

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

MARCH 16, 2011

A Regular Meeting of the Harlingen Elective Commission was held on Wednesday, March 16, 2011 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
Mayor Pro Tem Joey Trevino
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
Gabriel Gonzalez, Assistant City Manager
Roel Gutierrez, Finance Director
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.

INVOCATION - Delivered by Commissioner Prepejchal

BOARD MEMBER RECOGNITIONS

None.

SPECIAL RECOGNITION JOE OLVERA.

Mayor Boswell congratulated Joe Olvera from the Parks Department with a special recognition certificate on his outstanding accomplishment. He competed in the Zero-Turn Mower Barrel Obstacle Course and was crowned champion with a perfect run and the best time out of the field. Mr. Olvera competed in the Trade Show and Maintenance Rodeo in McAllen, Texas on March 2-4, 2011. Park professionals from throughout the State of Texas gathered to compete in such events as the nail drive competition, backpack blower competition, backhoe competition, team truck and trailer competition, irrigation assembly, mower barrel obstacle course and plant identification competition. Mr. Olvera had to qualify on a regional basis first in order to compete at State level. (Big round of applause followed.)

CITIZEN COMMUNICATION

Yolanda Shoffeitt, P. O. Box 697, spoke in reference to conflict of interest. She stated conflict of interest is no laughing matter and the Commission should reclude themselves from any agenda item that they have a conflict with. God gave everyone of us the knowledge and wisdom to bring forth the best for the City of Harlingen. She is proud to be an American. Again, she stated conflict of interest is not a laughing matter.

Patty Leal, 3202 S. "F" Street, with Nasty Habits Car Club spoke in reference to police harassment and she is here tonight to address the gang unit issue. They use very aggressive tactics and she considers this harassment. The Nasty Habits Car Club is not the only organization that is being targeted; there are several other car clubs that are

being targeted. On Saturday nights they show up at certain locations to meet with friends and family to show off their cars. They have permission by the owners of these properties to meet at the locations. Yet, the police will show up and ask us to leave the premises. It is always the same police officer that shows up. The Gang Unit is always singling out these car clubs. The Car Clubs bring a big amount of revenue to the City of Harlingen. The City didn't realize there was a gang problem until after the Abraham Mar incident. Citizens are not reporting gang activity because they feel their calls are being ignored. The Gang Unit should focus on gang activity in the City and leave the car clubs alone. Our organization has never been tied to any gang activity. They want to be able to come out on Saturdays to show off their cars and enjoy with their friends and family. They have a copy of the city ordinance dealing with loitering and they are confident they are not breaking any laws. They want the police department to stop the harassment.

Victor Chavez, 111 S. 1st Street, with Nasty Habits Car Club spoke in reference to Gang Unit Harassment. He stated he was a former gang member. Now that he is involved with the Car Club the Police Department target him more, since they were familiar with his vehicle. He stated he got rid of the old car and bought a new one. Well, the Police are aware of his new vehicle and he is now being stopped and harassed for no reason. On Saturdays when they are out on the strip a police officer will pull him over for no apparent reason. He stated the Gang Unit should focus on gang activity not on car clubs.

Valerie Bazan, 4305 Washmon, with Nasty Habits Car Club spoke in reference to gang units. She has invested quite a few dollars on her vehicle and enjoys showing it off. She is out there on Saturday nights with the car club. They are not there to cause problems with anyone. They are there to spend time with family and friends. The Gang Unit keeps harassing us every Saturday night. They should concentrate on gang members that are out on Saturday night.

Jeremy Walker, 1012 E. Adams, with Flatline Car Club spoke in reference to car club rumors. He stated that he heard rumors about closing the "strip" on Saturday nights. He enjoys coming down and showing off his car and never causes any problems. This is their time to get together like a family and talk about their cars. He is asking not to close the strip down.

