

REGULAR
CITY COMMISSION
AGENDA
June 20, 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, June 20, 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/Commissioner Jerry Prepejchal

Pledge of Allegiance/Welcome

- 1) Public Announcement of Events
- 2) Neighborhood Clean Sweep Program held on June 2, 2012 at the New Combes, Marjory, Dennis & Kelly Street area, District 1. Attachment
- 3) Approval of Minutes
 - a. Regular Meeting of May 16, 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.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) Consider and take action to approve a request from the RGV Jaycees to close the following streets on Wednesday, July 4, 2012 from 3 p.m. to 5 p.m. to hold the July 4th Annual Parade. Attachment ***(Police Department)***

Jackson Street between 7th and "A" Street

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

- b) Consider and take action to approve a request from the RGV Jaycees to close North "L" Street between Fair Park Boulevard and West Adams Street on Wednesday, July 4, 2012 from 12 noon to 7 p.m. for the 4th of July Music Festival. Attachment (**Police Department**)
- c) Consider and take action to approve a request from Ms. Jennifer Cantu who resides at 702 E. Adams Street to close the cul-de-sac in front of her residence on Saturday, July 21, 2012 from 7:00 p.m. to 10:00 p.m. for a wedding ceremony. Attachment (**Police Department**)
- d) Second and final reading to approve and adopt an ordinance amending the City of Harlingen Code of Ordinances, Chapter 95, adding Sections 95.70 thru 95.76, providing for definitions; providing for an application, fees and refunds; providing for reason to change a street name; providing for an application administrative review, public hearings, implementation and notice of street name change; providing for publication; providing for a savings clause; and providing a severability clause and ordaining other matters pertaining to the foregoing. Applicant: City of Harlingen. Attachment (**Planning and Zoning**)
- e) Second and final reading to approve and adopt an ordinance designating surplus personal property of the city and authorizing the sale of such surplus personal property by public auction to be held on July 28, 2012; providing for publication and ordaining other matters related to the foregoing. Attachment (**Finance Department**)



- 5) Public hearing to consider an ordinance on first reading to abandon a 20 ft. right-of-way located on the southern end of Russell Lane being a 0.63 acre tract of land out of Block 10, Valley Groves Subdivision Survey 140. Applicant: City of Harlingen. 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 right-of-way abandonment.

- 6) Public hearing to consider an ordinance on first reading to rezone from Not Designated (N) District to General Retail (GR) District for 3.37± acres out of Block 167, San Benito Land and Water Company Subdivision located on the west side of FM 509 south of Jimenez Road. Applicant: Edgar Garza. Attachment ***(Planning and Zoning)***
 - a) Public Hearing
 - b) Consider and take action to approved and adopt an ordinance on first reading for the above mentioned rezone request.
- 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 Lot 6, Countryside Estates located at 15718 Sunnyside Lane. Applicant: Leonel Hinojosa. Attachment ***(Planning and Zoning)***
 - a) Public Hearing
 - b) Consider and take action to adopt and approve an ordinance on first reading for the above mentioned rezone request.
- 8) Discussion on a six month report of the Specific Use Permit (Ordinance No. 11-54) issued to Charlene Torrez to allow an adult business (Tattoo Parlor) in a GR District located at 1418 E. Tyler Street, Suite 5, bearing a legal description of 0.648 acres being Part of Lots 9-12, Windsor Place Addition. Attachment ***(Planning and Zoning)***
- 9) Consider and take action to allow a license to encroach 20 ± feet into the City 60 ft. right-of-way located on El Camino Real Avenue for a proposed traffic island being a 0.13 ± acres out of El Camino Real Road Right-of-Way, City of Harlingen, Cameron County, Texas as recorded in Cabinet 1, Slot 2632-B, Cameron County Map Records. Applicant: Brown, Leal Engineering, c/o Michael F. Scaief. Attachment ***(Planning and Zoning)***
- 10) Discuss, consider and take action to change the regular meeting date of the Harlingen City Commission scheduled for July 4, 2012 to a different date. ***(City Manager)***
- 11) Discussion on a Harlingen Waterworks and City Project to extend reclaimed (effluent) water to the Hugh Ramsey Nature Park for the purpose of filling the existing ponds. Applicant: Harlingen Waterworks/City of Harlingen. Attachment ***(Parks and Recreation)***

