

CITY COMMISSION
AGENDA
June 15, 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, June 15, 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/City Commissioner Joey Trevino

Pledge of Allegiance/Welcome

- 1) Special Recognition(s)
 - a) To the "Southwest Key Program/La Esperanza Home for their volunteer efforts in the Harlingen Proud Neighborhood Clean-Up Sweep held on June 4, 2011.
- 2) Citizen Communication
- 3) Approval of Minutes – Regular Meeting of June 1, 2011
Attachment

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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.

- 4a Consider and take action to adopt an ordinance on second and final reading designating a "No Parking Loading/Unloading Zone" located on the south side of Washington Avenue in front of Casa Granada Apartments between Citrus Terrance Drive and North 21st Street to load and unload passengers. ***(City Engineer)*** Attachment

- b) Consider and take action to repeal Ordinance 92-37 removing an existing "No Parking Zone" located on the east side of South "E" Street from the alley south to West Polk Avenue to provide additional street parking for Don Beto's Restaurant located at the corner of Tyler Avenue South "E" Street. **(City Engineer)** Attachment
- c) Consider and take action to adopt an ordinance on second and final reading regarding departmental files of the police and fire department which are subject to Chapter 143 of the Texas Local Government Code; granting access to certain specified positions within the City; and providing an effective date. **(City Attorney)** Attachment
- d) Consider and take action to approve a request from the Rio Grande Valley Jaycees-Junior Chamber of Commerce to close the following streets on Monday, July 4, 2011 from 9:00 a.m. to 11:00 a.m. for the 4th of July Parade. Attachment

Jackson Street between 7th and Commerce Street
 7th Street between Van Buren Avenue and Monroe Street
 6th Street between Van Buren Avenue and Monroe Street
 5th Street between Van Buren Avenue and Monroe Street
 4th Street between Van Buren Avenue and Monroe Street
 "A" Street between Van Buren Avenue and Monroe Street
 Van Buren Avenue between "A" and 7th Street



- 5) Consider and take action to adopt an ordinance to designate a "No Parking Loading/Unloading Zone" located on the west side of First Street between Van Buren Avenue and Harrison Avenue. Attachment **(City Engineer)**
- 6) Consider and take action to accept (or reject) bids and award contract for Flexible Base Commercial Grade Caliche under Bid 2011-15 for repairs of alleys, roadways, parking lots, street cuts and potholes. Attachment **(City Engineer)**
- 7) Issuance of a Specific Use Permit ("SUP") to allow a Bar/Lounge in the General Retail ("GR") zoning district located at 309 West Van Buren Avenue bearing a legal description of Lot 8, Block 67, Harlingen Original Townsite Subdivision. Applicant: Evon Rice-Walker. Attachment **(Planning and Development)**
 - a.) Public hearing
 - b.) Consider and take action to approve an ordinance on first reading on the abovementioned specific use permit.
- 8) An Ordinance amending the City of Harlingen's Vision 2020 Comprehensive Plan, Chapter 3, Future Land Use Map for the properties generally located on the

South Dixieland Road Extension to Rangerville Road. Applicant: P/Z Commission.
Attachment (**Planning and Zoning**)

