

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

JUNE 20, 2012

A Regular Meeting of the Harlingen Elective Commission was held on Wednesday, June 20, 2012 at 5:30 p.m. in Town Hall, City Hall, 118 E. Tyler Street, Harlingen, Texas. Those in attendance were:

Mayor/Commissioners

Mayor Chris Boswell  
Robert Leftwich, Mayor Pro-Tem, District 2  
Danny Castillo, Commissioner District 1  
Michael Mezmar, Commissioner District 3  
Jerry Prepejchal, Commissioner District 4  
Joey Trevino, Commissioner District 5

Staff present:

Carlos Yerena, City Manager  
Amanda C. Elizondo, City Secretary  
Roxann Pais Cotroneo, City Attorney  
Gabriel Gonzalez, Assistant City Manager  
Dan Serna, Assistant City Manager  
Roel Gutierrez, Finance Director

Mayor Boswell called the meeting to order, a quorum was established. A notice of the meeting had been duly posted according to state law and the following proceedings were held.

Invocation - Commissioner Jerry Prepejchal

Commissioner Prepejchal gave the invocation.

Pledge of Allegiance/ Welcome

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

1) Public Announcement of Events

Paul Menzies, Parks and Recreation Director announced the following events:

- a) Friday June 29, 2012 United Way would be hosting the "Day of Action" Event at the Lon C. Hill Park to promote and distribute books to the youths of the community. Reading sessions would be held; several booths would be set up and there would be free food to the public. Sponsors were: Bass Pro Shop, City of Harlingen, Boys and Girls Club, Gladys Porter Zoo, H.E.B. Food Stores, Magic Valley Riders and Harlingen Parks and Recreation Department would be in attendance to participate. Approximately 200 kids would participate and invited the Mayor and Commissioners to the event.

Commissioner Prepejchal volunteered to read a book at the event.

- b) Independence Day Festival scheduled for July 4<sup>th</sup>, 2012 at the Lon C. Hill Park starting at 5:30 p.m.; City of Harlingen and Harlingen Jaycee's were sponsoring the festival; beer and food would be sold; music by Jim Gonzalez and headliners, Grupo Mazz; and the firework display was scheduled at 9:30 p.m. and the parade would start at 4:00 p.m.

- 2) Neighborhood Clean Sweep Program held on June 2, 2012 at the New Combes, Marjory, Dennis & Kelly Street area, District 1.

Carlos Yerena, City Manager announced that on June 2, 2012 the Neighborhood Clean Sweep volunteers had collected 1.1 tons of debris and 10 tires were hauled from the areas of Marjory, Dennis and Pickens Streets (District 1). He thanked the volunteers that assisted in the clean-up efforts.

Mayor Boswell presented certificates of recognition to Omar Rios, Karr Alcocer, Stephanie Vargas and Ariana Ruiz and thanked them for participating in the "Neighborhood Clean Sweep Program." He congratulated and thanked Stephanie Vargas for acting as "Junior Code Ranger" for this project.

Mayor Pro-Tem Leftwich stated the next "Neighborhood Clean Sweep" would take place in District 2 and the date would be announced at a later date.

- 3) Approval of Minutes

- a. Regular Meeting of May 16, 2012

Motion was made by Mayor Pro-Tem Leftwich and seconded by Commissioner Castillo to approve the minutes of the regular meeting of May 16, 2012 as presented. Motion carried unanimously.

CONSENT AGENDA

- 4a) Consider and take action to approve a request from the RGV Jaycees to close the following streets on Wednesday, July 4, 2012 from 3 p.m. to 5 p.m. to hold the July 4<sup>th</sup> Annual Parade.

- b) Consider and take action to approve a request from the RGV Jaycees to close North "L" Street between Fair Park Boulevard and West Adams Street on Wednesday, July 4, 2012 from 12 noon to 7 p.m. for the 4<sup>th</sup> of July Music Festival.

