

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

SEPTEMBER 15, 2010

A Regular Meeting of the Harlingen Elective Commission was held on Wednesday, September 15, 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
Joey Trevino, Mayor Pro Tem
Gustavo C. Ruiz, Commissioner District 1
Robert Leftwich, Commissioner District 2
Jerry Prepejchal, Commissioner District 4

Absent:

Kori Marra, Commissioner District 3

Staff Present:

Carlos Yerena, City Manager
Roxann P. Cotroneo, City Attorney
Sylvia R. Trevino, City Secretary

Mayor Boswell called the meeting to order. Notice of the meeting was duly posted according to law.

INVOCATION/PLEDGE OF ALLEGIANCE/WELCOME

Father Pedro Briseno delivered the invocation and the Pledge of Allegiance followed.

PROCLAMATION: Immaculate Heart of Mary Church

Mayor Boswell presented a proclamation to Father Briseno for the Church's 100th anniversary celebration. Father Briseno expressed comments of appreciation and thanks.

LEASE AGREEMENT APPROVED BETWEEN THE CITY OF HARLINGEN AND CAMERON COUNTY JUVENILE JUSTICE DEPARTMENT FOR USE OF THE FORMER POLICE DEPARTMENT FACILITY LOCATED AT 1102 S. COMMERCE STREET.

Gabriel Gonzalez pointed out some recommended changes to the lease on pages 1 and 2.

Commissioner Leftwich made a motion to approve the lease with the amendments as explained by Mr. Gonzalez. Commissioner Trevino seconded the motion.

Mayor Boswell commented that this was a huge step forward from two years ago when the Gang Task Force was first created. This type of endeavor was one of the Task Force's goals. He stated that he was thankful for the partnership with the County JJD to address our issues related to gang violence, which would be very cost effective for the City.

Commissioner Trevino thanked Mr. Tommy Ramirez and the rest of the staff and pointed out that this facility would also incorporate a community court and the facility could be named the Community Justice Center.

Roxann Cotroneo added that the intention is to combine community service with the YouthBuild project and she has been talking to Washington and there is a possibility of bringing the international conference to Harlingen next year.

Voting on the motion carried unanimously.

BOARD MEMBER RECOGNITIONS

Commissioner Ruiz presented a certificate of special recognition to Regina Shipp as a newly appointed member to the Veterans Board and presented a certificate of special recognition to Mona Size, newly appointed member to the Library Board.

Commissioner Leftwich presented a certificate of special recognition to Roy Maggard, newly appointed member to the Veterans Advisory Board.

Mayor Boswell presented a certificate of special recognition to Eileen Mattei for her past service on the Library Board.

CITIZEN COMMUNICATION

Keith Martin and Larissa Rivas-Leal spoke briefly on problems they have experienced trying to use the soccer fields at the Harlingen Soccer Complex and asked that the Commission look into this issue.

Mayor Boswell explained how Citizen Communication works and commented that Mr. Martin could meet with city staff to discuss the issue further.

David Garza, owner of Gulf Aviation for over 30 years, spoke with regards to the Airport's proposed budget. He pointed out that it lacks detailed information on capital improvements. He felt that taxpayers deserve to know how the money is going to be used in order to maintain transparency.

Joe Rubio suggested removing the budget approval off the consent agenda. He referred to the extra Captain's position that supposedly would not have a financial impact on the budget. Also, the Downtown District assessment has also impacted the budget and asked that the Commission consider pulling this item off the consent agenda for a separate vote.

Further, Mr. Rubio gave special recognition to Michael Hopping for the upcoming Halloween event at Rangerville Park and asked that the entire Commission get involved. This is a chance to 'showcase' the Park.

Jesse Villarreal, representing the Arroyo Youth Soccer Club, spoke in reference to the use of the soccer complex and explained that they have rules and there are 22 teams that practice two to three times a week. They are open to dialect with anyone that wants to use the fields.

Regina Shipp reminded the Commission of the Veterans' barbecue fundraiser on Saturday, September 18, 2010 from 11:00 a.m. to 3:00 p.m. at Pendleton Park. She asked that the public help support this event.

