

SPECIAL MEETING

CITY COMMISSION

HARLINGEN, TEXAS

JULY 8, 2010

A Special Meeting of the Harlingen Elective Commission was held on July 8, 2010 at 5:30 p.m. in Town Hall, City Hall, 118 E. Tyler Street, Harlingen, Texas. Those in attendance were:

Mayor and City Commission

Mayor Chris Boswell
Robert Leftwich, Mayor Pro Tem
Gus C. Ruiz, Commissioner District 1
Jerry Prepejchal, Commissioner District 4
Joey Trevino, Commissioner District 5

Absent:

Kori Marra, Commissioner District 3

Staff Present:

Gabriel Gonzalez, Interim City Manager
Roxann P. Cotroneo, City Attorney
Roel Gutierrez, Finance Director
Elvia Trevino, Assistant Finance Director
Betty Cavazos, Budget Officer
Elena Garza, Assistant City Secretary

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

SELECTION OF THE DESIGN FOR THE OFFICIAL FLAG FOR THE CITY OF HARLINGEN.

Gabriel Gonzalez announced the results of the City Flag contest. The results of the Flag Contest are shown below:

Flag #99	77 Votes
Flag #1	55 Votes
Flag #15	19 Votes
Flag #16	13 Votes

Mr. Gonzalez explained that Norman Rozeff had made a presentation to the Harlingen City Commission concerning the City Flag contest. He presented three flags for consideration by the City Commission to decide which one should be the Official City Flag. After some brief discussion Mayor Boswell stated that, perhaps, City staff should create an online survey for the citizens to be able to vote for the flag they would prefer. The following morning at a City Staff meeting several Directors agreed that Flag #1 was the best choice but that it would look better if the City of Harlingen "logo H" was in the center of the flag instead of the "block-H" that was shown. A fourth flag was added to the online contest and was called Flag #99.

Norman Rozeff stated that there were over 160 votes. The top three designs were made by the same individual, Mr. Troy Zurovec. At this time, Mr. Zurovec was introduced and was given a big round of applause. The City will recognize Mr. Zurovec at a later date.

Mr. Gonzalez explained to the Commission that a motion had to be made to select which flag will be the Official City Flag. He stated that a \$100 gift card will be awarded to the winning designer.

Commissioner Prepejchal made a motion to accept Flag #99 as the Official City Flag for the City of Harlingen. Commissioner Trevino seconded the motion and it carried unanimously.

DISCUSSION ON THE CITY'S PROPOSED BUDGET FOR FISCAL YEAR 2010-2011.

Gabriel Gonzalez, Interim City Manager proposed some of the budget figures for fiscal year 2010-2011. The overall revenues total \$62,976,172.00. The overall expenditures total \$65,122,433.00. There is a budget deficit of \$2,146,271.00. The General Fund deficit is \$3,744,913.00. The budget will be discussed over the following three-day period and at the end a "Budget" will be presented to the City Commission for approval.

At this time budget discussion started with Chief Castillo with the Police Department.

Danny Castillo, Chief of Police, stated that the Police Department currently has 133 sworn Police Officers including six positions that were added a year ago. There are 38 civilian employees. This positions fluctuate because of the part-time crossing guards which the City shares with the Harlingen School District. The Police budget is broken down into two sections which are: The Operations Budget which covers the field operations and the Services Budget which covers the support staff, along with other associated functions within the Police Department.

Mr. Gonzalez pointed out the decrease of \$1.4 million in sales tax. He further explained that going back to the Police Department budget, when the collective bargaining was approved with the Police and Fire Departments there was some discussion on how the first two years were going to have minor salary increases and on the third year, being this budget year, it would show the highest increases in salaries. The Police budget is looking at a \$579,000 increase on salaries and benefits. System wide there is also an increase of \$164,000.00 on health insurance.

A lengthy discussion followed on the Police Department budget.

Commissioner Trevino requested a report on how many times the SWAT Team has been utilized.

Commissioner Ruiz requested information on how the SWAT Team was organized.

Commissioner Leftwich requested a report on the red-light upgrade control boxes from all the street intersections.

Mike Rinaldi, Fire Chief stated that his department has 109 sworn certified fire fighters with three civilian staff members. They currently run seven fire stations in the City. There is a three-man crew that is stationed at the Airport every day. The building belongs to the Airport, but the staff is City employees. All costs that are associated with the employees are reimbursed at 100% by the Airport.

Mr. Gonzalez gave a brief overview of the Fire Department budget. He stated that Collective Bargaining also comes into effect with the Fire Department salaries which are \$556,000.00. The total of personal services is \$480,580.00. The overall total increase on the proposed budget is \$713,506.00.

