

**CITY COMMISSION
AGENDA
REGULAR MEETING
APRIL 16, 2025
@ 5:30 PM
CITY HALL, TOWN HALL MEETING ROOM
2ND FLOOR, 118 E. TYLER AVENUE
HARLINGEN, TEXAS**

Notice is hereby given that the City Commission of the City of Harlingen, Texas will hold a Regular Meeting on **WEDNESDAY, APRIL 16, 2025, at 5:30 P.M.** at City Hall, Town Hall Meeting Room, 118 E. Tyler Avenue, Harlingen, Texas and provide the public the ability to view the meeting via internet live-streaming at www.harlingentx.gov and the City of Harlingen YouTube Page.

The public will be permitted to offer citizen communication or participate in items listed as public hearings as provided by the agenda and as permitted by the presiding officer during the meeting.

To offer citizen communication or participate in scheduled public hearings, go to www.harlingentx.gov and click on "PUBLIC HEARING AND CITIZEN COMMUNICATION FORM." Fill out the form and indicate the item you wish to address, and submit the form.

Please indicate (1) the agenda item on which you wish to speak, (2) whether you prefer to speak on the item during citizen communication or at the time the agenda item is brought for consideration before the City Commission.

To submit written comments requesting an item for City Secretary, go to www.harlingentx.gov and click on "PUBLIC HEARING AND CITIZEN COMMUNICATION FORM" write your comments (limited to 400 words or less) and submit the form.

PLEASE SUBMIT WRITTEN COMMENTS BEFORE 3:00 P.M. THE DAY OF THE MEETING.

A recording of the meeting will be made and will be available to the public in accordance with the Texas Open Meetings Act.

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 the 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.

- 1) **Call Meeting to Order**
 - a) Invocation-Commissioner Daniel N. Lopez
 - b) Pledge of Allegiance
 - c) Welcome Citizens
- 2) **Conflict of Interest**

" Under State Law, a conflict of interest exists if a commission member, or certain members of that person's family, has a qualifying financial interest in an agenda item. Members with a conflict of interest cannot participate in the discussion nor vote on the agenda item. Are there any known conflicts of interest to disclose at the time? " **(City Attorney)**
- 3) **Announcements:** *With respect to items not listed elsewhere on this agenda, the City Commission may report on items of community interest, including announcing community events, announcing employee or community recognitions*
 - a) Mayor's Announcements
 - b) City Manager's Announcements - Town Halls
 - c) City Commission Member Announcements
- 4) **Proclamation/Presentation of Awards:**
 - a) Harlingen Animal Shelter-"Pet of the Week"
 - b) Mayor's Business of the Month - Desiree's Spa and Massage
 - c) Recognition Award - Christopher Lopez
 - d) Presentation of Recognition - Finance Department on Budget Preparation and Excellence in Financial Reporting.
 - e) Proclamation - Honoring Penn Aluminum for 20 years of service
 - f) Proclamation - "National Healthy Homes Month"
 - g) Proclamation - " Community Development Week"
 - h) Proclamation - "National Animal Control Officer Appreciation Week"
 - i) Proclamation - "National Therapy Animal Day"
- 5) **Citizen Communication:** *At this time, the public is invited to address the City Commission and speak on any matter not specifically listed for public hearing elsewhere in this agenda. Please note that the City Commission members may not respond to comments or deliberate on topics addressed.*
- 6) **Approval of Minutes:**
 - a) Regular Meeting January 15, 2025
- 7) **Consent Agenda:** *No discussion is anticipated on any of the items in this section because they are routine business, were included in the budget adoption process, or have been previously discussed as a staff report or discussion item. These items will be considered collectively by a single vote, unless a commission member requests an item be removed from the consent agenda.*
 - a) Consideration and possible action to approve an ordinance on second and final reading for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 1105 S. Tamm Lane, bearing a legal description of 3.4740 acres out of Block 33, Stuart Place Subdivision 139/297/298. Applicant: Cipriano Cardenas. Attachment **(Planning & Development)**

