

REGULAR  
CITY COMMISSION  
AGENDA  
**January 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, January 16, 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/City Commissioner, Commissioner Michael Mezmar

Pledge of Allegiance/Welcome

- 1) Public Announcement of Events
- 2) Board Recognition
- 3) Neighborhood Clean Sweep – January 12, 2013, E. Beck to E. Davis from 1<sup>st</sup> to 3<sup>rd</sup> Streets, District 1. Attachment
- 4) Approval of Minutes
  - a) Special Meeting of October 30, 2012
  - b) Special Meeting of December 10, 2012

**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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.**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 amending the City of Harlingen Subdivision Ordinance No. 07-28, Section 3, Plat Submittal and Review Procedures by creating a section which addresses lot splits. Attachment **(Planning and Zoning)**
- b) Second and final reading to approve and adopt an ordinance for a Specific Use Permit (SUP) request to allow a Bar/Lounge in a General Retail (GR) District located at 1105 South Tamm Lane bearing a legal description of 3.4740 acres out of Block 33, Stuart Place Survey, 139/297/298. Applicant: Daniel Menchaca. Attachment **(Planning and Zoning)**
- c) Second and final reading to approve and adopt an ordinance designating a "No Parking Zone" along both sides of the rear access road and easement at Parkview Terrace Subdivision. Attachment **(City Engineer)**
- d) Second and final reading to approve and adopt an ordinance amending Chapter 95, Streets and Sidewalks, Speed Hump Program to: (1) exempt all elementary and middle school speed zones located in residential areas from having to comply with eligibility requirements; and (2) provide that a majority vote and approval by the Harlingen City Commission may request a speed hump at a particular location without having to comply with the ordinance petition requirements. Attachment
- e) Consider and take action to approve a request from Ms. Cindy Lerma who resides at 1102 South Dakota requesting to close a portion of Liberty Street on Saturday, January 26, 2013 from 4:00 p.m. to 8:00 p.m. for a birthday party. Attachment **(Police Department)**
- f) Consider and take action to approve refunds of property taxes to Gregorio Montemayor (Lereta) Account #98-4290—0010-0200-00 in the amount of \$739.51 and Juan J. Ortega (Corelogic) Account #97-8207-0020-0260-00 in the amount of \$527.53 for a total refund of \$1,267.04. Attachment **(Finance Department)**

- 
- 6) Consider and take action to approve an agreement between the Development Corporation of Harlingen and VIDA for \$200,000. Attachment **(Economic Development Corporation)**
  - 7) Consider and take action to adopt a resolution authorizing the submittal of an application to the Texas Parks and Wildlife Department to request reimbursement grant funding for trail and other related improvements at Hugh

Ramsey Nature Park. Applicant: City of Harlingen. Attachment (***Parks and Recreation***)

- 8) Consider and take action to authorize the City Engineer to negotiate/award contracts for RFQ 2012-11 Geotechnical and Construction Materials Testing Services with the top three firms. Attachment (***City Engineer***)
- 9) Consider and take action to approve or reject the renewed Fire Protection Contract with Cameron County Emergency Services District No. 1 for FY 12/13. Attachment (***Fire Department***)
- 10) Consider and take action to approve the installation of speed humps at Zavala Elementary School. Attachment (***Requested by Mayor Pro-Tem Robert Leftwich and Commissioner Danny Castillo***)
- 11) Consider and discuss the installation of speed humps at Vernon and Memorial Middle Schools. Attachment (***Requested by Mayor Pro-Tem Robert Leftwich and Commissioner Danny Castillo***)
- 12) Consider and take action to : (1) submit a proposed charter amendment to the City's qualified voters for their approval or disapproval at the May 11, 2013 General Election to change City General Election Dates from May to November; (2) authorize City staff to prepare for a City Charter Amendment Election on said item; and (3) authorize City staff to prepare the charter amendment election ballot language for City Commission approval on said item. Attachment (***Requested by Mayor Pro-Tem Robert Leftwich and Commissioner Basilio Sanchez***)
- 13) Board Appointments

Discussion and possible action regarding membership on any of the following listed board/entity:

- a. Airport Board (1)
- b. Animal Shelter Advisory Committee (3)
- c. Audit Committee (Terms expire annually in June)
- d. Civil Service Commission (Mayor) (2)
- e. Community Development Advisory Board (2)
- f. Construction Board of Adjustments (10)
- g. Convention & Visitors Bureau (2)
- h. Development Corporation of Harlingen, Inc. (1)
- i. Downtown Improvement District Board (4)
- j. Golf Course Advisory Board (2)
- k. Harlingen Community Improvement Board (1)

- l. Harlingen Housing Authority Board
- m. Harlingen Finance Corporation
- n. Harlingen Proud Advisory Board (8)
- o. Library Advisory Board (2)
- p. Municipal Auditorium Advisory Board (2)
- q. Museum Advisory Board
- r. Parks Advisory Board (1)
- s. Planning & Zoning Advisory Board (2)
- t. Senior Citizens Advisory Board (6)
- u. Tax Increment Finance Board
- v. Tennis Advisory Board (2)
- w. Utility Board of Trustees
- x. Veterans Advisory Board (8)
- y. Zoning Board of Adjustments (6)

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.

14) 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 the lease agreement between the City of Harlingen and the Whitewings Baseball Club, LLC for the use of the baseball stadium know as Harlingen Field and the amount of debt owed by Whitewings to the City. **(City Manager)**
- b) pursuant to Chapter 551, Subchapter D., V.T.C.A. Government Code, Section 551.087 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 Tropical and to seek legal advice from the City Attorney regarding this subject. **(City Manager)**

15) Citizen Communication

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

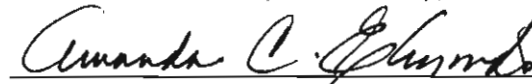
- 1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
- 2. The purchase, exchange, lease, or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position 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, January 11, 2013 at 5:25 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this 11<sup>th</sup> day of January, 2013



Amanda C. Elizondo, City Secretary