

REGULAR  
CITY COMMISSION  
AGENDA  
**January 15, 2014**  
**@ 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, January 15, 2014 at 5:30 P.M.** in City Hall, Town Hall, 2<sup>nd</sup> Floor, 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) Neighborhood Clean Sweep held January 11, 2014, Hickory Hills Subdivision off of Bass Blvd., District 5. Attachment **(City Manager)**
- 3) Recognition to local area businesses who assisted "Operation Crackdown 2013" **(City Manager)**
- 4) Approval of Minutes
  - a) December 9, 2013 – Special Meeting
  - b) December 18, 2013 – Regular Meeting

**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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.**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 of an ordinance to abandon, accept the bid, and authorize the Mayor to issue a quit claim deed on a 60 ft. right-of-way being a 0.14 acre tract out of a 60 ft. right-of-way dedicated to the City of Harlingen by the recorded plat of Harlindale Heights Subdivision No. 2, located on the north side of East Harrison Avenue between 21<sup>st</sup> and 25<sup>th</sup> Streets. Applicant: Maria I. Kazan. Attachment **(Planning and Zoning)**
- b) Consider and take action to approve a request from the Harlingen Convention & Visitors Bureau to close a portion of Fair Park Boulevard (from Wichita Avenue to "L" Street) and a portion of "L" Street (from West Adams Avenue to Fair Park Boulevard) on Monday, January 20, 2014 from 8:00 a.m. to 2:00 p.m. for their 10<sup>th</sup> Annual Winter Texan Appreciation Fiesta. Attachment **(Police Department)**
- c) Consider and take action to approve a refund of property taxes in the amount of \$1,331.50 to BAC Tax Services Corporation (Bueford & Jacqueline Moody), Account No. 15-6201-0000-0010-00 due to duplicate payment for Year 2012. Attachment **(Finance Department)**

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- 6) Discussion regarding the bid(s) received on the following properties removed from Cameron County and other taxing jurisdictions due to a tax resale conducted on November 5, 2013. Attachments **(City Manager)**
- a) Legal Description: Tract 2: Lot 9, Wallace Subdivision, an addition to the City of Harlingen, Cameron County, Texas, according to the map or plat thereof, recorded in Volume 13, Page 7, Map Records of Cameron County, Texas. (Acct. No. 25-2530-0000-0090-00);
- b) Legal Description: Lot 12, Block 2, Barton Addition, an addition to the City of Harlingen, Cameron County, Texas, according to the map or plat thereof, recorded in Volume 5, Page 59, Map Records of Cameron County, Texas; (Acct. No. 15-5320-0020-0120-00)
- c) Legal Description: A portion of Lot 8, R. A. Pittman Subdivision, an addition to Cameron County, Texas, as described in Volume 1374, Page 486, Deed Records of Cameron County, Texas (Acct. No. 22-4370-0080-0010-00);
- d) Legal Description: Tract 1: Lot 4, Block 26, Harrison Manor No. 2 Addition, City of Harlingen, Cameron County, Texas, according to the Map or Plat thereof, recorded in Volume 6, Page 75, Map Records of Cameron County, Texas. (Acct. No. 18-4300-0260-0040-00);
- e) Legal Description: Lot 68, Homeland Addition, Cameron County, Texas, as

described in Volume 1222, Page 191 Deed Records of Cameron County, Texas. (Acct. No. 18-8020-0000-0680-00);

- f) Legal Description: Lots 16 and 17, Block 3, Harlingen Addition, an addition to the City of Harlingen, Cameron County, Texas, as described in Volume 583, Page 483, deed records of Cameron County, Texas (Acct. No. 25-3580-0030-0160-00);
  - g) Legal Description: 0.606 acre, more or less, situated in Block 6, Harlingen Land and Water Co. Subdivision "C" Cameron County, Texas, as described in deed dated June 7, 1988, from E.G. Hall, Substitute Trustee to Albert K. Polis, in Volume 468, Page 181, Deed Records of Cameron County, Texas (Acct. No. 22-4100-0060-0400-00)
  - h) Legal Description: Lot 10, Block 31, Original Townsite, City of Harlingen, Cameron County, Texas, as described in Volume 929, Page 858, Deed Records of Cameron County, Texas (Acct. #15-0000-0310-0100-00).
- 7) Consider and take action to adopt the resolutions approving the bid(s) received on the tax resale conducted on November 5<sup>th</sup>, 2013 for the above mentioned properties. Attachment (**City Manager**)
  - 8) Consider and take action to approve an ordinance on first reading amending Chapter 51 of the Harlingen Code of Ordinances to establish a maximum annual increase rate for the use of Reclaimed Water (effluent) and/or approve a draft Water Supply Agreement with La Paloma Energy Center, LLC. Attachment (**Water Works System**)
  - 9) Public hearing to consider an ordinance on first reading to rezone from a Residential, Single Family ("R-1") District to a Neighborhood Services ("NS") District for Lots 8 & 9, Block 4, Nicholson Place Subdivision No. 3 located at 1213 and 1217 E. Jackson Street. Applicant: Greg Mar. 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.
  - 10) Public hearing to consider an ordinance on first reading to amend the City of Harlingen Zoning Ordinance No. 07-27, Section 5, Use Chart to allow a call center in an Office ("O") District with an approved specific use permit. Applicant: Robert Gandy IV. Attachment (**Planning and Zoning**)
    - a) Public Hearing

