

REGULAR CITY COMMISSION  
AGENDA  
**August 15, 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, August 15, 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/Mayor Chris Boswell

Pledge of Allegiance/Welcome

- 1) Public Announcement of Events
- 2) Board Recognition
- 3) Approval of Minutes
  - a) Regular Meeting - July 18, 2012
  - b) Special Joint Meeting - July 25, 2012
  - c) Special Meeting - July 25, 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.**

- 4a) Second and final reading of an ordinance amending the Zoning Ordinance (Ordinance No. 07-27) Section 12.03, sign regulations, pertaining to the maximum sign area allowed in a General Retail (GR) District; providing for

publication and ordaining other matters related to the foregoing. Attachment ***(Planning and Zoning)***

- b) Second and final reading of an ordinance repealing Ordinance No. 11-64 in its entirety, pertaining to the abandonment of a sixty (60) feet road right-of-way described as a 0.127 acre tract of land, more or less, being the sixty (60) feet wide street right-of-way dedicated on Caldwell Subdivision, City of Harlingen, Cameron County, Texas as recorded in Volume 29, Page 5 of the Cameron Map Records. Attachment ***(Planning and Zoning)***
- c) Second and final reading of an ordinance amending the revenue and expenditures budget for the City of Harlingen, Texas, for Fiscal Year October 1, 2011 through September 30, 2012, total budget revenues will increase to \$64,253,351 and total expenditures will decrease to \$68,678,396 respectively; providing for publication of the caption of this ordinance and ordaining other matters related to the foregoing. Attachment ***(Finance)***
- d) Consider and take action to approve a request from Andy Davis with the Cardinal Quarterback Club to close East Jefferson Avenue from North 13<sup>th</sup> Street to North 77 Sunshine Strip from 4:30 p.m. to 7:30 p.m. to allow for a "Tailgating" type of event before every home game on the following dates: August 1<sup>st</sup>; September 14<sup>th</sup>; October 5<sup>th</sup>; October 19<sup>th</sup>; and November 2<sup>nd</sup>, 2012. Attachment ***(Police Department)***
- e) Consider and take action to approve a request from Ms. Maria Cardenas to close a portion of South 'H' Street between W. Arthur Street and Garfield Avenue from 2:00 p.m. on Saturday, October 13<sup>th</sup> to 3:00 a.m. on Sunday, October 14<sup>th</sup> for a Quinceanera Celebration. Attachment ***(Police Department)***
- f) Consider and take action to approve a request from Kathy Wolf, EXPO Leadership Committee, with the Harlingen Area Chamber of Commerce to close Fair Park Boulevard from North "L" Street to North "J" Street for their 10<sup>th</sup> Annual Education and Career EXPO scheduled for Wednesday, October 10, 2012 from 1:30 p.m. to 5:30 p.m. and Thursday, October 11, 2012 from 7:30 a.m. to 1:00 p.m. Attachment ***(Police Department)***
- g) Consider and take action to approve a request from Randy Cretors, Harlingen Consolidated Independent School District Athletic Director, to close North 13<sup>th</sup> Street from East Harrison Avenue to East Jefferson Avenue and East Monroe Avenue and East Van Buren from North 12<sup>th</sup> Street to North 13<sup>th</sup> Street on the following dates for their 2012 Football Games. Attachment ***(Police Department)***

- 1) Friday, August 17<sup>th</sup>
- 2) Friday, August 24<sup>th</sup>
- 3) Friday, August 31<sup>st</sup>
- 4) Friday, September 7<sup>th</sup>
- 5) Friday, September 14<sup>th</sup>
- 6) Friday, September 21<sup>st</sup>
- 7) Friday, October 5<sup>th</sup>
- 8) Friday, October 12<sup>th</sup>
- 9) Friday, October 19<sup>th</sup>
- 10) Friday, October 26<sup>th</sup>
- 11) Friday, November 2<sup>nd</sup>
- 12) Friday, November 9<sup>th</sup>

- 5) Public hearing to consider an ordinance on first reading to abandon a 30 ft. wide alley, being 0.281 acre tract of land situated between Block 7, Hall and Porter Subdivision, and Lots 1-4, Arroyo Industrial Subdivision located between the 1100 Block of South Commerce Street and the 100 Block of East Taft Avenue. Applicant: William Robert English. Attachment (***Planning and Zoning***)

a) Public Hearing

b) Consider and take action to approve and adopt an ordinance on first reading for the above mentioned abandonment of a 30 ft. alley.

- 6) Public hearing to consider an ordinance on first reading for a Specific Use Permit ("SUP") to allow an adult business (liquor store) in a General Retail ("GR") District located at 621 South 77 Sunshine Strip, bearing a legal description of M-L Sunshine Strip Subdivision, Lot 1, Block 1. Applicant: Jaime Barnett on behalf of Spec's Family Partners. Attachment (***Planning and Zoning***)

a) Public Hearing

b) Consider and take action to approve and adopt an ordinance on first reading for the above mentioned Specific Use Permit.