Alma Perez, 1525 South "G" Street, with Flatline Car Club spoke in reference to closing the "strip". She looks forward to Saturday nights where they get to show off their cars. They are very proud of how far the car clubs have come. She is here asking the Commission not to take the Saturday nights away by closing down the strip. They also want the Police to stop the harassment. They are not gang members

Abraham Pruenza, 163 Calle San Jeremiahs with Beyond Limits Car Club stated that he comes from San Benito every weekend to show off his car. It is a hobby that he enjoys and he invests his money into. If the City has problems with the car club being at the strip on Saturdays, then provide them with a location where they can meet. Give them permission to park at the city parks, instead of having the Police tow away their vehicles. They have legal documents with them at all times for example their driver's license and their insurance. Yet, the Police will arrive and start towing away vehicles. He is currently President of the Beyond Limits Car Club and he has never had any problems with his eleven-member crew club. It is unfair to stop vehicles just because they look suspicious. He asked the Commission to please stop the harassment.

Joe Rubio, 2309 Hacienda Road spoke in reference to the Car Club members. He stated that members of the Car Club with reference to police harassment approached him. They asked for his advice on how to handle/stop the harassment they receive from the Police Department. He instructed them to come before the City Commission and voice their concerns. They are here tonight to explain the difference between 'car clubs' and 'gang bangers'; This was the first step. The second step would be taking on legal challenges with the Police Department. Certainly, the City doesn't want to go into this level. He asked the Commission to look into this matter.

PRESENTATION BY SUNWEST MOBILE HOME PARK REGARDING WATER/SEWER IMPROVEMENTS.

Jim McCleary spoke in reference to the sewer system at Sunwest Mobile Home Park. The park sits on 29.52 acres adjacent to Stuart Place Elementary School. When the property was annexed in 1998 they were provided with city services such as water, police and fire protection, streets and street lighting, but not sewer services. The sewer lines were going to be extended by the developer. At present time the sewer lateral lines are 30 years old and don't meet minimal codes. The Cameron County Health Department will not issue any permits to update the sewer systems because the park has to meet certain codes. We are here asking the Commission to mandate a sewer system in the park for the health of the park residents. He and around 42 park residents who signed the petition are willing to pay the cost of this project. The park is in need of this sewer system and the problem seems to be getting worse.

Commissioner Trevino informed the Commission that he has been working with staff for about a year on this project. Carlos Yerena, Darrell Gunn, and he have met with the park residents. They are in need of help on the sewer issue and he is hoping the Commission agrees on allowing staff to look into helping residents.

Commissioner Prepejchal concurred with Trevino. He suggested having staff work with the water department and try and resolve this issue.

Commissioner Trevino indicated cost estimates have been proposed and they are before us here tonight. We just need to figure out when to start and pay for the project.

Mayor Boswell asked staff if they had a recommendation.

Carlos Yerena, City Manager stated staff has been working with the residents for a couple of months. The City is trying to formulate a plan of action. Maybe, even form a tax assessment that will deal on how to finance the project.

Mayor Boswell instructed staff to continue to work on the project. Then come back with a recommendation on how to proceed.

PRESENTATION ON CODE RANGERS AND CLEANUP ACTIVITIES.

Carlos Yerena, City Manager gave a PowerPoint presentation the "Clean Sweep Program". The initiative that staff is working on is to intensify efforts to cleanup the neighborhoods. The cleaning events occur once a month. They have placed garbage bins on public right of ways in the clean-up areas to allow Harlingen residents to get rid of garbage and brush debris. The City will be conducting "Neighborhood Cleanups" with Harlingen Proud four times a year. Which will include two cleanups per District and two citywide cleanups. Basic concept for these cleanups is to make sure that City staff and volunteers work together alongside residents to create a cleaner and safer Harlingen.

The Code Rangers currently have 15 Code Rangers actively participating in the program. He stated that in the month of January there were 45 incidents reported; in February there were 127; and in March so far only 66 reports have been turned in. He emphasized that in this past months there have been no citations issued. He implemented a "Little Code Ranger" Program and made a presentation at Dr. Rodriguez Elementary. The children were provided certificates for their participation. Code Enforcement was also involved in this project. He informed everyone about the upcoming events: A cleanup sweep event is set for April 9 and March 26th and April 2nd city volunteers will be handing out and installing smoke detectors at Rose Garden, Southern Breeze, and the Pines Mobile Home Parks.

He wants the Community to be aware of what City staff is working on and encourage everyone to become a member of the "Code Rangers".

Commissioner Ruiz asked whether Harlingen Proud could conduct these cleanups once a month.

