

REGULAR
CITY COMMISSION
AGENDA
September 7, 2016
@ 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 7, 2016 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/Commissioner Ruben De La Rosa

Pledge of Allegiance/Welcome

- 1) Board Recognition
- 2) Presentation of Proclamation – proclaiming the week of September 17 through September 23, 2016 as "Constitution Week." Attachment
- 3) Neighborhood Clean-Sweep held August 13, 2016 on Hale Avenue between Bluebonnet and Live Oak starting at Live Oak, Travis and Falcon Drive, District 3. Attachment **(Code Enforcement)**
- 4) Approval of Minutes
 - a) Jt. Special City Commission Meeting & Tax Increment Financing Reinvestment Board Zone No. 1 of July 26, 2016;
 - b) Jt. Special City Commission Meeting & Tax Increment Financing Reinvestment Board Zone No. 2 of July 26, 2016;
 - c) Jt. Special City Commission Meeting & Tax Increment Financing Reinvestment Board Zone No. 3 of July 26, 2016;

- d) Special City Commission Meeting of August 11, 2016; and
- e) Special City Commission Meeting of August 12, 2016

	CONSENT AGENDA	
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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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.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 Residential, Single Family ("R-1") District for 4.99 acres out of Block 1, 5.0 acres out of Block 4, 2.51 acres out of Block 5, the South 223 feet of Lot 5 and all of Lot 25, Block 26 and the North ½ of Block 27, and Blocks 28-56, Stuart Place Townsite Acreage; Blocks 1-5, Egan Subdivision; 2.0 acres comprised of Part of Block 6 and all of Block 15, Fitzgerald Subdivision; 2.0 acres comprised of Blocks 7 and 14, Fitzgerald Subdivision; Lots 1-4, Crockett Villa Subdivision; 10.09 acres out of Block 4, and 2.47 acres out of Block 6, Stuart Place Subdivision Survey 42/137/297; and rezone from Not Designated ("N") District to Residential, Mobile Home ("MH") District for 1.0 acre out of Block 30, Stuart Place Subdivision Survey 139/297; all properties generally located north of Business 83 between Beckham Road and Stuart Place Road. Applicant: City of Harlingen. Attachment (***Planning & Zoning***)
- b) Second and final reading to approve and adopt an ordinance to rezone from Office ("O") District to General Retail ("GR") District for 6.45± acres out of the East Part of Lot 1, Block 1, Apollo Subdivision, located at 3701 W. Business 83. Applicant: Omar Villasana-Cortez. Attachment (***Planning & Zoning***)
- c) Second and final reading to approve and adopt an ordinance approving a negotiated resolution between the City of Harlingen and Texas Gas Service regarding the company's April 28, 2016 Cost of Service Adjustment filing. Attachment (***Asst. City Manager***)
- d) Second and final reading to approve an ordinance adopting the City of Harlingen's Budget for Fiscal Year 2016-2017. Attachment (***Finance***)
- e) Second and final reading to approve an ordinance adopting the 2016 ad valorem tax rate for Interest and Sinking for Fiscal Year 2016-2017. Attachment (***Finance***)

- f) Second and final reading to approve an ordinance adopting the 2016 ad valorem tax rate for Maintenance and Operation for Fiscal Year 2016-2017. Attachment **(Finance)**
- g) Consider and take action to approve a request from the Immaculate Heart of Mary Church to close South "C" Street between West Polk Avenue and West Tyler Avenue on Friday, September 30, 2016 at 12:00 p.m. to begin setting up and Saturday, October 1, 2016 thru Sunday, October 2, 2016 from 6:00 p.m. to 11:00 p.m. for their Annual Fiesta de Amistad. Attachment **(Police)**
- h) Consider and take action to approve a request from Bill Reagan, Pastor and Executive Director of Loaves & Fishes for the City of Harlingen to close "D" Street and "E" Street between West Harrison Avenue and West Van Buren Avenue on Saturday, September 17, 2016 from 4:00 p.m. to 9:00 p.m. Attachment **(Police)**
- i) Consider and take action to approve a request from the Harlingen Police Department to close the following intersections: Fair Park Blvd. & "J" Street, Fair Park & "L" Street, Fair Park Blvd. & Teege Street and Teege Street & "L" Street to host the National Night Out Event, Tuesday, October 4, 2016 commencing at 8:00 a.m. to allow for officers, partners and vendors to set-up for the event until 10:00 p.m. to facilitate safety of the attendees. Attachment **(Police)**
- j) Consider and take action to approve a request from EXPO Committee to close Fair Park Boulevard between "J" Street and "L" Street on Wednesday, September 21, 2016 from 1:30 p.m. to 5:30 p.m. and also on Thursday, September 22, 2016 from 7:00 a.m. to 2:00 p.m. for their 14th Annual Education and Career EXPO being held at the Casa de Amistad. Attachment **(Police)**

