

REGULAR
CITY COMMISSION
AGENDA
December 5, 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, December 5, 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/City Commissioner, Robert Leftwich

Pledge of Allegiance/Welcome

- 1) Public Announcement of Events
- 2) Board Member Recognition
- 3) Neighborhood Clean Sweep – December 1, 2012 – W. Cleveland, W. McKinley, W. Roosevelt Streets from 3rd Street to "B" Street from 8:30 a.m. to 12 Noon. Attachment
- 4) Approval of Minutes – Regular Meeting of October 3, 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.

- 5a) Second and final reading to approve and adopt an ordinance to rezone from Not Designated (N) District to General Retail (GR) District for 1.10 acres out of Lot C,

Block 190, San Benito Land and Water Company Subdivision located at the northeast corner of FM 801 (Ed Carey Drive) and Nixon Road. Applicant: Mex Agro USA, LLC, c/o, Aracelly Saenz. Attachment (**Planning and Zoning**)

- b) Consider and take action to authorize the closure of 1118 W. Johnson Street from "L" to "J" Street to hold a celebration of La Virgen de Guadalupe with a Rosary and dance activity from 5:30 p.m. to 9:30 p.m. Requested by Juanita Arroyo. Attachment (**Police Department**)

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- 6) Public hearing and presentation regarding the Draft FY 11-12 Consolidated Annual Performance and Evaluation Report (CAPER). Attachment (**Community Development**)
- 7) Consider and take action to approve a Memorandum of Agreement with the Texas Homeless Network relating to the provision of personnel for an Onsite Homeless Management Information System Technical Support Staff. Attachment (**Community Development**)
- 8) Consider and take action to approve a contract between the Development Corporation of Harlingen, Inc. and Gulf Coast Trade Center for \$30,000.00 for career center services. Attachment (**Economic Development Corporation**)
- 9) Consider and take action to approve the preliminary and final plat and letter from the Economic Development Corporation of Harlingen, Inc. in lieu of letter of credit for the proposed Harlingen Heights II Subdivision consisting of a 59.29 acre tract of land situated in the Cameron County School land Survey Number 27, Abstract Number 32, City of Harlingen, Cameron County, Texas and being all of Lot 24 and parts of Lots 23, 29, and 30 and part of Brazil Road, all of which are shown on the plat of Petersburg Syndicated Subdivision and part of Lot 1, Block 1 of the Branson Subdivision Unit 1, an addition to the City of Harlingen, Cameron County, Texas as recorded in Volume 20, Page 37, M.R.C.C.T., said 59.29 acre tract also being all of that called 46.8 acre tract of land described in deed to Ezequiel Reyna, Jr. as recorded in Volume 3488, Page 208 of the Deed Records of Cameron County, Texas, all of that called 9.200 acre tract of land described in deed to Ezequiel Reyna, Jr. as recorded in Volume 3398, Page 14, D.R.C.C.T., and all of that called 3.33 acre tract of land described in deed to Reyna Family Development, LTD, as recorded in Document Number 2008-53902 of the official records of Cameron County, Texas. Applicant: Half Associates, c/o Ezequiel Reyna, Jr. Attachment (**Planning and Zoning**)

- 10) Consider and take action to approve a resolution appointing and ordering an Early Voting Ballot Board Presiding Judge and an Alternate Presiding Judge; ordering an Election Day Presiding Judge and Alternate Presiding Judge; each to serve as election officials for the December 21, 2012 Special Runoff Election for the purpose of electing one member to the Harlingen City Commission to fill the position of City Commissioner, District 5 and ordaining other matters related to the foregoing. Attachment **(City Secretary)**
- 11) Consider and take action to contribute \$12,500.00 to the Francisco Cigaroa Scholarship Fund created by the University of Texas System Board of Regents in honor of the Chancellor and to benefit medical students attending the South Texas Medical School and as being in the public interest to benefit the Citizens of Harlingen through the promotion of the creation of a Medical School in South Texas. **(Mayor)**
- 12) 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 (3)
- f. Construction Board of Adjustments (9)
- g. Convention & Visitors Bureau (3)
- h. Development Corporation of Harlingen, Inc. (1)
- 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 (8)
- o. Library Advisory Board (3)
- p. Municipal Auditorium Advisory Board (1)
- 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
- x. Veterans Advisory Board (8)

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.

- 13) Closed/Executive Session 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 Charles E. Lee vs. City of Harlingen, Texas Cause No. 13-12-00213-CV in the Court of Appeals for the 13th Judicial District. Attachment ***(City Attorney)***

14) Citizen Communication

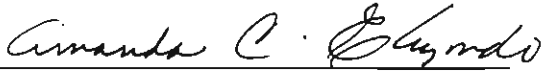
A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

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, November 30, 2012 at 6:15 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting.

Dated this 30th day of November, 2012



Amanda C. Elizondo, City Secretary