Jackson Street between 7<sup>th</sup> and "A" Street  
Van Buren Street between 7<sup>th</sup> and "A" Street  
7<sup>th</sup> Street between Van Buren and Monroe Street  
6<sup>th</sup> Street between Van Buren and Monroe Street  
5<sup>th</sup> Street between Van Buren and Monroe Street  
4<sup>th</sup> Street between Van Buren and Monroe Street  
"A" Street between Van Buren and Monroe Street

- c) Consider and take action to approve a request from Ms. Jennifer Cantu who resides at 702 E. Adams Street to close the cul-de-sac in front of her residence on Saturday, July 21, 2012 from 7:00 p.m. to 10:00 p.m. for a wedding ceremony.

- d) Second and final reading to approve and adopt an ordinance amending the City of Harlingen Code of Ordinances, Chapter 95, adding Sections 95.70 thru 95.76, providing for definitions; providing for an application, fees and refunds; providing for reason to change a street name; providing for an application administrative review, public hearings, implementation and notice of street name change; providing for publication; providing for a savings clause; and providing a severability clause and ordaining other matters pertaining to the foregoing.

- e) Second and final reading to approve and adopt an ordinance designating surplus personal property of the city and authorizing the sale of such surplus personal property by public auction to be held on July 28, 2012; providing for publication and ordaining other matters related to the foregoing.

Motion was made by Mayor-Pro Tem Leftwich and seconded by Commissioner Prepejchal to approve the items under the consent agenda as presented. Motion carried unanimously.

For the record, the caption of Ordinance No. 12-39 and No. 12-40 read as follows:

ORDINANCE 12-39

AN ORDINANCE OF THE CITY OF HARLINGEN, TEXAS ADDING SECTIONS 95.70 THRU 95.76 OF CHAPTER 95 OF THE HARLINGEN CITY CODE, AS AMENDED; PROVIDING FOR DEFINITIONS; PROVIDING FOR AN APPLICATION, FEES AND REFUNDS; PROVIDING FOR REASONS TO CHANGE A STREET NAME; PROVIDING FOR AN APPLICATION ADMINISTRATIVE REVIEW, PUBLIC HEARINGS, IMPLEMENTATION AND NOTICE OF STREET NAME CHANGE; PROVIDING FOR PUBLICATION; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND ORDAINING OTHER MATTERS PERTAINING TO THE FOREGOING.

ORDINANCE 12-40

AN ORDINANCE DESIGNATING SURPLUS PERSONAL PROPERTY OF THE CITY AND AUTHORIZING THE SALE OF SUCH SURPLUS PERSONAL PROPERTY BY PUBLIC AUCTION TO BE HELD ON JULY 28, 2012; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

PASSED AND APPROVED on first reading June 6, 2012.

PASSED AND APPROVED on second and final reading on June 20, 2012.

SIGNED: /s/ Chris Boswell, Mayor

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

Mayor Boswell changed the order of the agenda and continued with Items No. 16, 17, and 18.

- 16) Consider and take action on whether or not to authorize staff to solicit proposals for Employee' Health Insurance or approve the renewal of the contract with the existing life insurance carrier, Blue Cross Blue Shield for Fiscal Year 2012-2013.

For the record, Roxann P. Cotroneo announced Commissioner Danny Castillo had filed a "Conflict of Interest" form and would be abstaining from Items No. 16, 17 and 18.

Commissioner Castillo relinquished his chair and excused himself from the meeting room in order to avoid "an appearance of impropriety" and the signed an affidavit was presented to the City Secretary.

Efren Fernandez, Human Resources Director stated Blue Cross Blue Shield had submitted a proposal to the city to renew the existing health insurance contract with a reduced rate of 3% due to low health claims. The average percentage of the claims amounted to approximately 6%.

Commissioner Leftwich stated previously they had discussed the selection of an insurance company and one of the topics was to conduct a customer satisfaction survey with the city employees to determine whether or not there were any issues with the current health care providers. He inquired if the survey had been conducted.

Mr. Fernandez responded no survey was conducted because there were no major issues with the insurance provider and employees.

Commissioner Trevino stated the only employees that would participate in the survey would be the employees that had issues. The survey process should be done randomly. If employees had any issues they should submit the complaints to the Human Resources Department. Commissioner Trevino asked what would be the implications to solicit quotes from other insurance companies.

Mr. Fernandez responded staff would have to reevaluate past claims to see if other insurance companies would submit a quote with a similar or lower premium rate.

