

REGULAR
CITY COMMISSION
AGENDA
July 3, 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 **Tuesday, July 3, 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 Joey Trevino

Pledge of Allegiance/Welcome

- 1) Public Announcement of Events
- 2) Board Recognition
- 3) Approval of Minutes
 - a. Regular Meeting of June 6, 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.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 to approve and adopt an ordinance to abandon a 20 ft. right-of-way located on the southern end of Russell Lane being a 0.063 acre tract of land out of Block 10, Valley Groves Subdivision Survey 140. Applicant: City of Harlingen. Attachment ***(Planning and Zoning)***

- b) Second and final reading to approve and adopt an ordinance amending the Zoning Ordinance of the City of Harlingen: Rezoning 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; providing for publication and ordaining other matters related to the foregoing. Applicant: Edgar Garza. Attachment (***Planning and Zoning***)
- c) Second and final reading to approve and adopt an ordinance amending the Zoning Ordinance of the City of Harlingen: Rezoning Lot 6, Countryside Estates Subdivision, located at 15718 Sunnyside Lane, from not designated (N) District to Residential, Single Family (R-1) District; providing for publication and ordaining other matters related to the foregoing. Applicant: Leonel Hinojosa. Attachment (***Planning and Zoning***)
- d) Second and final reading to approve and adopt an ordinance to establish a "No Parking Zone" located on the both sides of L Street for a length of 280 linear feet on the West Side and 218 linear feet on the East Side commencing 109 linear feet North of West Adams Avenue, and for a length of 325 linear feet on the West Side of L Street commencing 145 linear feet South of the intersection of Fair Park Boulevard and L Street, and 228 linear feet on the East Side of L Street commencing 120 linear feet South of the intersection of Fair Park Boulevard and L Street; authorizing the towing of vehicles parked in said "No Parking Zone"; establishing a penalty not to exceed \$200.00 for violation of the provisions of this ordinance; providing for publication and ordaining other matters related to the foregoing. Attachment (***City Engineer***)
- e) Second and final reading to approve and adopt an ordinance 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***)
- f) Second and final reading to approve and adopt an ordinance 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***)
- g) Second and final reading to approve and adopt an ordinance 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)**

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- 5) Consider and take action to purchase one John Deere 8800 Terrain Cut Rough Mower and two John Deer 2500E E-Cut Hybrid Riding Greens Mowers from the Golf Course Reserve Funds in the amount of \$114,212.52 to replace two Jacobson Greens Mowers that are beyond repairs and one rough mower sold at the city auction two years ago. Attachment **(Golf Course)**
 - 6) Consider and take action to approve and adopt an ordinance on first reading that amends Ordinance No. 08-47 and creates a Family, Friends & Corporate Membership account category within the Tony Butler Municipal Golf Course Fee Schedule and increase the number of coupons available for purchase at said golf course to play golf. Attachment **(Requested by Commissioners: Danny Castillo and Jerry Prepejchal)**
 - 7) Consider and take action to approve and adopt an ordinance on first reading that allows current full-time city employees and city retirees with a minimum of twenty years of service to the City of Harlingen to play golf at the Tony Butler Municipal Course and not pay a green fee. Attachment **(Golf Course)**
 - 8) Discuss and take action to approve the agreement between the Development Corporation of Harlingen, Inc. and Dollarsave Energy, LP. Attachment **(Economic Development Corporation of Harlingen, Inc.)**
 - 9) Consider and take action to authorize staff to submit a proposal to the Bloomberg Foundation Mayor's Challenge and to submit the RSVP by July 16, 2012. **(Mayor)**
 - 10) Discuss and consider to authorize city staff to develop a policy regarding the Veterans Memorial confirming that the City of Harlingen will not place any plaques on the Veterans' Memorial except for those related to the Veterans. **(Mayor)**
 - 11) 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 (1)
- l. Harlingen Housing Authority Board
- m. Harlingen Finance Corporation
- n. Harlingen Proud Advisory Board (6)
- o. Library Advisory Board (3)
- p. Municipal Auditorium Advisory Board
- q. Museum Advisory Board
- r. Parks Advisory Board (1)
- s. Planning & Zoning Advisory Board (3)
- t. Senior Citizens Advisory Board (5)
- u. Tax Increment Finance Board
- v. Tennis Advisory Board (3)
- w. Utility Board of Trustees
- 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.

12) 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. **(City Manager)**

- c) pursuant to Chapter 551, Subchapter D, V.T.C.A. Government Code Section 551.074 personnel matters to discuss the annual evaluation, duties and performance of the City of Harlingen Presiding Municipal Court Judge from May 2011 – May 2012. 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 Sun Valley Motor Hotel located at 1900 S. 77 Sunshine Strip, Harlingen, Texas. Attachment (**City Manager**)
 - e) 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 and the amount of debt owed by Whitewings to the City. Attachment (**City Attorney**)
- 13) 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. (City Manager)**
 - 14) Consider and take action to appoint the City Manager's recommendation for the position of a full time Presiding Municipal Court Judge. Attachment (**City Manager**)
 - 15) 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 29, 2012 at 6:30 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this 29th day of June, 2012



Amanda C. Elizondo, City Secretary