

REGULAR  
CITY COMMISSION  
AGENDA  
**October 2, 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 2, 2013 at 5:30 P.M.** in City Hall, Town Hall, 2<sup>nd</sup> 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/Mayor Chris Boswell

Pledge of Allegiance/Welcome

- 1) Public Announcement of Events
- 2) Presentation of a proclamation proclaiming "Treasure Hills Presbyterian 50<sup>th</sup> Anniversary." Attachment
- 3) Approval of Minutes of August 21, 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.**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) Second and final reading to approve and adopt an ordinance amending Ordinance No. 98-58 to establish a "School Zone" for the Harlingen Christian Academy School located at 622 W. Jefferson Avenue. Attachment (***City Engineer***)

- b) Consider and take action to approve a request from the Harlingen Convention & Visitors Bureau to close a portion of Fair Park Boulevard and North "L" Street from 8:00 a.m. to 9:00 p.m. on Sunday, October 13, 2013 for a "Cancer Warrior Fest". Attachment (**Police Department**)
- c) Consider and take action to approve a request from the Harlingen Neighborhood Food Pantry to close a portion of the alleyway located at the Church of Christ, 801 E. Harrison Avenue, on every Wednesday from 8:00 a.m. to 11:30 a.m. for food distribution to the public. Attachment (**Police Department**)

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- 5) Discussion regarding the rentals rates for the Municipal Auditorium and the Casa de Amistad. Attachment (**City Manager**)
  - 6) Consider and take action to approve or reject the Fire Protection Service Contracts with the Cities of Combes, Primera, and Palm Valley. Attachment (**Fire Department**)
  - 7) Consider and take action to approve or reject the renewed Fire Protection Contract with Cameron County Emergency Services District No. 1 for FY 2013-14. Attachment (**Fire Department**)
  - 8) Consider and take action to approve a resolution to update the City of Harlingen's Basic Emergency Management Plan. Attachment (**Fire Department**)
  - 9) Consider and take action to approve the Keep Harlingen Beautiful (Harlingen Proud) Budget for Fiscal Year 2013-2014. Attachment (**Harlingen Proud**)
  - 10) Consider and take action to accept/reject bids and award contract for Phase IV of the Buchanan, Hays, and M Street Drainage Improvements Project under Bid No. 2013-14. Attachment (**City Engineer**)
  - 11) 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
- 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.

12) 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***)
- b) 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 the lease agreement between the City of Harlingen and the Whitewings Baseball Club, LLC for the use of the baseball stadium known as Harlingen Field. (***City Manager***)
- c) pursuant to Chapter 551, Subchapter D., V.T.C.A., Government Code, Sections 551.087 and 551.071 regarding commercial and financial information from a business prospect with which the City Commission is conducting economic development negotiations and/or to discuss or

deliberate financial or other incentives with the business prospect known as ***Easy Rider*** and to seek legal advice from the City Attorney regarding the subject matter. ***(City Manager)***

13) 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, September 27, 2013 at 5:15 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this 27<sup>th</sup> day of September, 2013



Amanda C. Elizondo, City Secretary