Mr. Yerena stated if the city solicited proposals, staff would have to restart the evaluation process; sufficient time would be required to evaluate the proposals and to do the transition from the existing company to the new company. The city could run the risk of getting a better or worst quote than the standing offer made by Blue Cross Blue Shield. Blue Shield Blue Cross would probably remove their offer.

Commissioner Mezmar stated Blue Cross Blue Shield was top rated and the city should extend their contract.

Motion was made by Commissioner Prepejchal and seconded by Commissioner Mezmar to accept the proposal from Blue Cross Blue Shield with a 3% reduction.

Discussion was held in regards to soliciting other proposals to determine whether or not there were better offers from other companies and Commissioner Mezmar recommended that in locating insurance providers, the city should want to deal with AA plus companies.

Commissioner Trevino inquired how soon staff could conduct an employee customer satisfaction survey.

Mr. Fernandez responded one could be done, but the timeline would be shortened to meet the October 1<sup>st</sup> deadline.

Mayor Pro-Tem Leftwich suggested that a survey still be done to determine any shortcomings with the proposed insurance coverage. He also asked if there were other preventive healthcare maintenance opportunities with the new contract.

Tita Iruegas, Blue Cross Blue Shield Representative stated there were many wellness programs that employees could participate in. During open enrollment they had promoted these programs. If the extension of the contract was approved these promotions would continue. Another option was the path book which provided lab test and consultation services with a nurse regarding the findings of the lab test. They would also provide a copy of the lab test and results to the employee's family doctor. This service was paid by the plan through the submission of a claim form for approval.

Motion carried as followed:

FOR: Mayor Pro-Tem Leftwich and Commissioners: Jerry Prepejchal and Mike Mezmar. AGAINST: Commissioner Trevino

- 17) Consider and take action on whether or not to authorize staff to solicit proposals for Employee's Life Insurance or approve the renewal of the contract with the existing life insurance carrier UNUM for Fiscal Year 2012-2013.

Mr. Fernandez stated there was no increase to the life insurance plan and recommended approval to renew the existing life insurance contract with UNUM.

Motion was made by Commissioner Mezmar and seconded by Commissioner Prepejchal to approve the renewal of the contract with UNUM Life Insurance for Fiscal Year 2012-2013. Motion carried unanimously.

- 18) Consider action and take action to authorize staff to solicit proposals for Health and Life Insurance Consultant Services.

No Action was taken on Item No. 18.

Commissioner Castillo returned to the meeting room.

- 5) Public Hearing to consider an ordinance on first reading to abandon a 20 ft. road right-of-way located on the southern end of Russell Lane being a 0.63 acre tract of land out of Block 10, Valley Groves Subdivision Survey 140.

Joel Olivo, Planning and Zoning Manager stated the city was requesting to abandon a 20 ft. wide road right-of-way located on the southern end of Russell Lane to correct an error on the subdivision plat recorded in December 2005. The subject right-of-way was reflected on Lot 8, Block 1 of Los Marcianos Subdivision. The right-of-way was not in use and dead ended at the right portion of the lot in the Nueces Park Subdivision. The remaining right-of-way south of the said right-of way was abandoned by Cameron County. This issue was reviewed and approved by the City Engineer and the appropriate utility companies and had no objections to the abandonment of the right-of-way. Mr. Olivo concluded by stating the developer would maintain the right-of-way.

- a) Public Hearing

Mayor Boswell announced this was a public hearing and anyone wishing to speak for or against this item could do so.

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

- b) Consider and take action to approve and adopt an ordinance on the first reading for the above mentioned right-of-way abandonment.

Ms. Roxann P. Cotroneo, City Attorney read the caption of the ordinance.

Motion was made by Commissioner Trevino and second by Commissioner Prepejchal to approve and adopt the ordinance on first reading for the above mentioned right-of-way abandonment.

- 6) Public Hearing to consider an ordinance on first reading to rezone from Not Designated (N) District to General Retail (GR) District for 3.37 ± acres out of Block 167, San Benito Land and Water Company Subdivision, located on the west side of FM 509 south of Jimenez Road.