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- 6) Consider and take action to authorize the City Manager to execute a professional services contract with Sales Tax Assurance LLC for sales tax compliance review and recovery services. Attachment **(Finance)**
 - 7) Consider and take action to approve an ordinance on first reading to amend the City of Harlingen's budget for Fiscal Year 2015-2016. Attachment **(Finance)**
 - 8) Consider and take action to approve a resolution adopting the Harlingen Downtown Improvement District 2016-2017 Fiscal Year Budget. Attachment **(Finance)**

- 9) Consider and take action to approve a Waiver of Retroactivity with the Texas Parks and Wildlife Department for the 24.1 acres of land donated by Mrs. Maxine Elkins and authorize the City Manager to sign the Waiver. Attachment ***(Parks & Recreation)***
- 10) Consider and take action to approve an ordinance on first reading amending Ordinance No. 16-29 to clarify that a fee for processing a payment by debit card may be charged when the debit card is used as a credit card. Attachment ***(City Attorney)***
- 11) Consider and take action to approve the Keep Harlingen Beautiful Adopted Budget for Fiscal Year 2016-2017. Presentation by Jerry Wayne Lowry. Attachment ***(Keep Harlingen Beautiful)***
- 12) Consider and take action to approve a resolution accepting Valley International Airport's Adopted Budget for Fiscal Year 2016-2017. Attachment ***(Airport)***
- 13) Consider and take action to approve a resolution accepting Harlingen Waterworks System's Budget for Fiscal Year 2016-2017. Attachment ***(Harlingen Waterworks)***
- 14) Consider and take action to approve the list of streets for the Street Overlay Program for fiscal year 2016-2017. Attachment ***(Engineering)***
- 15) Consider and take action to approve the site layout and floor plan for the new Convention Center project. Attachment ***(City Manager)***
- 16) 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) (2)
- d. Civil Service Commission (Mayor)
- e. Community Development Advisory Board (3)
- f. Construction Board of Adjustments (7)
- g. Convention & Visitors Bureau (4)
- h. Development Corporation of Harlingen, Inc.
- i. Downtown Improvement District Board (2)
- j. Golf Course Advisory Board (2)
- k. Harlingen Community Improvement Board (2)
- l. Harlingen Housing Authority Board (3)

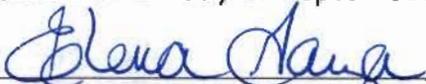
- m. Harlingen Finance Corporation
- n. Harlingen Proud Advisory Board (7)
- o. Library Advisory Board (2)
- p. Mayor Wellness Council
- q. Museum Advisory Board (1)
- r. Parks Advisory Board (1)
- s. Planning & Zoning Advisory Board (1)
- t. Senior Citizens Advisory Board (2)
- u. Tax Increment Finance Board **(All Bd. Members' Terms have expired)**
- v. Tennis Advisory Board (2)
- x. Utility Board of Trustees (1)
- y. Veterans Advisory Board (6)
- z. 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.

- 17) Executive Session - Attorney consultation pursuant to Section 551.071, Texas Gov't. Code to provide legal advice and counsel in connection with certain collective bargaining issues contained in the Notice of Intent to Bargain by the duly recognized majority bargaining agent for the City's law enforcement officer, the Harlingen Police Officer and Law Enforcement Association (HPOLEA) and the Harlingen Professional Fire Fighters Association. **(City Manager)**
- 18) 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 2nd, 2016 at 4.00 p.m. at least 72 hours preceding the scheduled time of said meeting.

Dated this 2nd day of September, 2016


 Elena Garza, Assistant City Secretary