

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

May 18, 2016

A Regular Meeting of the Harlingen Elective Commission was held on May 18, 2016 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
Mayor Pro-Tem Victor Leal, District 5
Danny Castillo, City Commissioner, District 1
Tudor Uhlhorn, City Commissioner, District 2
Michael Mezmar, City Commissioner, District 3
Ruben de la Rosa, City Commissioner, District 4

Staff Present
Dan Serna, City Manager
Amanda C. Elizondo, City Secretary
Richard Bilbie, 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 Mezmar

Commissioner Mezmar gave the invocation.

Pledge of Allegiance/Welcome

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

1) Presentation of Certificates to the volunteers that participated in the Smoke Alarm Program.

Fire Chief, Roy Rubio stated on April 16, 2016 The Harlingen Fire Department conducted the American Red Cross Smoke Alarm Campaign. They installed 71 smoked alarms on fifty-five homes. H.E.B. and the American Red Cross sponsored this event and thanked the volunteers who participated in this event.

Mayor Boswell presented certificates of appreciation to the recipients who were present and thanked them for volunteering their services. This was a great service to the community.

2) Approval of Minutes

a) Regular Meeting of April 20, 2016.

Motion was made by Commissioner Uhlhorn and seconded by Commissioner de la Rosa to approve the minutes of April 20, 2016. Motion carried unanimously.

CONSENT AGENDA

3a) Second and final reading to approve and adopt an ordinance to install a stop sign on Vista Verde Drive at its intersection with Vista Verde Circle North.

b) Second and final reading to approve and adopt an ordinance to extend an existing "No Parking Zone" along the east side of Citrus Terrace Drive.

c) Investment report for the City of Harlingen for quarter ended March 31, 2016.

Motion was made by Mayor Pro-Tem Leal and seconded by Commissioner Castillo to approve the consent agenda. Motion carried unanimously.

For the record, the Caption of Ordinance No. 16-26 and 16-27 read as follows:

ORDINANCE NO. 16-26

AN ORDINANCE AUTHORIZING THE PLACEMENT OF A STOP SIGN ON VISTA VERDE DRIVE AT ITS INTERSECTION WITH VISTA VERDE CIRCLE NORTH; ESTABLISHING A FINE NOT TO EXCEED \$200.00 DOLLARS FOR THE DRIVER OF ANY MOTOR VEHICLE WHO FAILS TO STOP AND YIELD THE RIGHT-OF-WAY IN OBEDIENCE TO THE STOP SIGNS HEREIN AUTHORIZED; AMENDING OR REPEALING CONFLICTING ORDINANCES; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

ORDINANCE NO. 16-27

AN ORDINANCE TO ESTABLISH A "NO PARKING ZONE" ON THE EAST SIDE OF CITRUS TERRACE BEGINNING AT THE ALLEY NORTH OF EAST WASHINGTON AVENUE AND EXTENDING NORTH TO MARTHA STREET, FOR A DISTANCE OF APPROXIMATELY 115 LINEAR FEET IN LENGTH FOR THE "NO PARKING ZONE"; AUTHORIZING THE TOWING OF VEHICLES PARKED IN SAID "NO PARKING ZONE"; ESTABLISHING A PENALTY NOT TO EXCEED \$200.00 FOR VIOLATIONS OF THE PROVISIONS OF THIS ORDINANCE; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

PASSED AND APPROVED on first reading this 4th day of May, 2016
PASSED AND APPROVED on second and final reading this 18th day of May, 2016.

CITY OF HARLINGEN
/s/ Chris Boswell, Mayor

ATTEST:
/s/ Amanda C. Elizondo, City Secretary

- 4) Appointment of a Canvass Committee to re-canvass the results of the City of Harlingen May 7, 2016 General Election for District 2, City Commissioner race as a result of a recount if necessary.

Mayor Boswell announced the City Commission met in a Special Meeting today at 12:00 noon to canvass the votes of the May 7th, 2016 General Election and approved the canvass of the official votes. A resolution was approved by the City Commission approving the original election results. After the Special Meeting at 1:00 p.m. the recount was conducted for Commissioner's Race, District 2. The outcome of the race did not change for Commissioner Tudor Uhlhorn. The result of the recount was actually one vote less to the opposing candidate, Mr. Frank Puente, Jr. Therefore, Commissioner Uhlhorn is declared the winning candidate for District 2. The re-canvassing is necessary to reflect the change in the outcome of the election. The City Commissioners have the report of the Recount Committee Chairman Julio Cavazos signed and verified that all the numbers match, except for the early vote by one less vote for Frank Puente, Jr. Mayor Boswell stated the report was signed by him as the recount supervisor indicating that the numbers were the same for District 2, City Commissioner's Race. This is the report from the Recount Committee presented to the governing body as the officially canvassing committee.