Mr. Olivo stated the applicant was requesting to rezone the subject property from Not Designated (N) District to General Retail (GR) District to allow a proposed single family residence on one of the tracts and commercial business adjacent to the tract. The property consisted of two vacant tracts; had 140 ft. of frontage on Paso Real Highway (FM 509) and a depth of 1,370 ft. The western 315 ft. of the property was located in the county. Paso Real Highway (FM509) was a two lane (with shoulders) 42 ft. back to back paved street. He highlighted the zones of the surrounding properties and the land uses consisted of mostly vacant property. A few single-family residences were located to the south and east of the proposed property and a commercial business northeast of the property. The Planning and Zoning Division did not receive any objections from the surrounding property owners. Staff 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.

Edgar Garza stated he built a home on the property and wished to construct a mechanic shop.

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

- b) Consider and take action to approve and adopt an ordinance on the first reading for the above mentioned rezone request.

Ms. Cotroneo read the caption of the ordinance.

Motion was made by Mayor Pro-Tem Leftwich and seconded by Commissioner Castillo to approve and adopt an ordinance on first reading for the above mentioned rezone request. Motion carried unanimously.

- 7) Public hearing to consider an Ordinance on the first reading to rezone from Not designated (N) District to Residential, Single Family (R-1) District for Lot 6, Countryside Estates, located at 15718 Sunnyside Lane.

Mr. Olivo stated the applicant was requesting to rezone the proposed property to allow an expansion of the existing accessory building. The proposed property was annexed into the city limits on November 2008 with a Not Designated (N) District. The City Commission de-annexed the property on October 5, 2011 then nullified the de-annexation on January 9, 2012. There was an existing single family residence on the property and a storage building in the rear of the property. The property has 90 feet of frontage on Sunnyside Lane and depth of 130 feet. The surrounding properties were zoned Not Designated (N) District in all directions; consisted mostly of single family residence and the Future Land Use Plan showed this area highly residential. The proposed rezoning was a lower intense zoning and was consistent with the existing land use in the area. The Planning and Zoning Department did not receive any objections from the surrounding property owners. Staff recommended approval of the ordinance.

- a) Public Hearing

Mayor Boswell announced this was a public hearing and anyone wishing to speak for or against this item could do so.

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

- b) Consider and take action to adopt and approve an ordinance on the first reading for the above mentioned rezone request.

Ms. Cotroneo read the caption of the ordinance.

Motion was made by Commissioner Trevino and seconded by Commissioner Mezmar to approve the ordinance for the above mentioned request. Motion carried unanimously.

- 8) Discussion on a six months report of the Specific Use Permit (Ordinance 11-54) issued to Charlene Torrez to allow an adult business (Tattoo Parlor) in a GR District, located at 1418 E. Tyler, Suite 5, bearing a legal description of 0.648 acres being Part of Lots 9-12, Windsor Place Addition

Mr. Olivo reported on the status of the Specific Use Permit for the Tattoo Parlor. There were some concerns regarding possible loud music and loitering. The Planning, Code Enforcement, Police and Fire Departments received no complaints about this establishment. He reported six calls were generated from and around the establishment, but none related to the establishment directly. The business was in compliance. Staff recommended continuance of the Specific Use Permit.

No action was taken.

- 9) Consider and take action to allow a license to encroach of 20± feet into the City 60 feet right-of-way located on El Camino Real Avenue for a proposed traffic island, being a 0.13± acres out of the El Camino Real Road right of way, City of Harlingen, Cameron County, Texas as recorded in Cabinet 1, Slot 263, 2-B, Cameron County Map records.

Mr. Olivo stated the applicant was requesting a license to allow an encroachment of 20 ft. x 40 ft. traffic island in the center of the proposed road. It would be approximately 600 ft. from the centerline of Russell Lane and El Comino Real Road. The

request was reviewed by the City Engineer, Fire Prevention Department and there were no objections. Staff recommended approval of the request.

Discussion was held in regards to the encroachment and Mr. Olivo stated the purpose was to beatify the subdivision and do some landscaping within the island.

Commissioner Castillo pointed out this was a sound design and it would be a good idea to possibly do the same around the community to calm traffic at some of the other intersections within the city.

Motion was made by Commissioner Mezmar and seconded by Commissioner Prepejchal to approve the item as presented. Motion carried unanimously.