Ron Lozano spoke about the Meyers brothers (consultants) and stated that the community needs more interaction with them and pointed out that budgets are never intended to be part of the consent agenda. He also spoke about the First amendment and the DID assessment and commented that people are sacrificing themselves to power point presentations.

MINUTES FOR APPROVAL: Regular Meeting of September 1, 2010

At the request of the City Secretary, the minutes were tabled upon a motion by Commissioner Prepejchal and seconded by Commissioner Leftwich. The motion carried unanimously.

CONSENT AGENDA:

- A. ORDINANCE ADOPTED ON FINAL READING TO DESIGNATE A 'NO PARKING' ZONE LOCATED AT THE NORTHWEST CORNER OF '76' DRIVE AND JEFFERSON AVENUE.**
- B. ORDINANCE ADOPTED ON FINAL READING TO DESIGNATE A 'NO PARKING' ZONE LOCATED AT 1500 WEST HARRISON AVENUE.**

- C. ORDINANCE ADOPTED ON FINAL READING TO DESIGNATE A ‘NO PARKING’ ZONE LOCATED ON BOTH SIDES OF WEST AVENUE BETWEEN TYLER AVENUE AND HARRISON AVENUE.**
- D. ORDINANCE ADOPTED ON FINAL READING TO ADOPT THE 2010-11 FISCAL YEAR BUDGET.**
- E. ORDINANCE ADOPTED ON FINAL READING TO ADOPT THE 2010 AD VALOREM TAX RATE FOR MAINTENANCE AND OPERATION FOR THE FISCAL YEAR 2010-11.**
- F. ORDINANCE ADOPTED ON FINAL READING TO ADOPT THE 2010 AD VALOREM TAX RATE FOR INTEREST AND SINKING FOR THE FISCAL YEAR 2010-11.**
- G. RESOLUTION APPROVED ADOPTING THE DEVELOPMENT CORPORATION OF HARLINGEN, INC. BUDGET FOR FISCAL YEAR 2010-11.**
- H. RESOLUTION APPROVED ADOPTING THE HARLINGEN WATERWORKS SYSTEM BUDGET FOR FISCAL YEAR 2010-11.**
- I. RESOLUTION APPROVED ADOPTING THE VALLEY INTERNATIONAL AIRPORT BUDGET FOR FISCAL YEAR 2010-11.**

Commissioner Trevino made a motion to approve the consent agenda. Commissioner Leftwich seconded the motion.

At this time, Commissioner Ruiz asked to remove Item I from the consent agenda for a separate approval.

Commissioner Trevino amended his motion to approve the Consent Agenda items A through H. Commissioner Prepejchal seconded the motion and it carried unanimously. Referring to Item I, Commissioner Ruiz asked about the Airport’s capital improvements and stated that there was not an itemized list indicating what those projects were.

Michael Browning, Director of Aviation, explained that there are no proposed capital improvement projects for the new fiscal year. \$10 million are to be used for current projects. When the list is complete, he will come before the City Commission for approval. He further explained that all projects are contained in his monthly reports that he submits to the Commission.

Mayor Boswell further explained that the Airport could not spend any money on capital improvements without the Commission’s approval. The Airport is only asking for approval of \$80,000 for the items that are currently listed in the budget for next year.

Commissioner Prepejchal asked about the taxiway. Mr. Browning stated that a construction contract has been signed.

Gail Moore stated that her husband has been an aircraft technician for 39 years and stated that an ILS System is needed at the Airport and made reference to a letter that she submitted to the City Attorney. She stated that she hoped that the Airport would look into this. The City Attorney informed Ms. Moore that she had forwarded her letter to the Chairman of the Airport Board. Mr. Browning informed Ms. Moore that the Airport was in the process of providing a response to her letter.

Ms. Moore also felt that the Airport should meet at another time other than 7:30 a.m.

Voting on the motion to approve the Airport’s proposed budget for fiscal year 2010-11 was approved unanimously.

