

REGULAR
CITY COMMISSION
AGENDA
November 6, 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 6, 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 "Chino" Sanchez

Pledge of Allegiance/Welcome

- 1) Public Announcement of Events
- 2) Board Recognition
- 3) Proclamation – proclaiming November, 2013 as "National Hospice and Palliative Care Month. Attachment
- 4) Presentation regarding the recent community-wide beautification efforts on National Make a Difference Day, Saturday, October 26, 2013.
- 5) Approval of Minutes
 - a) July 12, 2013 – Jt. Special Meeting of the City Commission and Harlingen Improvement Board
 - b) August 27, 2013 – Jt. Special Meeting of the City Commission, Harlingen Improvement Board and Development Corporation of Harlingen, Inc.
 - c) October 2, 2013 – Regular Meeting
 - d) October 16, 2013 – Regular Meeting
 - e) October 21, 2013 – Special 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.

- 6a) Second and final reading to approve and adopt an ordinance 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)***
- b) Consider and take action to approve a request from the City of Harlingen and HEB Supermarkets to close East Madison between 2nd and 3rd Streets and 2nd Street between East Madison and East Jefferson on Thursday, November 21, 2013 at 8:00 a.m. through Friday, November 22, 2013 at 5:00 p.m. for their Annual Thanksgiving Feast of Sharing. Attachment ***(Police Department)***
- c) Consider and take action to approve a request from the Downtown District to close Jackson Street between 4th and Commerce from 5:00 a.m. to 5:00 p.m. on the following dates for Year 2014 for their upcoming Jackson Street Market Days. Attachment ***(Police Department)***

January 4 th	July 5 th
February 1 st	August 2 nd
March 1 st	September 6 th
April 5 th	October 4 th
May 3 rd	November 1 st
June 7 th	December 6 th

- d) Consider and take action to approve an agreement with Rio Grande Valley Birding Festival for the use of Hotel/Motel funds in the amount of \$33,000. Attachment ***(Assistant City Manager, Gabe Gonzalez)***
- e) Consider and take action to approve an agreement with Harlingen Performing Arts Theater for the use of the Hotel/Motel funds in the amount of \$27,000. Attachment ***(Assistant City Manager, Gabe Gonzalez)***

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- 7) Consider and take action to approve an ordinance authorizing the issuance, sale and delivery of "City of Harlingen, Texas General Obligation Refunding Bonds, Series 2013"; securing the payment thereof by authorizing the levy of an annual ad valorem tax; and approving and authorizing a paying agent/registrar agreement, an escrow agreement, an official statement and all other instruments and procedures related thereto. Attachment ***(City Manager)***

- 8) Consider and take action to approve an Interlocal Agreement between the City of Harlingen Police Department and the Santa Rosa Independent School District Police Department for the donation of one surplus police vehicle to be used for official police purposes. Attachment (***Police Department***)
- 9) Consider and take action to approve an Interlocal Agreement between the City of Harlingen Police Department and Cameron County Constable Precinct 5 (CCCP5) for the donation of surplus property to be used for official CCCP5 purposes. Attachment (***Police Department***)
- 10) Consider and take action to approve the list of streets for the Street Overlay Program for Fiscal Year 2013-2014. Attachment (***City Engineer***)
- 11) Consider and take action to approve 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***)
- 12) Consider and take action to approve a resolution revising the base rates charged by South Texas Emergency Care Foundation for emergency and non-emergency ambulance services within the City of Harlingen. Attachment (***Assistant City Manager, Gabe Gonzalez***)
- 13) Consideration and possible action regarding appointment to panel to hear appeals arising from decisions of the Harlingen Construction Board of Adjustments and Appeals. (***Planning and Zoning***)
- 14) Consider and take action to award and/or reject the proposal for the City of Harlingen Code of Ordinance Recodification Project to conduct a legal review of the existing city ordinances. Attachment (***City Secretary***)
- 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) 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 1, 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 1st day of November, 2013



Amanda C. Elizondo, City Secretary