

**CITY COMMISSION
AGENDA
REGULAR MEETING
FEBRUARY 7, 2024
@ 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, FEBRUARY 07, 2024 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 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 Michael Mezmar
- 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
- c) City Commission Member Announcements

4) **Presentation of Awards**

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) Special Meeting of November 13, 2023
- b) Regular Meeting of December 20, 2023
- c) Joint Special Meeting of The Harlingen City Commission and Harlingen Waterworks Systems Board of Trustees January 8, 2024.

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 a request from the Harlingen Marathon Event Committee to close the streets / intersections mentioned in Exhibit "A," Sunday, February 11, 2024, from 6:30 a.m. to 2:00 p.m. Attachment **(Police)**
- b) Consideration and possible action to approve a request for street closures for the Downtown at Sundown Events to be held every 3rd Saturday of the month from 7:00 p.m. to 10:00 p.m. Attachment **(Police)**

East Side Intersection of Commerce Street / Jackson Avenue;
North and South side Intersections Jackson Avenue / "A", 1st, and 2nd Streets;
West Side Intersection of Jackson Avenue / 3rd Street.
- c) Consideration and possible action to accept a one-year extension to the current Vaccination

Capacity Grant Contract #HHS001019500021 ending June 30, 2025. Attachment (**Health Department**)

- d) Consideration and possible action to approve a request from the Junior League of Harlingen to close the following streets, Saturday, April 13, 2024 from 7:00 a.m. to 11:00 a.m. for their KidFit Fun Run and Festival. Attachment (**Police**).

Fair Park Boulevard between North "L" Street and North "J" Street;
No thru traffic to include all entries and exits from The Harlingen Performing Arts & Municipal Auditorium Parking Lots;
Northsides Intersection of Fair Park Boulevard and Teege Avenue (northbound lanes only)

- e) 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 521 W. Filmore Avenue, bearing a legal description of Lot 1, Block 132, Harlingen Original Townsite. Applicant: Reynaldo Del Toro Attachment (**Planning & Development**)
- f) Consideration and possible action to adopt an ordinance on second and final reading amending the City of Harlingen Code of Ordinances, Chapter 111, Article X, Section 111-280, Special Sign Categories, Permitted and Prohibited, by clarifying the allowable signage for feather flag signs for commercial establishments exceeding 100 linear feet at the longest point. Applicant: City of Harlingen. Attachment (**Planning & Development**)
- g) Consideration and possible action to approve a request from Raymond Reyes to close West Jackson Avenue from Commerce Street to "F" Street and both sides of E, D, C, and West Streets, Saturday March 2, 2024 from 4:00 p.m. to 11:59 p.m. to hold the Tuned Motor Sports Car show and Cosplay. Attachment (**Police**)
- h) Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the LRGVDC FY 2024/2025 Solid Waste Grants Program. Attachment (**Special Projects Department**).

