

REGULAR
CITY COMMISSION
AGENDA
May 2, 2012
@ 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 2, 2012 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/Robert Leftwich, City Commissioner

Pledge of Allegiance/Welcome

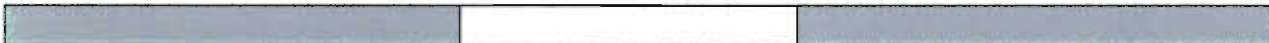
- 1) Presentation of a proclamation proclaiming the month of May as "Elder Abuse Prevention" month. Attachment
- 2) Presentation of a proclamation proclaiming the week of May 6th – 12th, 2012 as "Drinking Water Week." Attachment
- 3) Presentation of a proclamation proclaiming the month of May as "Motorcycle Safety and Awareness" month. Attachment
- 4) Presentation of Certificates of Appreciation for assistance and due diligence.
(Mayor Pro-Tem Jerry Prepejchal)
- 5) Public Announcement of Events
- 6) Approval of Minutes
 - a. Special Meeting of March 26, 2012
 - b. Regular Meeting of April 4, 2012

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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.

- 7a) Second and final reading to adopt and approve an ordinance to rename Sweezy Lane to E. Treasure Hills Blvd.
- b) Second and final reading to adopt and approve an ordinance amending the City of Harlingen Vision 2020 Long Range Thoroughfare Plan by downgrading the designation of the proposed extension of Stuart Place Road south of Garrett Road from a major arterial street to a major collector street, and amending the alignment of the proposed extension of Stuart Place Road to the west where it connects and ends at Mayfield Road. Applicant: City of Harlingen Attachment ***(Planning and Zoning Development)***
- c) Second and final reading to adopt and approve an ordinance for a Specific Use Permit ("SUP") to allow an adult business (tobacco store) in a General Retail "GR" District located at 401 South 77 Sunshine Strip, Suite D, bearing a legal description of the East 10 ft. of Lot 1 and all of Lots 2-6, Block 3, Windsor Place Addition. Applicants: Juan Valdez and Lee Maldonado Attachment ***(Planning and Zoning Development)***
- d) Second and final reading to adopt and approve an ordinance authorizing the establishment of a new position classification titles at the Harlingen Police Department as follows: Attachment ***(Chief of Police)***
 - a) Recommending Police Captain be reclassified as Deputy Police Chief, and
 - b) Recommending Police Lieutenant be reclassified to Police Commander.
- e) Consider and take action to approve refund of property taxes to Harlingen Community Development Corporation, Inc. #18-4046-0010-0010-00 in the amount of \$5,900.89 due to a change in value of the Years "2010-2011 as per agreed judgment. Attachment ***(Finance Department)***



- 8) Consider and take action to authorize the Mayor on behalf of the City of Harlingen to secure grant funds (\$29,387) made available through the U.S. Department of Justice under the Edward Byrne Memorial Justice Assistance Grant (JAG) Program – FY 2012 Local Solicitation to purchase equipment and mobile data computers to replace some of the existing and worn out systems. Attachment ***(Police Department)***

- 9) Consider and take action to authorize the City Manager to negotiate an agreement between the City of Harlingen and KGBTX Communications to provide marketing services to the City of Harlingen Convention & Visitors Bureau. Attachment **(Convention and Visitors Bureau)**
- 10) Consider an ordinance on first reading to amend the 2006 International Building Code by deleting Section H105.3 of Appendix H, Wind Load. Attachment **(Planning and Zoning Development)**
 - a) Public Hearing
 - b) Consider and take action to adopt and approve an ordinance on first reading to amend the 2006 International Building Code by deleting Section H105.3 of Appendix H, Wind Load.
- 11) Consider and take action to approve the preliminary and final plat of the proposed Teeter Subdivision consisting of 5.00 acre tract of land out of Block 5, Stuart Place Subdivision Survey 294, Cameron County, Texas located on the west side of Dilworth Road approximately 670 ft. north of Mayfield Road. Applicant: Ferris & Flinn, LLC. Attachment **(Planning and Zoning Development)**
- 12) Consider and take action to approve the allocation of \$25,000 from the Museum Reserve funds for maintenance, improvements to the Museum Building, HVAC and intrusion and fire alarm systems. Attachment **(Arts and Entertainment)**
- 13) Consider and take action to approve by resolution the acceptance of Valley International Airport's Mid-Year Amended Budget for Fiscal Year 2011-2012. Attachment **(Airport)**
- 14) Consider and take action to approve by resolution the acceptance of an anticipated Federal Aviation Administration (FAA) Grant Offer No. 3-48-0101-053-2012 of approximately \$1,613,317.00 for the construction of the North General Aviation Apron at Valley International Airport. Attachment **(Airport)**
- 15) Consider and take action to approve by resolution the personnel policy amendments to the Valley International Airport Personnel Policy Manual. Attachment **(Airport)**
- 16) Discuss and take action to approve an agreement between the Development Corporation of Harlingen, Inc. and J. Chandra Groups, LTD. Attachment **(Economic Development)**
- 17) Consider and take action to hire legal services to negotiate a collective bargaining labor agreement between the City and the **Harlingen Professional**