PUBLIC HEARING HELD AND ACTION TAKEN TO APPROVE A SUBSTANTIAL AMENDMENT TO THE CITY OF HARLINGEN’S COMMUNITY DEVELOPMENT BLOCK GRANTS 2008-09 ONE YEAR ACTION PLAN IN THE AMOUNT OF \$103,000 TO ESTABLISH INITIAL FUNDING FOR THE TARGET AREA NEIGHBORHOOD INVESTMENT PROGRAM

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Tammy DeGannes, Community Development Director, made a power point presentation, which, in summary, explained that the City of Harlingen is an Entitlement city in the U. S. Department of Housing and Urban Development's HUD Community Development Block Grant program. Public Notice and Public hearings are required for substantial amendments to the One Year Action Plan. A substantial amendment is required to change the use of CDBG funds from one activity to another of \$50,000 or more and to add an activity not originally described in the One Year Action Plan.

This Substantial Amendment is required to reprogram unexpended administrative funds from Program Year 34 (2008-09) in the amount of \$103,000.00 to a new activity, the Target Area Neighborhood Investment Program (TANIP) located within Census Tract 110 (District 4) which is bound by Tyler Street on the north, "F" Street on the east and the frontage road along the south and west.

The objective of the TANIP is to systematically upgrade the City infrastructure, an area at a time, in our older established neighborhoods to arrest deterioration. This will be done by identifying the program areas, taking a comprehensive assessment of existing conditions including input from property owners and residents, determining needs and developing a work plan, funding sources and a timeline.

With the City upgrading and improving public facilities and the residents continuing to maintain or improve their properties, the impact of a public/private partnership, where property owners work with the City will result in maximized property values and a high quality of life in the neighborhoods.

Ms. DeGannes stated that the Community Development Advisory Board held a public hearing on July 8, 2010 and recommended approval of the substantial amendment. Throughout the comment period many comments were received from residents. Their primary comment was the need for crime reduction activities and housing rehabilitation. She noted that a presentation was also given during the District 4 Community Meeting that was held on September 11, 2010 by Commissioner Prepejchal.

Mayor Boswell declared the public hearing open.

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

Commissioner Leftwich made a motion to approve the substantial amendment to the One Year Action Plan. Commissioner Prepejchal seconded the motion and it carried unanimously.

PUBLIC HEARING HELD AND RESOLUTION ADOPTED AUTHORIZING A PUBLIC IMPROVEMENT ASSESSMENT DISTRICT FOR FIVE YEARS PURSUANT TO A PETITION SUBMITTED BY DOWNTOWN PROPERTY OWNERS

Paul Menzies explained that the petition by the property owners was presented at the last meeting and it is mostly for the east side (Downtown) and does not include La Placita (west side). The assessment remains the same at \$.50 per \$1.00.

Mayor Boswell declared the public hearing open.

Blas Cantu, referring to this agenda Item (#7) and the following Item (#8) addressed the Commission and stated that the Commission supports economic development, job retention, job creation and downtown is doing just that. There has been more growth in downtown as indicated by the 87% occupancy. Downtown was hurting when the Airbase moved out and it would not be in the best interest of the community to do away with the assessment that has generated economic development, job retention, maintained the tax base and derived good revenue from the sale taxes. He encouraged the Commission to vote for the continued assessment downtown.

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Steve Aune, 214 E. Jackson, asked for the Commission' support and commented that he was able to get his entire block of property owners to sign the petition because they have all benefited at one time or another from the assessment.

Bill DeBrooke, 306 E. Jackson, stated that this has been a 21-year partnership with previous Mayors and previous Commissioners. He thanked the city staff and everyone who has sat on the Commission table for supporting the downtown for so many years.

Jo Wagner, property owner of the Reese Wilmond, stated that through her development, she will be hiring about 60 employees that will have good jobs with good benefits and it was the downtown that inspired her to invest in the renovation of the building.

Lydia Romero stated that she has been in Harlingen for 39 years and all this talk is about Jackson Street only. What about the small businesses on the side of Jackson Street? She felt it was not fair. The assessment has not benefited the city as a whole only those on Jackson Street.

Joe Rubio, 2309 Hacienda Road, commented that petition rules have to be met and questioned the validity of the petition and wondered if it met the requirements of a petition of such kind. He asked why not form their own group and commented that he was against the assessment.