- 5) Consider and take action to approve a resolution amending the previous resolution declaring the original results of the City of Harlingen May 7, 2016 General Election in District 2 for the City Commissioner's race if necessary.

Mayor Boswell stated the amended resolution changed the outcome of District No. 2; with 265 votes for Frank Puente Jr. and 287 votes remained the same for Tudor Uhlhorn.

Motion was made by Mayor Pro-Tem Leal and seconded by Commissioner Castillo to approve the resolution amending the previous resolution declaring the original results of the City of Harlingen May 7, 2016 General Election in District 2 for City Commissioner's Race. Motion carried unanimously.

For the record, the Resolution read as follows:

**STATE OF TEXAS
COUNTY OF CAMERON**

RESOLUTION NO. 16-18

WHEREAS, a General Election was held on the 7th day of May, 2016 in the City of Harlingen to elect a Mayor, one (1) City Commissioner for District 1 and one (1) City Commissioner for District 2; and,

WHEREAS, a canvass of the elections returns of said General Election was duly made by the canvassing committee and the results of the canvass were received by the Elective Commission of the City of Harlingen at its regular scheduled meeting at 5:30 p.m. on the 18th day of May, 2016 in accordance with Chapter 67, Section 67.001 of the Texas Election Code; and,

WHEREAS, total votes cast for Mayor, City Commissioner, District 1 and City Commissioner Districts 2 were 2823; and,

WHEREAS, a Special City Commission meeting was held at 12 p.m. on May 18, 2016 to canvass the Election Returns of the May 7, 2016 General Election at City Hall, Town Hall Meeting Room, which resulted in changing the total for Commissioner-Elect Richard Uribe; and

WHEREAS, a recount of the votes cast in District 2 was held at 1:00 p.m. on May 18, 2016, Town Hall Meeting Room, which resulted in the total votes for Frank Puentes being changed from 166 to 165 and the votes for Commissioner-Elect Tudor Uhlhorn remain the same.

NOW, THEREFORE BE IT RESOLVED BY THE CITY OF HARLINGEN THAT:

The following candidates received the indicated number of votes in the General Election of the City of Harlingen on May 7, 2016.

FOR Mayor

Chris Boswell	<u>1,965</u>
Gerald Prepejchal, Jr.	<u>482</u>
Kenneth J. Benton	<u>186</u>
Jose Rubio, Jr.	<u>190</u>

Commissioner, District 1:

Richard Uribe	<u>476</u>
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City Commissioner District 2

Tudor Uhlhorn	<u>287</u>
Frank Puentes, Jr.	<u>265</u>

AND BE IT FURTHER RESOLVED pursuant to the Charter of the City of Harlingen that the following elected individuals are hereby declared elected. Chris Boswell, for the position of Mayor, Richard Uribe for City Commissioner, District 1 and Tudor Uhlhorn for City Commissioner, District 2.

READ, CONSIDERED AND ADOPTED THIS 18th day of May 2016 at a Regular Meeting of the Harlingen City Commission at which a quorum was present and was held in accordance with Chapter 551 of the Local Government Code as amended.

CITY OF HARLINGEN
BY: /s/Chris Boswell, MAYOR

ATTEST: /s/Amanda C. Elizondo, City Secretary

For the record, below is the Official Tabulation Chart for the votes cast at the May 7, 2016 General Election.

