize the City Manager to execute the agreement between the City of Harlingen and Gabriel, Roeder, Smith and Company. Motion carried unanimously.

- 11) Board Appointments

Commissioner Mezmar

Gina Cano Monreal - Harlingen Community Improvement Board

Motion was made by Mayor Pro-Tem Leal and seconded by Commissioner Castillo to approve the re-appointment of Ms. Monreal. Motion carried unanimously.

- 12) Closed/Executive Session regarding 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) attorney consultation pursuant to Section 551.071 (2), Texas Government Code to provide legal advice and counsel in connection with the City's rights, duties, privileges, and obligations related to the pending collective bargaining process as per Chapter 174, Texas Local Government Code and related matters with the Harlingen Police Department.
 - c) pursuant to Chapter 551, Subchapter D, V.T.C.A., Texas Government Code, Sections 551.071 (2) and 551.087 regarding deliberations relating to economic development negotiations and/or to discuss or deliberate financial or other incentives with the business prospect known as **PROJECT MOUNTAIN** and to seek legal advice from the City Attorney regarding the subject.

At 6:15 p.m., Mayor Boswell announced the City Commission would convene into executive session to discuss Item No. 12 (a), (b) and (c).

Motion was made by Commissioner Castillo and seconded by Mayor Pro-Tem Leal to convene into executive session to discuss Item No. 12 (a), (b) and (c). Motion carried unanimously.

For the record, Mayor Boswell excused himself from the discussion of Item 12 (a.) at 7:10 p.m.

After the discussion was completed in executive session, Mayor Boswell returned to his seat and announced at 7:14 p.m. that the City Commission had completed its executive session and declared the meeting open to the public.

- 13) Consider and take action to authorize the City Manager to purchase property described as being 28.93 acres of land out of a 39.61 acre tract of land conveyed as 41.21 acres in Volumes 10970, Page 233, Official Records of Cameron County, Texas and being out of Block 182, San Benito Land & Water Company Subdivision, recorded in Volume 1, Page 6, map records of Cameron County, Texas.

Motion was made by Commissioner Uhlhorn and seconded by Mayor Pro-Tem Leal to table Item No. 13. Motion carried unanimously.

- 14) Consider and take appropriate action to approve a collective bargaining labor agreement between the City of Harlingen and Harlingen Police Officers and Law Enforcement Association (HPOLEA) the duly recognized majority bargaining agent for Fiscal Years 2015-2016.

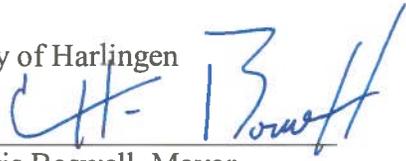
Motion was made by Commissioner Castillo and seconded by Mayor Pro-Tem Leal to approve the Collective Bargaining Labor Agreement between the City of Harlingen and Harlingen Police Officers and Law Enforcement Association. Motion carried unanimously.

- 15) Citizen Communication

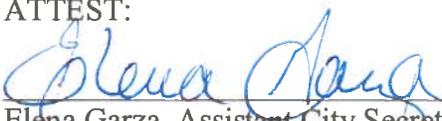
Joe Rubio, 2309 Hacienda Road spoke in regards to a handout published by the Interim Police Chief Stephen Scott Mayer titled "Five things you owe the Harlingen Police Department and five things you don't."

There being no further business to discuss, Mayor Boswell adjourned the meeting at 7:18 p.m.

City of Harlingen


Chris Boswell, Mayor

ATTEST:


Elena Garza, Assistant City Secretary