Law Enforcement Association for fiscal year beginning October 1, 2012.
Attachment (**City Attorney**)

- 18) Consider and take action to name a City bargaining team to negotiate collective bargaining labor agreements with Harlingen Professional Law Enforcement Association and authorize city staff to proceed with collective bargaining on the City's behalf. Attachment (**City Attorney**)

- 19) Board Appointments

Discussion and possible action regarding membership on any of the following listed board/entity:

- a. Airport Board (1)
- b. Animal Shelter Advisory Committee (2)
- c. Audit Committee
- d. Civil Service Commission (Mayor) (2)
- e. Community Development Advisory Board (2)
- f. Construction Board of Adjustments (8)
- 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 (1)
- l. Harlingen Housing Authority Board
- m. Harlingen Finance Corporation
- n. Harlingen Proud Advisory Board (2)
- o. Library Advisory Board (1)
- p. Municipal Auditorium Advisory Board
- q. Museum Advisory Board
- r. Parks Advisory Board
- s. Planning & Zoning Advisory Board
- t. Senior Citizens Advisory Board (2)
- u. Tax Increment Finance Board
- v. Tennis Advisory Board
- w. Utility Board of Trustees
- x. Veterans Advisory Board (1)
- y. Zoning Board of Adjustments (8)

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.

- 20) Closed/Executive Session to discuss the following items:

- a) pursuant to Chapter 551, Subchapter D, V.T.C.A. Government Code, Section 551.071 consultation with attorneys to seek legal advice regarding the City's legal rights, duties, privileges and obligations in collective bargaining with the Harlingen Professional Law Enforcement Association. Attachment (**City Attorney**)
 - b) pursuant to Chapter 551, Subchapter D, V.T.C.A. Government Code, Section 551.071 consultation with the City Attorney to seek legal advice regarding the lease agreement between the City of Harlingen and the Whitewings Baseball Club, LLC for the use of the baseball stadium known as Harlingen Field. Attachment (**City Attorney**)
 - c) 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 known as **Project Uncle and Reyna Family Development, LTD.** with which the City Commission is conducting economic development negotiations regarding the possible creation of a Chapter 380 Economic Development Program and/or to discuss or deliberate financial incentives with the business prospect and to seek legal advice from the City Attorney regarding the development of a Chapter 380 Economic Development Agreement and matters related to the subject. Attachment (**City Manager**)
 - d) pursuant to Chapter 551, Subchapter D, V.T.C.A. Government Code, Section 551.071 consultation with the City Attorney to seek legal advice regarding the Jefferson Street Drainage Project. Attachment (**City Manager**)
- 21) Consider and take action to adopt and approve a Resolution that authorizes the creation of a Chapter 380 economic development program and negotiations and execution of the Chapter 380 economic development agreement between the City of Harlingen and Reyna Family Development, LTD. Attachment (**City Manager**)
 - 22) Consider and take action on a Resolution expressing the City's intention to reimburse with Tax-Exempt proceeds costs incurred to finance improvements related to the proposed Project Uncle/Reyna Family Development, LTD. project. Attachment (**City Manager**)
 - 23) Citizen Communication

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 Saturday, April 28, 2012 at 11:30 a.m./p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this 28th day of April, 2012.


Elena Garza, Assistant City Secretary