

CITY COMMISSION
AGENDA
February 16, 2011
@ 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 **February 2, 2011 at 5:30 p.m.** in Town Hall, City Hall, 118 E. Tyler Street, 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/ Commissioner Marra

Pledge of Allegiance/Welcome

- 1) Board Member Recognitions
- 2) Presentation – First Baptist Church regarding their Spring Break "Champs Camp".
- 3) Proclamation – "LZ:RGV – Welcome Home Vietnam Veterans Days"
- 4) Citizen Communication
- 5) Minutes for Approval – Regular Meeting of February 2, 2011.

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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.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) Consideration of the renewal for the 2011 season of a contract between the City of Harlingen and Harlingen Pony Girls Softball League for the use of the fields at Arroyo Park. Applicant: City of Harlingen and Candy Wiley. ***(Parks & Recreation)***
- b) Consideration of the renewal for the 2011 season of a contract between the City of Harlingen and Harlingen National Bronco Baseball League for the use of the

ball fields at the Tom Wilson Youth Sports Park. Applicant: City of Harlingen and Jerry Hernandez. **(Parks & Recreation)**

- c) Consider and take action to approve the use of both dedicated and remainder Infrastructure Fund monies to purchase a new scoreboard at Harlingen Field for a Buy Board price of \$64,988. Applicant: City of Harlingen. **(Parks & Recreation)**
 - d) Consider and take action to accept City's Quarterly Investment Report ended December 31, 2010. **(Finance)**
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- 7) **Public hearing** and **take action** to approve/disapprove a re-plat on a 1.322 acre tract out of Lots 1 and 2 of Six Shooter Junction Subdivision Unit No. 2, located at 2921 S. Expressway 83. Applicant: Boyer & Associates, c/o Time Warner Entertainment. **(Planning & Development)**
 - 8) **Public hearing** and take action to consider an **ordinance on first reading** to grant a specific use permit (SUP)' to allow a bar/lounge in the general retail (GR)' zoning district, located at 309 West Van Buren, bearing a legal description of Lot 8, Block 67, Harlingen Original Townsite Subdivision. Applicant: Juan Perez Zavaia **(Planning & Development)**
 - 9) **Public hearing** and take action to consider an **ordinance on first reading** to grant a specific use permit (SUP)' to allow a school in a 'residential, single family (R-1)' zoning district located on the north side of Rio Hondo Road west of 25th Street, bearing a legal description of a 34.058± acre tract of land out of Block 95, Harlingen Land and Water Company Subdivision. Applicant: Harlingen CISD c/o Oscar Tapia. **(Planning & Development)**
 - 10) **Public hearing** and take action to consider an **ordinance on first reading** to rezone from Not Designated ('N') to Light Industry ('LI') zoning district an approximate 12.494-acre tract of land being all of Lots 6, 7 and 8, Block 1, Harlingen Industrial Park Subdivision Number 4, located at 5820 Millennium Drive. Applicant: Gregory Kunkle **(Planning & Development)**
 - 11) **Public hearing** and take action to consider an **ordinance on first reading** to rezone from Not Designated ("N") to Residential, Triplex and Quadruplex ("MI") zoning district an approximate 1.456 acre tract of land out of Block 20, Stuart Place Subdivision, Survey 298, located at 26358 Beckham Road. Applicant: Mauricio Briones **(Planning & Development)**
 - 12) **Public hearing** and take action to consider an **ordinance on first reading** to rezone from Office ("O") to General Retail ("GR") zoning district an approximate 1.966 acre tract of land, Block 179, San Benito Land and Water Company Subdivision, located at 1705 Vermont Avenue. Applicant: Randy Whittington **(Planning & Development)**

- 13) Consider and take action to approve a **resolution** to amend the Development Corporation of Harlingen, Inc. budget for fiscal year 2010-11 for \$270,000 for public parking. **(Finance)**

- 14) Consider and **discuss possible performances** and their financial impact on the Municipal Auditorium budget for a 2011-12 Harlingen Arts and Entertainment Spotlight Series. **(Harlingen A & E)**

- 15) Board Appointments
 Discussion and possible action regarding membership on any of the following listed board/entity:
 - a. Airport Board (Mayor)(1)
 - b. Animal Shelter Advisory Committee (3)
 - c. Audit Committee
 - d. Civil Service Commission (Mayor) (1)
 - e. Community Development Advisory Board (2)
 - f. Construction Board of Adjustments (9)
 - g. Convention & Visitors Bureau (1)
 - h. Development Corporation of Harlingen, Inc.
 - i. Downtown Improvement District Board (1)
 - j. Golf Course Advisory Board
 - k. Harlingen Community Improvement Board
 - l. Harlingen Housing Authority Board (Mayor)(1)
 - m. Harlingen Finance Corporation
 - n. Harlingen Proud Advisory Board (3)
 - o. Library Advisory Board (1)
 - p. Municipal Auditorium Advisory Board (3)
 - q. Museum Advisory Board (1)
 - r. Parks Advisory Board
 - s. Planning & Zoning Advisory Board
 - t. Senior Citizens Advisory Board (4)
 - u. Tax Increment Finance Board (6)
 - v. Tennis Advisory Board
 - w. Utility Board of Trustees
 - x. Veterans Advisory Board (3)
 - 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.

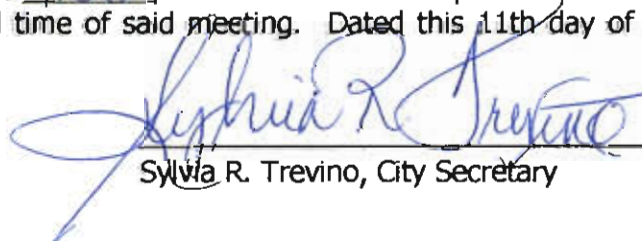
- 16) Closed/Executive Session pursuant to Chapter 551, Subchapter D., *V.T.C.A. Government Code* (Section 551.071) consultation with City Attorney regarding City of Harlingen v. Theatre Council Productions, LTD, Cause No. 2008-4744-D **(City Attorney)**

- 17) Closed/Executive Session pursuant to Chapter 551, Subchapter D., *V.T.C.A. Government Code* (Section 551.074) personnel matters, to deliberate the evaluation, duties, and performances of the City's Internal Auditor from December 1, 2009 – December 1, 2010. **(City Manager)**
- 18) Consider and take action to approve/disapprove a salary adjustment for the City's Internal Auditor effective on a date as approved by the City Commission. **(City Manager)**

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, February 11, 2011 at 4:30 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting. Dated this 11th day of February 2011.


Sylvia R. Trevino, City Secretary