

REGULAR
CITY COMMISSION
AGENDA
May 15, 2013
@ 5:30 P.M.
TOWN HALL, CITY HALL
118 E. Tyler Street
Harlingen, Texas

Notice is hereby given that the above governmental body will hold a Regular Meeting on **Wednesday, May 15, 2013 at 5:30 P.M.** in City Hall, Town Hall, 2nd Floor, Harlingen, Texas.

City of Harlingen meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary's office at (956) 216-5001 or write Post Office Box 2207, Harlingen, Texas 78550 at least 48 hours in advance of the meeting.

Invocation/City Commissioner Castillo

Pledge of Allegiance/Welcome

- 1) Public Announcement of Events
- 2) Presentation of proclamations:
 - a) Salvation Army Week, May 13 to 17, 2013
 - b) Motorcycle Safety and Awareness Month
- 3) Approval of Minutes – Special Meeting of March 27, 2013

CONSENT AGENDA

The following items are of a routine or administrative nature. The Council has been furnished with background material on each item and/or it has been discussed at a previous meeting. All items will be acted upon by one vote, without being discussed separately, unless requested by a Commission member. Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.

- 4a) Second and final reading to approve and adopt an ordinance that eliminates all day Tony Butler Municipal Golf Course Summer Golf Specials to become effective annually on the 1st Monday after the start of Daylight Savings and end at the

close of business on September 30th of that year and replace it with all day Summer Golf Specials to be effective from May 1st to the close of business on September 30th of each year hereafter. Attachment (***Municipal Golf Course***)

- b) Second and final reading to approve and adopt an ordinance to increase the Tony Butler Municipal Golf Course Junior Membership Fee from \$15.00 to \$20.00 per month except that a non-profit organization that sponsors a Junior Membership Fee shall be charged a fee of \$15.00 per month; said ordinance to be effective on June 1, 2013. Attachment (***Municipal Golf Course***)
- c) Consider and take action to approve refunds of property taxes to QBE First Prop. Tax Solution (John & Brenda Lane) Account #18-4085-0050-0010-00, Luna & Luna Trustee (The Secretary of Housing & Urban) Account #97-3789-0010-0190-00, and Leonard Michael M & Third Wind Enterprise Account #98-4204-0010-0030-00. Attachment (***Finance***)
- d) Investment report for the City of Harlingen for quarter ended March 31, 2013. Attachment (***Finance***)

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- 5) Consider and take action to accept/reject bids and award contract for Phase V of the Buchanan, Hays, and M Street Drainage Improvements Project under Bid No. 2013-10. Attachment (***City Engineer***)
 - 6) Consider and take action to authorize the City Manager to sign a letter in support of the Harlingen-San Benito MPO's designation of a direct recipient for Section 5307 Funds. Attachment (***MPO***)
 - 7) Consider and take action to authorize the City Manager to enter into an Advanced Funding Agreement with the Texas Department of Transportation (TxDOT) for maintenance of the landscaped areas along the US 77/83 Interchange, Expressway 77 and Spur 54. Attachment (***Public Works***)
 - 8) Public hearing to consider an ordinance on first reading for a Specific Use Permit ("SUP") to allow an adult business (tattoo studio) in a General Retail ("GR") District located at 1801 S. 77 Sunshine Strip, Ste. 3, bearing a legal description of Lots 5-8, Block 1, Arroyo Estates Subdivision. Applicant: Heriberto Serrata Attachment (***Planning and Zoning***)
- a) Public Hearing

- b) Consider and take action to approve and adopt an ordinance on first reading for the above mentioned Specific Use Permit.
- 9) Consider and take action to approve a resolution that: (1) authorizes review of Texas Gas Service Company's ("TGS") cost of service adjustment tariff; (2) approves a joint review of TGS' application along with other cities served by TGS; (3) hires a legal and consulting service to negotiate with the company and direct any necessary litigation and appeals; and (4) requires TGS to reimburse all reasonable costs associated with cities' efforts in this ratemaking effort. Attachment **(City Attorney)**
- 10) Board Appointments

Discussion and possible action regarding membership on any of the following listed board/entity:

- a. Airport Board (3)
- b. Animal Shelter Advisory Committee (3)
- c. Audit Committee (Terms expire annually in June)
- d. Civil Service Commission (Mayor) (3)
- e. Community Development Advisory Board (1)
- f. Construction Board of Adjustments (9)
- g. Convention & Visitors Bureau (1)
- h. Development Corporation of Harlingen, Inc.
- i. Downtown Improvement District Board (1)
- j. Golf Course Advisory Board
- k. Harlingen Community Improvement Board (1)
- l. Harlingen Housing Authority Board
- m. Harlingen Finance Corporation
- n. Harlingen Proud Advisory Board (1)
- o. Library Advisory Board
- p. Municipal Auditorium Advisory Board (1)
- q. Museum Advisory Board
- r. Parks Advisory Board (1)
- s. Planning & Zoning Advisory Board (1)
- t. Senior Citizens Advisory Board (2)
- u. Tax Increment Finance Board
- v. Tennis Advisory Board (2)
- w. Utility Board of Trustees
- x. Veterans Advisory Board (3)
- y. Zoning Board of Adjustments (6)

Specifically, appointment or discussion and possible action to include appointment and/or removal of any position subject to appointment or removal by statute, ordinance, or bylaws.

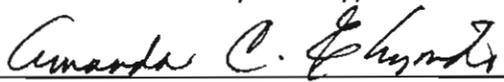
11) Citizen Communication

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease, or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding Economic Development negotiations. Section 551.087 of the Texas Open Meetings Act.

I, the undersigned authority, do hereby certify that the above Notice of Meeting is a true and correct copy of said Notice and that I posted said Notice on the bulletin board in the City Hall of the City of Harlingen, a place convenient and readily accessible to the general public at all times and said Notice was posted on Friday, May 10, 2013 at 10:35 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this 10th day of May, 2013


Amanda C. Elizondo, City Secretary