

**SPECIAL CITY COMMISSION MEETING
JOINT WITH
PLANNING & ZONING COMMISSION**

MARCH 30, 2011

A Special Meeting of the Harlingen Elective Commission joint with the Planning and Zoning Board was held on Wednesday, March 30, 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
Joey Trevino, Mayor Pro Tem
Gustavo C. Ruiz, Commissioner District 1
Robert Leftwich, Commissioner District 2
Kori Marra, Commissioner District 3
Jerry Prepejchal, Commissioner District 4

Planning and Zoning Commission

Tre Peacock, Chairman
Meg Jorn
Nicholas Consiglio
David T. Gonzales
Rudy Cantu
Azael A. Gomez
Hector Lopez

Staff Present:

Carlos Yerena, City Manager
Gabriel Gonzalez, Assistant City Manager
Roxann P. Cotroneo, City Attorney
Elena Garza, Interim City Secretary

Mayor Boswell called the meeting to order on behalf of the City Commission.
Tre Peacock called the meeting to order on behalf of the Planning and Zoning Commission.

**PUBLIC HEARING HELD TO RECEIVE INPUT REGARDING CITY OF
HARLINGEN CODES, REGULATIONS AND REQUIREMENTS AS FOLLOWS:
a. Building, fire, zoning, signs, landscaping and other development regulations.**

Carlos Yerena, City Manager stated staff from Planning and Zoning; Fire Marshall's; and other departments involved with building and development codes are here to be familiarized with the comments from the public and take action.

Mayor declared the public hearing open.

Kenneth Benton spoke in reference to the Comprehensive Plan. He stated the plan from 2002 didn't have widespread community input so he doesn't consider it a valid comprehensive plan. Before making any changes that are going to impact values the City needs a "land use" comprehensive plan. One problem that was identified back in 1992 and hasn't been addressed is "cumulative zoning". Site specific use zoning and development code are two other issues that also need to be addressed. There are quite a few commercial mechanic shops that are downtown but are they compatible? Yet under the City's current zoning and land use code, those types of businesses are unpreventable. The City needs to address all these issues that are pursuant to a comprehensive plan.

Yolanda Shoffeitt, P. O. Box 697 stated that the economy is hurting and asked if the City establishes tougher rules and regulations. This is why people are not coming to the City of Harlingen. The City has to work with citizens to make these requirements much easier because all of us are taxpayers.

Adam (last name not audible) with H&R Block stated that difficult situations always pop up when a new business opens. He put up some signage around his business and a City Inspector told him he had to remove the signs because he was violating the city ordinance. He brings in revenue to the City and he wants to continue doing so, but there are too many sign regulations.

Joe Villarreal, Real Estate Agent with Mason and Company stated he has experienced situations with signs this past year. He has a tenant who went to the City to obtain permits for a banner. The City informed him that a permit was needed for each banner that was going to be setup at the location. His tenant was paying for two permits, which is very costly. He hopes that this Board can take care of this problem.

Desi Martinez, 1806 Haverford Blvd. that stated the City of Harlingen has to improve in regards to customer service. The community in the original townsite of Harlingen still lives by the old regulations. As ordinances are added to the City the cost of living in their area goes up. All the Board that is present tonight are the leadership figures of the community and to improve our community we need to get all pertinent information out efficiently to all our citizens. Most of these citizens are not familiar with the language of city ordinances, so they don't know where to go or what to do in regards to permits. The Planning Department needs to guide them through the system.

Jerry Moore, 709 Town Lane stated everyone in the community needs to have more feedback on regulations and requirements. He mentioned some concerns that he had with the Planning and Zoning on the 7th and Vinson Project that were never addressed. He stated the Comprehensive Plan prohibited the development of multi-family town homes in less than five acres. As citizens, we are never briefed on what we need to know particularly when we live in that neighborhood. There are drainage and flooding concerns on some of the lots in that area. Provisions have to be added to address wildlife leaving in the area, because the Developer just comes into the subdivision and installs fire hydrants without getting any city permits. He is asking for a complete study for a major thoroughfare in the 7th and Vinson area, since there are two schools and it is a very congested area.

Mr. Moore stated that several business owners are upset with the sign ordinance. He is asking for the City to have more flexibility on the types of signs that owners can display.

Joe Rubio, 2309 Hacienda Road stated in 1992 Colonel Card along with the City Manager introduced "total quality service" to the City of Harlingen. This was a check list that was given to customers to provide guidance on any city issues. The City needs to implant a system familiar to this to benefit the community. He is asking for equal treatment to all citizens. Please don't waste any time and adopt some time of procedures to benefit everyone in the City.

Ray Gonzalez a local builder stated there are other cities in the Rio Grande Valley that are surpassing the City of Harlingen with new construction. The City along with the community needs to work together as a team so we don't fall behind in construction. The City has a wonderful inspection staff and all of us need to work as a team.

Commissioner Leftwich thanked everyone for their participation at the meeting tonight. He stated the Commission is listening to everyone's concerns and we are going to establish a plan with all the input provided and move forward. All of us together will get over the perceptiveness about the City of Harlingen not being customer friendly.

Commissioner Trevino stated he appreciates staff and the obstacles they encounter when they are out there performing their job. We are going to help everyone and the City is opened for business.

Tre Peacock, Planning and Zoning Commission Board Chairman mentioned that after listening to the public comments he can only establish three concerns. He stated he would like more specific details on some of the issues having to do with the building department.

Commissioner Prepejchal stated one of the problems was that in 2003 the City worked with Southern Building Codes and now they work with the International Building Codes.

Meg Jorn, Planning and Zoning Board Member stated the whole state of Texas has to change their International Codes every three years.

A lengthy discussion followed on the International Building Codes.

Roxann Cotroneo, City Attorney explained that there are two City departments that deal excessively with 'codes'. If anyone were to look and read the International Codes they will see that these books are very extensive, very detailed and very scientific. Even an educated person would have trouble understanding what they just read. Our building inspectors and code inspectors have to learn all those codes. She is recommending that all inspectors whether building or code be well-trained and licensed. The City needs to simplify these codes to assist the average person understand what they are all about.

Mayor asked everyone to reach a consensus on the issue and move towards improving the situation that is present in the City. We need to work together to enhance the image of the community and be more friendly to the community.

At this time Mayor thanked all City staff that was present.

ACTION TAKEN TO INITIATE THE REVIEW PROCESS TO REVISE CODES, REGULATIONS AND REQUIREMENTS REGULATING BUILDING, FIRE, ZONING, SIGNS, LANDSCAPING AND OTHER DEVELOPMENT REGULATIONS.

Commissioner Leftwich made a motion for staff to initiate the Review Process. Commissioner Prepejchal seconded the motion and it carried unanimously.

Under discussion, Commissioner Trevino suggested that staff review the building code ordinance and maybe incorporate into the Comprehensive Plan.

There being no further business the meeting adjourned at 6:40 p.m.

Chris Boswell, Mayor

Attest:

Elena Garza, Interim City Secretary

Tre Peacock, Planning & Zoning Chairman