

REGULAR  
CITY COMMISSION  
AGENDA  
**March 5, 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, March 5, 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/City Commissioner Victor Leal

Pledge of Allegiance/Welcome

- 1) Public Announcement of Events
  - a) City Events
  - b) Presentation by Bea D. Salazar, Crime Victim's Assistance Program Coordinator regarding Crime Victim's Resource Expo for National Crime Victim's Week, April 11, 2014, 4:30 p.m. to 6:30 p.m., at H.E.B. off of Frontage Road, Harlingen, Texas.
- 2) Drawing for prizes for citizens who filled out the Comprehensive Plan Survey.
- 3) Proclamation – proclaiming March 12, 2014 as “Anniversary of the Signing of the Charter” for the Lions Clubs. Attachment
- 4) Special Recognition of several Park Department Employees who participated in the 2014 Texas Recreation & Parks Society Maintenance Rodeo. **(Parks & Recreation)**
- 5) City of Harlingen Community–Wide Trash–Off Day, held February 22, 2014 at the Pendleton Park Parking Lot – Grimes Street. Attachment **(City Manager)**

- 6) Approval of Minutes
  - a) February 19, 2014 – 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.**

- 7a) Second and final reading to approve and adopt an ordinance amending Ordinance No. 11-27 for a request to amend the Specific Use Permit (SUP) issued to George Dawi to allow the existing bar/lounge "The Point" to expand services to the second floor of the building in a General Retail ("GR") District located at 115 E. Harrison bearing a legal description of Lots 17 & 18, Block 70, Harlingen Original Townsite. Applicant: George Dawi. Attachment ***(Planning & Zoning)***
- b) Second and final reading to approve and adopt an ordinance amending Ordinance No. 09-34 for a request to amend the Specific Use Permit (SUP) issued to Herminia Cervantes for an adult business (Pokey's Planet) for 1111 and 1113 W. Tyler Avenue to allow for the expansion of the adult business to include 1109 and 1107 W. Tyler Avenue and with the request to remove the annual audit, bearing a legal description of the East 5 ft. of Lot 2, all of Lots 3-6 and the East 10 ft. of Lot 7, Block "B", Boggus-Rowsey Subdivision. Applicant: Herminia Cervantes. Attachment ***(Planning & Zoning)***
- c) Second and final reading to approve and adopt an ordinance for a Specific Use Permit to allow a call center at the building located at 2200 Haine Drive in an Office ("O") District bearing a legal description of Lot 1, Block 1, Haney Medical Capital Subdivision and Lot 2, Block 1, Haney Medical Capital II Subdivision. Applicant: Robert Gandy. Attachment ***(Planning & Zoning)***
- d) Second and final reading to approve and adopt an ordinance amending the City of Harlingen Zoning Ordinance No. 07-27, Section 17.05, Specific Use Permit Process to establish standard conditions for a call center in an Office ("O") District. Applicant: Planning and Zoning Commission. Attachment ***(Planning & Zoning)***
- e) Second and final reading to approve an ordinance adopting the 2012 International Codes and 2014 National Electrical Codes. Attachment ***(Building Inspections)***

- f) Consider and take action to approve a request from the Downtown Improvement District to close Jackson Street from Commerce to 4<sup>th</sup> Street and crossroads "A", 1<sup>st</sup>, 2<sup>nd</sup>, and 3<sup>rd</sup> Streets from alleyway to alleyway crossing Jackson Street for the 7<sup>th</sup> Annual Jackson Street Classic Car Show, Saturday, April 12, 2014 from 7 a.m. to 3 p.m. Attachment **(Police Department)**

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- 8) Consider and take action to approve an ordinance on first reading amending Ordinances 85-108, 00-83 and 08-46 establishing new rental rates, supplemental charges and policies for Casa De Amistad; providing for publication and ordaining other matters related to the foregoing. Attachment **(Arts & Entertainment)**
- 9) Consider and take action to approve a resolution amending the Harlingen Downtown Improvement District 2013-2014 Fiscal Year Budget. Attachment **(Finance Department)**
- 10) Consider and take action to approve an Agreement for Administrative Services between the Harlingen-San Benito Housing Finance Corporation and the City of Harlingen to provide ongoing business administration of the Corporation and authorize the City Manager to execute the agreement. Attachment **(City Manager)**
- 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) (1)
- e. Community Development Advisory Board (2)
- f. Construction Board of Adjustments (7)
- g. Convention & Visitors Bureau (3)
- h. Development Corporation of Harlingen, Inc. (2)
- i. Downtown Improvement District Board (1)
- j. Golf Course Advisory Board (1)
- k. Harlingen Community Improvement Board (1)
- l. Harlingen Housing Authority Board (4)
- m. Harlingen Finance Corporation (1)
- n. Harlingen Proud Advisory Board (3)
- o. Library Advisory Board
- 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 (3)
- u. Tax Increment Finance Board
- v. Tennis Advisory Board (1)
- w. Utility Board of Trustees
- x. Veterans Advisory Board
- 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.

12) Executive/Closed Session on the following items:

- a) Attorney consultation pursuant to Section 551.071, Texas Gov't. Code to receive legal advice and counsel in connection with the City's rights, duties, privileges, and obligations related to the recognition of an exclusive bargaining agent for the City's police officers as per the provisions of Section 174.102, Texas Local Gov't Code, and related legal issues. **(City Manager)**
- b) Attorney consultation pursuant to Sections 551.071 and 551.074 of the Texas Gov't. Code (Personnel Matters) regarding the City's legal rights, duties and obligation regarding the appointment of the Interim Fire Chief. **(City Manager)**
- c) Attorney consultation pursuant to Sections 551.071 and 551.074 of the Texas Gov't. Code (Personnel Matters) regarding the City's legal rights, duties and obligation regarding the appointment of the Public Safety Director. **(City Manager)**

13) Consideration and appropriate action under Section 174.102, Texas Local Gov't Code to recognize the Harlingen Police Officers & Law Enforcement Association (HPOLEA) as the exclusive bargaining agent for the police officers of the City of Harlingen Police Department. **(City Manager)**

14) Consider and take action to confirm the City Manager's appointment of a department head of the Harlingen Fire Department effective immediately and until another Fire Chief is appointed by the City Manager and confirmed by the Harlingen City Commission. **(City Manager)**

15) Consider and take action to confirm the City Manager's appointment of a Public Safety Director for the Police and Fire Departments. **(City Manager)**

16) 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, 28<sup>th</sup>, 2014 at 6:15 p.m. at least 72 hours preceding the scheduled time of said meeting.

Dated this 28<sup>th</sup> day of February, 2014



Amanda C. Elizondo, City Secretary