

JOINT SPECIAL MEETING OF THE HARLINGEN CITY COMMISSION
AND DEVELOPMENT CORPORATION OF HARLINGEN, INC.
December 13, 2016

A Joint Special Meeting of the Harlingen City Commission and the Development Corporation of Harlingen, Inc. was held on Tuesday, December 13, 2016 at 11:30 A.M., at City Hall, Town Hall Meeting Room, 2nd Floor, located at 118 E. Tyler Street, Harlingen, Texas.

Mayor and Commissioners

Mayor Chris Boswell
Mayor Pro-Tem Michael Mezmar, District 3
Richard Uribe, City Commissioner, District 1
Tudor Uhlhorn, City Commissioner, District 2
Victor Leal, City Commissioner, District 5

Absent

Ruben de la Rosa, City Commissioner, District 4

City Staff

Dan Serna, City Manager
Amanda C. Elizondo, City Secretary
Richard Bilbie, City Attorney

Development Corporation of Harlingen, Inc.

Lupita Gutierrez-Garza, President
Gilbert Leal – Vice President
Michael Lamon, Treasurer
Robert Dunkin, Secretary
Mickey Boland, Member

EDC Staff

Raudel Garza, Chief Executive Officer
Brendan Hall, EDC Attorney

Mayor Boswell called the meeting to order and stated a quorum was present. The meeting was duly posted according to State law.

Lupita Gutierrez, President of the Development Corporation of Harlingen, Inc. called the meeting to order and stated a quorum was present. The notice of meeting was duly posted according to State law.

- 1) Executive Session pursuant to Chapter 551, Subchapter D., V.T.C.A. Government Code (Section 551.072), regarding the purchase, lease or value of real estate, if the deliberation in an open meeting would have a detrimental effect on the position of the City of Harlingen and the Development Corporation of Harlingen Inc. in negotiations with a third person regarding Project Liberty; and/or Contemplated or pending litigation, or matters where legal advice is requested of the Attorney on a matter in which the duty of the attorney to the Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Act; Section 551.071 of the Texas Open Meetings Act and/or Executive Session pursuant to Chapter 551, Subchapter D., V.T.C.A. Government Code (Section 551.087) regarding commercial and financial information from Project Liberty with which the Board is conducting economic development negotiations and/or to discuss or deliberate financial or other incentives to Project Liberty.

At 11:32 a.m., Mayor Boswell announced the City Commission would convene into executive session to discuss Item No. 1.

Motion was made by Commissioner Uribe and seconded by Mayor Pro-Tem Mezmar to convene into executive session to discuss Item No. 1. Motion carried unanimously.

At 11:31 a.m., Lupita Gutierrez-Garza, Vice President announced the Economic Development Corporation of Harlingen, Inc. would convene into executive session to discuss Item No. 1.

Motion was made by Mr. Lamon, and seconded by Mr. Dunkin to convene into executive session to discuss Item No. 1. Motion carried unanimously.

At 11:42 a.m. Mayor Bowell announced the City Commission had completed its executive session and declared the meeting open to the public.

At 11:43 a.m. President Garza announced the Economic Development Corporation of Harlingen, Inc. had completed its executive session and declared the meeting open to the public.

- 2) Consider and take action to authorize the acquisition and closing of the purchase of approximately 25.851 acres of land for Project Liberty described as being 2.669 acres out of Block Twenty-Six (26), and 23.182 acres out of Block Thirty-Nine (39), The Palmetal Company Subdivision, City of Harlingen, Cameron County, Texas as recorded in Volume 4, Page 3, of the Cameron County Map Records from Pan American Hydrogen, Inc., and to pass a resolution authorizing the execution by the CEO/Manager, President, Vice-President, Secretary, and/or Treasurer of the Development Corporation of Harlingen, Inc. of any and all documents necessary to carry out this acquisition and closing. (EDC Director) (Vote by the EDC Board)