Mr. Yerena replied they would continue with the four times a year and City staff will conduct the cleanups once a month.

MINUTES FOR APPROVAL – REGULAR MEETING OF MARCH 2, 2011

Commissioner Leftwich made a motion to approve the minutes of March 2, 2011. Commissioner Trevino seconded the motion and it carried unanimously.

CONSENT AGENDA:

- A. APPROVED ORDINANCE ON FINAL READING TO REZONE FROM OFFICE (“O”) TO GENERAL RETAIL (“GR”) ZONING DISTRICT IN A 1.966+ ACRE TRACT OF LAND, BLOCK 179, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, LOCATED AT 1705 VERMONT AVENUE.**
- B. APPROVED ORDINANCE OF FINAL READING TO AMEND THE CITY’S 2010-2011 FISCAL YEAR BUDGET.**
- C. APPROVED FINAL PLAT ON THE PROPOSED BLESSINGS ESTATES SUBDIVISION CONSISTING OF 1 RESIDENTIAL LOT ON 2.38 ACRES, OUT OF BLOCK 70, ADAMS GARDENS SUBDIVISION “B”, CAMERON COUNTY TEXAS, GENERALLY LOCATED ON BASS BOULEVARD (F.M. 800) APPROXIMATELY 187 FT. SOUTH OF PRICE ROAD.**
- D. APPROVED REFUND OF PROPERTY TAXES TO LAM & YUNG, LLC ACCOUNT #00-0100-2010-1163-00.**

Commissioner Leftwich made a motion to approve the consent agenda. Commissioner Trevino seconded the motion and it carried unanimously.

APPROVED RESOLUTIONS ON VARIOUS BIDS RECEIVED FOR EACH OF THE FOLLOWING TAX RESALE PROPERTIES.

Monica Solis, Linebarger, Goggan, Blair and Sampson stated these are properties that were struck off the tax roll and the opening bid was not met at the tax sale. What this means is when a property has delinquent taxes their office files a lawsuit to collect those taxes. They take judgment on the property and then prepare to sale. Once a year their office offers the properties up for “resale”. They usually receive an amount that is less than the opening bid. The next step is to go before all the taxing entities for that property to receive approval on that bid. Once approved by Commission, the property deed will be transferred to the new owners.

Commissioner Leftwich made a motion to approve the resolution on the various bids. Commissioner Ruiz seconded the motion and it carried unanimously.

PUBLIC HEARING HELD TO HEAR COMMENTS TO REZONE FROM “NOT DESIGNATED (N)” ZONING DISTRICT TO “LIGHT INDUSTRY (L1)” ZONING DISTRICT FOR A 24.74 ACRES OF LAND OUT OF BLOCK 54, PALMETAL SUBDIVISION, LOCATED ON FM 106 AND 54TH STREET.

Joel Olivo, Planning and Zoning Manager stated the City is requesting to rezone the subject property from “not designated (N)” zoning district to “light industry” zoning district to allow for a future development on the subject property. The eastern part of the subject property consists of the City of Harlingen Public Works Warehouse. The subject is currently going through the subdivision process to convert the subject property into a two-lot subdivision. The property has 1,609 feet of frontage on FM 106 and 728 feet of frontage on 54th Street.

The surrounding properties are zoned “light industry (LI)” to the north and west, and “not designated “(N)” to the south. East of the subject property is outside the city limits. The surrounding land use consists of a skate park and vacant land to the north, the HWWS sewer treatment plant to the south, and the City landfill to the west. East of the subject property is Short Industries, which is located outside the city limits.

The Future Land Use Plan shows this area as light industry; the request is consistent with the Future Land Use Plan. It is also consistent with the surrounding zoning and land use for the area. Staff has not received any calls in objection to the rezoning request.

Staff recommends approval.

Mayor Boswell declared the public hearing open.

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

ORDINANCE ADOPTED ON FIRST READING ON THE ABOVE REZONING.

The City Attorney read the caption of the ordinance.