- 10) Discuss, consider and take action to change the regular meeting date of the Harlingen City Commission scheduled for July 4, 2012 to a different date.

Motion was made by Mayor-Pro Tem Leftwich and seconded by Commissioner Prepejchal to change the Regular City Commission Meeting from Wednesday July 4<sup>th</sup>, to Tuesday July 3, 2012. Motion carried unanimously.

- 11) Discussion on Harlingen Waterworks and City Project to extend reclaimed (effluent) water to the Hugh Ramsey Nature Park for the purpose of filling the existing ponds.

Paul Menzies, Parks and Recreation Director stated the idea was to bring an effluent line from the treatment plant to the two ponds located at Hugh Ramsey Nature Park. It would take an estimated one million gallons per day to fill the ponds. The line had been extended to the park boundaries and approximately seven feet along Loop 499 to complete the installation of the line.

Mrs. Linda Butcher, volunteer at the High Ramsey Nature Center stated she was thrilled about the idea of the ponds being filled with water. There was water in the ponds and invited the Mayor and Commissioners to visit the center. This would make the facility a "World-Class Bird Center". Mrs. Butcher stated she was concerned at first when the project started because of the removal of the vegetation in the surrounding area. At the present time, there were minimal habitat walks, but was pleased to know that a tree in question would not be scarified in the project by the Arboretum Society. They would work around that situation. Having four ponds would attract more visitors to the center.

Mayor Boswell thanked Mrs. Butcher for all her volunteer efforts at the nature center.

Jerry Moore, 709 Town Lane, pointed out the hiking trail was nice and was in great need of a water line. One concern was the city's landfill. When the land was dug for the project it created unstable grounds around the creek area during heavy floods and rain. There was the possibility of some serious wash downs. Mr. Moore stated the city should consider placing retention columns around the area and larger retention ponds to detain some of the water when filled.

Commissioner Castillo stated "Hats Off" to Harlingen Water Works for their work efforts on this project. He and Commissioner Mezmar had met with Water Works Staff and were given an extensive tour of the water facilities including the water treatment plant process of operation in producing water to Hugh Ramsey Nature Park and Soccer Complex. The tour was impressive and the quality of water produced was going back into the Arroyo Colorado. This was another "Great Opportunity" and congratulated Harlingen Water Works and city staff for developing a successful project.

No action was taken.

- 12) Consider and take action to approve and adopt an ordinance on first reading to designate a "No Parking Zone" along "L" Street between Fair Park Boulevard and West Adams Avenue near the Splash Park.

Javier M. Zamora, City Engineer stated the request was presented to staff due to concerns with pedestrian safety around the newly constructed Splash Park. Staff verified the concern with an onsite inspection of the area and determined the need to place a "No Parking Zone" along both sides of "L" Street. Staff also determined that a general parking lot was necessary across from the facilities. They consulted with the Girls and Boys Club and obtained permission to use their parking lot as extra parking spaces for the Splash Park and swimming pool. He recommended approval of the "No Parking Zone".

Ms. Cotroneo read the caption of the ordinance.

Motion was made by Mayor Pro-Tem Leftwich and seconded by Commissioner Castillo to approve and adopt the ordinance on first reading for the installation of the "No Parking Zone." Motion carried unanimously.

Commissioner Prepejchal stated this would secure the safety of the children that visited the facilities around the Fair Park Area.

Commissioner Trevino inquired about some design ideas for closing the street and creating a corridor entry way to this area.

Dan Serna, Asst City Manager stated this could be considered as one of the priorities in the Master Plan.

- 13) Consider and take action to approve and adopt an ordinance on the first reading authorizing the placement of two stop signs on the 21<sup>st</sup> Street in each direction of traffic at the intersection of Jefferson Avenue; establishing a fine not to exceed \$200.00 for the driver of any motor vehicle who fails to stop and yield the right-of-way I obedience to the stop signs herein authorizing: amending or repealing conflicting ordinance: providing for publication and ordaining other natters related to the forgoing.

