

REGULAR
CITY COMMISSION
AGENDA
November 20, 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, November 20, 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 Victor Leal

Pledge of Allegiance/Welcome

- 1) Public Announcement of Events
 - a) The Salvation Army 2013 Christmas Kettle Campaign and Angel Tree Program, November 29th through December 24th, 2013. Attachment
- 2) Proclamation – proclaiming November 16th – 24th, 2013 as “National Hunger and Homelessness Awareness Week. Attachment
- 3) Neighborhood Clean Sweep held November 9, 2013, King Street to LaSalle Street between Rangerville Road and California Street, District 5. Attachment
(Asst. City Manager, Gabriel Gonzalez)
- 4) Approval of Minutes
 - a) November 1, 2013 – Jt. Special Meeting of the City Commission and Harlingen Community Improvement Board
 - b) November 6, 2013 – Jt. Special Meeting of the City Commission and Harlingen Community Improvement Board
 - c) November 6, 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.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 on first reading assigning and transferring of the Franchise Agreement previously granted to ONEOK, Inc. and transferring and assigning the Franchise Agreement to One Gas, Inc. Attachment **(City Attorney)**
- b) Consider and take action to approve an agreement with Loaves and Fishes in the amount of \$50,000 to provide meals to the homeless and needy. Attachment **(Asst. City Manager, Gabriel Gonzalez)**
- c) Consider and take action to approve a one year extension to the current auditing services contract between the City of Harlingen and Long Chilton, LLP. Attachment **(Finance Director)**

- 6) Public hearing to consider an ordinance on first reading for a Specific Use Permit (SUP) to allow a bar/lounge in a General Retail (GR) District located at 304 South "D" Street bearing a legal description of Lot 12, Block 85, Harlingen Original Townsite. Applicant: Robert E. Rangel. 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 proposed Specific Use Permit.
- 7) Public hearing to consider an ordinance on first reading for a Specific Use Permit (SUP) to allow a bar/lounge in a General Retail (GR) District located at 610 S. Lewis Lane bearing a legal description of 1.69 acres out of Blocks 2 and 3, Lewis Subdivision. Applicant: Daniel Menchaca. 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.
- 8) Public hearing to consider an ordinance on first reading to rezone from Residential, Single Family ("R-1") District to Residential Duplex ("R-2") District for Lot 14, Block 1, The Oaks Subdivision Amended Plat located at 3701 Arroyo Vista Court. Applicant: Travis Bence. 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 rezone request.
- 9) Consider and take action to grant a variance request to the City of Harlingen Subdivision Ordinance No. 07-28, Section 4.1.2 (B) with regards to the 4 to 1 lot length to width ratio on the proposed Replat of Lot 1B of the Replat of Lots 1 and 2, Six Shooter Junction Subdivision, Unit 2 located at 2811 S. Expressway 83. Applicant: Rios Surveying Company, LLC, c/o Plumbers and Pipefitters Local Union 823. Attachment (***Planning and Zoning***)
- 10) Consider and take action to approve the Memorandum of Understanding with the Texas National Guard for the City of Harlingen Operation Crackdown. Attachment (***Asst. City Manager, Gabriel Gonzalez***)
- 11) Consider and take action to approve a Delivery System Reform Incentive Payment Services Agreement between the University of Texas Health Science Center at San Antonio and the City of Harlingen. Attachment (***Asst. City Manager, Gabriel Gonzalez***)
- 12) Consider and take action to approve or deny a request by the Harlingen Youth Football League (HYFL) to make improvements to the city-owned football facility at Victor Park. Applicant: Harlingen Youth Football League. Attachment (***Parks & Recreation***)
- 13) Discussion and possible action or direction to City staff related to the Harlingen Police Department's proposed use of the Oil Mill Pavilion at Lon C. Hill Park. Applicant: City of Harlingen. Attachment (***Parks & Recreation***)
- 14) Consider and take action to approve a lease agreement between the Harlingen Police Department and the Mall at Valle Vista, LLC in order to lease a store front at Valle Vista Mall for one year for the cost of \$1.00 per year to operate a Police Drop-In Station. Attachment (***Police Department***)
- 15) 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 (3)
- 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 (2)
- 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.

16) Executive/closed 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 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.

(Parks & Recreation)

b) 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 **Project TMI** and to seek legal advice from the City Attorney regarding this subject. **(Mayor)**

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 **Project Expand** and to seek legal advice from the City Attorney regarding this subject. **(Mayor)**

17) 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, November 15, 2013 at 5 p.m. at least 72 hours preceding the scheduled time of said meeting.

Dated this 15th day of November, 2013

Amanda C. Elizondo
Amanda C. Elizondo, City Secretary