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

Commissioner Leftwich made a motion to approve the resolution but as a compromise and because a large group is supporting the assessment, he offered the rate of \$.15 per \$100 and to consider looking into other funding sources to make up the difference.

Commissioner Prepejchal seconded the motion.

Mayor Boswell commented that would create the district with a board and would continue as before but with 2/3rds less funding – about \$45,000 less instead of \$59,000. Commissioner Leftwich corrected the amount and stated that it would be less than \$20,000.

Commissioner Prepejchal suggested to Ms. LaBerge that she take this information to the property owners on La Placita side and see if they would support the assessment at the new proposed rate.

Commissioner Leftwich commented that it was still about \$.25 increase when combined with the school tax increase.

Commissioner Trevino asked that a vision be created for the downtown and to seek private/public partnerships.

Voting on the motion was unanimous.

RESOLUTION APPROVED ADOPTING THE HARLINGEN DOWNTOWN BUDGET FOR FISCAL YEAR 2010-11.

Roel Gutierrez presented a modified version of the budget based on the motion previously made (above). He indicated that revenues would now be \$208,400 and expenditures would be \$263,067 with a fund balance of over \$100,000.

Commissioner Prepejchal made a motion to approve the budget subject to the change. Commissioner Leftwich seconded the motion and it carried unanimously.

PUBLIC HEARING AND REQUEST CONSIDERED TO APPEAL THE DECISION OF THE PLANNING AND ZONING COMMISSION FOR A PLANNED DEVELOPMENT (PD) AMENDMENT TO THE TREASURE HILLS COUNTRY CLUB PD (ORDINANCE NO. 84-72) TO ALLOW THE USE OF AN ASSISTED LIVING FACILITY FOR SEVEN (7) AGED OR DISABLED

**PERSONS ON THE PROPERTY LOCATED AT 1914 LAZY LAKE DRIVE,
BEARING A LEGAL DESCRIPTION OF TREASURE HILLS COUNTRY CLUB
SUBDIVISION BLOCKS 7, 8 AND 9 (PARTIAL), LOT 29, BLOCK 8.
APPLICANT: DAMIAN INJAGBORO**

Joel Olivo, Planning Manager, explained that the applicant was appealing the denial by the Planning and Zoning Commission to allow the use of an Assisted Living Facility for seven (7) aged or disabled persons on the property. He pointed out the subject property on the map. Mr. Olivo also indicated that the plans submitted satisfactorily met all city requirements.

Mr. Olivo explained that a petition against the Planned Development had been submitted which contained some signatures that were from outside the radius. He further stated that 19 out of the 25 that were located within the 200 ft. radius signed the petition and it would require a 4/5ths by the Commission to overturn the decision made by the Planning and Zoning Commission.

Mayor Boswell declared the public hearing open.

Rafaela Castillo, an employee of Dr. Damian, explained that people are seeing this development as a nursing or rehab home but it will be a home just like any others in the area. They have passed all city requirements and the home will be for only seven people. It is not an institution – just a home for retired, disabled people. She made mention that there is another similar facility located on Clifford Street and that home is also a very quiet home. It will be an assisted living facility where people can still live on their own but need other types of assistance.

Linda Krabill stated that she owns property directly left to the subject property. She spoke about decreased values, the safety of children, and the traffic flow that will increase and spoke in reference to the driveway of the facility that could impede the safety of children that would be playing in her yard. Her comments were in opposition of the assisted living facility.

Luis Gutierrez, 3318 Treasure Hills stated that the subject property is almost behind his house. He has two children and a swimming pool. He stated that there are many types of disabilities and these could be a threat to the safety of his children and he is very concerned. It is a business, no matter what. He asked that the Commission not consider this development.

Paul Searle, who resides within the radius, explained that no one he asked was in favor of this development. Everyone was upset. All homes in the vicinity will be affected not only those within the 200 ft. radius and he asked that this request (appeal) be denied.