- b) Consideration and possible action to approve an ordinance on second and final reading for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a General Retail ("GR") District to be located at 1402 N. Loop 499, bearing a legal description of Tract A, Citrus Flats Subdivision, located along the East side of Loop 499, being 277 feet North of Grimes Road. Applicant: Sydney Harness c/o Citrus Flatts Energy Center, LLC. **(Planning & Development)**
- c) Consideration and possible action to approve an ordinance on second and final reading amending the previously approved Planned Development ("PD") District Site Plan to allow for 28-foot-wide streets with 30-feet of right-of-way for 90 townhome lots and one commercial lot development on a property bearing a legal description of 12.537 acres of land out of a Portion of Lots 1, 2, 7, and all of Lot 8, Block 146, San Benito Land and Water Company Subdivision, located on the northwest corner of Haine Drive and FM 509. Applicant: Melden and Hunt, c/o HDP Paso Real, LLC. Attachment **(Planning & Development)**
- d) Consideration and possible action to approve an ordinance on second and final reading for a rezoning request from Residential, Single Family ("R-1") District to Planned Development ("PD") District to allow internal roads to have 50 feet R-O-W, and for 64 patio home-style single family residential lots be less than the required 6,000 square feet for a property bearing a legal description of 9.815 acres out of Lot 17, Cunningham's Subdivision, located on the south side of Primera Road and Southbound Frontage Road of Expressway 77. Applicant: Melden and Hunt, Inc. Attachment **(Planning & Development)**
- e) Consideration and possible action to approve an ordinance on second and final reading for a Special Use Permit ("SUP") to allow a Civic Lodge in a Multi-Family ("M-2") District, located at 2006 Whalen Road, bearing a legal description of 2.5420 acres and 0.62 acres out of the South 5 acres of Lot 14, Block 147, San Benito Land and Water Company Subdivision. Applicant: Christine Blouch & Rene Capistran c/o Veterans of Foreign Wars Post 2410. Attachment **(Planning & Development)**
- f) Consideration and possible action to adopt an ordinance on second and final reading to amend the adoption of the 2024 International Codes and the 2023 National Electrical Codes. Applicant: City of Harlingen Attachment **(Planning & Development)**
- g) Consideration and possible action to authorize the City Manager to sign an Inter-local Agreement between the City of Harlingen and the Harlingen Consolidated Independent School District for the use of two school buses during the 2025 Summer Parks and Recreation Program. Attachment **(Parks & Recreation)**
- h) Consideration and possible action to approve a request from the City of Harlingen Parks and Recreation Department to close the following streets for the Viva Streets Cinco de Mayo Festival, Friday, May 2, 2025, from 4:00 p.m. to 11:00 p.m. at Lon C. Hill Destination Park. Attachment **(Police)**.

Fair Park Boulevard in between North "L" and "J" Streets, to include all entries and exits from Harlingen Performing Arts and Casa de Amistad Parking Lots;
Fair Park Blvd /North "O": Street Northside of Intersection ;
Fair Park Blvd./West Adams Street Westside Intersection;
Expressway 77 Northbound Frontage Road/Teege Ave. Eastside of Intersection
DETOUR SIGNS at North "L" Street/Fair Park Blvd., to send traffic north and onto Wichita Avenue.

- 8) **Staff Reports and Other Discussion Items:** *Items in this section are not expected to require action by the City Commission and are generally for information only. However, any item listed in this section may become an action item at a future meeting with the request of the Mayor, or after the request of any two Commission members, or the City Manager.*

- a) City Manager's Report

- b) Staff Reports -
 - c) Presentation by Coscos & Associates, PC., on the City of Harlingen's Annual Comprehensive Financial Report (ACFR) for Fiscal Year 2023-2024.
- 9) **Public Hearings:** *At this time, the Mayor will invite members of the public who have filled out the Public Hearing and the Citizen Communication Form to address each item listed in this section. Please limit your comments to the topic of that public hearing. If more than one public hearing is being held, you will be allowed to speak during each topic, provided you have filled out the Public Hearing and Citizen Communication Form for the appropriate topic. If you are signed up for two (2) or more Public Hearings, you will be limited to 5 minutes for all topics.*
- a) Public hearing for the voluntary annexation of 3.22 acres of land out of Block 164, San Benito Land and Water Company Subdivision, located along the south side of FM 675, approximately 2,890.84 feet southeast of FM 509. Applicant: Emiliano Rosel c/o Mario Vega. (**Planning & Development**)
 - b) Public hearing for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 119 W. Van Buren Avenue, Suite 7, bearing a legal description of Lots 1, 2, 3, and 4, Block 69, Harlingen Original Townsite. Applicant: Gilberto Lucio. Attachment (**Planning & Development**)
- 10) **Action Items:** *City Commission will discuss, consider, and take any action deemed necessary on items listed in this section, including the adoption of a resolution or an ordinance.*