Motion was made by Mr. Lamon and seconded by Mr. Dunkin to approve the acquisition and closing of the purchase of approximately 25.851 acres of land for Project Liberty described as being 2.669 acres out of Block Twenty-Six (26), and 23.182 acres out of Block Thirty-Nine (39), The Palmetal Company Subdivision, City of Harlingen, Cameron County, Texas as recorded in Volume 4, Page 3, of the Cameron County Map Records from Pan American Hydrogen, Inc., and to pass a resolution authorizing the execution by the CEO/Manager, President, Vice-President, Secretary, and/or Treasurer of the Development Corporation of Harlingen, Inc. of any and all documents necessary to carry out this acquisition and closing. Motion carried unanimously.

- 3) Consider and take action to authorize the acquisition and closing of the purchase of approximately 51.704 acres of land for Project Liberty described as all of Lot Two (2), Block One (1), Bales/I.T.D. Industrial Subdivision, City of Harlingen, Cameron County, Texas as recorded in Cabinet 1, SOT 2093-B of the Cameron County Map Records, and a 7.175 acre tract of land, more or less, being 1.745 acres out of Block Twenty-Six (26), and 5.430 acres out of Block Thirty-Nine (39), The Palmetal Company Subdivision, City of Harlingen, Cameron County, Texas as Recorded in Volume 4, Page 2 of the Cameron County Map Records, and a 38.529 acre tract of land, more or less, being 35.554 acres out of Block Thirty-Eight (38), The Palmetal Company Subdivision, and 2.975 acres out of Lot Four (4), Block One (1), Harlingen Industrial Park No. 3 Phase 1 Subdivision, City of Harlingen, Cameron County, Texas as recorded respectively in Volume 4, Page 2, and Cabinet 1, SOT 1593-A of the Cameron County Map Records from Harlingen Industrial Foundation, Inc., and to pass a resolution authorizing the execution by the CEO/Manager, President, Vice-President, Secretary, and/or Treasurer of the Development Corporation of Harlingen, Inc. of any and all documents necessary to carry out this acquisition and closing. (EDC Director) (Vote by the EDC Board)

Motion was made by Mr. Dunkin and seconded by Mr. Lamon to authorize the acquisition and closing of the purchase of approximately 51.704 acres of land for Project Liberty described as all of Lot Two (2), Block One (1), Bales/I.T.D. Industrial Subdivision, City of Harlingen, Cameron County, Texas as recorded in Cabinet 1, SOT 2093-B of the Cameron County Map Records, and a 7.175 acre tract of land, more or less, being 1.745 acres out of Block Twenty-Six (26), and 5.430 acres out of Block Thirty-Nine (39), The Palmetal Company Subdivision, City of Harlingen, Cameron County, Texas as Recorded in Volume 4, Page 2 of the Cameron County Map Records, and a 38.529 acre tract of land, more or less, being 35.554 acres out of Block Thirty-Eight (38), The Palmetal Company Subdivision, and 2.975 acres out of Lot Four (4), Block One (1), Harlingen Industrial Park No. 3 Phase 1 Subdivision, City of Harlingen, Cameron County, Texas as recorded respectively in Volume 4, Page 2, and Cabinet 1, SOT 1593-A of the Cameron County Map Records from Harlingen Industrial Foundation, Inc., and to pass a resolution authorizing the execution by the CEO/Manager, President, Vice-President, Secretary, and/or Treasurer of the Development Corporation of Harlingen, Inc. of any and all documents necessary to carry out this acquisition and closing. Motion carried unanimously.