Mr. Zamora stated the request was related to the design requirements of the 25<sup>th</sup> Street Hike & Bike Trail funded through the Texas Department of Transportation (TXDOT) Enhancement Program. One of the requirements for the construction of the Hike & Bike Trail was a stop sign for the safety of the pedestrians and cyclists. Staff was proposing to install two stop signs on 21<sup>st</sup> Street at the intersection of Jefferson Street to be in compliance with TXDOT requirements. Mr. Zamora recommended approval of the ordinance for the installation of the stop signs.

A brief discussion was held and Mayor Pro-Tem Leftwich stated this particular area was one of the zones that were seeking speed bumps. After traffic studies were conducted, staff determined that stop signs were necessary at these locations which would forgo the speed bumps. With the installation of the stop signs, the city would be in compliance with TXDOT requirements and recommended that staff install the signs before school began. This would help reduce and calm the traffic in that area. There were several locations that needed to be addressed in order to be in compliance.

Ms. Cotroneo read the caption of the ordinance.

Motion was made by Commissioner Castillo and seconded by Commissioner Trevino to approve and adopt the ordinance on first reading for the installation of the stop signs. Motion carried unanimously.

- 14) Consider and take action to adopt an ordinance on first reading authorizing the placement of two stop signs on Jefferson Avenue in each direction of traffic at the intersection of 25<sup>th</sup> Street; establishing a fine not to exceed \$200.00 for the driver of any motor vehicle who fails to stop and yield the right-of-way in obedience; providing for publication and ordaining other matters related to the forgoing.

Mr. Zamora stated this request was also part of the design requirement for the 25<sup>th</sup> Street Hike & Bike Trail funded by the TXDOT Enhancement Program. Staff was

proposing a stop sign at the intersection of 25<sup>th</sup> Street for pedestrians and cyclists safety using the trail to be in compliance with the TXDOT requirements. He recommended approval of the ordinance for the installation of the stop signs.

Ms. Cotroneo read the caption of the ordinance.

Motion was made by Mayor Pro-Tem Leftwich and seconded by Commissioner Castillo to approve and adopt the ordinance on first reading for the installation of the stop signs. Motion carried unanimously.

- 15) Consider and take action to approve and adopt an ordinance on the first reading authorizing the placement of two stop signs on Grimes Avenue in each direction of traffic at the intersection of 25<sup>th</sup> Street; establishing a fine not to exceed \$200.00 for the driver of any vehicle who fails to stop and yield the right-of-way in obedience to the stop signs herein authorizing” amending or repealing conflicting ordinances: providing for publication and ordaining other matters related to the forgoing.

Mr. Zamora stated this request was also part of the design requirement for the 25<sup>th</sup> Street Hike & Bike Trail funded by the TXDOT Enhancement Program. A stop sign was necessary at the intersection of 25<sup>th</sup> Street for pedestrians and cyclists safety using the trail. Staff was proposing to install the stop signs on Grimes Avenue at the intersection of 25<sup>th</sup> Street. He recommended approval of the ordinance.

Motion was made by Commissioner Prepejchal and seconded by Commissioner Castillo to approve and adopt the ordinance on first reading for the installation of the stop signs. Motion carried unanimously.

For the record, Mayor Boswell announced he had filed a Conflict of Interest form in regards to Item No. 20 with the City Secretary. He relinquished his chair and excused himself from the meeting room in order to avoid “an appearance of impropriety.”

- 20) Consider and take action to approve and adopt a resolution in support of the Cameron County Regional Mobility’s South Padre Island 2<sup>nd</sup> Access Project and recommended alternatives as identified in the Draft Environmental Impact Study.

Gabriel Gonzalez, Assistant City Manager stated CCRMA had adopted a resolution in support of the second causeway.

David Garcia stated he was present on behalf of the CCRMA to seek support for the construction of the seconded causeway to South Padre Island. This was an on-going project since six years ago. They were in process of conducting the environmental impact phase and the Federal Highway Administration had allowed them to proceed with the public hearing. The public hearing was scheduled for July 17, 2012 at 5:30 p.m. at the South Padre Island Convention Center. The hearing would start with an open house followed by a presentation and invited the City Commission and general public. This project would not only help South Padre Island, but the entire Rio Grande Valley economic development and job prospective of the county. This project was originally sponsored by TXDOT and later turned over to CCRMA. He briefly reported on the progress of the project and stated they had worked with officials from the City of South Padre Island, Port of Seville and Laguna Madre due to some contentions of the project. The contentions were resolved and were moving forward. They were working with federal and state agencies on the environmental impact statement. The environmental impact statement was on the CCRMA’s website which contained an executive summary. The following cities: Edinburg, Pharr, San Benito and Brownsville had expressed their support to the project and would be asking for federal and state support.

