

REGULAR
CITY COMMISSION
AGENDA
July 18, 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, July 18, 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 Danny Castillo

Pledge of Allegiance/Welcome

- 1) Presentation of a Proclamation to Mrs. Ruth B. (Runyan) Pegg proclaiming her "100th Birthday." Attachment
- 2) Presentation of Certificates of Appreciation for assistance and due diligence. ***(Commissioner Jerry Prepejchal)***
- 3) Public Announcement of Events
- 4) Neighborhood Clean Sweep Program, July 7, 2012 at Washington, E. Lee & E. Adam Street between 1st and 3rd Street (Dist. 2). Attachment ***(City Manager)***
- 5) Elderly Assistance Program – 1602 and 1604 E. Taylor Street. Attachment ***(City Manager)***
- 6) Approval of Minutes
 - a. Regular Meeting of June 20, 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.

- 7) Second and final reading to approve and adopt an ordinance amending Ordinance No. 08-47 of the Harlingen City Code, as amended to create 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 the Tony Butler Municipal Golf Course to play golf; providing for publication; providing a savings clause; providing a severability clause; and ordaining other matters pertaining to the foregoing. Attachment ***(Requested by Commissioners: Danny Castillo and Jerry Prepejchal)***

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- 8) Consider and take action to approve the City Manager's appointment of an Interim Finance Director. ***(City Manager)***

- 9) Report by the Harlingen Police Department on Operational Status. Attachment ***(Police Department)***

- 10) Consider and take action to allow the Harlingen Waterworks to proceed with a public offering for the sale of an approximate 6 acre tract of land being a part of Block 32, Stuart Place Subdivision, Survey 306, Cameron County, Texas, as shown by map of record in Volume 5, Page 6 of the Cameron County, Texas map records. Attachment ***(Waterworks Systems)***

- 11) Consider and take action to allow the Harlingen Waterworks to proceed with the purchase of an approximate 0.5 acre tract of land located within Block 12 of the Stuart Place Subdivision Survey 139 for the future location of an elevated water storage tank. Attachment ***(Waterworks Systems)***

- 12) Public hearing to consider an ordinance on first reading for a Specific Use Permit (SUP) to allow an air monitoring station with a tower in a Multi-Family Residential (M-2) District and Neighborhood Services (NS) District located at 1602 W. Teege Avenue, bearing a legal description of Lot 1, Block 1, HCISD Ninth Grade Academy Subdivision. Applicant: TCEQ, c/o Stephanie Ma. 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.

- 13) Consider and take action to approve a request for a new Facilities Usage Agreement between the City of Harlingen and the Texas Youth Football Association (TYFA) Harlingen Hawks for use of the soccer fields at the Sports Complex on Wilson Road for practices only. Applicant: Isabel Kellogg. Attachment **(Parks and Recreation)**
- 14) Consider and take action to approve a budget amendment in the amount of \$9,776 for the Variable Frequency Drive (VFD) replacement for the Golf Course Irrigation System from Golf Course Reserve Fund. Attachment **(Golf Course)**
- 15) Consider and take action to release municipal liens totaling in the amount of \$7,003.54 on 2.00 acres, more or less situated in Block 67, David and Stephenson Subdivision, Cameron County, Texas as described in Deed dated May 30, 1946, from J.R. Williams, et ux. to Edna F. Rogers et al., in Volume 381, Page 498, Deed Records of Cameron County. Attachment **(City Attorney)**
- 16) Consider and take action to approve an ordinance on first reading approving a negotiated resolution between the Cities served by the Texas Gas Service ("Cities") and the Texas Gas Service ("TGS") regarding the company's May 1, 2012 Cost of Service Adjustment ("COSA") filing and June 26, 2012 Statement of Intent (SOI) filing; declaring existing rates unreasonable; adopting tariffs that reflect the rate adjustments consistent with the negotiated settlement; and finding the rates to be set by the SOI filed tariffs to be just and reasonable; and providing for the recovery of the Cities' and TGS' reasonable and necessary rate case expenses. Attachment **(City Attorney)**
- 17) Consider, discuss and provide direction to the City Attorney on proposed ballot language for the City Charter Amendment Election on November 6, 2012. Attachment **(City Attorney)**
- 18) Consider and take action on whether or not to renew the City's Dental Insurance Contract with MetLife. Attachment **(Human Resources)**
- 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 (3)
- c. Audit Committee (Terms expire annually in June)
- d. Civil Service Commission (Mayor) (2)
- e. Community Development Advisory Board (2)
- 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 (2)
- t. Senior Citizens Advisory Board (4)
- 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.

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

- a) pursuant to Chapter 551, Subchapter D, V.T.C.A. Government Code, Section 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 **Project Blue** and to seek legal advice from the City Attorney regarding the subject. **(City Manager)**
- 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 and the amount of debt owed by Whitewings to the City. **(City Attorney)**

21) 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, July 13, 2012 at 6:10 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this 13th day of July, 2012


Amanda C. Elizondo, City Secretary