AN ORDINANCE AMENDING THE ZONING ORDINANCE (ORDINANCE NO. 07-27) OF THE CITY OF HARLINGEN: REZONING FROM “NOT DESIGNATED (N)” ZONING DISTRICT TO “LIGHT INDUSTRY (LI)” ZONING DISTRICT FOR 24.74+ ACRES OF LAND OUT OF BLOCK 54, PALMETAL SUBDIVISION, LOCATED ON FM 106 AND 54TH STREET; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

Motion to adopt ordinance on first reading: Trevino

Second: Leftwich

Motion carried unanimously.

PUBLIC HEARING HELD TO HEAR COMMENTS TO REQUEST A SPECIFIC USE PERMIT (SUP) TO ALLOW A BAR/LOUNGE IN A “GENERAL RETAIL (GR)” ZONING LOCATED AT 6779 W. EXPRESSWAY 83, BEARING A LEGAL DESCRIPTION OF 3.597 ACRES OUT OF THE SOUTH 10 ACRES OF THE SOUTH ½ OF BLOCK 15, STUART PLACE SUBDIVISION SURVEY 138.

Joel Olivo, Planning & Zoning Manager stated that as per the zoning ordinance, the “bar/lounge” use in the “GR” zone requires the approval of an SUP by the City Commission.

The applicant wishes to operate a bar/lounge out of an existing Hotel and Events Center. The area to be occupied for a bar/lounge is 2,800 sq. ft. under the name Cadillac’s Bar. The establishment must comply with off street parking regulations. Based on the seating arrangement and/or square footage of the building, 50 parking spaces area required and 190 parking spaces are provided as part of the common parking on site.

The proposed hours of operation are from 4:00 p.m. to 12:00 a.m. (Sunday thru Tuesday), from 4:00 p.m. to 2:00 a.m. (Wednesday and Saturday). The applicant will have a DJ once a week and will have live music once a month indoors only. The applicant is currently processing his TABC license that consists of mix beverages. The applicant will also provide security cameras in the bar area and there are currently security cameras within the existing hotel. City departments conducted inspections and there are some items that need to be addressed prior to the issuance of Certificate of Occupancy and other permits.

Staff recommends approval of the request subject to compliance with the following conditions:

1. Maintaining the required off street parking spaces;
2. Providing a security guard in the parking lot during peak hours of operation on Thursday, Friday and Saturday from 9:00 p.m. to 2:00 a.m.;
3. Maintaining the existing lighting on all parking lot and loading areas, and building’s entrances/exits;
4. Maintaining the surveillance video on site;
5. Must obtain and maintain TABC license; and

6. Comply with requirements administered by the Planning, Building, Health, and Fire Department.

Mayor Boswell declared the public hearing open.

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

ORDINANCE ADOPTED ON FIRST READING ON THE ABOVE SPECIFIC USE PERMIT.

The City Attorney read the caption of the ordinance.

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF HARLINGEN: TO ISSUE A SPECIFIC USE PERMIT TO DAN SANDOVAL TO ALLOW A BAR/LOUNGE IN A "GENERAL RETAIL (GR)" ZONE LOCATED AT 6779 W. EXPRESSWAY 83, BEARING A LEGAL DESCRIPTION OF 3.597 ACRES OUT OF THE SOUTH 10 ACRES OF THE SOUTH ½ OF BLOCK 15, STUART PLACE SUBDIVISION SURVEY 138, SUBJECT TO: (1) MAINTAINING THE REQUIRED OFF STREET PARKING SPACES (2) PROVIDING A SECURITY GUARD IN THE PARKING LOT DURING PEAK HOURS OF OPERATION ON THURSDAY, FRIDAY AND SATURDAY FROM 9:00 P.M. TO 2:00 A.M.; (3) MAINTAINING THE EXISTING LIGHTING ON ALL BUILDING ENTRANCES/EXITS; (4) MAINTAINING THE SURVEILLANCE VIDEO ON SITE; (5) APPLICANT MUST OBTAIN AND MAINTAIN TABC LICENSE; AND (6) COMPLY WITH REQUIREMENTS ADMINISTERED BY THE PLANNING, BUILDING, HEALTH AND FIRE DEPARTMENT; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

Motion to adopt ordinance on first reading: Prepejchal

Second: Trevino

Motion carried unanimously.

