

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

March 4, 2020

A Regular Meeting of the Harlingen City Commission was held March 4, 2020 at 5:30 p.m., City Hall, Town Hall Meeting Room, 118 E. Tyler Street, Harlingen, Texas. Those in attendance were:

Mayor and Commissioners

Mayor Chris Boswell  
Michael Mezmar, Mayor Pro-Tem, District 3  
Richard Uribe, Commissioner, District 1  
Frank Puente, Commissioner, District 2  
Ruben De La Rosa, Commissioner, District 4  
Victor Leal, Commissioner, District 5

City Staff

Dan Serna, City Manager  
Mayra Herrera, Asst. City Secretary  
Ric Navarro, City Attorney

Invocation – Michael Mezmar, Mayor Pro-Tem

Pledge of Allegiance/Welcome

Mayor Boswell recited the Pledge of Allegiance and welcomed those in attendance.

Call Meeting to Order

Mayor Boswell called the meeting to order and announced the meeting was duly posted according to state law. The following proceedings were held:

Citizen Communication/Input

- 1) Proclamation – proclaiming March 4, 2020 as “Harlingen Farmers Market 10<sup>th</sup> Anniversary Day.”

Mayor Boswell read and presented a proclamation proclaiming March 4<sup>th</sup> 2020 as “Harlingen Farmers Market 10<sup>th</sup> Anniversary” to Kate McSwain and board members of Harlingen Farmers Market.

Mayor Boswell changed the order of the agenda and proceeded with the following item.

- 10) Consideration and possible action to approve a request from the Boys and Girls Club for \$200,000.00 to help fund a new gym and shade structure over the existing outdoor basketball courts.

Mr. Gerald Gathright, Chief Executive Officer of the Boys and Girls Club, stated the Boys and Girls Club were in the process of developing a new gym to provide additional space to fulfill the needs of the community. They are proposing to construct a gym on the south side of the property at an estimated cost of \$1.35 million dollars. They received a grant for \$800,000 from the Valley Baptist Legacy Foundation for this project. The Boys & Girls Club are securing in-kind contributions from other sources to help offset the shortfalls and are requesting financial assistance from City in the amount of \$100,000. In addition to the \$100,000 for the gym, they are requesting \$100,000 to construct a shade structure over the existing outdoor basketball courts located on the east side of the property. The courts would be made available to the City for concert events at the Destination Park and could utilize the shaded seating area. The shade structure could be a great alternative to the proposed basketball courts at the Destination Park or in the interim until the new courts are constructed.

Discussion was held regarding the Boys and Girls Club request; if it would be appropriate to table this item to allow staff to review the budget; whether or not the need for additional basketball courts at the Destination Park were necessary; if the School District would financially assist in this project; if the City would be able to assist with the side preparations; and what would be the expected date of completion for this project?

Dan Serna, City Manager, stated the plan is to review the budget and allocate the funds from the Fund Balance. This is an ongoing project and plans are to start the project soon. The City does not have the equipment to do any side preparations.

Mr. Garthright stated construction for the shade structure over the basketball courts could start immediately. The funding for the gym could be delayed until approved.

Mayor Boswell recognized Ron Lozano, resident of Harlingen, and Mr. Lozano asked who would be the architect.

Motion was made by Commissioner Leal and seconded by Mayor Pro-Tem Mezmar to approve the request from the Boys and Girls Club for \$200,000.00 to help fund a new gym and shade structure over the existing outdoor basketball courts. Motion carried unanimously.

Mayor Boswell returned to the regular order of the agenda.

2) Presentation on the Census 2020 updates and efforts.

Gabriel Gonzalez, Asst. City Manager, gave a presentation on the Census 2020. The Census Committee consists of eight (8) members. There are four (4) ways to respond to the Census through the use of the internet, phone, paper/mail, or enumerator. Important dates to keep in mind are March 12<sup>th</sup>, and April 1<sup>st</sup>, 2020. The City's population on April 1<sup>st</sup>, 2010 was 64,849 and increased by 680 on July 1, 2016, a total of 65,539. As per AEP, there are 32,637 residential meters which reflects an estimate of 96,279 residents. The 911 reflects 32,063 residential homes an estimate of 94,596 residents. The population revenue is \$1,578 per person. The Census is updating addresses for all local residents. Currently, there are 30,568 addresses an additional 1,440 addresses from last decade. Starting March 12<sup>th</sup> to April 18<sup>th</sup>, 2020, computers will be available at the Harlingen Public Library and Census employees will be assisting the public filling out the Census forms. The Harlingen Housing Authority will provide computers for residents to use at their location. The Harlingen Water Works placed a notice on the water bills reminding citizens of the Census. Several events are coming up to continue promoting the Census.

