

REGULAR
CITY COMMISSION
AGENDA
June 5, 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, June 5, 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 Tudor Uhlhorn

Pledge of Allegiance/Welcome

- 1) Public Announcement of Events
- 2) Presentation of a proclamation proclaiming June, 2013 as National Homeownership Month. Attachment
- 3) Board Recognition
- 4) Approval of Minutes – Regular Meeting of April 17, 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.

- 5a) Second and final reading to approve and adopt an ordinance 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 bearing a legal description of

Lots 5-8, Block 1, Arroyo Estates Subdivision. Applicant: Heriberto Serrata.
Attachment (**Planning and Zoning**)

- b) Consider and take action to approve a request from Randy Cretors, Harlingen Consolidated Independent School District Athletic Director, to close North 13th Street from East Harrison Avenue to East Jefferson Avenue, East Monroe Avenue and East Van Buren from North 12th Street to North 13th Street and the alleyways adjacent to 13th Street on the Fridays of the following dates for the 2013 Football Games: August 23rd; August 30th; September 6th; September 13th; September 20th; September 27th; October 11th; October 18th; October 25th; November 1st; and November 8, 2013 from 4:00 p.m. to 11:00 p.m. to ensure the safety of the attendees. Attachment (**Chief of Police**)

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- 6) Consider and take action pursuant to the Harlingen City Charter, Article IV, Section 6 to elect a Mayor Pro-Tempore by a majority vote of the City Commissioners. (**Asst. City Attorney**)
- 7) Consider and discuss implementation of a strategic planning process for City Commission and community at large. Attachment (**Mayor**)
- 8) Consider and take action to approve by resolution the acceptance of the Valley International Airport's Mid-year Capital Budget for Fiscal Year 2012-2013. Attachment (**Airport**)
- 9) Consider and take action to approve an ordinance on first reading to repeal Section 32.006 "Certain Board Meeting Times" of the Harlingen Code of Ordinances. Attachment (**City Manager**)
- 10) Public Hearing to consider the One (1) Year Action Plan (Budget) for Fiscal Year 2013-2014 (Year 39) of the Community Development Block Grant (CDBG) Program and Fiscal Year 2013-2014 (Year 19) of the Home Investment Partnerships Program (Home). Attachment (**Community Development**)
- a) Public Hearing
- b) Consider and take action to approve the One (1) Year Action Plan (Budget) for Fiscal Year 2013-2014 (Year 39) of the Community Development Block Grant (CDBG) Program and Fiscal Year 2013-2014 (Year 19) of the Home Investment Partnership Program (Home).
- 11) Public hearing to consider an ordinance on first reading for a Specific Use Permit ("SUP") to allow a school in a Residential, Single Family ("R-1") District located at the corner of Rio Hondo Road and 21st Street bearing a legal description of Lot 1,

Block 2, HCISD Middle School No. 5 Subdivision. Applicant: Harlingen CISD, c/o Oscar Tapia. 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.
- 12) Public hearing to consider an appeal to the decision of the Planning and Zoning Commission denying a Specific Use Permit to allow a portable building to be used for the sale of fireworks during the fireworks season located at 24218 FM 3195 bearing a legal description of 3.63 acres out of Tract D, L.L. Adams Survey 140. Applicant: Mr. G's Fireworks, Inc., c/o Ramiro Gonzalez. Attachment (***Planning and Zoning***)
- a) Public Hearing
 - b) Consider and take action to approve or disapprove an appeal to the decision of the Planning and Zoning Commission regarding the above mentioned Specific Use Permit and if approved take action to approve and adopt an ordinance on first reading.
- 13) Consider and take action to authorize the Mayor to execute an Inter-Local Agreement with the Harlingen Consolidated Independent School District (HCISD) to assign six (6) full-time uniformed Harlingen Police Officers to function as School Resource Officers at the respective high school campuses during the 2013-2014 School Calendar Year. HCISD may elect to hire additional police officers on overtime should the need arise. Attachment (***Police Department***)
- 14) Consider and take action to accept (or reject) bids and award the contract for the Pavement Preservation Project under Bid 2013-11 to provide tire rubber modified surface seal to approximately 3.45 miles of various roads within the city to extend the life of the street pavements. Attachment (***City Engineer***)
- 15) Consider and take action to approve a resolution amending the Economic Development Corporation of Harlingen, Inc. 2012-2013 Fiscal Year Budget. Attachment (***Economic Development***)
- 16) Consider and take action to approve or deny the renewal of a contract between the City of Harlingen and the Harlingen Texas Bronco/Pony League for the use of designated fields at Victor Park for the remainder of the 2013 season. Applicant: City of Harlingen. Attachment (***Parks & Recreation***)

17) Discuss and take action to approve a contract with Halff Associates to prepare a new Comprehensive Plan for the City of Harlingen. Attachment (***Planning and Zoning***)

18) 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 (7)
- f. Construction Board of Adjustments (12)
- g. Convention & Visitors Bureau (4)
- h. Development Corporation of Harlingen, Inc.
- i. Downtown Improvement District Board (5)
- j. Golf Course Advisory Board (3)
- k. Harlingen Community Improvement Board (1)
- l. Harlingen Housing Authority Board
- m. Harlingen Finance Corporation
- n. Harlingen Proud Advisory Board (4)
- o. Library Advisory Board (3)
- p. Municipal Auditorium Advisory Board (4)
- q. Museum Advisory Board (1)
- r. Parks Advisory Board (4)
- s. Planning & Zoning Advisory Board (4)
- t. Senior Citizens Advisory Board (6)
- u. Tax Increment Finance Board
- v. Tennis Advisory Board (5)
- w. Utility Board of Trustees (1)
- x. Veterans Advisory Board (8)
- y. Zoning Board of Adjustments (7)

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.

19) Closed/Executive Session- Personnel matters pursuant to Section 551.074 of the Texas Open Meetings Act regarding the appointment of an Interim City Attorney and the process for employing a City Attorney. (***City Manager***)

20) Consider and take action to appoint an Interim City Attorney. (***City Manager***)

21) 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 31, 2013 at 6:20 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this 31th day of May, 2013


Amanda C. Elizondo, City Secretary