PUBLIC HEARING HELD TO HEAR COMMENTS TO RENEW A SPECIFIC USE PERMIT (SUP) TO ALLOW A BAR/LOUNGE IN A GENERAL RETAIL ("GR") ZONE, LOCATED AT 703 ED CAREY DRIVE, BEARING A LEGAL DESCRIPTION OF HARLINGEN-CLYDE WALLACE SUBDIVISION LOT 1, 1.0330 ACRES.

Joel Olivo, Planning & Zoning Manager stated that a bar/lounge in the General Retail ("GR") zoning district requires the approval of an SUP by the City Commission. On the date the Hush Nightclub's SUP was approved, the City Commission places a six (6) month time limit from the issuance of the CO on the SUP Ordinance. Accordingly, a renewal of the SUP is required in order to continue operating the specific use. Helen Perez wishes to renew the SUP granted via Ordinance No. 10-31 to continue operating Hush Nightclub on the subject property. The applicant has complied with the conditions established in the approved Ordinance.

Staff recommends approval with conditions of the request, with the following conditions: The subject property shall provide and maintain a minimum of 70 parking spaces on site, in good condition, while in operation. In the event that the parking lot is ever found to be in disrepair by the Planning & Zoning Department, the number of parking spaces is reduced, or there is an increase in the number of seats, the nightclub shall cease to operate until such parking is fixed and/or provided.

Within ten business days of this SUP Ordinance, once approved, the applicant shall complete the following:

- a. All handicap placards shall be replaced, and maintained on site while the business is in operation.
- b. Parking lot and drive aisles shall be cleared of all weeds and grass.
- c. Applicant shall complete all pending inspections with the Fire Department.

Within 30 business days of this SUP Ordinance, once approved, the applicant shall complete the following:

- a. Video surveillance shall be provided on both the outside and inside of the building.
- b. Sufficient lighting, as determined by the Planning and Zoning and Police Departments, shall be provided on all parking lot and loading areas, and building's entrances/exits. Required outdoor lighting shall not be less than 1-foot candle at or beyond the property lines, and shall be shielded to reduce glare and arranged to reflect light or glare away from public thoroughfares.

Commissioner Ruiz commented there were some concerns from neighbors about a trash issue. He asked if they had been addressed.

Mr. Olivo replied yes. The adjacent landowner who had filed the complaint was referring to the previous landowner of the property. He stated the new owner is maintaining the trash situation.

Commissioner Ruiz asked if it was correct that during the day the business location is being leased as a parking lot.

Mr. Olivo replied yes, it is being lease to the school facility that is located to the south of the parking lot.

Commissioner Ruiz asked if this was legal practice.

Roxann Cotroneo, City Attorney "replied that is correct." Under the Zoning Ordinance a bar has to have one parking space for each 100 sq. ft. or one parking space for each two seats that are provided in the bar, whichever is greater? The particular location has 140 seats, which requires 70 parking spaces. At 6800 sq. ft. that would require 68 parking spaces. So 70 is greater and that is the requirement for this location. This business has 71 parking spaces. The SUP requires 70 parking spaces during the hours of operation. The landowner is leasing the parking lot to the school district. If, the school and the bar were operating at the same time, then the business would be violating the SUP. Commissioner Ruiz asked if this was a common practice that is being allowed by business.

Ms. Cotroneo stated it is a practice among municipalities.

Mayor Boswell declared the public hearing open.

Yolanda Schoffeitt, P. O. Box 697 commented that she had attended the Planning and Zoning meeting held with regards to this item. Her only concern was shootings and killings at this location. Who will be responsible? The school, the owner, planning and zoning. The City will be responsible because they approved the SUP.

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

ORDINANCE ADOPTED ON FIRST READING ON SPECIFIC USE RENEWAL.

The City Attorney read the caption of the ordinance.