Lupita Muniz, 2719 Cypress, agreed that the home on Clifford is very quiet until such time that an ambulance is called to assist. It does create a certain amount of unsafe traffic and it is evident that this facility will need that type of assistance. To her it is a safety issue that needs to be addressed, also because of the many walkers/joggers in the area.

Janie Bowers, 2005 Lazy Lake, a physician, stated that as a medical professional she knows what assisted living entails. By allowing this type of facility it changes the quality of life in the neighborhood.

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

Commissioner Leftwich made a motion to deny the appeal. Commissioner Prepejchal seconded the motion and it carried unanimously.

**BID ACCEPTED AND CONTRACT AWARDED FOR HOT MIX ASPHALT
MATERIAL UNDER BID NO. 2010-18**

Ponciano Longoria, City Engineer, explained that the current contract for the purchase of hot mix asphalt would expire on September 16, 2010. The hot mix asphalt material is

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used to repair streets and alleys throughout the city. Repairs include street cuts; potholes, road failures, and minor overlay projects. Staff recommended accepting the sole bid submitted by Frontera Materials, Inc. for hot mix asphalt picked up by the City @ \$50.00 per ton and hot mix asphalt delivered to the City @ \$54.25 per ton. This is a 12-month contract with the option to extend the contract for an additional 24 months in 12-month increments.

Commissioner Leftwich made a motion to accept staff's recommendation to award the contract to Frontera Materials, Inc. Commissioner Trevino seconded the motion and it carried unanimously.

(Commissioner Prepejchal stepped out during this item)

ORDINANCE ADOPTED ON FIRST READING TO AMEND SECTION 97.50 OF CHAPTER 97 OF THE HARLINGEN CITY CODE AND PROVIDING THAT QUALIFIED GOLF COURSE ADVISORY BOARD MEMBERS MAY SERVE MORE THAN ONE 3-YEAR TERM.

Gabriel Gonzalez, Assistant City Manager, explained this ordinance would allow for the Golf Course board members to be able to serve more than one 3-year term.

The caption of the ordinance was read.

AN ORDINANCE OF THE CITY OF HARLINGEN, TEXAS AMENDING SECTION 97.50 OF CHAPTER 97 OF THE HARLINGEN CITY CODE, AS AMENDED; PROVIDING THAT QUALIFIED GOLF COURSE ADVISORY BOARD MEMBERS MAY SERVE MORE THAN ONE THREE YEAR TERM; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ORDAINING OTHER MATTERS PERTAINING TO THE FOREGOING.

Commissioner Leftwich made a motion to adopt the ordinance on first reading. Commissioner Trevino seconded the motion and it carried unanimously.

ORDINANCE ADOPTED ON FIRST READING TO AMEND SECTION 97.65 OF CHAPTER 97 OF THE HARLINGEN CITY CODE AND PROVIDING THAT QUALIFIED TENNIS ADVISORY BOARD MEMBERS MAY SERVE MORE THAN ONE 3-YEAR TERM

Gabriel Gonzalez, explained that this ordinance would allow for the Tennis Advisory Board members to serve more than one 3-year term.

The caption of the ordinance was read.

AN ORDINANCE OF THE CITY OF HARLINGEN, TEXAS AMENDING SECTION 97.65 OF CHAPTER 97 OF THE HARLINGEN CITY CODE; AS AMENDED; PROVIDING THAT QUALIFIED TENNIS ADVISORY BOARD MEMBERS MAY SERVE MORE THAN ONE THREE-YEAR TERM; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ORDAINING OTHER MATTERS PERTAINING TO THE FOREGOING.

Commissioner Leftwich made a motion to adopt the ordinance on first reading. Commissioner Trevino seconded the motion and it carried unanimously.

ORDINANCE ADOPTED ON FIRST READING TO ADD SECTION 70.33 OF CHAPTER 70 OF THE HARLINGEN CITY CODE, AS AMENDED, TO: 1) PROHIBIT THE USE OF A HAND-HELD MOBILE TELEPHONE TO ENGAGE

IN A CALL OR THE USE OF A MOBILE COMMUNICATION DEVICE TO SEND, READ, OR CREATE A TEXT MESSAGE WHILE OPERATING A MOTOR VEHICLE IN AN ACTIVE SCHOOL ZONE; 2) PROVIDE DEFENSES; 3) PROVIDE SIGNAGE REQUIREMENTS; 4) PROVIDE FOR ENFORCEMENT; AND 5) PROVIDE A PENALTY OF \$200.

