

REGULAR  
CITY COMMISSION  
AGENDA  
**September 17, 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, September 17, 2014 at 5:30 P.M.** in City Hall, Town Hall, 2<sup>nd</sup> Floor, and 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/Commissioner Danny Castillo

Pledge of Allegiance/Welcome

- 1) Public Announcement of Events
- 2) Presentation of the following proclamations:
  - a) September 17-23, 2014 as "Constitution Week"
  - b) October 2, 2014, "25 Years of Service to the People of Harlingen Pregnancy Testing Centers/Pregnancy Resource Centers of the RGV"
- 3) Approval of Minutes
  - a) Special Meeting of August 15, 2014
  - b) Regular Meeting of September 3, 2014

**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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.**

- 4a) Second and final reading to approve and adopt an ordinance to amend the City of Harlingen's Budget for Fiscal Year 2013-2014. Attachment **(Finance)**
- b) Second and final reading to approve an ordinance adopting the City of Harlingen's Budget for Fiscal Year 2014-2015 by a record vote. Attachment **(Finance)**
- c) Second and final reading to approve an ordinance adopting the 2014 ad valorem tax rate for Maintenance and Operation for Fiscal Year 2014-2015 by a record vote. Attachment **(Finance)**
- d) Second and final reading to approve an ordinance adopting the 2014 ad valorem tax rate for Interest and Sinking for Fiscal Year 2014-2015 by a record vote. Attachment **(Finance)**
- e) Consider and take action to approve a refund of property taxes to Cathi Davis Yarbrough, Francis E. Davis & Edward Coe Davis, Jr. on accounts #98-4200-0060-0000-00 and #98-4200-0050-0000-00.
- f) Consider and take action to approve a request from the Harlingen High School Student Council to close the following streets 13<sup>th</sup> & Williams, alleyway north of north parking lot (parade starting point on 13<sup>th</sup> Street), Marshall & Ball, Marshall & 13<sup>th</sup> Street, 13<sup>th</sup> and Carroll, 9<sup>th</sup> & Carroll, 7<sup>th</sup> & Carroll, 7<sup>th</sup> & Marshall, 7<sup>th</sup> & Village, and alleyway north of north parking lot (parade ending point on 7<sup>th</sup> Street) on Thursday, October 2, 2014 from 6:00 p.m. to 8:30 p.m. for the Annual Homecoming Festivities Parade and burning of the "H". Attachment **(Police Department)**
- g) Consider and take action to approve a request from Randy Cretors, Harlingen Consolidated Independent School District Athletic Director, to close North 13<sup>th</sup> Street from East Harrison Avenue to East Jefferson Avenue, East Monroe Avenue and East Van Buren Avenue from North 12<sup>th</sup> Street to North 13<sup>th</sup> Street and alley ways adjacent to 13<sup>th</sup> Street on the following dates for the 2014 Football Games, all Fridays from September 19<sup>th</sup> through November 21<sup>st</sup>, 2014. Attachment **(Police Department)**
- h) Consider and take action to approve a request from the Immaculate Heart of Mary Catholic Church to close "C" Street between Polk Avenue and Tyler Avenue beginning Saturday, October 4<sup>th</sup>, 12 noon to Sunday, October 5<sup>th</sup>, 2014, 11:00 p.m. for their Annual Fiesta de Amistad. Attachment **(Police Department)**

- i) Consider and take action to approve a request from Harlingen High School South to close the following streets, Bothwell & Dixieland (blocking the south bound traffic at Dixieland), Alani Circle (North & South at Dixieland), Haverford at Dixieland, Adrian (East & West at Dixieland), Topaz at Dixieland, Garrett (East & West at Dixieland), Dixieland Road about 100' south of the baseball field almost in front of Dixieland Park on Thursday, October 16, 2014 from 6:15 p.m. to 7:00 p.m. for the Annual Homecoming Parade and Bonfire, starting point at the west parking lot of Harlingen High School South and will travel southbound on Dixieland Road towards the Harlingen South Baseball Field. Attachment (**Police Department**)