Ordinances:

- a) Consideration and possible action to approve an ordinance on second and final reading for the voluntary annexation of 3.22 acres of land out of Block 164, San Benito Land and Water Company Subdivision, located along the south side of FM 675, approximately 2,890.84 feet southeast of FM 509. Applicant: Emiliano Rosel c/o Mario Vega. Attachment (**Planning & Development**)
 - b) Consideration and possible action to approve an ordinance on first reading for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 119 W. Van Buren Avenue, Suite 7, bearing a legal description of Lots 1, 2, 3, and 4, Block 69, Harlingen Original Townsite. Applicant: Gilberto Lucio. Attachment (**Planning & Development**)
 - c) Consideration and possible action to adopt an ordinance on first reading for the waiving of certain permit fees within the City of Harlingen caused by the recent State of Emergency, and amending the City of Harlingen Code of Ordinances, Chapter 103, "Buildings and Building Regulations" to add Section 103-6, "Waiver of Permit Fees for Rehabilitation during Declared State of Emergency". Applicant: City of Harlingen. (**Planning & Development**)
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- d) Consideration and possible action to authorize the Development Corporation of Harlingen, Inc. to award a contract to H2O Construction Services, Inc. for the Park at Roosevelt-Phase II Roadway Entrance Project. Attachment (**HEDC**)
 - e) Consideration and possible action to approve the allocation of one additional paid vacation day for all eligible municipal employees. (**Mayor**)

11) **Board Appointments:**

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.

Airport
Animal Shelter Advisory Committee
Audit Committee (Terms expire in June)
Charter Review Committee (Ad Hoc)
Civil Service Commission
Community Development Advisory Board (1)
Construction Board of Adjustments (4)
Convention & Visitors Bureau
Development Corporation of Harlingen, Inc.
Downtown Improvement Board
Golf Course Advisory Board
Harlingen Community Improvement Board
Harlingen Housing Authority Board
Harlingen Finance Corporation (6)
Harlingen Teen and Young Adult Advisory Board (2)
Healthy Harlingen Advisory Board
Keep Harlingen Beautiful Board
Library Advisory Board
Mayor Wellness Council
Museum Advisory Board (1)
Parks Advisory Board
Planning & Zoning Advisory Board
Senior Citizens Advisory Board (1)
Small Business Committee
Tax Increment Finance Board
Utility Board of Trustees (1)
Veterans Advisory Board
Zoning Board of Adjustment (2)

12) **Executive Session:** *All items listed in this section will be deliberated in a closed session. Members of the public are not generally permitted to attend a closed session. Executive Session items may be considered as an action item at the discretion of the Mayor. However, City Commission will not take any action in closed session.*

- a) Pursuant to Government Code Section 551.071 and Section 551.072-attorney consultation and contemplated litigation
- b) Deliberation regarding real estate; and Section 551.087- economic development relating to the following projects. **(HEDC)**
 - 1) Project Beach
 - 2) Project Organic
 - 3) Project Casa Grande

13) **Action on Executive Session Items:** *The City Commission will reconvene in open session and may take action on any item listed in the Executive Session Section of this agenda.*

- a) Consideration and possible action on Item 12(a) and (b) as discussed in executive session.

14) **Adjournment:**

I, the undersigned authority, do hereby certify that the above Notice of the Regular Meeting of the Harlingen City Commission is a true and correct copy of said notice posted on the bulletin board at City Hall of said City of Harlingen, Texas in a place convenient and readily accessible to the general public at all times and on the City's Internet Website and said Notice was posted on **FRIDAY, APRIL 11, 2025**, at or before 3:00 p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 11th day of APRIL 2025

Hermelinda Gonzales
Hermelinda Gonzales, Interim City Secretary