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

- a) City Manager's Reports
- b) Staff Report - Parks & Recreation

- 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 a Special Use Permit (SUP) to Cardiac Building Inc. to allow a parking lot in a Residential, Multi-Family ("M-2") District located at 2101 S. 23rd Street, bearing a legal description of Lot 6, Block 21, Treasure Hills Subdivision Unit 2. Attachment (**Planning & Development**)
- b) Public hearing for a rezoning request from Residential, Single-Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 1402 E. Bowie Avenue, bearing a legal description of Lot 5, Block 3, Clift Addition. Applicant: Ofelia Painter. 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 minute order, a resolution or an ordinance.*
- a) Consideration and possible action to adopt an ordinance on first reading for a Special Use Permit (SUP) to Cardiac Building Inc. to allow a parking lot in a Residential, Multi-Family ("M-2") District located at 2101 S. 23rd Street, bearing a legal description of Lot 6, Block 21, Treasure Hills Subdivision Unit 2. ***(Planning & Development)***
 - b) Consideration and possible action to adopt an ordinance on first reading for a rezoning request from Residential, Single-Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 1402 E. Bowie Avenue, bearing a legal description of Lot 5, Block 3, Clift Addition. Applicant: Ofelia Painter ***(Planning & Development)***
 - c) Consideration and possible action to approve a contract between the City of Harlingen and Dr. Robert Kellogg, DVM to provide services to the Harlingen Animal Shelter as needed. Attachment ***(Health Dept.)***
 - d) Consideration and possible action to approve an ordinance on first reading amending Chapter 18, Master Fee Schedule of the Harlingen Code of Ordinances, establishing fees for adoption of domestic dogs and cats, owner claims and other services provided by the City of Harlingen relating to Chapter 6 Animals. Attachment ***(Health Dept.)***
 - e) Consideration and possible action to authorize the City Manager to purchase three pick-up trucks from the general fund. Attachment ***(Public Works)***
 - f) Consideration and possible action to authorize the City Manager to purchase a new striping machine using general funds. Attachment ***(Public Works)***
 - g) Consideration and possible action to approve a request from Public Works Department, to authorize the City Manager to sell fill dirt removed from Lozano Detention Pond. ***(Public Works)***
 - h) Consideration and possible action to authorize the City Manager to purchase a new tractor and boom mower attachment using from general funds. Attachment ***(Public Works)***
 - i) Consideration and possible action to authorize the City Manager to approve the option of a one (1) year contract with Rubicon. Attachment ***(Public Works)***
 - j) Consideration and possible action to approve a resolution, accepting the Federal Aviation Administration (FAA) Grant Offer No. 3-48-0101-074-2024, for \$3,828,739.00 for the Runway Extension Project at Valley International Airport. Attachment ***(Airport)***
 - k) Consideration and possible action to approve the Equip Harlingen Grant Program. Attachment ***(Orlando Campos)***
 - l) Consideration and possible action to approve funding for TSTC Goal Line Assistance Program and TSTC CTE Signing Day Scholarship Program for \$100,000. Attachment ***(Beverly Loftus)***
 - m) Consideration and possible action to approve a resolution designating Plains Capital Bank as the depository for the City of Harlingen for safekeeping of securities and to designate authorized persons to deposit securities and withdraw pursuant to the Safekeeping/Custody Services Agreement Provisions. Attachment ***(Finance Dept.)***
 - n) Consideration and possible action to approve the Facility Use Agreement between the City of Harlingen and Harlingen United Futbol Club for the use of the Harlingen Soccer Complex and authorize the City Manager to execute the agreement. Attachment ***(Parks & Recreation)***

- o) Consideration and possible action to renew the Service Agreement with the University of Texas Health Science Center at Houston to implement the "Tu Salud Si Cuenta" Program, aimed to promote healthy lifestyle changes for City residents and authorize the City Manager to sign the Contract. Attachment (**Parks & Recreation**)
- p) Consideration and possible action to authorize the City Manager to negotiate a Consulting Agreement with the highest ranked Consulting Firm. Attachment (**City Manager**)
- q) Presentation by Michael Kester, Chief of Police, regarding the purchase of a mapping software to minimize time of road closures within the City and authorize the City Manager to purchase software. Attachment (**Police**).

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 (2)

Audit Committee (Terms expire in June)

Charter Review Committee (4)

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 (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

Parks Advisory Board

Planning & Zoning Advisory Board

Senior Citizens Advisory Board (2)

Small Business Committee

Tax Increment Finance Board (1)

Utility Board of Trustees

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 - attorney consultation and contemplated litigation; Section 551.072 - deliberation regarding real estate; and Section 551.087 - economic development relating to the following projects:

- 1) Project Organic
- 2) Project Breeze
- 3) Project Rambo
- 4) Project Scale

b) Pursuant to Government Code Section 551.071 (1) and (2) - attorney consultation; Section 551.072 regarding Bass Pro land issue. **(City Manager)**

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

Consideration and possible action regarding items #12a (1), 12a (2), 12a (3), and 12a (4) as discussed in executive session.

- 14) Consideration and possible action regarding Item #12 (b) as discussed in executive session. **(City Attorney)**

- 15) **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, FEBRUARY 02, 2024** at or before 5:35 a.m./p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 2nd day of FEBRUARY, 2024


Amanda C. Elizondo, City Secretary