

REGULAR
CITY COMMISSION
AGENDA
August 7, 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, August 7, 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 Basilio Sanchez

Pledge of Allegiance/Welcome

- 1) Public Announcement of Events
- 2) Presentation of proclamations proclaiming "Evangalina Olivia Garcia Moreno Day"
- 3) Board Recognition
- 4) Approval of Minutes of June 5, 2013 – Regular Meeting

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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.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 amending Ordinance No. 98-58 to establish "School Zones" along Teege Avenue and Lozano Avenue for the New Ninth Grade Academy. Attachment **(City Engineer)**

- b) Consider and take action to approve a request from the Harlingen Convention & Visitors Bureau to close "L" Street from Fair Park Blvd. to W. Adams Street from 8:00 a.m. to 5:00 p.m. and Fair Park Blvd. from "L" Street to Wichita Street from 8:00 a.m. to 9:00 p.m. on Sunday, September 15, 2013 for the 16 de Septiembre Event. Attachment (***Police Department***)

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- 6) Consider and discuss the City of Harlingen's Proposed Tax Rate for Fiscal Year 2013-2014. Attachment (***Finance Department***)
- 7) Public hearing to solicit comments from the public on the proposed City of Harlingen's Proposed Budget for Fiscal Year 2013-2014. Attachment (***Finance Department***)
- 8) Presentation by the City's Licensed Life and Health Insurance Counselor, Scott Gibbs from Scibel, McGriff, and Williams regarding request for proposals submitted to the City of Harlingen for Employee Health Insurance for Fiscal Year 2013- 2014. Attachment (***Human Resources Department***)
- 9) Consider and take action to award an Employee Health Insurance Benefit Plan for the City of Harlingen Employees for Fiscal Year 2013-2014 with possible yearly renewal option and authorize the City Manager to negotiate and execute said contract. Attachment (***Human Resources Department***)
- 10) Consider and take action to renew the Employee Life/AD&D and Voluntary Life/AD&D Insurance for City of Harlingen Employees for Fiscal Year 2013-2014 with UNUM Life Insurance Company of North America with no increase. Attachment (***Human Resources Department***)
- 11) Consider and take action to renew the Vision Insurance for City of Harlingen Employees for Fiscal Year 2013-2014 with Block Vision with no increase. Attachment (***Human Resources Department***)
- 12) Consideration and possible action on a Chapter 380 Development Agreement concerning development of proposed J.R. Palacios Subdivision. Attachment (***City Manager***)
- 13) Consider and take action to approve the final plat of Vantage at Harlingen Subdivision consisting of two commercial lots on 20.118 acres, out of and part of Block 8, Stuart Place Subdivision, Survey 41, located on the west side of Palm Court Drive, near West Lincoln Street. Applicant: Rios Surveying, LLC, c/o AAF – Vantage at Harlingen. Attachment (***Planning & Zoning***)

- 14) Consider and take action to accept (or reject) bids and award the contract for the Brazil & Teege Road Improvement under Bid 2013-08. Attachment **(City Engineer)**
- 15) Consider and take action to retain Best and Krieger Law Firm to represent the City's interests in the 800 MHz rebanding activity relating to the mandated nationwide reconfiguration. Attachment **(Fire Department)**
- 16) Discussion on the City of Harlingen's Proposed Budget for Fiscal Year 2013 - 2014. **(Finance Department)**
- 17) Consider and take action to approve and adopt an ordinance on first reading establishing and classifying new positions in the Harlingen Police Department to maintain the authorized force level when police officers are assigned to positions outside the department through funded programs and/or interlocal agreements. Attachment **(Police Department)**
- 18) Board Appointments

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

- a. Airport Board
- b. Animal Shelter Advisory Committee (3)
- c. Audit Committee (Terms expire annually in June)
- d. Civil Service Commission (Mayor) (1)
- e. Community Development Advisory Board (4)
- f. Construction Board of Adjustments (10)
- g. Convention & Visitors Bureau (4)
- h. Development Corporation of Harlingen, Inc.
- i. Downtown Improvement District Board (1)
- j. Golf Course Advisory Board (2)
- k. Harlingen Community Improvement Board (1)
- l. Harlingen Housing Authority Board
- m. Harlingen Finance Corporation
- n. Harlingen Proud Advisory Board (5)
- o. Library Advisory Board (3)
- p. Municipal Auditorium Advisory Board (3)
- q. Museum Advisory Board (1)
- r. Parks Advisory Board (2)
- s. Planning & Zoning Advisory Board (2)
- t. Senior Citizens Advisory Board (3)
- u. Tax Increment Finance Board (6)
- v. Tennis Advisory Board (3)

- w. Utility Board of Trustees (1)
- x. Veterans Advisory Board (0)
- y. Zoning Board of Adjustments (4)

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 on the following items:

- a) pursuant to Chapter 551, Subchapter D, V.T.C.A., Government Code, Section 551.071 consultation with the Interim City Attorney and/or outside legal counsel to seek legal advice regarding ***The City of Harlingen, Texas v. Union Pacific Railroad Company and Rio Valley Switching Company***, Cause No. 2011-CCL-00115 in County Court at Law No. 2 of Cameron County and to discuss possible settlement negotiation. ***(City Manager)***
- b) Pursuant to Chapter 551, Subchapter D, V.T.C.A., Government Code, Sections 551.071, 551.072 and 551.087 regarding the purchase, exchange, lease, or value of real property, and regarding commercial and financial information from a business prospect with which the City is conducting economic development negotiations and/or to discuss or deliberate financial or other incentives involving the Harlingen Community Improvement Corporation's purchase of Lot 1, Block 1, 710 Subdivision, Harlingen, Texas, and to seek legal advice from legal counsel regarding the subject. ***(City Manager)***

20) Consideration and possible action to approve Harlingen Community Improvement Corporation's purchase of Lot 1, Block 1, 710 Subdivision, Harlingen, Texas. ***(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, August 2, 2013 at 6:40 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this 2nd day of August, 2013



Amanda C. Elizondo, City Secretary