May 7, 2016
Official Tabulation Chart

Candidates														
Mayor	Early Vote	Mail Ins	Curb Side	Long	Bonham	Zavala	TH	Bowie	Jefferson	Stuart	Milam	Provisional	Total Votes	%
Chris Boswell	1243	62		164	51	52	196	62	14	112	9		1965	69.61%
Gerald Prepejchal, Jr.	307	10	1	36	18	23	19	31	3	33	0	1	482	17.07%
Kenneth J. Benton	112	10		20	9	9	13	6	1	6	0		186	6.59%
Jose Rubio, Jr.	115	12		14	4	4	18	7	3	13	0		190	6.73%
													2823	100%

District 1	Early Vote	Mail Ins	Curb Side	Long	Bonham	Zavala	TH	Bowie	Jefferson	Stuart	Milam	Provisional	Total Votes	%
Richard Uribe	279	21		176									476	100%
													476	100%

District 2	Early Vote	Mail Ins	Curb Side	Long	Bonham	Zavala	TH	Bowie	Jefferson	Stuart	Milam	Provisional	Total Votes	%
Tudor Uhlhorn	198	9			43	37							287	51.99%
Frank Puentes, Jr.	167	7			38	53							265	48.01%
													552	100%

TOTAL VOTES CAST AT THIS ELECTION OF MAY 7, 2016. **2823**

6) Swearing-In and Oath of Office to newly elected and re-elected officials.

Honorable Judge Migdalia Lopez conducted the oath office to the winning candidates, Mayor Chris Boswell, Richard Uribe, Commissioner for District 1 and Commissioner Tudor Uhlhorn, District 2.

She thanked Mayor Boswell for all the years of service to the Harlingen Community and stated she is proud of all the work accomplished under his leadership.

Mayor Boswell thanked Mrs. Anita Boswell and his family, the voters, and committee members for their support. He would continue to work on the things that they were doing such as creating good jobs, keeping the City safe and beautify it more including expanding their role with UTRGV. In addition, he thanked the City Commissioners. They are a great team and City staff for their great work.

Mayor Boswell read and presented a plaque to Commissioner Danny Castillo. He stated Commissioner Castillo has a heart of a servant leader and the best interest in the City. It was a great honor and privilege to work with him. He thanked and congratulated him for his service to the City.

Commissioner Castillo stated it was important to speak up when you had to. He had the privilege to serve and work with the City Commission and City Manager. They all have a good collective wisdom, not just the elected officials, but also the City staff. He stated he was leaving with a great sense of honor and appreciation for the recognition.

Commissioner Uhlhorn thanked his wife, family and the campaign team for their support. It takes a real team to win an election. He was grateful to all the citizens of District 2, especially those who voted for him. It was an honor to serve as Commissioner for the City of Harlingen for three more years.

Commissioner Uribe thanked his mother, sister, family and friends. He stated he would do his best and do what was right for everybody.

Mayor Boswell recognized and welcomed County Commissioner Gustavo Ruiz.

- 7) Consider and take action pursuant to the Harlingen City Charter, Article IV, Section 6, to elect a Mayor Pro-Tempore by a majority vote of the City Commissioners.

Commissioner Uhlhorn nominated Victor Leal. Mayor Pro-Tem Leal nominated Commissioner Mezmar for Mayor Pro-Tem.

Commissioner Uhlhorn withdrew his nomination.

Motion was made by Mayor Pro-Tem Leal and seconded by Commissioner Uhlhorn to elect Michael Mezmar as Mayor Pro-Tem. Motion carried unanimously

- 8) Public hearing to consider an ordinance on first reading to rezone from Not Designated ("N") District to Residential, Single Family ("R-1") District for Lots 1-17, Block 1, La Cantera Estates; Lots 1-10, Block 1, La Hara Estates; Lots 1-12, Block 1, and Lots 1-10, Block 2, Plumosa Estates; 2.0 acres out of Block 126, Adams Garden Subdivision "B" and "C"; and the South 4.88 acres out of Block 135, Adams Garden Subdivision "B" and "C", all properties generally located on the east side of Bass Boulevard north of Business 83. Applicant: Curtis Kenon and the City of Harlingen.

Rodrigo Davila, Planning and Development Director stated the City initiated the rezoning as a result of an applicant requesting to rezone a certain lot within the proposed area from Not Designated ("N") District to Residential, Single Family (R-1) District to construct an accessory building on a developed residential lot. Staff initiated a larger rezoning request for the area that was mostly for single family residential use. The properties were generally being rezoned as they are developed. He highlighted the different land use of the surrounding properties. The properties to the south are located outside the city limits and are developed with commercial and mobile home use. The properties to the west are also located outside the city limits and developed with single family residential and vacant property for agriculture use. The request is in compliance with the Future Land Use Plan and consistent with the existing surrounding land use. The Planning and Zoning Department received one call from a surrounding property owner opposing staff's request. He recommended approval of the rezone 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 a rezone request at the above mentioned described property.

