

REGULAR
CITY COMMISSION
AGENDA
October 16, 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, October 16, 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 Michael Mezmar

Pledge of Allegiance/Welcome

- 1) Public Announcement of Events
- 2) Bi-Annual Harlingen Trash-Off Day event scheduled for Saturday, October 12, 2013 at the Casa de Amistad parking lot at 1204 Fairpark Blvd. from 8:00 a.m. - 12 Noon. Attachment **(City Manager)**
- 3) Approval of Minutes
 - a) September 4, 2013 – Regular Meeting
 - b) September 18, 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.

- 4a) Consider and take action to approve a request from the Harlingen First Baptist Church to close 6th Street from East Jackson Avenue to East Van Buren Avenue on Saturday, October 26, 2013 from 3:45 p.m. to 7:15 p.m. to hold a Family Fiesta. Attachment **(Police Department)**

- b) Consider and take action to approve a request from the Temple Triumphant in Christ Church to close 2nd Street from East Washington Avenue to East Adams Avenue on Thursday, October 31, 2013 from 5:00 p.m. to 9:00 p.m. for a community event on Halloween night. Attachment **(Police Department)**
- c) Consider and take action to approve a request from the Harlingen Convention & Visitors Bureau to close Fair Park Boulevard from North "J" Street to North "L" Street and North "L" Street from Fair Park Boulevard to West Adams Avenue on Saturday, November 2, 2013 from 8:00 a.m. to 9:00 p.m. for the Blues on the Hill/Concert with Pena Eye Institute and Dallas Cowboys Festival. Attachment **(Police Department)**

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- 5) Consider and take action to approve a contract with the Boy's and Girl's Club of Harlingen for Fiscal Year 2014 in the amount of \$103,257.00 for teen service programs. Applicant: City of Harlingen, Boys and Girls Club of Harlingen. Attachment **(Parks Department)**
 - 6) Consider and take action to approve a contract with the Boy's and Girl's Club of Harlingen for Fiscal Year 2014 in the amount of \$77,604.00 for Youth Service Programs. Applicant: City of Harlingen, Boys and Girls Club. Attachment **(Parks Department)**
 - 7) Consider and take action to approve the renewal of the contract for the City's Tennis Professional for Fiscal Year 2014. Applicant: City of Harlingen and Don Van Ramshorst, Jr. Attachment **(Parks Department)**
 - 8) Consider and take action to approve or disapprove a proposed off-leash dog run at Victor Park. Applicant: City of Harlingen, Harlingen Rotary Club, Harlingen Parks and Recreation Advisory Board. Attachment **(Parks Department)**
 - 9) Public hearing to consider an ordinance on first reading for a Specific Use Permit ("SUP") to allow light industry manufacturing (rail to truck handling station) in a General Retail (GR) District located east of 3502 Wilson Road, bearing a legal description of the 7.95 acres of the west 10 acres of Block "B" of the Boyce Tract out of Survey 26. Applicant: Juan M. Lerma. 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.
 - 10) 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 (9)
- g. Convention & Visitors Bureau (4)
- h. Development Corporation of Harlingen, Inc.
- i. Downtown Improvement District Board (1)
- j. Golf Course Advisory Board
- k. Harlingen Community Improvement Board (2)
- l. Harlingen Housing Authority Board (2)
- m. Harlingen Finance Corporation (5)
- n. Harlingen Proud Advisory Board (4)
- o. Library Advisory Board (2)
- p. Municipal Auditorium Advisory Board (2)
- q. Museum Advisory Board (1)
- r. Parks Advisory Board (1)
- s. Planning & Zoning Advisory Board (2)
- t. Senior Citizens Advisory Board (4)
- u. Tax Increment Finance Board (6)
- v. Tennis Advisory Board (3)
- w. Utility Board of Trustees
- x. Veterans Advisory Board
- y. Zoning Board of Adjustments (5)

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) 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 City Attorney to seek legal advice regarding ***Charles E. Lee vs. City of Harlingen***, Civil Action No. B-10-CV-233 in the United States District Court for the Southern District of Texas. ***(City Manager)***

12) 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, October 11, 2013 at 5:16 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this 11th day of October, 2013



Amanda C. Elizondo, City Secretary