

REGULAR  
CITY COMMISSION  
AGENDA  
**December 4, 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, December 4, 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 Pro-Tem Danny Castillo

Pledge of Allegiance/Welcome

- 1) Public Announcement of Events
- 2) Neighborhood Clean Sweep held November 9, 2013, King Street to LaSalle Street between Rangerville Road and California Street, District 5. Attachment ***(City Manager)***
- 3) Approval of Minutes
  - a) November 20, 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.**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 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)***
- b) Second and final reading to approve and adopt an ordinance 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)***
- c) Second and final reading to approve and adopt an ordinance 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)***
- d) Consider and take action to approve a request from the Our Lady of the Assumption Church to close Lincoln Street beginning at "L" Street and ending at "M" Street on Friday, May 2<sup>nd</sup> and Saturday, May 3<sup>rd</sup>, 2014 from 5:00 p.m. to 11:00 p.m. for their Annual Spring Festival. Attachment ***(Police Department)***
- e) Consider and take action to approve a request from Mr. Jacob Lopez to close Garfield Street from "G" Street to the alleyway before "H" Street on Saturday, December 7, 2013 from 2:00 p.m. to 5:00 p.m. for a Birthday Party for a 2 year old. Attachment ***(Police Department)***
- f) Consider and take action to approve a request from the RGV Jaycees to close the streets listed below on Friday, December 6, 2013 from 5:00 p.m. to 9:00 p.m. for Harlingen's "A Toyland Christmas" Parade. Attachment ***(Police Department)***

7<sup>th</sup> Street from W. Monroe to W. Van Buren Avenue

6<sup>th</sup> Street from W. Monroe to W. Van Buren Avenue

5<sup>th</sup> Street from W. Monroe to W. Van Buren Avenue

4<sup>th</sup> Street from W. Monroe to W. Van Buren Avenue

3<sup>rd</sup> Street from W. Monroe to W. Van Buren Avenue

2<sup>nd</sup> Street from W. Monroe to W. Van Buren Avenue

1<sup>st</sup> Street from W. Monroe to W. Van Buren Avenue

"A" Street from W. Monroe to W. Van Buren Avenue

Commerce Street from W. Monroe to W. Van Buren Avenue

"C" Street from W. Monroe to W. Van Buren Avenue

"D" Street from W. Monroe to W. Van Buren Avenue

"E" Street from W. Monroe to W. Van Buren Avenue

"E" Street and W. Van Buren Avenue (block off both sides for safe passage of parade floats)

"D" Street and W. Van Buren Avenue

"C" Street and W. Van Buren Avenue

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- 5) Public Hearing and presentation regarding the Draft FY 12-13 Consolidated Annual Performance and Evaluation Report (CAPER). Attachment (**Community Development**)
  - 6) Consider and take action to accept or reject bids and award contract for construction of a new Landfill Scale House under Bid 2014-02. Attachment (**Asst. City Manager, Dan Serna**)
  - 7) Consider and take action to waive the January 1, 2014 City Commission Regular scheduled meeting due to the New Year's Holiday. (**City Manager**)
  - 8) Consider and take action to enter into an agreement between the City of Harlingen and the Development Corporation of Harlingen, Inc. (EDC) to provide the City of Harlingen the funding for the Legislative Consulting Services Agreement. Attachment (**City Manager**)
  - 9) Consider and take action to enter into a one year agreement between the City of Harlingen and Michael D. Millsap for legislative services. Attachment (**City Manager**)
  - 10) Consider and take action to approve a request from Douglas S. Smith for a Certificate of Public Necessity and Convenience to operate a Taxicab Business under the proposed name of "All American Cab Company" in the City of Harlingen as per the City of Harlingen Taxicab Ordinance. Attachment (**City Secretary**)
  - 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 (8)

- g. Convention & Visitors Bureau (3)
- h. Development Corporation of Harlingen, Inc.
- i. Downtown Improvement District Board (1)
- j. Golf Course Advisory Board (1)
- k. Harlingen Community Improvement Board (2)
- l. Harlingen Housing Authority Board (0)
- m. Harlingen Finance Corporation (5)
- n. Harlingen Proud Advisory Board (3)
- o. Library Advisory Board (0)
- 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 (1)
- 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) Executive/Closed Session pursuant to Section 551.074 of the Texas Open Meetings Act pertaining to personnel matters regarding the duties and responsibilities of the Chief of Police. **(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 Wednesday, November 27, 2013 at 4:35 p.m. at least 72 hours preceding the scheduled time of said meeting.

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



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Amanda C. Elizondo, City Secretary