Discussion was held in regards to the particulars of the project and Mr. Garcia stated traffic studies were being conducted to determine the access roads such as Highways 509 and 100.

Commissioner Prepejchal stated his concern was if the City of Harlingen was going to loose retail traffic and business from travelers commuting to and from South Padre Island.

Mr. Garcia stated a traffic study had not been conducted, but a growth and economic study had been done for the next 20-30 years. The study concluded that the northeastern portion of Cameron County would grow tremendously over this period. The growth would include portions of Willacy and Hidalgo Counties. This would sustain and improve the economic development in the future for these areas.

Commissioner Prepejchal inquired if any consideration had been given to using Paso Real Highway.

Mr. Garcia responded this highway would be an alternative road and the focus of the study was the bridge. There would be a study for all the other alternative routes to the new bridge.

Jerry Moore 709 Town Lane stated a report from the Board of Coalition indicated that the entire Cartel related issues were in the nearby area(s). It would probably get worse in the future. The city needed to step forward and be protective and be the "Gate Keeper" for the South Padre Island by showing its support and guidance. He suggested a resolution from the city to support any TSA issues that could be done at the entrance and roads along the way to South Padre Island and the Valley to detect and arrest members of the Cartel.

Commissioner Prepejchal pointed out the Harlingen Police Department has done a great job in reducing the crime rate in this community. With their skillful force they could surely be the "Gate Keepers" to this lingering situation.

Motion was made by Commissioner Mezmar and second by Commissioner Castillo to approve the resolution as presented. Motion carried unanimously.

Mayor Boswell returned to the meeting room.

- 19) Presentation and discussion on the number of substandard and dilapidated structures demolished or repaired in the City of Harlingen from September 1, 2011 and May 31, 2002 utilizing the legal process established by the City Attorney's Office in the partnership with the Code Enforcement Department.

Ms. Cotroneo made a power point presentation on the efforts conducted by the City Attorney's Office and the City of Harlingen Code Enforcement Officer, Juan Leal. The impact of these efforts had been substantial and costly, yet the City Commission had made it a priority for the last couple of years to make sure the sub-standard structures were torn down and something was rebuild. She reported 57 structures had been demolished or repaired and 112 from April 2010 to August 2011 for a total of 169 structures. This total did not reflect the structures that were demolished by the National Guard, but if included the total was over 200 structures within the past two years. She pointed out with the help of the Valley Morning Star Newspaper citizens took notice of these measures taken by the city.

Mayor Pro-Tem Leftwich commended Ms. Cotroneo and staff and Code Enforcement for their assistance in trying to control the dilapidated structures in the community. These were health and safety issues that contributed to gang violence, drug use in the neighborhoods which was a quality of life issue.

Commissioner Prepejchal reported that the members of the Darrell Hester Correction Center had constructed two houses on the property of demolished structures in his district.

Mayor Boswell stated this process went back as far as 2008 and had been done all along. There were more structures in the community that had been demolished or repaired. He inquired about the warehouse on Commerce Street and Sun Valley Motel.

Ms. Cotroneo stated the item of the Sun Valley Motel would be discussed at the next City Commission meeting in executive session. The warehouse was owned by separate entities and was on the Union Pacific right-of-way. There had been no participation with the owner as to the demolition of the structure. The structure was infested with asbestos and the owner did not have the money to demolish the structure.

Mr. Yerena stated that staff was working with the owner to demolish the structure.

Commissioner Castillo stated there were levels of success which got the attention of some residents that have the same issues. He gave examples when citations were issued and intern people tend to comply voluntarily. It would be a good idea to develop a system of recognition of those individuals who have stepped forward and reacted positively by improving theirs and the neighborhoods quality of life. A certificate of recognition should be developed to recognize these individuals.

Ms. Cotroneo stated her office would send thank you letters to the individuals that had complied with the request of the City Attorney's Office.