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- 5) Consider and take action to adopt a Resolution in support of a "NEW" mascot for the University of Texas-Rio Grande Valley. Attachment (**Mayor**)
  - 6) Consider and take action to approve a resolution adopting the Development Corporation of Harlingen, Inc. 2014 – 2015 Fiscal Year Budget. Attachment (**Economic Development Corporation**)
  - 7) Consider and take action to authorize the Mayor to execute an MOU and Interlocal Agreement with the Harlingen Consolidated Independent School District (HCISD) to assign seven (7) full-time uniformed Harlingen Police Officers to function as School Resource Officers at the respective high school campuses during the 2014-2015 School Calendar Year. HCISD may elect to hire additional police officers on overtime should the need arise. Attachment (**Police Dept.**)
  - 8) Consider and take action on approving a Resolution amending the Ambulance Service License and Contract for Services by revising the Base Rates charged by South Texas Emergency Care Foundation for ambulance services. Attachment (**Gabriel Gonzalez, Asst. City Manager**)
  - 9) Public hearing to consider an ordinance on first reading to amend the City of Harlingen Subdivision Ordinance No. 07-28, 4.1.6, Sidewalks, to require sidewalks on all local streets. Applicant: City of Harlingen. Attachment (**Planning & Zoning**)
    - a) Public hearing
    - b) Consider and take action to approve an ordinance to amend the City of Harlingen Subdivision Ordinance No. 07-28, 4.1.6, Sidewalks to require sidewalks on all local streets.
  - 10) Public hearing to consider an ordinance on first reading to amend the City of Harlingen Zoning Ordinance No. 07-27, Section 13, Side walk Regulations, to eliminate the provision which states that a sidewalk is not required on new commercial construction when fifty percent or more of the frontage on a street on

any one block is improved with buildings that do not have a sidewalk. Applicant: City of Harlingen. Attachment (**Planning & Zoning**)

a) Public hearing

b) Consider and take action to approve an ordinance to amend the City of Harlingen Zoning Ordinance No. 07-27, Section 13, Side walk Regulations, to eliminate the provision which states that a sidewalk is not required on new commercial construction when fifty percent or more of the frontage on a street on any one block is improved with buildings that do not have a sidewalk.

11) Public hearing to consider an ordinance on first reading for a Specific Use Permit ("SUP") to allow an adult business (tattoo shop) in a General Retail ("GR") District located at 1837 W. Tyler Avenue, Suite 2 bearing a legal description of Part of the West Part of Lot 1, Block 1, Harlingen-Holiday Subdivision. Applicant: Steven R. Aranda. Attachment (**Planning & Zoning**)

a) Public hearing

b) Consider and take action to approve the above mentioned Specific Use Permit to allow an adult business (tattoo shop) at the above described property.

12) Consider and take action to award a banking service contract for a 3-year term. Attachment (**Finance**)

13) Consider and take action on changing or postponing the date of the Harlingen City Commission Regular Meeting of October 1, 2014 due to the Texas Municipal League Annual Conference scheduled from September 30, through October 3, 2014. (**City Manager**)

14) Board Appointments

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

- a. Airport Board
- 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 (5)
- 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 (2)

- l. Harlingen Housing Authority Board (1)
- m. Harlingen Finance Corporation (1)
- n. Harlingen Proud Advisory Board (6)
- o. Library Advisory Board
- p. Municipal Auditorium Advisory Board (3)
- 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 (2)
- y. Zoning Board of Adjustments (4)

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.

15) Closed/Executive Session regarding the following items:

- a. attorney consultation pursuant to Section 551.071(2), Tex. Gov't Code to provide legal advice and counsel in connection with the City's rights, duties, privileges, and obligations related to the pending collective bargaining process as per Chapter 174, Texas Local Government Code and related matters with the Harlingen Police and Fire Departments. **(Assigned Counsel, Rick Navarro)**
- b. pursuant to Chapter 551, Subchapter D, V.T.C.A. Government Code, Sections 551.071 and 551.072 regarding the purchase, exchange, lease, or value of real property described as Lot 9, Block C, Lakeside Heights Subdivision, Harlingen, Texas and to seek legal advice from the legal counsel regarding the subject matter. **(City Manager)**

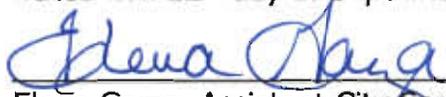
16) Consider and take action to provide funding to Habitat for Humanity, a non-profit organization, for the purchase of Lot 9, Block C, Lakeside Heights Subdivision, Harlingen, Texas, and to waive municipal liens on said property, and authorize the City Manager to enter into a contract with Habitat for the purpose of constructing an affordable housing unit. **(City Manager)**

17) 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, September 12, 2014 at 5:30 p.m. at least 72 hours preceding the scheduled time of said meeting.

Dated this 12<sup>th</sup> day of September, 2014

  
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Elena Garza, Assistant City Secretary