

SPECIAL JOINT MEETING OF THE HARLINGEN CITY COMMISSION AND  
HARLINGEN COMMUNITY IMPROVEMENT BOARD

May 18, 2015

A Special Joint Meeting of the Harlingen City Commission and Harlingen Community Improvement Board was held Monday, May 18, 2015 at 11:30 a.m. at Town Hall, City Hall located at 118 E. Tyler, Harlingen, Texas. Those in attendance were:

Mayor and Commission

Mayor Chris Boswell  
Mayor Pro-Tem Victor Leal, District 5  
Danny Castillo, Commissioner 1  
Tudor Uhlhorn, Commissioner District 2  
Michael Mezmar, District 3  
Commissioner Sanchez, Commissioner District 4

Harlingen Community Improvement Board

Jesse Robles - President  
Joe Rubio Jr.  
John Guevara  
Danny Villarreal  
Daniel Arazia  
Paul Durant

Absent

Gina Monreal- Cano

Staff Present

Carlos Yerena, City Manager  
Amanda C. Elizondo, City Secretary  
Gabriel Gonzalez, Assistant City Manager  
Richard Bilbie, City Attorney  
Elvia Trevino, Finance Director

Mayor Boswell and President Robles called the meeting to order and stated the agenda was duly posted according to state law.

1) Executive/Closed Session on the following items:

- a) pursuant to Chapter 551, Subchapter D, V.T.C.A., Texas Government Code, Sections 551.071 and 551.087 regarding deliberations relating to economic development negotiations with respect to the Hotel/Conference Center Project and/or to discuss or deliberate financial matters and seek legal advice from the City Attorney regarding the subject matter.
- b) pursuant to Chapter 551, Subchapter D, V.T.C.A. Government Code, Sections 551.071 and 551.087 to seek legal advice from the City Attorney and in regards to deliberations relating to economic development negotiations with respect to an Access and Due Diligence Agreement for Baxter Building Redevelopment formerly known as *Project Opportunity*.

Mayor Boswell announced he would change the order of the agenda to allow the City Commission and Harlingen Community Improvement Board to hold discussions with Richard Roundtree, appointed counsel in executive session in regards to Items No. 1(b) first and then take action on Items No. 4, 5, 6, and 7.

At 11:40 a.m., Mayor Boswell announced the City Commission would convene into executive session to discuss Item No. 1 (b).

City Commission

Motion was made Mayor Pro-Tem Leal and seconded by Commissioner Castillo to go into executive session to discuss Item No. 1(b). Motion carried unanimously.

At 11:41a.m., President Robles announced the Harlingen Community Improvement Board would go convene into executive session to discuss Item No. 1 (b).

Harlingen Community Improvement Board

Motion was made by Danny Villarreal and seconded by Paul J. Durant to go into executive session to discuss Item no. 1(b). Motion carried unanimously.

At 12:02 p.m., Mayor Boswell announced the City Commission and Harlingen Community Improvement Board had completed its executive session on Item No. 1(b).

Mayor Boswell announced he would continue with the regular order of the agenda and proceed with Item No. 1(a).

At 12:05 p.m., Mayor Boswell announced the City Commission would go into executive session to discuss Item No. 1(a).

City Commission

Motion was made Commissioner Uhlhorn and seconded by Commissioner Castillo to go into executive session to discuss Item No. 1(a). Motion carried unanimously.

At 12:05 p.m., President Robles announced the Harlingen Community Improvement Board would convene into executive session to discuss Item No. 1(a).

Harlingen Community Improvement Board

Motion was made by John Guevara and seconded by Paul J. Durant to go into executive session to discuss Item no. 1(a). Motion carried unanimously.

At 2:52 p.m., Mayor Boswell and President Robles announced the City Commission and Harlingen Community Improvement Board had completed its executive session and declared the meeting open to the public.

2) Consider and take action by the Harlingen Community Improvement Board on the City's Consultant's recommendation regarding the Hotel/Conference Center Project.