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

Motion was made by Commissioner Leal and seconded by Commissioner de la Rosa to approve an ordinance on first reading to rezone from Not Designated ("N") District to Residential, Single Family ("R-1") District for Lots 1-17, Block 1, La Cantera Estates; Lots 1-10, Block 1, La Hara Estates; Lots 1-12, Block 1, and Lots 1-10, Block 2, Plumosa Estates; 2.0 acres out of Block 126, Adams Garden Subdivision "B" and "C"; and the South 4.88 acres out of Block 135, Adams Garden Subdivision "B" and "C", all properties generally located on the east side of Bass Boulevard north of Business 83. Motion carried unanimously.

9) Public hearing to consider an ordinance on first reading for a Specific Use Permit ("SUP") to allow an adult business (tattoo studio) in a General Retail ("GR") located at 1617 E. Harrison Ste. C, bearing a legal description of Lots 13-16, Block G, East Park Terrace Subdivision. Applicant: Jose Barron.

a) Public hearing

b) Consider and take action to approve an ordinance on first reading to approve a Specific Use Permit to allow an adult business (tattoo studio) at the above mentioned described property.

Dan Serna, City Manager requested to table Item No. 9 for further information from the Police Department.

Motion was made by Commissioner Uhlhorn and seconded by Commissioner Leal to table Item No. 9. Motion carried unanimously.

10) Consider and take action to grant a variance with regards to the fire hydrant required on Thieme Road on the proposed R.H. Aguilar Subdivision bearing a legal description of 3.736 acre tract, more or less of the 5.0 acres, more or less, out of a larger tract in Block 5, Harlingen Land and Water Company Subdivision "A" located on Thieme Road west of Rangerville Road. Applicant: Uriel Ramirez of Urban Infrastructure Group, c/o of Roberto Aguilar.

Mr. Davila stated that Urban Infrastructure Group, c/o of Roberto Aguilar, property owner was requesting a variance to the fire hydrant requirement on Thieme Road due to the cost associated with the hydrant for a two lot residential subdivision. There is an existing single family residence on the subject property. The property is located outside the city limits, but within the City's fire district. It has 458 feet of frontage on Thieme Road and a depth of 469 feet at its longest point. There is an existing 2 inch waterline along the frontage of the subject subdivision on Thieme Road, which is not adequate for the required fire hydrant. It would require an eight inch water line to support the fire hydrant. The Fire Marshall reviewed the variance request and recommended denial. Staff is also recommending denial of the variance request because it did not meet the requirements of the Code of Ordinances. The Planning and Zoning Commission (P&Z) overturned staff's recommendation and approved the request. This item would require a 4/5 votes of the City Commission to overturn the P&Z's recommendation.

Commissioner Uhlhorn stated this was a difficult situation because of the nature it would take to install the fire hydrant, but it would set a precedent for other developments that will require a fire hydrant.

Discussion was held regarding the installation of the fire hydrant and Ms. Annette Gaytan stated they wanted to build a home next to their parents, but the cost for the fire hydrant was approximately \$77,000. She asked the City Commission to consider installing the fire hydrant. It was unfair for them to pay \$77,000 for a fire hydrant when there were homes on Thieme Road already.

Mr. Ramirez, Engineer from Urban Infrastructure Group stated the two inch line extended all the way to the other residents.

Commissioner Uhlhorn stated eventually a fire hydrant would have to be installed and probably the City of Harlingen will have to pay for it. Unless a subdivision with fifty lots is developed, then the cost of \$77,000 is spread over the fifty lots. Until then, it is difficult to overwrite it. Should there be a fire, there would be unlimited water from the canal by the use of a pumper truck.

Motion was made by Commissioner Uribe and seconded by Commissioner Leal to deny the variance with regards to the fire hydrant required on Thieme Road on the proposed R.H. Aguilar Subdivision. Motion carried unanimously.

Mayor Boswell stated the decision was based on a safety issue. They needed to enforce the rule. It would be difficult for the Fire Department to put out a fire in this area.

