

CITY COMMISSION
AGENDA
April 20, 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 **Wednesday, April 20, 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 Ruiz

Pledge of Allegiance/Welcome

- 1) Board Member Recognitions
- 2) Special Recognition to "Beyond Limits Car Club" for their volunteer efforts with the "Neighborhood Cleanup" held on April 9, 2011.
- 3) Citizen Communication
- 4) Minutes for Approval – Special Meeting of March 28, 2011; Special Joint Meeting of March 30, 2011; Regular Meeting of April 6, 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.

- 5a) Consider and take action to approve a **request** by the Contreras Family to close South Eye Street from West Grant Avenue to Garfield Avenue on Saturday, April 30th from 6:00 p.m. to 10:30 p.m. for a Going Away Party. **(Police)**
- b) Consider and take action to approve a **request** by the Our Lady of the Assumption Church to close Lincoln Street beginning at "L" Street and ending at "M" Street on Friday, May 6th and Saturday, May 7th from 5:00 p.m. to 11:00 p.m. for their annual Spring Festival. **(Police)**

- c) Consider and take action to approve a **request** by the Immaculate Heart of Mary Catholic Church to close "C" Street between Polk and Tyler Streets on Friday, April 22nd from 4:00 p.m. to 6:00 p.m. for the live presentation of a religious event. **(Police)**
- d) Consider and take action to approve **refunds** of property taxes for the following accounts:
 - a. Corelogic (Luis F. Perez Et Ux) / 24-5550-0030-0120-00 / \$1,363.89
 - b. Southern Trinity Properties Group / 20-1940-0010-0021-00 / \$706.46.
 - c. Valley Baptist Realty Corp. / 19-0590-0010-0010-00 / \$2,141.06 **(Finance)**

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- 6) Consider and take action to approve an **Interlocal Cooperation Act Agreement** between the County of Hidalgo, Texas and City of Harlingen for Equipment/Service Sharing and Property Transfer of equipment acquired by the expenditure of 2009 SHSP/LEAP Grant funds awarded by the Governor's Division of Emergency Management – Homeland Security Grant Program for the Lower Rio Grande Valley land mobile radio system (LRGV-LMRS). **(Fire)**
 - 7) Issuance of a **Specific Use Permit (SUP)** to allow a bar/lounge in a "general retail (GR)" zoning district located at 115 E. Harrison Avenue, bearing a legal description of Lots 17 and 18, Block 70, Harlingen Original Townsite. Applicant: George Dawi, c/o Dafda Inc.
 - a. Public hearing
 - b. Consider and take action to consider an ordinance on first reading on the above specific use permit. **(Planning and Development)**
 - 8) **Rezoning** from "residential, duplex (R-2)" zone to "residential, triplex and quadruplex (M-1)" for Lots 1-4, J&S Subdivision, located along the west side of Beckham Road north of Drury Lane. Applicant: Jesus Jaime Gonzalez
 - a. Public hearing
 - b. Consider and take action to consider an ordinance on first reading on the above rezoning. **(Planning and Development)**
 - 9) Issuance of a **Specific Use Permit ("SUP")** to enlarge the existing bar/lounge under the name of "Butt Wild Sports Bar" by approximately 2,300 square feet in the General Retail ("GR") zoning district, located at 610 Lewis Lane, bearing the legal description 1.69 acres of Blocks 2 and 3, Lewis Subdivision. Applicant: Daniel Menchaca
 - a. Public hearing
 - b. Consider and take action to adopt an ordinance on first reading on the above specific use permit. **(Planning and Development)**
 - 10) Consider and discuss the City of Harlingen's participation in the 2011 Great Texas Warrant Round-up. **(City Attorney)**

- 11) Consider and take action to adopt a **resolution** authorizing the creation of a Chapter of Chapter 380 economic development *program* and negotiation and execution of a Chapter 380 economic development *agreement* between the City of Harlingen and the Reese Plaza Development, LLC. **(City Attorney)**
- 12) Consider and take action to authorize the City Manager to:
- (1) Obtain competitive bids to improve the parking lots located at:
 - Lots 15, 16, 17 and 18, Block 69, Original Townsite of Harlingen, Cameron County, Texas (Public parking lot at the Northeast corner of W. Harrison Ave. and S. Commerce St. also previously known as the Tolar Garage)
 - Lots 17, 18, and 19, Block 59, Original Townsite of Harlingen, Cameron County, Texas (parking lot located on W. Van Buren Ave.)
 - Lots 12, 13 and 14, Block 69, .25 acres, Original Townsite of Harlingen, Cameron County, Texas (Harlingen Waterworks System, a department of the City, parking lot located at the Northwest corner of W. Harrison Ave and S. 1st St.); and
 - (2) Seek financial reimbursement from the Harlingen Waterworks System for the costs to improve the parking lot located at Lots 12, 13, and 14, Block 69, .25 acres, Original Townsite of Harlingen, Cameron County, Texas.
(City Manager)
- 13) 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 (1)
 - f. Construction Board of Adjustments (9)
 - g. Convention & Visitors Bureau (1)
 - h. Development Corporation of Harlingen, Inc. (1)
 - i. Downtown Improvement District Board (1)
 - j. Golf Course Advisory Board
 - k. Harlingen Community Improvement Board
 - l. Harlingen Housing Authority Board (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 (2)
 - u. Tax Increment Finance Board (6)
 - v. Tennis Advisory Board

w. Utility Board of Trustees

x. Veterans Advisory Board (2)

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 pursuant to Chapter 551, Subchapter D., *V.T.C.A. Government Code* (Section 551.071) to consult with the City Attorney regarding: *City of Harlingen v. Theatre Council Productions, Ltd., Cause No. 2009-08-4744-D. (City Attorney)*
- 15) Closed/Executive Session pursuant to Chapter 551, Subchapter D., *V.T.C.A. Government Code* (Sections 551.087 and 551.071) 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 T and to seek legal advice from the City Attorney regarding this subject. **(City Manager)**
- 16) Closed/Executive Session pursuant to Chapter 551, Subchapter D., *V.T.C.A. Government Code* (Sections 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)**
- 17) Closed/Executive Session pursuant to Chapter 551, Subchapter D., *V.T.C.A. Government Code* (Sections 551.087 and 551.071) 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 Green and to seek legal advice from the City Attorney regarding this subject. **(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, April 15, 2011 at 5:00 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this 15th day of April, 2011.


Elena Garza, Interim City Secretary