3) Approval of Minutes

Regular Meeting of February 5, 2020

Motion was made by Commissioner Puente and seconded by Commissioner Leal to approve the minutes of February 5<sup>th</sup>, 2020. Motion carried unanimously.

4a) Second and final reading to approve and adopt an ordinance amending the City of Harlingen Comprehensive Plan, One Vision One Harlingen Thoroughfare Plan, by changing the alignment of the proposed extension of Golden Bear Drive in a straight alignment to connect with Haine Drive. Applicant: Armando Elizarde.

b) Second and final reading to approve and adopt an ordinance amending the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article XVIII, Section 111-509 (3) Signs, by amending the sign regulations within the Downtown District Overlay for properties along a state highway. Applicant: City of Harlingen.

c) Second and final reading to approve and adopt an ordinance to amend the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article II, Section 111-31(g) Amendments, amending the time frame to resubmit rezoning and special use permit applications. Applicant: City of Harlingen.

d) Consideration and possible action to approve an overdue fine amnesty at the Harlingen Public Library in honor of National Library Week from April 18<sup>th</sup> thru 26<sup>th</sup>, 2020.

Motion was made by Commissioner Leal and seconded by Commissioner Mezmar to approve the Consent Agenda Items 4 (a, c, and d). Motion carried unanimously.

Item 4(b) was removed from the consent agenda for discussion in Executive Session.

For the record, the caption of the ordinances read as follow:

ORDINANCE NO. 2020-06

AN ORDINANCE OF THE CITY OF HARLINGEN COMPREHENSIVE PLAN ONE VISION ONE HARLINGEN, CHAPTER 2, FIGURE 2.1 THOROUGHFARE PLAN, BY AMENDING THE ALIGNMENT OF THE PROPOSED EXTENSION OF GOLDEN BEAR DRIVE TO A NINETY DEGREE ANGLE TO CONNECT WITH HAINE DRIVE; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

ORDINANCE NO. 2020-07

AN ORDINANCE AMENDING THE CITY OF HARLINGEN CODE OF ORDINANCES CHAPTER 111, ZONING, ARTICLE II, SECTION 111-31(g), AMENDMENTS, BY AMENDING THE TIME FRAME TO RESUBMIT REZONING AND SPECIAL USE PERMIT APPLICATIONS; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

PASSED AND APPROVED on first reading this 19<sup>th</sup> day of February, 2020  
PASSED AND APPROVED on second reading this 4<sup>th</sup> day of March, 2020

CITY OF HARLINGEN  
/S/CHRIS BOSWELL, MAYOR

ATTEST:  
/S/AMANDA C. ELIZONDO, CITY SECRETARY

5) Public hearing to consider a request to amend the Planned Development ("PD") Site Plan to adjust the layout and land use for a 16.49 acres out of 18 acres, out of Block 6, F.Z. Bishop Subdivision, Survey 41, located on the west side of Tucker Road, north of Garrett Road. Applicant: Juan Garcia of JNH Surveying Co. LLC. c/o Juan D. Villarreal.

a) Public Hearing

b) Consideration and possible action to amend the Planned Development ("PD") Site Plan to adjust the layout and land use for a 16.49 acres out of 18 acres, out of Block 6, F.Z. Bishop Subdivision, Survey 41, located on the west side of Tucker Road, north of Garrett Road.

Motion was made by Mayor Pro-Tem Mezmar and seconded by Commissioner Uribe to table Item (5) for further review. Motion carried unanimously.

6) Consideration and possible action to authorize the Mayor, on behalf of the Harlingen Police Department, to submit a grant application for \$12,902.21 for funding made available through the Office of the Governor Criminal Justice Division, under the FY 2021 Internet Crimes Against Children Grant Program.

Michael Kester, Chief of Police, stated the Harlingen Police Department will utilize the funds to pay overtime costs associated with the investigation and prosecution of internet crimes targeting the Harlingen youths. He stated no matching funds from the City were required.

Motion was made by Commissioner Leal and seconded by Commissioner Puente to authorize the Mayor, on behalf of the Harlingen Police Department, to submit a grant application for \$12,902.21 for funding made available through the Office of the Governor Criminal Justice Division, under the FY 2021 Internet Crimes Against Children Grant Program. Motion carried unanimously.

7) Consideration and possible action to approve an ordinance on first reading to repeal Section 30-5 of Chapter 30, and Chapter 18 – Fees to delete Section 30-5 to remove the Juvenile Case Manager Fee of the Harlingen Code of Ordinances.