- b) Consider and take action to approve and adopt an ordinance on first reading amending the City of Harlingen Zoning Ordinance to allow a call center with an approved specific use permit.
- 11) Public hearing to consider an ordinance on first reading to amend the Planned Development ("PD") Site Plan from Residential, Mobile Home to Residential, Single Family (20 ft. front, 5 ft. east side and 10 ft. on west side and rear setbacks) for Lot 4, Block 5, Cottonwood Creek Subdivision No. 1 located at 1314 Cottonwood Boulevard. Applicant: Orland and Julia Wren. Attachment **(Planning and Zoning)**
- a) Public Hearing
- b) Consider and take action to approve and adopt an ordinance on first reading to amend the Planned Development ("PD") Site Plan for the above mentioned described property.
- 12) Consider and take action to grant a variance to the City of Harlingen Subdivision Ordinance No. 07-28, Section 3.4.3. (K) and 4.1.8. with regards to a fire hydrant required on the private access easement on the proposed Replat of Wal-Mart Subdivision, Lot 1, Block 1, bearing a legal description of Wal-Mart Subdivision, Lot 1, Block 1 located at 706 Dixieland Road. Applicant: Victor Bañuelos of Centerline Surveying c/o Clearview Harlingen, LP. Attachment **(Planning & Zoning)**
- 13) Consider and take action to grant a variance to the City of Harlingen Subdivision Ordinance No. 07-28, Section 4.1.3. (K)1 with regards to the 120 ft. of right-of-way required for a major arterial street on the proposed Replat of Lot 1, Block 1, Wal-Mart Subdivision bearing a legal description of Lot 1, Block 1, Wal-Mart Subdivision located on the west side of Dixieland Road between Frontage Road 83 and Lincoln Avenue. Applicant: Victor Bañuelos of Centerline Surveying c/o Clearview Investments, L.P. Attachment **(Planning and Zoning)**
- 14) Consider and take action to approve an Interlocal Agreement between Tropical Texas Behavioral Health (TTBH) and the Harlingen Police Department (HPD) for three (3) Mental Health Officers. Attachment **(Police Department)**
- 15) Consider and take action to accept (or reject) bids and award the contract for the 2013-2014 General Fund Overlay Project under Bid 2014-03. Attachment **(City Engineer)**
- 16) Consider and take action to approve the renewal of a one year contract between the City of Harlingen and RGV Amateur-Adult Soccer Association for the use of the Soccer Fields at Vesta Park. Applicant: City of Harlingen and Manual Cardona. **(Parks & Recreation)**

17) Consider and take action to approve an agreement with N.I.N.O.S. Head Start for the use of the Community Center/Casa de Sol as a temporary emergency holding center. Attachment (***Asst. City Manager, Dan Serna***)

18) Board Appointments

Discussion and possible action regarding membership on any of the following listed board/entity:

- a. Airport Board
- b. Animal Shelter Advisory Committee (3)
- c. Audit Committee (Terms expire annually in June)
- d. Civil Service Commission (Mayor) (1)
- e. Community Development Advisory Board (4)
- f. Construction Board of Adjustments (8)
- g. Convention & Visitors Bureau (3)
- h. Development Corporation of Harlingen, Inc.
- i. Downtown Improvement District Board (1)
- j. Golf Course Advisory Board (1)
- k. Harlingen Community Improvement Board (1)
- l. Harlingen Housing Authority Board
- m. Harlingen Finance Corporation (1)
- n. Harlingen Proud Advisory Board (3)
- o. Library Advisory Board (0)
- p. Municipal Auditorium Advisory Board (2)
- q. Museum Advisory Board (1)
- r. Parks Advisory Board (1)
- s. Planning & Zoning Advisory Board (2)
- t. Senior Citizens Advisory Board (4)
- u. Tax Increment Finance Board (6)
- v. Tennis Advisory Board (1)
- w. Utility Board of Trustees
- x. Veterans Advisory Board
- 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.

19) 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, January 10, 2014 at 5:20 p.m. at least 72 hours preceding the scheduled time of said meeting.

Dated this 10th day of January, 2014

  
Amanda C. Elizondo, City Secretary