

**CITY COMMISSION
AGENDA
REGULAR MEETING
NOVEMBER 1, 2023
@ 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, NOVEMBER 1, 2023 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 regarding an item on the agenda 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.

Call Meeting to Order

Invocation - Commissioner Ford Kinsley

Pledge of Allegiance/Welcome

Conflict of Interest

"Under State Law, a conflict of interest exists if a council 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**)

1) Presentations:

- a) Mayor's Business of the Month Award - Rio Valley Meat Butcher Shop
- b) Proclaiming October 31st to November 3rd, 2023 as "National Veterans Small Business Week"
- c) Proclaiming the Month of November, 2023 as "Diabetes Awareness Month"
- d) Presentation by Visit Harlingen

Citizen Communication/Input

2) Approval of Minutes

- a) Regular Meeting of September 20, 2023

3) Consent Agenda

- a) Consideration and possible action to adopt an ordinance on second and final reading for a rezoning request from Residential, Single-Family (R-1) District to Residential, Duplex (R-2) District for a property located at 718 North "C" Street, bearing a legal description of Lot 2, Block 1, Shaw Addition. Applicant: Mario and Norma Linan. Attachment (**Planning & Development**)
- b) Consideration and possible action to adopt an ordinance on second and final reading amending the City of Harlingen Code of Ordinances, Chapter 38, Solid Waste, Article 1, Section 38-1, Definitions, by clarifying the definition of a residence, and Article 11, Section 38-36, Maintenance of Receptacles; Coverings Required, by clarifying the maintenance of garbage receptacles, and clarifying the land uses that require garbage receptacle enclosures. Applicant: City of Harlingen. Attachment (**Planning & Development**)
- c) Consideration and possible action to approve an agreement between the Harlingen Economic Development Corporation and Project Spur regarding a Chapter three Eighty (380) Agreement. (**HEDC**)
- d) Consideration and possible action to approve an ordinance on second and final reading amending the Harlingen Code of Ordinances, Chapter 18, Master Fee Schedule, Exhibit "A", establishing new float entry rates for the Annual Christmas Parade. Attachment (**DID**)
- e) Consideration and possible action to approve a request from the Harlingen Convention and Visitor Bureau to close the following streets for the 2023 RioFest 5K Run Event, on Friday, November 10, 2023 from 7:00 p.m. to 9:00 p.m. Attachment (**Police**).

Fair Park Blvd./ North "O" Street (northside of Intersection)

Fair Park Blvd./ West Adams Street (westside of Intersection)

Expressway 77 Northbound Frontage Road /Teege Avenue (eastside of Intersection)

- f) Consideration and possible action to approve an ordinance on second and final reading amending the Code of Ordinances, Article II, Division 2, Section 6-56 to provide for

appointments and composition of Animal Shelter Advisory Board. Attachment (**City Attorney**)

- g) Consideration and possible action to approve a request from Sylvia Gamboa, Director of Guidance and Counseling for the Harlingen Consolidated Independent School District to close Fair Park Blvd. between "J" and "L" Streets in front of the Casa de Amistad for their Middle School Expo at Casa de Amistad, Thursday, December 7, 2023, from 9:00 a.m. to 2:00 p.m. Attachment (**Police**).
- h) Consideration and possible action to approve the installation of speed humps in the following location: (**This item was requested by Commissioner Frank Morales and Mayor Pro-Tem Perez**)

1. 500 Block of W. Polk Street and Palm Valley Dr. between Beckham and Altas Palmas.

	NEW BUSINESS	
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- 4) Public hearing and possible action to adopt an ordinance on first reading for a Special Use Permit (SUP) to allow a bar/lounge in a Light Industry (LI) District located at 1510 N. Commerce Street, bearing a legal description of Lot 3, Block 1, Replat of Lot 1, Block 1, Casa Blanca Subdivision. Applicant: Veronica Marie Rosas. Attachment (**Planning & Development**)
 - a) Public Hearing
 - 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 Light Industry ("LI") District located at 1510 N. Commerce Street, bearing a legal description of Lot 3, Block 1, Replat of Lot 1, Block 1, Casa Blanca Subdivision.
- 5) Consideration and possible action to adopt an ordinance on second and final reading amending the City of Harlingen Code of Ordinances, Chapter 109, Subdivisions, adding Section 109-193, Park Land dedication as a condition of subdivision plat approval for a property inside the city limits or within the extraterritorial jurisdiction to be used for residential and multi-family uses; providing for park zones, providing for payments in lieu of land dedication under certain circumstances; providing for refunds under certain circumstances. Applicant: City of Harlingen. Attachment (**Planning & Development**)
- 6) Consideration and possible action to adopt an ordinance on second and final reading amending the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article V, Section 111-119 Yard Setback Regulations, by establishing a section which allows a special exception to be granted to the minimum setback requirements for carports. Applicant: City of Harlingen. Attachment (**Planning & Development**)
- 7) Discussion on possible amendments to the sign ordinance to allow more than one feather flag sign per business at one time. Applicant: City of Harlingen. (**Planning & Development**)
- 8) Presentation by Daniel Hausbeck from Valley Risk Consulting, Inc., regarding the award of the Windstorm Insurance to Insurance Carriers. (Power Point) (**Risk Management**)
- 9) Consideration and possible action to accept or reject the bid from South Texas Pools and award the contract for the Lon C. Hill Destination Park, Phase II Construction, Bid No. 2024-01, and authorize the City Manager to execute the contract. Attachment (**Parks & Recreation**)
- 10) Consideration and possible action to authorize the City Manager to approve a lease agreement with Yamaha Carts and Vantage Tag Systems for golf carts and a utility range cart to be used at Tony Butler Golf Course beginning FY 2023-2024. Attachment (**Golf**)
- 11) Presentation by Michael Kester, Chief of Police on the audio video equipment and software that allows