Robert Rodriguez, Finance Director, stated Senate Bill 346, Article 102.0174 of the Code of Criminal Procedures repealed the Juvenile Case Manager Fund effective January 1, 2020. The City of Harlingen no longer has the authority under this article to collect the Juvenile Case Manager Fee. Effective January 1, 2020, the fee is now assessed as part of the local consolidated fee.

Motion was made by Commissioner Leal and seconded by Commissioner Puente to approve the ordinance on first reading to repeal Section 30-5 of Chapter 30, and Chapter 18 – Fees to remove the Juvenile Case Manager Fee from the Harlingen Code of Ordinances. Motion carried unanimously.

8) Consideration and possible action to approve a resolution amending the designated authorized representatives for the City of Harlingen's Tex-Pool Investments Accounts.

Mr. Rodriguez stated the resolution is required to remove the name of Elvia Trevino, former Finance Director, from the City's Tex-Pool Investment Accounts. The authorized representatives for the City are City Manager, Dan Serna, Assistant City Manager, Gabriel Gonzalez, and himself as the Finance Director.

Motion was made by Mayor Pro-Tem Mezmar and seconded by Commissioner De La Rosa to approve the resolution amending the designated authorized representatives for the City of Harlingen's Tex-Pool Investments Accounts. Motion carried unanimously.

- 9) Consideration and possible action to approve the acceptance of the Texas State Library and Archives Commission (TSLAC) Library Services to Border Cities Grant for \$400,000.

Dauna Campbell, Library Director, stated the Texas State Library and Archives Commission (TSLAC) awarded the Harlingen Public Library a grant for \$400,000.00. No matching funds are required for this grant. The Library will purchase an Envision Ware 24-hour library service kiosk, a library van, materials for the kiosk, and complete RFID material tagging conversion. This remote service kiosk will be placed in a high traffic location to improve access to library materials. Library members will have the ability to checkout, return, and request materials from the kiosk. The library van will be used to support the kiosk. RFID conversion is needed to utilize all the kiosk's features. This conversion will also give the Library the ability to add other RFID equipment such as self-checkout machines, smart security gates, and library shelf management wands.

Motion was made by Commissioner Puente and seconded by Commissioner Leal to approve the acceptance of the Texas State Library and Archives Commission (TSLAC) Library Services to Border Cities Grant for \$400,000. Motion carried unanimously.

- 11) Consideration and possible action acknowledging the name change from TCG Advisors to TCG Group Holdings, L.L.P.

Gabriel Gonzalez, Asst. City Manager, stated the City has been working with TCG Advisors since 2007. The company is changing its name to TCG Group Holdings and is requesting acknowledgement from the City of Harlingen. The fees and services provided by them will not change.

Motion was made by Mayor Pro-Tem Mezmar and seconded by Commissioner Leal to acknowledge the name change from TCG Advisors to TCG Group Holdings, L.L.P. Motion carried unanimously.

- 12) Board Appointments

Commissioner Uribe appointed Kristin Appell to the Convention & Visitors Bureau. Mayor Boswell reappointed Nicholas Consiglio to the Airport Board.

Motion was made by Commissioner Puente and seconded by Mayor Pro-Tem Mezmar to approve the appointment of Kristin Appell to the Convention & Visitors Bureau and the re-appointed of Nicholas Consiglio to the Airport Board. Motion carried unanimously.

- 4b.) Second and final reading to approve and adopt an ordinance amending the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article XVIII, Section 111-509 (3) Signs, by amending the sign regulations within the Downtown District Overlay for properties along a state highway. Applicant: City of Harlingen.

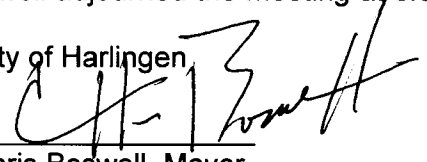
At 6:39 p.m., Mayor Boswell announced the City Commission would convene into executive session to discuss Item 4(b).

Motion was made by Commissioner Leal and seconded by Commissioner De La Rosa to enter into Executive Session to discuss certain legal matters with the City Attorney pertaining to Item 4b. Motion carried unanimously.

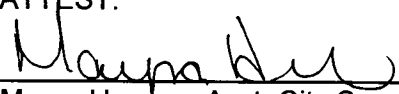
At 6:57 p.m., Mayor Boswell announced the City Commission had completed its executive session and declared the meeting open to the public. He stated no action will be taken on Item 4(b),

Adjournment

There being no other business to discuss, Mayor Boswell adjourned the meeting at 6:58 p.m.

City of Harlingen  
  
Chris Boswell, Mayor

ATTEST:

  
Mayra Herrera, Asst. City Secretary