

REGULAR
CITY COMMISSION
AGENDA
May 7, 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, May 7, 2014 at 5:30 P.M.** in City Hall, Town Hall, 2nd 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.

The Harlingen City Commission reserves the right, pursuant to Texas Government Code Chapter 551, Subchapter D, to enter into closed executive session on any item posted on the agenda if a matter is raised that is appropriate for closed discussion.

Invocation/Michael Mezmar, City Commissioner

Pledge of Allegiance/Welcome

- 1) Public Announcement of Events
- 2) Presentation of proclamations proclaiming the following:
 - a) Salvation Army Week – May 12–16, 2014
 - b) Elder Abuse Prevention - Month of May, 2014
 - c) MDA – Fill the Boot Days - Months of May & June, 2014
 - d) National Public Works Week - May 18-24, 2014
- 3) Presentation in regards to the Keep Harlingen Beautiful Quarterly Monthly Report by Nick Consiglio, President.
- 4) Presentation of Certificates of Recognition to the following Harlingen Schools in recognition of their efforts for recycling recyclable materials:

- a) St. Alban's Episcopal Day School
 - b) Stuart Place Elementary School
 - c) Zavala Elementary School
 - d) Bonham Elementary School
- 5) Approval of Minutes
- a) April 4, 2014 – Joint Special Meeting of the City Commission and Economic Development Corporation of Harlingen, Inc.
 - b) April 16, 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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.

- 6a) Second and final reading to approve and adopt an ordinance to name a new street "Lodestar Avenue" located adjacent to Sun Valley Aviation Facility and generally located north of Woodall Avenue and west of Bob Youker Street. Applicant: Airport Advisory Board. Attachment ***(Planning and Zoning)***
- b) Second and final reading to approve and adopt an ordinance for a Specific Use Permit ("SUP") to allow an adult business (Gun Shop) in a General Retail ("GR") District located at 117 E. Porte Court, Suite 2, bearing a legal description of Lot 5, Block 1 of East Porte Center Subdivision. Applicant: William Vance Durham. Attachment ***(Planning and Zoning)***
- c) Consider and take action to approve the preliminary plat of Las Colinas of Treasure Hills Subdivision being a 47.82 acre tract of land comprised of 22.15 acres out of Block 145 and 25.67 acres out of Block 146, San Benito Land and Water Company Subdivision, save and except a 4.32 acre tract of land being Treasure Hills Blvd. as recorded in Volume 17724, Page 253, and a 0.853 of an acre tract of land being East Treasure Hills as recorded in Volume 17423, Page 253 located at the southeast end of Treasure Hills Blvd. between the golf course and FM 509. Applicant: Leo Rodriguez c/o Don Trapnell (Crown Financial). Attachment ***(Planning and Zoning)***

- d) Consider and take action to approve the final plat of Garrett-Doan Estates Subdivision bearing a legal description of 6.20 acres out of Blocks 41, 42, 43, and 44, Leelands Subdivision of Survey 295, generally located on the southwest corner of Garrett and Doan Roads. Applicant: Ferris & Flinn, LLC c/o Rollins M. Koppel. Attachment (**Planning and Zoning**)
- e) Request from Cameron County Elections Department to designate the Fire Station #4 located at 4410 Glasscock Street, Harlingen, Texas as a polling place for Democratic Primary Runoff Election on Tuesday, May 27, 2014. Attachment (**City Secretary**)

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- 7) Public hearing to consider an ordinance on first reading to rezone from Not Designated ("N") District to General Retail ("GR") District for 41.21± acres of land out of the South Portion of Block 182, San Benito Land and Water Company Subdivision located on the north side of Hale Avenue east of Camelot Drive. Applicant: David Flinn, c/o Mary Ann Sonnenburg. Attachment (**Planning and Zoning**)
 - a) Public hearing
 - b) Consider and take action to approve the above mentioned rezone request.
 - 8) Consider and take action to accept or (reject) the leases for the use of two city owned buildings with Degges dba as Child Care Center of Harlingen for the building located at 104 W. Taylor Street and Harlingen Child Development for the building located at 701 E. Madison for purposes of operating a child day care center. (Bid No. 2014-10) Attachment (**Dan Serna, Asst. City Manager**)
 - 9) Consider and take action to approve a Memorandum of Understanding between the City of Harlingen and the Community Loan Center, a wholly owned subsidiary of the Rio Grande Valley Multibank to provide the Small Dollar Lending Program for City employees. Attachment (**Gabriel Gonzalez, Asst. City Manager**)
 - 10) Consider and take action to appoint three (3) representatives to the Bi-Ned Zone Steering Committee to serve with representatives from Brownsville, Texas and Matamoros, Tamaulipas. (**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 (6)
- 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. (1)
- 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 (8)
- 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 (1)
- 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 Chapter 551.071 regarding Cause No. 2009-08-4744-1 CITY of HARLINGEN v. INNOVATION ARTS & ENTERTAINMENT, LTD., FORMERLY KNOWN AS THEATRE COUNCIL PRODUCTIONS, LTD., DISTRICT COURT OF CAMERON COUNTY, TEXAS, 445TH JUDICIAL DISTRICT. (**City Attorney**)
- b) attorney consultation pursuant to Section 551.071 (2), Texas Government Code to provide legal advice in connection with the passage of a civil service

classification ordinance for the fire department and related legal issues. (**City Manager**)

- c) 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 is conducting economic development negotiations and/or to discuss or deliberate financial or other incentives with the business prospect known as **Project DPC** and to seek legal advice from the City Attorney regarding subject. (**Mayor**)
- 13) Consider and take action to authorize assigned counsel to negotiate a settlement agreement pursuant to the discussion in executive session in Cause No. 2009-08-4744- 1, CITY of HARLINGEN v. INNOVATION ARTS & ENTERTAINMENT LTD., FORMERLY KNOWN AS THEATRE COUNCIL PRODUCTIONS, LTD., DISTRICT COURT OF CAMERON COUNTY, TEXAS, 445TH JUDICIAL DISTRICT. (**City Attorney**)
- 14) Consideration and appropriate action, if any, to adopt a civil service classification ordinance for the fire department reaffirming the existing rank structure, establishing the number of budgeted positions in each rank, and establishing recognized assignments under applicable civil service law. Attachment (**City Manager**)
- 15) Citizen Communication

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, May 2nd, 2014 at 7:00 p.m. at least 72 hours preceding the scheduled time of said meeting.

Dated this 2nd day of May, 2014


Amanda C. Elizondo, City Secretary