Chief Castillo stated that Senate Bill 75 amended the Transportation Code to prohibit this type of activity. The proposed ordinance mirrors the State statute and will enable the City to implement this law. The school zone signs will need to be modified.

The caption of the ordinance was read.

AN ORDINANCE ADDING SECTION 70.33 TO CHAPTER 70: TRAFFIC REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN, TEXAS, AS AMENDED; DEFINING TERMS; PROHIBITING USE OF HAND-HELD MOBILE TELEPHONE TO ENGAGE IN A CALL OR THE USE OF A MOBILE COMMUNICATION DEVICE TO SEND, READ OR CREATE A TEXT MESSAGE WHILE OPERATING A MOTOR VEHICLE IN AN ACTIVE SCHOOL ZONE; PROVIDING DEFENSES; PROVIDING SIGNAGE REQUIREMENTS; PROVIDING FOR ENFORCEMENT; PROVIDING A PENALTY OF \$200; PROVIDING FOR PUBLICATION; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND ORDAINING OTHER MATTERS PERTAINING TO THE FOREGOING.

Commissioner Trevino made a motion to approve the ordinance on first reading.
Commissioner Leftwich seconded the motion.

Commissioner Leftwich asked if those that are waiting in their parked cars would be in violation of this law. Chief Castillo replied no, it applies only if you are driving through an active school zone.

Roxann Cotroneo added that it is allowed to use a hands-free telephone in a hands-free manner.

Voting on the motion carried unanimously.

AGREEMENT APPROVED BETWEEN THE CITY OF HARLINGEN AND MEYERS & ASSOCIATES FOR GOVERNMENT RELATIONS SERVICES

Gabriel Gonzalez explained that the contract has expired and needs to be renewed. He pointed out two changes to the contract: changing October 2010 to October 2009 on Page 1, first paragraph and changing 2010 to 2009 on Page 3.

Commissioner Leftwich made a motion to approve the agreement (renewal).
Commissioner Trevino seconded the motion.

(Commissioner Prepejchal returned to the meeting at this time)

Under discussion, Commissioner Ruiz asked if the Meyers were here to give a presentation.

Mayor Boswell replied that they had been present at the City Commission workshop held a few weeks ago. He indicated that if the agreement is approved they need to be asked to present their legislative agenda and a plan of work. Mayor Boswell also suggested changing the time for termination of the contract from 90 days to 30-60 days.

Commissioner Leftwich amended his motion to reflect the approval of the agreement to include a legislative agenda and changing the termination clause to reflect 30 days

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instead of 90. There was a consensus among the Commission that Meyers present a legislative agenda within 30 days from award of contract. Commissioner Trevino accepted the amended motion and seconded it.

Voting on the motion was unanimous by those present.

ORDINANCE ADOPTED ON FIRST READING TO REQUIRE CERTAIN CITY BOARDS TO MEET AND CONDUCT EVERY OTHER REGULAR MEETING OF ITS MEMBERS AFTER 5:30 P.M. ON ANY WEEKDAY OR AT A REASONABLE TIME ON WEEKENDS TO INCREASE PUBLIC PARTICIPATION AND ATTENDANCE AT CITY BOARD MEETINGS.

The caption of the ordinance was read.

AN ORDINANCE OF THE CITY OF HARLINGEN, TEXAS ADDING SECTION 32.006 OF CHAPTER 32 OF THE HARLINGEN CITY CODE, AS AMENDED; PROVIDING THAT CERTAIN CITY BOARDS MEET AND CONDUCT EVERY OTHER REGULAR MEETING OF ITS MEMBERS AFTER 5:30 P.M. ON ANY WEEKDAY OR AT ANY REASONABLE TIME ON WEEKENDS TO INCREASE PUBLIC PARTICIPATION AND ATTENDANCE AT CITY BOARD MEETINGS; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ORDAINING OTHER MATTERS PERTAINING TO THE FOREGOING.