AN ORDINANCE AMENDING THE ZONING ORDINANCE (ORDINANCE NO. 07-27) OF THE CITY OF HARLINGEN: TO ISSUE A SPECIFIC USE PERMIT (SUP) TO HELEN C. PEREZ, TO ALLOW A BAR/LOUNGE IN THE GENERAL RETAIL ("GR") ZONING DISTRICT LOCATED AT 703 ED CAREY DRIVE,

BEARING A LEGAL DESCRIPTION OF HARLINGEN-CLYDE WALLACE SUBDIVISION LOT 1, 1.0330 ACRES, WITH THE FOLLOWING CONDITIONS: (1) THE PROPOSED BAR/LOUNGE (“HUSH NIGHTCLUB”) SHALL BE OPERATED IN ACCORDANCE WITH THE PLANS AND CONDITIONS ESTABLISHED IN THIS ORDINANCE; AND (2) FAILURE TO COMPLY AND MAINTAIN THE CONDITIONS STATED IN THIS ORDINANCE, AS DETERMINED BY THE PLANNING AND ZONING DEPARTMENT, SHALL RESULT IN THE AUTOMATIC REPEAL OF THIS SUP ORDINANCE, CONTINUATION OF THE USE SHALL REQUIRE THE SUBMITTAL AND APPROVAL OF A NEW SUP APPLICATION; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

Motion to adopt on first reading: Prepejchal

Seconded: Trevino

The motion carried unanimously.

RENEWAL FOR THE 2011 SEASON OF A CONTRACT BETWEEN THE CITY OF HARLINGEN AND HARLINGEN TEXAS BRONCO/PONY LEAGUE FOR THE USE OF DESIGNATED FIELDS AT VICTOR PARK.

Paul Menzies, Director of Parks and Recreation stated that both of the next two items were intended for your consent agenda. The Parks and Recreation Department doesn't feel there is nothing controversial with these contracts. They are both continuations of long standing agreements that the City has with those the league and car club. Staff and Parks & Recreation board recommend approval.

Commissioner Leftwich stated, referring to City Attorney, it mentions “consideration” but not “take action”

Roxann P. Cotroneo replied “that is correct,” so the Commission can't take action on this item. It will have to be placed on the next agenda under “consent agenda”.

RENEWAL FOR THE 2011 SEASON OF A CONTRACT BETWEEN THE CITY OF HARLINGEN AND GEARS RADIO CONTROLLED CAR CLUB FOR THE USE OF DESIGNATED AREA ON THE NORTH SIDE OF THE OIL MILL PAVILION AT LON C. HILL PARK TABLED.

Commissioner Leftwich made a motion to table this item. Commissioner Ruiz seconded the motion and it carried unanimously.

CITY MANAGER'S APPOINTMENT OF AN INTERIM CITY SECRETARY APPROVED.

Carlos Yerena, City Manager is requesting approval by the Commission of the appointment of Elena Garza as Interim City Secretary. She will serve in an interim basis while the City goes through the hiring process of a new City Secretary. She has been employed with the City since 2002 and has worked in the capacity of Assistant City Secretary since 2004.

Commissioner Leftwich made a motion to approve City Manager's recommendation of appointing Elena Garza as Interim City Secretary. Commissioner Trevino seconded the motion and it carried unanimously.

APPROVED ACTION TO CREATE AND APPOINT A REVIEW COMMITTEE TO RECOMMEND AMENDMENTS TO THE CITY OF HARLINGEN BUILDING AND DEVELOPMENT CODES.

Commissioner Trevino explained that the City of Harlingen has had a bad reputation of being hard to deal with in regards to building codes and zoning & development. He is

suggesting a workshop with the Planning and Zoning Board and the City Commission. He would like staff to develop a comprehensive plan on the building and subdivision codes. He also wants to include Code Enforcement and Fire Marshall Departments.

Commissioner Prepejchal suggested that it would be a great idea. There are no standard sets out there on bar parking lots, just look at Item #10. The main objective is make these codes easy for everyone to understand.

Commissioner Trevino suggested having a public hearing with both Planning & Zoning and City Commission; then have the staff generate a plan with the input provided at the public hearing.

Mayor Boswell repeated having a Joint meeting with the City Commission and Planning and Zoning to develop a comprehensive plan.

Commissioner Trevino wants to include customer service training.

Commissioner Trevino made a motion to setup a joint workshop with Planning and Zoning Commission and City Commission and act as a Review Committee.

Commissioner Prepejchal seconded the motion and it carried unanimously.

DISCUSSION HELD ON CITY ATTORNEY'S OFFICE FORECLOSURE PREVENTION PROGRAM.