- 12) Consider and take action to approve and adopt an ordinance on first reading to designate a "No Parking Zone" along L Street between Fair Park Boulevard and West Adams Avenue near the Splash Park. Attachment **(City Engineer)**
- 13) Consider and take action to approve and adopt an ordinance on first reading authorizing the placement of two stop signs on 21st Street in each direction of traffic at the intersection of Jefferson Avenue; establishing a fine not to exceed \$200.00 for the driver of any motor vehicle who fails to stop and yield the right-of-way in obedience to the stop signs herein authorized; amending or repealing conflicting ordinances; providing for publication and ordaining other matters related to the foregoing. Attachment **(City Engineer)**
- 14) Consider and take action to approve and adopt an ordinance on first reading authorizing the placement of two stop signs on 25th Street in each direction of traffic at the intersection of Jefferson Avenue; establishing a fine not to exceed \$200.00 for the driver of any motor vehicle who fails to stop and yield the right-of-way in obedience to the stop signs herein authorized; amending or repealing conflicting ordinances; providing for publication and ordaining other matters related to the foregoing. Attachment **(City Engineer)**
- 15) Consider and take action to approve and adopt an ordinance on first reading authorizing the placement of two stop signs on Grimes Avenue in each direction of traffic at the intersection of 25th Street; establishing a fine not to exceed \$200.00 for the driver of any motor vehicle who fails to stop and yield the right-of-way in obedience to the stop signs herein authorized; amending or repealing conflicting ordinances; providing for publication and ordaining other matters related to the foregoing. Attachment **(City Engineer)**
- 16) Consider and take action on whether or not to authorize staff to solicit proposals for Employees' Health Insurance or approve the renewal of the contract with the existing health insurance carrier, Blue Cross Blue Shield for Fiscal Year 2012-2013. Attachment **(Human Resources)**
- 17) Consider and take action on whether or not to authorize staff to solicit proposals for Employees' Life Insurance or approve the renewal of the contract with the existing life insurance carrier, UNUM for Fiscal Year 2012-2013. Attachment **(Human Resources)**
- 18) Consider and take action to authorize staff to solicit proposals for Health and Life Insurance Consultant Services. Attachment **(Human Resources)**
- 19) Presentation and discussion on the number of substandard and dilapidated structures demolished or repaired in the City of Harlingen from September 1, 2011 through May 31, 2012 utilizing the legal process established by the City

Attorney's Office in partnership with the Code Enforcement Department.
Attachment **(City Attorney)**

- 20) Consider and take action to approve and adopt a resolution in support of the Cameron County Regional Mobility Authority's South Padre Island 2nd Access Project and recommended alternatives as identified in the Draft Environmental Impact Study. Attachment **(City Manager)**
- 21) 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 (5)
- c. Audit Committee (Terms expire annually in June)
- d. Civil Service Commission (Mayor) (2)
- e. Community Development Advisory Board (6)
- f. Construction Board of Adjustments (11)
- g. Convention & Visitors Bureau (1)
- h. Development Corporation of Harlingen, Inc.
- i. Downtown Improvement District Board (4)
- j. Golf Course Advisory Board (3)
- k. Harlingen Community Improvement Board (1)
- 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 (2)
- s. Planning & Zoning Advisory Board (3)
- t. Senior Citizens Advisory Board (7)
- u. Tax Increment Finance Board
- v. Tennis Advisory Board (3)
- w. Utility Board of Trustees (1)
- x. Veterans Advisory Board (6)
- 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.

- 22) 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 the City Attorney to seek legal advice regarding the Interlocal Agreement with Cameron County to participate in Tax Increment Financing Reinvestment Zones Nos. 1, 2 and 3. **(City Manager)**
 - b) 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 Uncle** and to seek legal advice from the City Attorney regarding this subject. Attachment **(City Manager)**
 - c) 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 Development Corporation of Harlingen's (EDC) request for the City to transfer title to EDC on the public parking lot located at the intersection of 1st St. and East Harrison bearing a legal description of Lots 19, 20, 21, 22, 23, and 24 inclusive Block 70, Original Townsite of Harlingen, Cameron County, Texas according to the Map or Plat thereof recorded in Volume 2, Page 14, Map Records of Cameron County, Texas. Attachment **(City Manager)**
- 23) Consider and take action to approve proposed revisions to the development agreement between City of Harlingen and Reyna Family Development, LTD. for an economic development project known as **Project Uncle**. Attachment **(City Manager)**
- 24) Citizen Communication

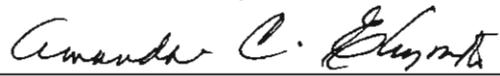
A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

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, June 15, 2012 at 7:00 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this 15th day of June, 2012.



Amanda C. Elizondo
Amanda C. Elizondo, City Secretary