

CITY COMMISSION  
AGENDA  
**June 1, 2011**  
**@ 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, June 1, 2011 at 5:30 p.m.** in Town Hall, City Hall, 118 E. Tyler Street, 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 Jerry Prepejchal

Pledge of Allegiance/Welcome

- 1) Board Member Recognitions
- 2) Special Recognition(s)
  - a.) Ruthie Ewers
- 3) Proclamation - proclaiming National Home Ownership Month  
Attachment
- 4) Presentation by CVB Executive Director Hope Davo.
- 5) Citizen Communication
- 6) Approval of Minutes – Regular Meeting of May 18, 2011  
Attachment

**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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.**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) Consider and take action to approve an ordinance on second and final reading amending Zoning Ordinance No. 07-27 of the City of Harlingen, rezoning from "not designated (N)" to "residential, single family (R1)" zoning district an approximate 2.88± acre tract of land being part of the North 27.57 acres out of Lot A, Block 191, San Benito Land and Water Company Subdivision, located on the east side of Ed Carey Drive south of Nixon Road. Applicant: City of Harlingen **(Planning and Development)** Attachment
- b) Consider and take action to approve an ordinance on second and final reading amending Zoning Ordinance No. 07-27 of the City of Harlingen to issue a Specific Use Permit ("SUP") to allow a Recycling Center, Ferrous in a light industry ("LI") zoning district located at 1318 N. Commerce Street, bearing a legal description of 3.4042± acres out of Block 1, Harlingen Land and Water Company Subdivision. Applicant: Alvaro Saenz **(Planning and Development)** Attachment
- c) Consider and take action to approve a request from Family Movie Nights and the Harlingen Downtown Business District to close certain streets and alleyways for Family Movie Nights on Saturdays, June 18<sup>th</sup> from 4 p.m. to 11 p.m.; July 16<sup>th</sup> from 5 p.m. to 11 p.m. and August 20<sup>th</sup>, 2011 from 5 p.m. to 11 p.m. **(Downtown Improvement District)** Attachment

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- 8) Consider and take action to approve a resolution accepting anticipated Federal Aviation Administration (FAA) – Airport Improvement Program (AIP) Grant 3-48-0101-052-2011; Taxiway Foxtrot Lighting Upgrades; Joint Seal East Cargo Ramp; Taxiway Mike and Lima Rehabilitation; and Construct Wash Pad in the approximate estimated amount of One Million, Five Hundred Sixty-Two Thousand, Four Hundred Eighty-Eight Dollars and no/100s (\$1,562,488.00). **(Director of Aviation)** Attachment
- 9) Consider and take action to adopt an ordinance on first reading designating a "No Parking Loading/Unloading Zone" located on the south side of Washington Avenue in front of Casa Granada Apartments between Citrus Terrance Drive and North 21st Street to load and unload passengers. **(City Engineer)** Attachment
- 10) Consider and take action to repeal Ordinance 92-37 removing an existing "No Parking Zone" located on the east side of South "E" Street from the alley south to West Polk Avenue to provide additional street parking for Don Beto's Restaurant located at the corner of Tyler Avenue South "E" Street. **(City Engineer)** Attachment
- 11) Consider and take action to approve the second extension and amendment of the agreement between the Development Corporation of Harlingen, Inc. and the University of Texas Health Science Center-San Antonio for the U.S. Hispanic Nutrition Research and Education Center. **(Development Corporation)** Attachment

- 12) Consider and take action to amend the agreement between the Development Corporation of Harlingen, Inc. and United HealthCare Services. **(Development Corporation)** Attachment
- 13) Discuss, consider and take action to approve a Resolution approving a program of the Development Corporation of Harlingen, Inc.; approving a Resolution authorizing the execution and delivery of a Loan Agreement by the Corporation; approving a Sales Tax Remittance Agreement; and containing other provisions related thereto; subject to approval by a majority vote of the Board of Directors of the Development Corporation of Harlingen, Inc. at their Regular Meeting on May 31, 2011. **(Development Corporation)** Attachment
- 14) Consider and take action to approve a resolution to amend the Development Corporation of Harlingen, Inc. 2010-2011 Fiscal Year Budget. **(Finance Department)** Attachment
- 15) Consider and take action on whether or not to authorize staff to solicit proposals for Employees' Health Insurance or approve the renewal of the contract with the existing health insurance carrier for Fiscal Year 2011-2012. **(Human Resources)** Attachment
- 16) Discussion on an Interlocal Agreement with the Harlingen Consolidated Independent School District (HCISD) to assign two full-time uniformed Harlingen Peace Officers to work at the two high school campuses as High School Resource Officers during the 2011-2012 school calendar year. **(Police Department)** Attachment
- 17) Consider and discuss creating a City of Harlingen Police Department Trespass Authorization Program for private property owners' unattended private property. **(City Attorney)** Attachment
- 18) Consider and take action pursuant to Harlingen City Charter Article IV, Section 6 to elect a Mayor Pro-tempore by a majority vote of the City Commissioners. **(City Attorney)** Attachment
- 19) Consider and take action to adopt an ordinance on first reading regarding departmental files of the police and fire department which are subject to Chapter 143 of the Texas Local Government Code; granting access to certain specified positions within the City; and providing an effective date. **(Administration)** Attachment
- 20) Consider and take action to approve an Interlocal Agreement between the Lower Rio Grande Valley Development Council and the City of Harlingen for a land lease to construct a public transit vehicle storage facility. **(Administration)** Attachment

## 21) Board Appointments

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

- a. Airport Board (Mayor)(1)
- b. Animal Shelter Advisory Committee (3)
- c. Audit Committee
- d. Civil Service Commission (Mayor) (1)
- e. Community Development Advisory Board (1)
- f. Construction Board of Adjustments (7)
- g. Convention & Visitors Bureau (2)
- h. Development Corporation of Harlingen, Inc.
- i. Downtown Improvement District Board (2)
- j. Golf Course Advisory Board
- k. Harlingen Community Improvement Board
- l. Harlingen Housing Authority Board (1)
- m. Harlingen Finance Corporation
- n. Harlingen Proud Advisory Board (3)
- o. Library Advisory Board (1)
- p. Municipal Auditorium Advisory Board (2)
- q. Museum Advisory Board (2)
- r. Parks Advisory Board
- s. Planning & Zoning Advisory Board
- t. Senior Citizens Advisory Board (1)
- u. Tax Increment Finance Board (6)
- v. Tennis Advisory Board
- w. Utility Board of Trustees (1)
- x. Veterans Advisory Board (1)
- 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.


- 22) Closed/Executive Session pursuant to Chapter 551, Subchapter D. *V.T.C.A. Government Code* (Section 551.071) to discuss contemplated or pending litigation and to seek legal advice from the City Attorney, Valley International Airport Attorney, and outside legal counsel regarding a Federal Aviation Administration complaint filed by Sun Valley Aviation, Inc. against the City of Harlingen, Valley International Airport. **(Airport)**

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, May 27, 2011 at 6:15 p.m. and remained so posted continuously for at least 72 hours preceding the scheduled time of said meeting. Dated this 27th day of May, 2011.

  
Amanda C. Elizondo, City Secretary