- 11) Consider and take action to grant a variance with regards to the 4 to 1 lot length to width ratio on Lot 4 of the proposed Settle Subdivision bearing a legal description of 7.15 acres consisting of a 4.52 acre tract referred to as Tract 1, and a 2.83 acre tract referred to as Tract II, lying east of the main canal and out of Block 37 of the La Feria Land and Irrigation Company Subdivision located on Louisiana Road south of Tio Cano Road. Applicant: Darrell and James Settle.

Mr. Davila stated the developer was proposing to subdivide the subject property into four residential lots to accommodate the existing residential structures and a fourth lot for future residential use. There is an existing mobile home on the proposed Lots 1 and 2, and two single family residential structures, one of which may be removed on the proposed Lot 4; the proposed Lot 3 is vacant. He highlighted the dimensions of the proposed subdivision and the developer has attempted to purchase the additional land in between to try and fit in the ratio, but the owner has no intent of selling. The developer is requesting the variance to be in compliance and to add additional properties. The access point on the structures is through Louisiana and easements not being used as access points. The only thing he could build in the back is a storage room. This area is inside the city limits. The P&Z and along with staff recommended approval of the request.

Motion was made by Commissioner Leal and seconded by Commissioner Uhlhorn to approve the variance for the 4 to 1 lot length to width ratio on Lot 4 of the proposed Settle Subdivision bearing a legal description of 7.15 acres consisting of a 4.52 acre tract referred to as Tract 1, and a 2.83 acre tract referred to as Tract II, lying east of the main canal and out of Block 37 of the La Feria Land and Irrigation Company Subdivision located on Louisiana Road south of Tio and Cano Road. Motion carried unanimously.

- 12) Consider and take action to approve a lease agreement for the rental of parking spaces between the City of Harlingen and Mirna Trevino for the parking lot located at the southeast corner of Jefferson Avenue and 1st Street and bearing a legal description of Lots 1-7, Block 126, Harlingen Original Townsite. Applicant: Mirna Trevino.

Mr. Gabriel Gonzalez, Assistant City Manager stated the applicant was requesting a specific use permit from the P&Z, but has not present the item to the P&Z because the applicant wanted to address the issue of the parking spaces first. The property is at 302 N. 1st Street, just outside the Downtown Improvement District. The applicant does not meet the parking requirement by thirteen (13) parking spaces. The City Parking Lot is located north of the proposed event center. This could be done by amending the agreement to allow them to use 13 parking spaces for 1.00 a year.

Motion was made by Commissioner Uribe to approve a lease agreement for the rental of the parking spaces between the City of Harlingen and Mirna Trevino for the parking lot located at the southeast corner of Jefferson Avenue and 1st Street and bearing a legal description of Lots 1-7, Block 126, Harlingen Original Townsite, and amend the agreement from 1-10 to 1-13 parking spaces. Motion carried unanimously.

- 13) Consider and take action to approve the preliminary ranking of the Insurance Consulting Firms for Professional Consultant Services for Insurance to assist in researching, developing and implementing an employee self/fully funded Health Insurance, Life, AD&D, Employee Assistance Program, Vision, Dental Insurance and Cafeteria Plan and Products, and authorize the City Manager to negotiate a contract with the highest ranked firm.

Belinda Castillo, Risk Manager stated the City solicited requests for qualifications for Professional Consultant Services for Insurance. The City received four responses and staff reviewed and ranked the responses. Staff is requesting approval to negotiate a contract with McGriff, Seibels & Williams of Texas.

Efren Fernandez, Human Resources Director stated the City had worked with McGriff, Seibels & Williams of Texas in the past.

Commissioner Leal stated he had viewed the ranking of the firms and found that there was a split on the ranking. Although the total points were for McGriff, Seibel & Williams, he asked if the tallies were viewed correctly.

Ms. Castillo responded yes.

Motion was made by Commissioner Uhlhorn and seconded by Commissioner Leal to approve the preliminary ranking as presented and authorize the City Manager to negotiate a contract. Motion carried unanimously.

- 14) Consider and take action to approve a resolution authorizing the Mayor to accept grant funding in the amount of \$65,000.00 from the Texas Criminal Justice Division-Local Border Security Program for over time law enforcement initiatives geared at the border security.

Mr. Luciano Rubio, Deputy Chief stated the City has an opportunity to accept a grant funding for \$65,000 from the Texas Criminal Justice Division. The grant funding would be use to enhance border security and work highway enforcement by law enforcement officers leading to and from the border and City of Harlingen. He recommended approval of the item.