Commissioner Leftwich asked what are the numbers for services provided through the inter-local agreement with the County outside the City. Mr. Rinaldi stated the figures can be found on the revenue page, which is the handout that was provided yesterday.

Commissioner Trevino asked if the Cities of Palm Valley, Combes and Primera are included in that agreement. Mr. Rinaldi replied those cities are with other separate contracts and are negotiable with the City.

Mayor Boswell mentioned that several years ago there was a good deal relationship with Palm Valley, Combes and Primera. The contracts were increased during a three year period. They were not very happy after that. We are subsidizing the County because the City can't negotiate a higher rate although we do provide 24-hour protection to the County. The City of Harlingen needs to review the contracts for the City of Palm Valley, Combes and Primera.

Mr. Gonzalez proceeded with the Fire Prevention budget. He stated there were no major changes with the exception of the increase to the salaries.

Commissioner Ruiz asked what is “supplemental request” for additional personnel. Could he explain that?

Mr. Gonzalez replied that he is requesting additional personnel that are not part of the budget that he submitted, but it is something that he would like to have through the “supplemental budget.” The overall request for the “supplemental budget” is \$240,561.00. This would be to hire additional personnel: two fire investigators/inspectors, plus the vehicles and the radios.

Danny Warner indicated that is has been fifteen years since additional personnel has been added to the Fire Prevention Division. The City has grown and with the increase of the workload they can barely keep up with the inspections that come up on a daily basis. With additional personnel the Department would be able to go out and do more routine inspections on small businesses. Their division currently has a total of four inspectors.

Mr. Gonzalez explained that the City is not doing very good with the sales tax. He indicated that Fire Prevention would have to wait one more year.

Mayor Boswell indicated that the City has grown and it would be good to expand the department when matters are normalized.

Discussion continued with Dan Serna, Public Works Department.

Dan Serna explained that Public Works is made up of twelve different departments with sixteen budgets. There are 124 City employees. The Public Works Department takes care of Engineering to Right of Way Maintenance, Sanitation, Traffic Signals, etc...

Mr. Gonzalez briefed the Commission on the Public Works budget. He stated there was a decrease of \$124,415.00 in salaries, but no employees were laid off. There was an employee who as doing more work for the Enterprise Fund, so he was transferred to that department.

Under the Engineering Department there was a decrease of \$7,516.00 in salaries. There were no major changes in this department.

Commissioner Prepejchal questioned why there was no travel allowance listed under Engineering. Mr. Serna informed him it’s under the Travel and Training on page 125 and there is \$4500.00 in that account.

Under Traffic Signals, Mr. Serna explained that with the mid-year money the department will be installing light controllers on the traffic signals. The MPO Department is buying some software called “Sycro” that will allow the Engineer to study all the traffic signals and get them all synchronized the same. This will increase the timing so citizens can make all the green lights and also at the same time increase the timing on the yellow lights.

Commissioner Leftwich suggested timing the traffic signals on Ed Carey Drive by the hospital.

Mr. Serna stated with this new software the City will be able to conduct studies in-house instead of paying thousand of dollars to a company.

Mr. Gonzalez continued with Street Maintenance and stated they had a salary decrease of \$32,006.00. This was also because of an employee transferred to the Enterprise Fund.

Commissioner Leftwich asked when was the last time that a street light audit was conducted.

Mr. Serna replied the City has a map that pinpoints every light on every street. The map is updated every six (6) months. He informed the Commission they are welcomed to view the map which it is located at the Public Works office.

Commissioner Leftwich commented on the five-year agreement and the estimated rate that the City has with STAP.

Roel Gutierrez, Finance Director stated that the STAP rate goes up slightly each year.

Commissioner Leftwich asked the Finance Director to report back to him on what the rate increase is costing the City of Harlingen on an annual basis.

A lengthy discussion followed on the smaller departments under Public Works.

Mayor Boswell asked for comments from the audience.

George Merrill spoke on behalf of the Fire Prevention Department. He stated the department needs two new fire inspectors and the City should consider this request.

Yolanda Shoffeitt spoke on \$250,000 that is missing from the City.

Mayor Boswell informed Ms. Shoffeitt that the comments spoken on this item have to be related to the budget.

She stated it was related to the budget. This money is missing from the City because of the lobbyist that was hired. Checks were being issued to this individual and she was deceased. Ms. Shoffeitt stated she had a binder with all the violations the City had committed.

DISCUSSION ON CITY OF HARLINGEN MUNICIPAL COURT OPERATIONS PERTAINING TO A NEWLY CREATED ORDINANCE DOCKET, ALTERNATE MUNICIPAL COURT JUDGES, AND CONTRACT MUNICIPAL COURT PROSECUTOR.

Roxann Pais Cotroneo, City Attorney, gave a brief Power Point presentation pertaining to the enforcement of City Codes and Ordinances.