Commissioner Prepejchal made a motion to adopt the ordinance on first reading. Commissioner Ruiz seconded the motion.

Under discussion, Commissioner Trevino asked that the meetings be published to increase participation from the community instead of just posting onto the City's website.

Curtis Bonner, Chairman of the Harlingen Waterworks, 1818 North 17th Street, informed the Commission that the Board of Trustees met at 5:30 p.m. for one entire year and no one would show up. He pointed out security issues downstairs at the Waterworks building when the meetings are being held upstairs. He pointed out that each meeting would cost about \$100 to pay for staff overtime or they would need to be given administrative leave. He stated that from their experience, meetings at 5:30 p.m. were not successful and asked that the Utility Board of Trustees be deleted from the provisions of the ordinance and also asked that the ordinance be tabled until all boards provided their input. With the way their building is laid out it would mean additional costs to have the meetings at 5:30 p.m.

Mayor Boswell pointed out that the ordinance would apply to regular meetings only and would apply to every other regular meeting.

Ron Lozano pointed out that there is nothing in the ordinance that mandates where the meetings must be held. The impetus is the stakeholders whether the citizens in Harlingen count and he agreed with Commissioner Trevino that publishing the meetings was a good idea.

Mayor Boswell commented that the people that are appointed by the Commission to serve and make recommendations are volunteering their time and they should be able to decide when they hold their meetings. He expressed comments of appreciation to Commissioners Prepejchal and Ruiz for the compromise.

Voting on the motion carried unanimously.

PROGRESS DISCUSSED ON THE CITY OF HARLINGEN'S SEPTEMBER 2010 AMNESTY PROGRAM AND WARRANT ROUND-UP

Roxann Cotroneo gave an update on the extended amnesty period and noted that within the first 10 days in September collections were \$142,185, cash plus payments. She noted

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that this continues to be a collaborative effort and her next briefing will be on October 6, 2010.

CITY'S EFFORTS DISCUSSED TO DEMOLISH STRUCTURES THAT ARE SUBSTANDARD, DILAPIDATED, UNFIT FOR HUMAN HABITATION AND A HAZARD TO THE PUBLIC HEALTH, SAFETY AND WELFARE

Roxann Cotroneo gave a power point presentation on dilapidated structures and gave an update on the demolitions: within a 4-month period 30 structures were demolished, 20 are pending and 2 were repaired. Most demolitions occurred in District 4 because it was the worst area with most dilapidated structures.

She explained to the Commission how the process of demolition is handled through the Construction Board of Adjustments. She stated that the CBA hears an average of 12 cases per month and stated that there is a lot that has to be done when conducting a demolition.

Ms. Cotroneo added that in order for the process to go faster, she would recommend that the City, in the near future, consider adding an additional code enforcement inspector that would handle nothing but demolitions. Currently, there are five inspectors, one for each District but they have other duties and responsibilities to tend to.

Mayor Boswell asked how are the structures identified for demolition. Ms. Cotroneo explained that most of the structures that were on the original list have been demolished but there was a slight shift to use federal funds that needed to be used by a certain deadline and so other structures were considered.

Commissioner Trevino pointed out that it is easy to demolish but a lot of work to enhance the neighborhood. Ms. Cotroneo stated that YouthBuild could assist with this endeavor.

RESOLUTION APPROVED APPOINTING A REPRESENTATIVE TO THE CAMERON APPRAISAL DISTRICT BOARD OF DIRECTORS FOR A FULL TWO-YEAR TERM

Commissioner Ruiz made a motion to appoint Tony Gutierrez to a full term on the Cameron Appraisal District Board of Directors. Commissioner Leftwich seconded the motion and it carried unanimously.

BOARD APPOINTMENTS

Commissioner Trevino reappointed Rick Caballero to the Harlingen Community Improvement District Board and reappointed Juan Salas to Harlingen Proud.

There being no further business the meeting adjourned at 7:42 p.m.

Chris Boswell, Mayor

Attest:

Sylvia R. Trevino, City Secretary