- 4) Consider and take action to approve the Development Corporation's expenditure of funds for and closing of the purchase of land for Project Liberty described as being 2.669 acres out of Block Twenty-Six (26), and 23.182 acres out of Block Thirty-Nine (39), The Palmetal Company Subdivision, City of Harlingen, Cameron County, Texas as recorded in Volume 4, Page 3, of the Cameron County Map Records from Pan American Hydrogen, Inc. and to authorize the signatures of the Mayor and City Secretary on any documents necessary to carry out this closing. (City Manager) (Vote by the City Commission)

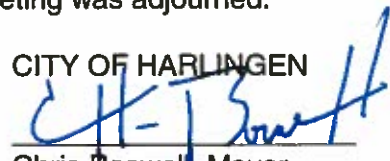
Motion was made by Commissioner Uribe and seconded by Commissioner Leal to approve the Development Corporation's expenditure of funds for and closing of the purchase of land for Project Liberty described as being 2.669 acres out of Block Twenty-Six (26), and 23.182 acres out of Block Thirty-Nine (39), The Palmetal Company Subdivision, City of Harlingen, Cameron County, Texas as recorded in Volume 4, Page 3, of the Cameron County Map Records from Pan American Hydrogen, Inc. and to authorize the signatures of the Mayor and City Secretary on any documents necessary to carry out this closing. Motion carried unanimously.

- 5) Consider and take action to approve the Development Corporation's expenditure of funds for and closing of the purchase of land for Project Liberty described as all of Lot Two (2), Block One (1), Bales/I.T.D. Industrial Subdivision, City of Harlingen, Cameron County, Texas as recorded in Cabinet 1, SOT 2093-B of the Cameron County Map Records, and a 7.175 acre tract of land, more or less, being 1.745 acres out of Block Twenty-Six (26), and 5.430 acres out of Block Thirty-Nine (39), The Palmetal Company Subdivision, City of Harlingen, Cameron County, Texas as Recorded in Volume 4, Page 2 of the Cameron County Map Records, and a 38.529 acre tract of land, more or less, being 35.554 acres out of Block Thirty-Eight (38), The Palmetal Company Subdivision, and 2.975 acres out of Lot Four (4), Block One (1), Harlingen Industrial Park No. 3 Phase 1 Subdivision, City of Harlingen, Cameron County, Texas as recorded respectively in Volume 4, Page 2, and Cabinet 1, SOT 1593-A of the Cameron County Map Records from Harlingen Industrial Foundation, Inc., and to authorize the signatures of the Mayor and City Secretary on any documents necessary to carry out this closing. (City Manager) (Vote by the City Commission)

Motion was made by Commissioner Uhlhorn and seconded by Commissioner Uribe to approve the Development Corporation's expenditure of funds for and closing of the purchase of land for Project Liberty described as all of Lot Two (2), Block One (1), Bales/I.T.D. Industrial Subdivision, City of Harlingen, Cameron County, Texas as recorded in Cabinet 1, SOT 2093-B of the Cameron County Map Records, and a 7.175 acre tract of land, more or less, being 1.745 acres out of Block Twenty-Six (26), and 5.430 acres out of Block Thirty-Nine (39), The Palmetal Company Subdivision, City of Harlingen, Cameron County, Texas as Recorded in Volume 4, Page 2 of the Cameron County Map Records, and a 38.529 acre tract of land, more or less, being 35.554 acres out of Block Thirty-Eight (38), The Palmetal Company Subdivision, and 2.975 acres out of Lot Four (4), Block One (1), Harlingen Industrial Park No. 3 Phase 1 Subdivision, City of Harlingen, Cameron County, Texas as recorded respectively in Volume 4, Page 2, and Cabinet 1, SOT 1593-A of the Cameron County Map Records from Harlingen Industrial Foundation, Inc., and to authorize the signatures of the Mayor and City Secretary on any documents necessary to carry out this closing. Motion carried unanimously.

There being no further business to discuss, the meeting was adjourned.

CITY OF HARLINGEN


Chris Boswell, Mayor

ATTEST:


Amanda C. Elizondo, City Secretary

Economic Development Corporation
of Harlingen, Inc.


Lupita Gutierrez Garza, President