Roxann P. Cotroneo, City Attorney gave a PowerPoint presentation on a proactive Foreclosure Prevention Program that is ready to be implemented; This is a national issue. The City of Harlingen should really be concerned because any foreclosed property will decrease property values, which means less city property taxes to be collected. Then there is less City money available to provide services to our citizens. Everyone should be concern about vacant structures. As a public official, she is trying to get this information out. The City is looking for partners to work with the foreclosure program. The City is partnered up with the FDIC (Federal Deposit Insurance Corporation) and Consumer Credit Counseling Service of South Texas. The CCCSS is approved by the Federal Government to provide credit-counseling services to those in the foreclosure process. Ms. Cotroneo introduced Janie Alegria with Consumer Credit Counseling Services. She stated they got together and gathered "free" brochures from Consumer Credit and FDIC. Ms. Cotroneo emphasized this is a preventive program that will probably save one or two homes from foreclosures.

Mayor Boswell informed everyone that this is not only a City of Harlingen problem, but nationwide; Hidalgo County is in a far worse situation than Cameron County.

Ms. Cotroneo stated prevention is the key and the City Attorney's Office would like to move forward with this program.

Commissioner Leftwich noted those were good observations and the City should move forward with that program.

DISCUSSION HELD ON THE PROGRESS OF THE 2011 GREAT TEXAS WARRANT ROUND UP AND THE CITY OF HARLINGEN'S PARTICIPATION IN THE PROGRAM.

Roxann P. Cotroneo, City Attorney gave a PowerPoint presentation on the Texas Warrant Round-up. She stated last summer she had presented 17 different ideas on how to proceed with the City's outstanding warrants. One of those ideas was to participate in the "Great Texas Warrant Round-up. She reported that based on this round up the City of Harlingen has collected \$551,414 for 2011. She also presented a comparison on figures from last year.

Commissioner Leftwich stated based on the last report the City's delinquent amount was at ten million. Where is the City now?

Ms. Cotroneo replied "the City is approximately at two million in delinquent warrants".

Commissioner Leftwich applauded her efforts in moving forward in the community with this roundup. It has and will impact the City for years to come. He also thanked all the City staff that was involved with this program.

BOARD APPOINTMENTS

Commissioner Trevino re-appointed Ernesto Silva to the Economic Development Corporation.

Commissioner Trevino made a motion to approve the appointments as presented. Commissioner Leftwich seconded the motion and it carried unanimously.

Commissioner Leftwich made a motion to go into **CLOSED/EXECUTIVE SESSION PURSUANT TO CHAPTER 551, SUBCHAPTER D., V.T.C.A. GOVERNMENT CODE (SECTION 551.071) TO CONSULT WITH THE CITY ATTORNEY REGARDING: HINO ELECTRIC HOLDING COMPANY L.P. v. CITY OF HARLINGEN, CAUSE NO. 2006-10-5045-E.** Commissioner Trevino seconded the motion and it carried unanimously.

The Executive Session convened at 7:18 p.m. and concluded at 7:20 p.m. with no action taken in closed session.

Commissioner Trevino made a motion to go into **CLOSED/EXECUTIVE SESSION PURSUANT TO CHAPTER 551, SUBCHAPTER D., V.T.C.A. GOVERNMENT CODE (SECTION 552.072 and 551.071) TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE OR VALUE OF REAL PROPERTY LOCATED ON LOT 12, 13, AND 14, BLOCK 69, .25 ACRES, ORIGINAL TOWNSITE OF HARLINGEN, CAMERON COUNTY, TEXAS BECAUSE DELIBERATION IN AN OPEN MEETING WOULD HAVE A DETRIMENTAL EFFECT ON THE POSITION OF THE GOVERNMENTAL BODY IN NEGOTIATIONS WITH A THIRD PERSON AND TO SEEK LEGAL ADVICE FROM THE CITY ATTORNEY REGARDING THIS SUBJECT.** Commissioner Leftwich seconded the motion and it carried unanimously.

At this time Commissioner Trevino and Mayor Boswell excused themselves from the meeting in order to avoid 'an appearance of impropriety' and both signed affidavits, which were presented to the Assistant City Secretary.

The executive session was not held.

Due to a 'lack of quorum' the City Commission adjourned.

There being no further business the meeting adjourned at 7:30 p.m.

Chris Boswell, Mayor

Attest:

Elena Garza, Assistant City Secretary