Ms. Cotroneo stated that Municipal Court has created a new Ordinance Docket, whereby all code, fire, health, and animal control citations will be heard on the 2nd and 4th Wednesday of every month. At this court docket, a Municipal Court prosecutor will be present to plea negotiate every citation with the goal of seeking compliance with our City Ordinance(s), rather than just paying a fine plus court costs.

Currently, our City budgets for one full-time and one part-time Municipal Court judge. Both of these positions are paid on a salary. The City recently appointed Robert Guerra as our full-time Municipal Court Judge. The City's part-time Municipal Court judge resigned effective June 23, 2010. Rather than re-hire a part-time salaried judge, the City proposes to hire four contract alternate judges. The City will compensate an alternate judge for only the services actually performed. For example, there will be a separate service fee for a full-day docket, half-day docket, magistrations duties, and other special settings. Having four contract alternate judges will allow the City to schedule magistrations duties twice a day. It also allows the City to schedule warrant round-ups, weekend court, night court, and other creative legal projects necessary to dispense fair justice.

The City Attorney's office wants to hire and train a Municipal Court prosecutor under a contract to be available for extra Municipal Court dockets and as a back-up for our current City prosecutor.

She stated the "Scofflaw Program" is already in effect. There will be 37,000 outstanding warrants that are being transferred to TxDOT. When citizens try to register their vehicles with the County Tax Office, they will realize they have to pay the City for any outstanding warrants they might have.

Commissioner Leftwich suggested a warrant roundup before sending the warrant list to TxDOT. It might not make a difference at this time, but the City should look into this process before tainting everyone's record.

Mayor Boswell was very pleased with the presentation and stated these ideas would make the City more efficient. He informed the City Attorney to proceed with the ideas she had presented.

Commissioner Trevino made a motion to go into Closed/Executive Session pursuant to Chapter 551, Subchapter C., *V.T.C.A. Government Code* (Section 551.074): personnel matters to deliberate the appointment, employment, duties and evaluation of applicants for the position of City Manager. Commissioner Leftwich seconded the motion and it carried unanimously.

CLOSED/EXECUTIVE SESSION PURSUANT TO CHAPTER 551, SUBCHAPTER C., V.T.C.A. GOVERNMENT CODE (SECTION 551.074): PERSONNEL MATTERS TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, DUTIES AND EVALUATION OF APPLICANTS FOR THE POSITION OF CITY MANAGER.

The Executive Session convened at 7:57 p.m. and concluded at 8:07 p.m.

Present during Executive Session were: Mayor Boswell, Commissioners Ruiz, Leftwich, Prepejchal, Trevino. Commissioner Marra was not present.
Also present were: Roxann P. Cotroneo, City Attorney, and Efren Fernandez, Human Resources Director.

TABLED – SEMI-FINALISTS FOR THE POSITION OF CITY MANAGER.

Commissioner Leftwich made a motion to table Item #5. Commissioner Trevino seconded the motion and it carried unanimously.

DISCUSSION TO INSTRUCT CITY STAFF ON HOW TO PROCEED WITH THE HIRING PROCESS TO SELECT THE CITY MANAGER.

Mayor Boswell proposed that the Commission submit their ranking sheet to Efren Fernandez, Human Resources Director, for tabulation prior to the next Commission meeting.

Mayor Boswell suggested scheduling the next Commission meeting for July 20, 2010 with the consensus of all Commissioners present. All agreed. All four items that are on tonight's agenda dealing with the City Manager will be presented at the July 20th meeting. Mr. Fernandez will provide the tabulations and the Commission will start the selection discussion from there. After the discussion the City Commission will decide whether to name three finalist or five finalists.

Mr. Fernandez indicated it would be a good idea if the Commission starts the process by requesting a background check. He stated as part of the last City Manager hiring process that a personality profile and a handwriting analysis was conducted. Also, once they are scheduled for interviews, he would like to know if the Commission is going to request that a document listing their goals, vision and accomplishments be submitted for review.

Mayor Boswell asked Mr. Fernandez to prepare a list of questions for all the candidates that would last around thirty (30) minutes to one (1) hour.

Commissioner Ruiz asked how the Assistant City Manager will take part on this interview process.

Commissioner Leftwich replied that he would have to go through the same process as everyone else.

DATES AND TIMES TO INTERVIEW THE SEMI-FINALIST FOR THE POSITION OF CITY MANAGER Tabled.

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Commissioner Leftwich made a motion to table this item for the next Commission meeting when the ranking tabulations are presented. Commissioner Trevino seconded the motion and it carried unanimously.

There being no further business the meeting adjourned at 8:15 p.m.

Chris Boswell, Mayor

Attest:

Elena Garza, Assistant City Secretary