Tom Hazinski, HVS Consultant stated after evaluation of all the proposals all were highly qualified and experience for the proposed project. There were difference with the sites that were selected and the financial plans. He said the City should rank the proposals in order and begin negotiations with the first ranking with in a specific time frame. If the negotiations don't work out then they should move to the second ranking. He recommended the ranking in the following order: 1) BCLYND 2) Gatehouse 3) Altera. He said negotiation should be move forward with the firm that is chosen.

Motion was made by Danny Villarreal and seconded by John Guevara to accept the recommendation of counsel.

Danny Araiza asked what would the timeline would be for the project.

Mr. Hazinski responded that would need to be determined with the selected developer. He said he was in hopes it would take no more than six months.

Mayor Boswell said this could be established during the onset of the negotiation process if the Harlingen Community Improvement Board approves it.

Motion carried unanimously.

- 3) Consider and take action by the City of Harlingen on the Harlingen Community Improvement Board's recommendation and authorize the City Manager to negotiate a contract for the Hotel/Conference Center Project.

Motion was made by Mayor Pro-Tem Leal and seconded by Commissioner Sanchez to authorize the city manager to negotiate a contract for the Hotel/Conference Center Project. Motion carried unanimously.

- 4) Public hearing to seek comments from the public on expenditure of funds for professional services and remediation of asbestos concerning the Baxter Building, Harlingen Original Townsite, Lot 4 & 5, Block 60, Harlingen, Texas formerly known as *Project Opportunity* not to exceed \$200,000.00.

Public Hearing

President Robles announced this was a public hearing and anyone wishing to speak for or against the item could do so.

There being no comments, President Robles declared the public hearing closed.

No action

- 5) Consider and take action to approve expenditures for professional services and remediation of asbestos for the Baxter Building Redevelopment Project not to exceed \$200,000.00.

Motion was made by John Guevara and seconded by Daniel Araza to approve expenditures for professional services and remediation of asbestos for the Baxter Building Redevelopment Project not to exceed \$200,000.00. Motion carried unanimously.

- 6) Consider and take action by the City of Harlingen on the Harlingen Community Improvement Board's recommendation to approve expenditures for professional services and asbestos abatement not to exceed \$200,000.00 for the Baxter Building Redevelopment Project.

Motion was made by Commissioner Uhlhorn and seconded by Commissioner Castillo to approve the expenditures for professional services and asbestos abatement not to exceed \$200,000.00 for the Baxter Building. Motion was as followed: FOR: John Guevara, Danny Villarreal, Daniel Araza, and Paul Durant OPPOSED: Joe Rubio Motion carried unanimously.

- 7) Consider and take action to approve an Access and Due Diligence Agreement between the Harlingen Community Improvement Board and Flint Hills Holdings Group, LLC, regarding the Baxter Building Redevelopment Project and authorize the President to sign the agreement.

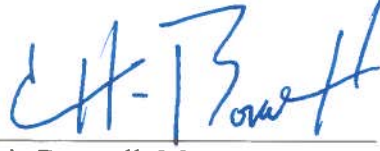
Motion was made by John Guevara and second by Paul Durant to approve an Access and Due Diligence Agreement between the Harlingen Community Board and Flint Hills Holdings Group, LLC. Motion was as follows: FOR: John Guevara, Danny Villarreal, Daniel Araza, and Paul Durant OPPOSED: Joe Rubio Motion carried unanimously. .

- 8) Consider and take action to approve the action of the Harlingen Community Improvement Board approving the Access and Due Diligence Agreement between the Harlingen Community Improvement Board and Flint Hills Holdings Group, LLC, regarding the Baxter Building Redevelopment Project.

Motion was made by Commissioner Mezmar and seconded by Mayor Pro-Tem Leal to approve the action of the Harlingen Community Improvement Board approving the Access and Due Diligence Agreement between the Harlingen Community Improvement Board and Flint Hills Holdings Group, LLC. Motion carried unanimously.

Special Joint Meeting  
5/18/15

There being no further business to discuss Mayor Boswell and President Robles adjourned the meeting.

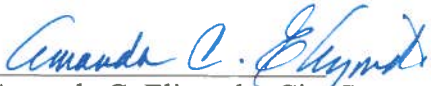


Chris Boswell, Mayor



Jesse Robles, President  
Harlingen Community Improvement Board

ATTEST:



Amanda C. Elizondo, City Secretary