

CITY COMMISSION
AGENDA
March 2, 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 **March 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) Consider, recognize, and discuss Veterans Advisory Board members and their responsibilities as board members. **(City Manager)**
- 3) Citizen Communication
- 4) Presentation – Schneider Electric on lighting at Harlingen Field.
- 5) Minutes for Approval – Regular Meeting of February 16, 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.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) Consider and take action to adopt an **ordinance on final 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 Zavala **(Planning & Development)**
- b) Consider and take action to adopt an **ordinance on final 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 lock 95, Harlingen Land and Water Company Subdivision. Applicant: Harlingen CISD c/o Oscar Tapia **(Planning & Development)**

- c) Consider and take action to adopt an **ordinance on final 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)**
- d) Consider and take action to adopt an **ordinance on final 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)**
- e) Consider and take action to **approve a request** by the Downtown Improvement District to close Jackson Street from Commerce to 4th Street and crossroads "A", 1st, 2nd, and 3rd Streets from alleyway to alleyway crossing Jackson Street, for the 4th Annual Jackson Street Classic Car Show to be held on Saturday, April 9, 2011 from 7:00 a.m. to 3:00 p.m. **(Downtown Improvement District)**
- f) Consider and take action to **approve refund of property taxes** to Valley Baptist Medical Foundation account #24-5649-0060-0010-00 and Eleanor Tripp & Tripp Family Trust account #21-3990-0020-0050-00. **(Finance)**

-
- 7) Public hearing and take action to consider an **ordinance on first reading** to rezone from Office ("O") to General Retail ("GR") zoning district in a 1.966± acre tract of land, Block 179, San Benito Land and Water Company Subdivision, located at 1705 Vermont Avenue. Applicant: Randy Whittington c/o South Texas Emergency Care. **(Planning & Development)**
 - 8) Discussion and possible action to contract for redistricting legal services that provide redistricting plans for the City of Harlingen in accordance with the 2010 U.S. Census and the Federal Voting Rights Act for approval by the U.S. Department of Justice. **(City Manager)**
 - 9) Consider and take action to **accept/reject bids** for the construction of the Dixieland North Road Improvement Project under Bid No. 2011-06. **(Public Works)**
 - 10) Consider and take action to **accept/reject bids** for the construction of the Jefferson Drainage Ditch Improvements under Bid No. 2011-03. **(Public Works)**

- 11) Consider and take action to adopt an **ordinance on first reading** to amend the City's 2010-11 fiscal year budget.

- 12) Board Appointments
 Discussion and possible action regarding membership on any of the following listed board/entity:
 - a. Airport Board (Mayor) (3)
 - 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. (2)
 - 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
 - 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 (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.

- 13) 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)**

- 14) Closed/Executive Session pursuant to Chapter 551, Subchapter D. *V.T.C.A. Government Code* (Section 551.071) to seek legal advice from the City Attorney regarding the City's waste disposal agreement with the City of Edinburg, Texas. **(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 25, 2011 at 5:15 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting. Dated this 25th day of February 2011.


Elena Garza, Interim City Secretary