for cloud storage and possible action to authorize the City Manager to enter into a contract to upgrade and replace the Police Department's equipment. Attachment (**Police**).

- 12) Consideration and possible action to award a contract on behalf of the homeowners for the demolition and reconstruction of a home located at 408 W. Cora to be overseen by the Community Development Department's Housing Rehabilitation/Reconstruction Program funded by the U.S. Department of Housing and Urban Development, CDBG Program. Attachment (**Community Development**).
- 13) Consideration and possible action to select the highest-ranking Bank Depository pursuant to RFP No. 2023-18 Depository Banking Services. Attachment (**Finance**)
- 14) Consideration and possible action to approve FY 2023-2024 Annual Work Plan for the Harlingen Economic Development Corporation. Attachment (**HEDC**)
- 15) Consideration and possible action to approve FY 2023-2024 Revitalize Harlingen round two guidelines and program. Attachment (**HEDC**)
- 16) Consideration and possible action to approve and authorize the City Manager to execute the agreements for Incumbency Certificate, Addendum to Master Open-End Vehicle Lease, and Master Open-End Vehicle Lease with Commercial Leasing Vehicle, LLC. d/b/a D&M Leasing. Attachment (**Police**)
- 17) Consideration and possible action to close the following streets on Sunday, December 3, 2023 from 8:30 a.m. to 12 Noon to hold the South Texas International Marathon. (**City Manager**)

East Old Hwy 83 from Bass Blvd. to Lewis Lane; then North on Lewis Lane to Frontage Road - (1-2); take Frontage Road East to Spur 54; go east on Spur 54 take a right on Bass Pro Drive; take a left on West Jefferson Valley Fair; then North on Harlingen Heights Drive to Finish Line.

- 18) 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)
Civil Service Commission
Community Development Advisory Board (2)
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 (5)
Harlingen Teen and Young Adult Advisory Board (2)
Healthy Harlingen Advisory Board
Keep Harlingen Beautiful Board (1)
Library Advisory Board
Mayor Wellness Council
Museum Advisory Board (1)
Parks Advisory Board
Planning & Zoning Advisory Board (1)
Senior Citizens Advisory Board (2)
Small Business Committee

Tax Increment Finance Board
Utility Board of Trustees
Veterans Advisory Board (1)
Zoning Board of Adjustment (2)

19) **Executive/ Closed Session:**

- a) Consultation with Legal Counsel pursuant to Tx. Government Code Sub-Section 551.071 (2) to receive privileged attorney client communication regarding the Humane Society. **(City Attorney)**
- b) Consultation with Legal Counsel pursuant to Tx. Government Code Sub -Section 551.071 (2) regarding MOU with VIA. **(Legal)**
- c) Consultation with Legal Counsel pursuant to Tx. Government Code Sub-Section 551.71 (2) regarding potential Litigation. **(City Manager)**
- d) Pursuant to Government Code Section 551.071 - attorney consultation; Section 551.072 – deliberation regarding real estate; and Section 551.087 - Economic Development relating to Project Roosevelt. **(HEDC)**

- 20) Consideration and possible action on Item # 19(a) as discussed in Executive Session. **(Legal).**
- 21) Consideration and possible action on Item # 19(b) as discussed in Executive Session. **(City Manager)**
- 22) Consideration and Possible action on Item # 19(c) as discussed in Executive Session. **(City Manager)**
- 23) Consideration and possible action on Item # 19(d) as discussed in Executive Session. **(HEDC)**
- 24) 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, OCTOBER 27, 2023 at or before 5:30 a.m./p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 27th day of OCTOBER, 2023


Amanda C. Elizondo, City Secretary