

CITY COMMISSION
AGENDA
May 4, 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, May 4, 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 Leftwich

Pledge of Allegiance/Welcome

- 1) Board Member Recognitions
- 2) Proclamations:
 - a. "Motorcycle Safety & Awareness Month"
 - b. "Dallas Cowboy Weekend of May 13th & 14th, 2011"
- 3) Citizen Communication
- 4) Minutes for Approval – Special Meeting of April 14, 2011; Regular Meeting of April 20, 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.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 adopt an **ordinance on final reading** to grant a specific use permit 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.
(Planning and Development)
- b) Consider and take action to adopt an **ordinance on final reading** to approve a

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 Druary Lane. Applicant: Jesus Jaime Gonzalez
(Planning and Development)

- c) Consider and take action to approve the renewal of a **contract** between the City of Harlingen and Arroyo Youth Soccer Club for the use of designated fields at the Harlingen Soccer Complex. Applicant: City of Harlingen and Kenneth Landrum
(Parks & Recreation)
- d) Consider and take action to approve the renewal of a **contract** between the City of Harlingen and Harlingen Dynamo Jr. and Rio Valley Youth Soccer Association-Scorpions for the use of designated fields at the Harlingen Soccer Complex. Applicant: City of Harlingen, Keith Martin and Joe Bazan ***(Parks & Recreation)***
- e) Consider and take action to approve **refund** of property taxes on the following account: ***(Finance)***
 - a. Stoneleigh Harlingen Apts., LTD and Fidelity National Title
Account #18-4040-0770-0040-00

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- 6) Consider and take action to authorize the City Engineer to negotiate a **contract** with the Ambiotec Civil Engineering for surveying services for a two year period.
(Community Development)
 - 7) Consider and take action to ratify the change order approved by the Development Corporation of Harlingen, Inc. to the contract with MF Site Construction, Inc. for permanent site improvements at the Bass Pro Outdoor World site.
(Development Corporation)
 - 8) Consider and take action to approve the final plat and letter from Harlingen CISD in lieu of the letter of credit for the proposed HCISD Middle School No. 5 Subdivision consisting of 2 lots on 59.997 ± acres, out of Block 94 and 95, Harlingen Land and Water Company Subdivision, Cameron County Texas, generally located on the north side of Rio Hondo Road west of 25th Street. Applicant: Brown, Leal & Associates c/o Harlingen C.I.S.D. ***(Planning and Development)***
 - 9) Consider and take action to approve an **agreement** to lease 209 W. Jackson for the Harlingen Downtown Office. ***(Downtown District)***
 - 10) Consider and take action to authorize staff to work jointly with the Harlingen Consolidated Independent School District (HCISD) to construct a new sidewalk along Dixieland Road from Garrett Road south to the new softball fields. ***(Public Works)***

- 11) Consider and discuss an Interlocal Agreement between the Lower Rio Grande Valley Development Council and the City of Harlingen for construction and ongoing maintenance of a public transit vehicle storage facility funded by American Recovery and Reinvestment Act funds. **(Administration)**
- 12) Consider and take action to authorize the City Manager to negotiate an Agreement for Services with the highest ranked firm for consulting/lobbying services. **(Administration)**
- 13) Consider and discuss Harlingen Youth Community Court interview with Center for Court Innovation. **(City Attorney)**
- 14) Consider and discuss amending high weeds ordinance to allow for annual notice of a high weeds violation and assess expenses to abate the high weeds by placing lien on property. **(City Attorney)**
- 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 (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 (2)
 - 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.

- 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)**
- 18) Closed/Executive Session pursuant to Chapter 551, Subchapter D., *V.T.C.A. Government Code* (Section 551.071) to consult and seek legal advice from the City Attorney regarding the regulation of eight-liner machines within the city limits of the City of Harlingen, Texas and its extra-territorial jurisdiction. **(City Attorney)**
- 19) Consider and discuss drafting an ordinance to prohibit a business or any other organization from operating an eight-liner machine within the city limits of the City of Harlingen, Texas. **(Prepejchal & Trevino)**

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 29, 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 29th day of April, 2011.



Elena Garza, Interim City Secretary