Motion was made by Commissioner Leal and seconded by Commissioner de la Rosa to approve the resolution authorizing the Mayor to accept \$65,000 as grant funding from the Texas Criminal Justice Division. Motion carried unanimously.

- 15) Consider and take action to change the Regular City Commission Meetings of June 1st to June 8th and June 15th to June 22nd, 2016.

Mr. Serna recommended changing the Regular City Commission Meetings of June 1st to June 8th and June 15th to June 22nd, 2016.

Motion was made by Commissioner Uribe and seconded by Commissioner Leal to change the Regular City Commission Meetings of June 1st to June 8th and June 15th to June 22nd, 2016. Motion carried unanimously.

- 16) Consider and take action to approve an Inter-Local Agreement between the City of Harlingen and the Harlingen Consolidated Independent School District for the use of two school buses during the 2016 Summer Parks & Recreation Track Program and authorize the City Manager to sign the Inter-Local Agreement.

Mayor Boswell announced Item No. 16 would be discussed later during the meeting.

- 17) Consider and take action to accept or deny the donation for equipment and improvements to our City Parks from the Harlingen's Wellness Coalition, a non-profit organization.

Javier Mendez, Parks and Recreation Director stated Harlingen's Wellness Coalition, a non-profit organization, would like to donate lighting for the basketball court at Pendleton Park, purchase and installation of shade shelter, and two water fountains to be located at 25th Street Hike and Bike Trail. He recommended acceptance of the donation from the Harlingen's Wellness Coalition.

Motion was made by Commissioner Uhlhorn and seconded by Commissioner Leal to accept the donation for equipment and improvements for the City Parks from the Harlingen's Wellness Coalition. Motion carried unanimously.

- 18) Consider and take action to approve an ordinance on first reading establishing a fee for payment by credit card.

Mr. Sergio Villasana, Assistant Finance Director stated the City has experienced an increase in fees due to charges made through a credit or debit card. Staff is recommending establishing a processing fee to defray the credit/debit card fees charged to the City by the merchant processors handling electronic payment transactions.

Mr. Serna recommended implementing a 3% fee to recuperate the cost to the City.

Mr. Bilbie read the caption of the ordinance.

Motion was made by Commissioner de la Rosa and seconded by Commissioner Uribe to approve the ordinance on first reading establishing a fee for payment by credit card. Motion carried unanimously.

- 19) Consider and take action to approve a resolution in support of the Cameron County Commissioners Court adopting a Freeport tax exemption to help promote economic development.

For the record, Commissioner Uhlhorn filed a conflict of interest form with Amanda C. Elizondo, City Secretary and relinquished his chair. He excused himself from the meeting room in order to avoid an appearance of impropriety.

Mr. Raudel Garza, EDC Director stated Cameron County Commissioners Court placed this item on their agenda for consideration of exempting Freeport goods from taxation. Article VIII, Section 1-J of the Texas Constitution and Tax Code Section 11.261 provides for an exemption from ad valorem taxes on Freeport goods. Freeport tax exemption would apply to goods, wares, merchandise and other tangible personal property acquired in Texas or brought into Texas for 175 days or less before shipping out of state. Mr. Garza stated it was up to local entities to decide if they wish to charge the inventory tax. The City of Harlingen and Harlingen CISD decided not to charge the inventory tax, but Cameron County did. By adopting the resolution it would help promote economic development, create more jobs, industrial development, construction of warehouses, and more capital investment. The Harlingen Economic Development Corporation approved a resolution in support of the Cameron County Commissioners Court adopting a Freeport Tax Exemption. Hidalgo County approved a similar resolution. In Harlingen there was a total of 85 million dollars worth of Freeport exempt goods in Year 2015 which represented 881 employees in those companies who benefitted from this tax exemption. Mr. Garza recommended approval of the resolution because of what has been done at the City and School District level. We are encouraging the County Commissioners Court to do the same at the County level.

Motion was made by Commissioner Leal and seconded by Commissioner de la Rosa to approve a resolution in support of the Cameron County Commissioners Court adopting a Freeport tax exemption to help promote economic development. Motion carried unanimously.

Commissioner Uhlhorn returned to the meeting.