- 7) Public hearing to consider an ordinance on first reading to rezone from Not Designated (N) District to Residential, Single Family (R-1) District for 1.058± acres out of Lot 7, B S & F, Survey 41, located at 1309 S. Palm Court Drive. Applicant: Julio Santana, Jr. Attachment (***Planning and Zoning***)

a) Public Hearing

- b) Consider and take action to approve and adopt an ordinance on first reading for the above mentioned rezone request.
- 8) Public hearing to consider an ordinance on first reading for a Specific Use Permit ("SUP") to allow an adult business in a "General Retail (GR)" District located at 6779 W. Expressway 83, bearing a legal description of 3.597 acres out of South 10 acres of the South ½ of Block 15, Stuart Place Subdivision Survey 138. Applicant: Apparao Raguthu. Attachment **(Planning and Zoning)**
- a) Public Hearing
- b) Consider and take action to approve and adopt an ordinance on first reading for the above mentioned Specific Use Permit.
- 9) Consider and take action to approve the employment agreement between the Development Corporation of Harlingen, Inc. and Raudel Garza, Chief Executive Officer. Attachment **(Economic Development Corporation of Harlingen, Inc.)**
- 10) Consider and take action to approve an ordinance on first reading amending Chapter 71; stopping, standing, and parking of the Code of Ordinances of the City of Harlingen by adding Section 71.05 to establish a residential parking permit for elderly and disabled persons; providing for definitions, eligibility requirements, quantity and type of permits, cost responsibility, procedures for "No Parking Except with Permit" sign installation and removal; establishing an effective date; providing a savings clause; providing a severability clause; providing for publication; and ordaining other matters relating to the foregoing. Attachment **(Requested by Commissioners: Jerry Prepejchal and Joey Trevino)**
- 11) Update on the submittal to the Texas Commission on Environmental Quality (TCEQ) Chapter 319 Clean Water Act Non Point Source Grant to reconstruct the City Hall Parking Lot as a demonstration project for low impact development techniques. Attachment **(City Engineer)**
- 12) Consider and take action to amend Ordinance 98-58 to establish a "School Zone" along Rio Hondo Road between High Street and Morgan Avenue (FM 507) for the new Memorial Middle School. Attachment **(City Engineer)**
- 13) Consider and take action to approve and adopt a resolution accepting Valley International Airport's amended capital expense and capital improvement budget for Fiscal Year 2011-2012 to expend \$20,000 for the acquisition of Ground Service Equipment. Attachment **(Airport)**

- 14) Consider and take action to authorize the Mayor to execute an Interlocal Agreement with the Harlingen Consolidated Independence School District (HCISD) to assign two full time uniformed Harlingen Police Officers to work at the two high schools campuses as High School Resource Officers during the 2012-2013 school calendar year. (HCISD may elect to hire additional police officers on overtime should the need arise). Attachment ***(Police Department)***
- 15) Consider and take action to approve and adopt an ordinance on first reading authorizing the establishment of three (3) additional Sergeant positions at the Harlingen Police Department as follows: Attachment ***(Police Department)***
  - a) Recommending three (3) additional Police Sergeants positions; and
  - b) Recommending a decrease of three (3) Patrol Officers positions.
- 16) Consider and take action to approve and adopt a resolution authorizing the Mayor to seek grant funding in the amount of \$40,000 from the Texas Department of Public Safety – Texas Ranger Division to the City of Harlingen Police Department for allocation of additional law enforcement staffing on an overtime basis to deter crime and improve border security and within the City of Harlingen. Attachment ***(Police Department)***
- 17) 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 (3)
- c. Audit Committee (Terms expire annually in June)
- d. Civil Service Commission (Mayor) (2)
- e. Community Development Advisory Board (4)
- f. Construction Board of Adjustments (8)
- g. Convention & Visitors Bureau
- h. Development Corporation of Harlingen, Inc.
- i. Downtown Improvement District Board (4)
- j. Golf Course Advisory Board (2)
- k. Harlingen Community Improvement Board (3)
- l. Harlingen Housing Authority Board
- m. Harlingen Finance Corporation
- n. Harlingen Proud Advisory Board (7)
- o. Library Advisory Board (3)
- p. Municipal Auditorium Advisory Board
- q. Museum Advisory Board
- r. Parks Advisory Board (1)

- s. Planning & Zoning Advisory Board (1)
- t. Senior Citizens Advisory Board (4)
- u. Tax Increment Finance Board
- v. Tennis Advisory Board (3)
- w. Utility Board of Trustees (1)
- x. Veterans Advisory Board (5)
- 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.

18) 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 Friday, August 10, 2012 at 4:45 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this 10<sup>th</sup> day of August, 2012.

  
Elena Garza, Assistant City Secretary