Mayor Pro-Tem Leftwich suggested an award be presented to acknowledge the property owners for extensive care of their property. He requested that the next time this report was presented to them that a timeline be included of the events that followed when the Substandard Structure Tool Box was implemented from the past five to six years.

24) Citizen Communication

None

21) Board Appointments

Commissioner Castillo

Corina Penuelas – Harlingen Proud Advisory Board – Reappointment

Commissioner Mezmar

Kenneth Benton – Zoning Board of Adjustment

Commissioner Prepejchal

Ramiro Gonzalez – Animal Shelter Advisory Board  
Nelda Rendon – Community Development Advisory Board  
Alfonso Gonzalez – Construction Board of Adjustments  
Buddy Hawkins – Construction Board of Adjustments  
Jesse D. Villarreal – Convention & Visitors Bureau  
Arturo Gonzalez – Gulf Course Advisory Board  
Arlene Garza – Harlingen Proud Advisory Board  
B. Gail Moore – Harlingen Proud Advisory Board  
Ruben De La Rosa – Parks Advisory Board  
Connie Salas – Senior Citizens Advisory Board  
Gloria Miranda – Senior Advisory Board  
Juan Garza – Veterans Advisory Board  
Alex Trejo – Veterans Advisory Board

Mayor Boswell

Library Advisory Board:

Seth Uhlhor – Student Representative – Harlingen High School  
Samar Dawy – Alternate Representative- Harlingen High School  
Sabrina Celis – Student Representative - Harlingen High School South  
Paige Robles – Alternate Representative – Harlingen High School South

Motion was made by Mayor Pro-Tem Leftwich and seconded by Commissioner Castillo to approve the board appointments. Motion carried unanimously.

22) Closed/Executive Session

At 7:10 p.m., Mayor Boswell announced the City Commission would convene into executive session to discuss Item No. 22 a., b., and c.

22) Closed/Executive Session to discuss the following items:

- a) pursuant to Chapter 551, Subchapter D., V.T.C.A. Government Code Section 551.071 consultation with the City Attorney to seek legal advice regarding the Interlocal Agreement with Cameron County to participate in Tax Increment Financing Reinvestment Zones Nos. 1, 2 and 3.
- b) pursuant to Chapter 551, Subchapter D, V.T.C.A. Government Code, Sections 551.087 and 551.071 regarding commercial and financial information from a business prospect with which the City Commission is conducting economic development negotiations and/or to discuss or deliberate financial or other incentives with the business prospect known as **Project Uncle** and to seek legal advice from the City Attorney regarding this subject.
- c) pursuant to Chapter 551, Subchapter D, V.T.C.A. Government Code, Section 551.071 consultation with the City Attorney to seek legal advice regarding the Development Corporation of Harlingen's (EDC) request for the City to transfer title to EDC on the public parking lot located at the intersection of 1<sup>st</sup> St. and East Harrison bearing a legal description of Lots 19, 20, 21, 22, 23, and 24 inclusive Block 70, Original Townsite of Harlingen, Cameron County, Texas according to the Map or Plat thereof recorded in Volume 2, Page 14, Map Records of Cameron County, Texas.

Motion was made by Mayor Pro-Tem Leftwich and seconded by Commissioner Castillo to convene into executive session to discuss Item No. 22 a., b., and c. Motion carried unanimously.

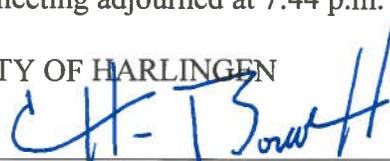
At 7:43 p.m., Mayor Boswell announced that the City Commission had completed its executive session on the above mentioned items and declared the meeting open to the public.

23) Consider and take action to approve proposed revisions to the development agreement between the City of Harlingen and Reyna Family Development. LTD.

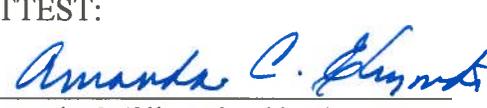
No action was taken on Item No. 23.

There being no further business to discuss, the meeting adjourned at 7:44 p.m.

CITY OF HARLINGEN

  
Chris Boswell, Mayor

ATTEST:

  
Amanda C. Elizondo, City Secretary