- 20) Board Appointments

Commissioner de la Rosa

Cesar Morales - Community Development Advisory Board (Re-appointment)

Commissioner Uhlhorn

Rodolfo Andarza - Harlingen Proud Advisory (New Appointment)

Motion was made by Mayor Pro-Tem Mezmar and seconded by Commissioner Leal to approve the appointments of Cesar Morales to the Community Development Board and Rodolfo Andaraz to the Harlingen Proud Advisory Board. Motion carried unanimously.

- 21) Executive Session pursuant to Chapter 551, Subchapter D, V.T.C.A., Texas Government Code Sections 551.087, 551.071, and 551.072 regarding the purchase, exchange, lease, or value of real property, including consideration and deliberation concerning the sale of City property, the receipt of donated property, and commercial and financial information from a business known as Project HQ with which the City Commission is negotiating and to possibly seek legal advice from the City Attorney regarding these matters.

At 6:50 p.m., Mayor Boswell announced the City Commission would convene into executive session to discuss Item No. 21.

Motion was made by Commissioner de la Rosa and seconded by Commissioner Leal to convene into executive session to discuss Item No. 21. Motion carried unanimously.

At 7:45 p.m., Mayor Boswell announced the City Commission had completed its executive session and declared the meeting opened to the public.

- 22) Consider and take action to approve the sale of City property as discussed in executive session and authorize the Mayor to sign all necessary documents.

Mayor Boswell announced that Item No. 22 would be postponed to a future meeting.

- 23) Consider and take action to accept the donation of property to the City of Harlingen as discussed in executive session and authorize the City Manager to sign all related to this matter.

Motion was made by Commissioner Uhlhorn and seconded by Mayor Pro-Tem Mezmar to accept the donation of property to the City of Harlingen and authorize the City Manager to sign all documents related to this matter. Motion carried unanimously.

- 24) Consider and take action to authorize the City Manager to negotiate the terms and conditions related to Project HQ as discussed in executive session.

Motion was made by Commissioner Leal and seconded by Commissioner de la Rosa to authorize the City Manager to negotiate the terms and conditions related to Project HQ. Motion carried unanimously.

Mayor Boswell returned to Item No. 16 and stated he had filed a conflict of interest form with Ms. Elizondo. He relinquished his chair to avoid an appearance of impropriety. Mayor Boswell excused himself from the meeting.

Mayor Pro-Tem Mezmar presided over the meeting.

- 16) Consider and take action to approve an Inter-Local Agreement between the City of and the Harlingen Consolidated Independent School District for the use of two school during the 2016 Summer Parks & Recreation Track Program and authorize the City Manager to sign the Inter-Local Agreement.

Mr. Mendez stated the City previously had an agreement with the Harlingen Consolidated Independent School District to transport the kids from the Summer Recreational and Track Program. Two buses would be use from June 6th through August 1st, 2016. The cost to use the buses would be \$19.00 per day. The total cost for the use of the buses last year was \$994.76. This amount was allocated in this year's budget. He recommended approval of the agreement.

Commissioner Uhlhorn referred to the first paragraph of the agreement and stated the address for the Harlingen Consolidated Independent School District should include the address of their principal administrative office. He asked if the City obtained and maintained an insurance policy and scheduled the serial bus numbers to the city's list.

Mr. Mendez stated he would include the additional language regarding the address as suggested by Commissioner Uhlhorn in the agreement. The City did carry an insurance policy for the use of the buses.

Motion was made by Commissioner Uhlhorn and seconded by Commissioner Leal to approve the Inter-Local Agreement between the City and the Harlingen Consolidated Independent School District for the use of two school buses during the 2016 Summer Parks & Recreation Track Program subject to including the additional language and authorize the City Manager to sign the Inter-Local Agreement. Motion carried unanimously.

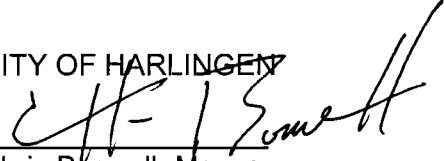
- 25) Citizen Communication

None

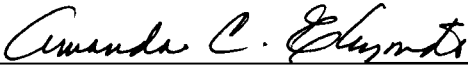
There being no further business to discuss, Mayor Pro-Tem Mezmar adjourned the meeting.

Regular Meeting
5/18/2016

CITY OF HARLINGEN


Chris Boswell, Mayor

ATTEST:


Amanda C. Elizondo, City Secretary