- a.) Public Hearing
 - b.) Consider and take action to approve ordinance on first reading to amend the City of Harlingen's Vision 2020 Comprehensive Plan
- 9) Request to rezone from "not designated (N)" zoning district to "residential, patio home (RPH)" zoning district for 14.91 acres out of Blocks 54 and 55, Howard Dixieland Heights Subdivision located on the east side of Dixieland Road south of Garrett Road. Applicant: Joe Califa, c/o San Jacinto Enterprises. Attachment (**Planning and Zoning**)
- a.) Public Hearing
 - b.) Consider and take action to approve an ordinance on first reading for the abovementioned rezone request.
- 10) Request to rezone from "not designated (N)" zoning district to "residential, multi-family (M-2)" zoning district for 2.43 acres out of Blocks 54 and 55, Howard Dixieland Heights Subdivision located on the west side of Dixieland Road south of Garrett Road. Applicant: Joe Califa, c/o San Jacinto Enterprises. Attachment (**Planning and Zoning**)
- a.) Public Hearing
 - b.) Consider and take action to approve an ordinance on first reading for the abovementioned rezone request.
- 11) Consider and take action to amend on first reading, Title IX; Chapter 93; Nuisance Ordinance No. 60-22 by deleting Sections 93.03 through 93.08 and adding new Sections 93.03 through 93.081. Attachment (**Planning and Zoning**)
- 12) Consider and take action to approve a resolution authorizing the creation of a Chapter 380 economic development program and negotiation and execution of a Chapter 380 agreement between the City of Harlingen and Jose Nevares Cabellos doing business as Joe's Café, a sole proprietor. Attachment (**Planning and Zoning**)
- 13) Public hearing to consider and take action to approve One Year Action Plan (Budget) for Fiscal Year 2011-2012 (Year 37) of the Community Development Block Grant (CDBG) Program and Fiscal Year 2011-2012 (Year 17) of the Home Investment Partnership Program (HOME). Attachment (**Community Development**)
- 14) Consider and take action to approve a purchase of a John Deere Utility Tractor and Front End Loader in the amount of \$34,000.00 using the Golf Reserve Fund to replace a John Deere (5105) Tractor that is no longer operational. Attachment (**Director of Golf**)

- 15) Consider and take action to adopt an ordinance on first reading amending Ordinance No. 08-48 amending the Summer Golf Rates at Tony Butler Golf Course and establishing an effective date. Attachment (***Director of Golf***)
- 16) Consider and take action to appoint a City Commissioner to the Ad-Hoc 25th Street Pedestrian and Bicycle Trail Ranking Committee specifically to rank the firms submitting responses to the city's request for qualifications under RFQ #2011-14. Applicant: City of Harlingen. Attachment (***Director of Parks and Recreation***)
- 17) Consider and discuss competitive bidding in relation to historically underutilized businesses for city contracts of more than \$3,000.00, but less than \$50,000.00. (***Requested by Commissioner Jerry Prepejchal and Commissioner Robert Leftwich***)
- 18) Consider and take action to adopt a resolution appointing six members to the Board of Directors of Tax Increment Financing Reinvestment Zone Number One (TIF #1), City of Harlingen, Texas, appointing one member of the board to serve as chairperson for the ensuing year, and providing for other matters related to such board. (***Requested by Commissioner Jerry Prepejchal and Commissioner Joey Trevino***)
- 19) Consider and take action to adopt a resolution appointing six members to the Board of Directors of Tax Increment Financing Reinvestment Zone Number Two (TIF #2), City of Harlingen, Texas, appointing one member of the board to serve as chairperson for the ensuing year, and providing for other matters related to such board. (***Requested by Commissioner Jerry Prepejchal and Commissioner Joey Trevino***)
- 20) Consider and take action to adopt a resolution appointing six members to the Board of Directors of Tax Increment Financing Reinvestment Zone Number Three (TIF #3), City of Harlingen, Texas, appointing one member of the board to serve as chairperson for the ensuing year, and providing for other matters related to such board. (***Requested by Commissioner Jerry Prepejchal and Commissioner Joey Trevino***)
- 21) Presentation, consideration and discussion on hiring insurance consultant professional services for the City of Harlingen, Texas. (***Requested by Commissioner Jerry Prepejchal and Commissioner Kori Marra***)
- 22) 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 (7)
- g. Convention & Visitors Bureau (2)
- h. Development Corporation of Harlingen, Inc.
- i. Downtown Improvement District Board (2)
- j. Golf Course Advisory Board
- k. Harlingen Community Improvement Board
- l. Harlingen Housing Authority Board (0)
- m. Harlingen Finance Corporation
- n. Harlingen Proud Advisory Board (2)
- o. Library Advisory Board (1)
- p. Municipal Auditorium Advisory Board (2)
- q. Museum Advisory Board (2)
- r. Parks Advisory Board
- s. Planning & Zoning Advisory Board
- t. Senior Citizens Advisory Board (1)
- u. Tax Increment Finance Board (6)
- v. Tennis Advisory Board
- w. Utility Board of Trustees (1)
- x. Veterans Advisory Board (2)
- 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.

- 23) 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)**
- 24) 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 Wichita. **(City Manager)**
- 25) 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 Bird

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, June 10th, 2011 at 4:25 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting. Dated this 10th day of June, 2011.


Amanda C. Elizondo, City Secretary