

**CITY COMMISSION
AGENDA
REGULAR MEETING
MAY 1, 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, MAY 1, 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 3:00 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 Michael Mezmar
 - b) **Pledge of Allegiance**
 - c) **Welcome Citizens**
- 2) **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)**
- 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:**
 - a) Presentation of Award - Gutierrez Middle School "Jaguars" Boys Golf Team
 - b) Presentation of Award - Gutierrez Middle School "Jaguars" Girls Golf Team
 - c) Presentation of Award - Marine Military Academy Boys Tennis Team
 - d) Presentation of Award - Marine Military Academy Boys Golf Team
 - e) Presentation of Award - Harlingen High School "Cardinals" Ladies Soccer Team
 - f) Proclaiming May 1, 2024, as "The University of Texas Rio Grande Valley" as a top-rated university to be championed by the City of Harlingen"
 - g) Proclaiming May 1, 2024, as "The Age Friendly Rio Grande Valley Initiative"
- 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 of March 6, 2024
 - b) Special Meeting of March 14, 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 resolution to authorize the City Manager to accept Step Click It or Ticket (CIOT), grant funding of \$8,000.00 made available from the Texas Department of Transportation (TXDOT), FY-24 Click it or Ticket Program (CIOT), TXDOT Funds \$8,000 matching funds of \$2,000.45, for 2024 Grant total of \$10,000.45. Attachment **(Police)**

- b) Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application, accept related award from the Office of the Governor-Homeland Security Grants Division and spend said funding of \$99,837.40, FY 2025, Local Border Security Grants Program (LBSP) for equipment and overtime costs for additional manpower to the City of Harlingen to improve border security. Attachment **(Police)**
 - c) Consideration and possible action to approve a resolution authorizing the City Manager to accept the "2024 Operation Slowdown" funding of \$8,000.00 from the Texas Department of Transportation (TxDOT) with a city match of \$2,000.45, total funds of \$10,000.45. Attachment **(Police)**
 - d) Consideration and possible action to approve an ordinance on second and final reading amending Chapter 18, Master Fee Schedule of the Harlingen Code of Ordinances, establishing fees for certain Licenses, Permits, and other services provided by the City of Harlingen as they relate to Chapter 36, Article V, Division 2 (Tony Butler Golf Course) and providing for publication and ordaining other matters pertaining to the foregoing. Attachment **(Golf)**
- 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 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 Report - Presentation by Javier Mendez, Parks and Recreation - status regarding city parks
 - c) Presentation by Cascos & Associates, PC, regarding the City of Harlingen Annual comprehensive Financial Report (ACFR) for Fiscal Year 2022-2023. **(Finance)**
- 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 rezoning request from Residential, Single-Family ("R-1") District to Residential, Duplex ("R-2") District for properties bearing a legal description of Lot 13A, Block 1, Elliff Kubota Subdivision, and Lots 19-21, Homeland Addition, located at 222, 318, 322, and 326 W. Oklahoma Street. Applicant: Fernando Pecina c/o Noemi Pecina. **(Planning & Development)**
 - b) Public hearing amending Harlingen Code of Ordinances Section 6- 146 Running at Large Prohibited, Exceptions, establishing minimum fines, and other matters. **(City Attorney)**
- 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 adopt an ordinance on first reading for a rezoning request from Residential, Single-Family ("R-1") District to Residential, Duplex ("R-2") District for properties bearing a legal descriptions of Lot 13A, Block 1, Elliff Kubota Subdivision, and Lots 19-21, Homeland Addition, located at 222, 318, 322, and 326 W. Oklahoma Street. Applicant: Fernando Pecina c/o Noemi Pecina. Attachment **(Planning & Development)**

- b) Consideration and possible action to approve an ordinance on first reading amending Harlingen Code of Ordinances, Section 6-146 Running at Large Prohibited, Exceptions, Establishing minimum fines and other matters. Attachment (**City Attorney**)
- c) Consideration and possible action to approve an ordinance on second and final reading amending Chapter 36 of the Harlingen Code of Ordinances establishing prohibited activities in the City Parks. Attachment (**Parks & Recreation**)

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- d) Consideration and possible action to approve the preliminary construction plans and final plat for the proposed Agave Estates Subdivision, bearing a legal description of 15.76 acres tract of land, being all of Block 4, and a part or portion of Blocks 3, 5, and Block 17, Stuart Place Subdivision, located along the east side of South Palm Boulevard, approximately 480 feet south of Business Highway 83. Applicant: Javier Hinojosa c/o Jason E. Garza. Attachment (**Planning & Development**)
 - e) Consideration and possible action to authorize the Mayor to sign a Memorandum of Agreement between The Lower Rio Grande Valley TPDES Stormwater Taskforce Partnership, Inc. and the City of Harlingen for the preparation of a Regional Texas Pollutant Discharge Elimination System (TPDES) Stormwater Permit Application and Stormwater Program Plan. Attachment (**Planning & Development**)
 - f) Consideration and possible action to approve Victor Insurance Managers as the Broker of Record for windstorm insurance. (**Human Resources**)
 - g) Consideration and possible action to reject the bid from South Texas Pumps due to the vendor's modification of the submitted bid, resulting in an increase and failure to meet the submission deadline and accept the offer from J&F Petroleum in the amount of \$1,225,436.86 on 11/14/2023. Attachment (**Public Works**)
 - h) Consideration and possible action to approve a request from Remi Garza, Cameron County Elections Administrator, to use the following locations as Early Voting Sites for the Primary Runoff Election and the Democratic and Republican Election. Attachment (**City Secretary**)

Cultural Arts Center 575 "76" Drive and City Hall, Town Hall Meeting Room, 2nd Floor 118 E. Tyler Ave.- Monday thru Friday - May 20 through 24, 2024 - 8:00 a.m. to 8:00 p.m.

The Harlingen Outreach Center, 1102 S. Commerce Street, Tuesday - May 28, 2024, from 7:00 a.m. to 7:00 p.m.

- i) Consideration and authorization to reject the single bid received in response to Bid Number 2024-03 Vestal Park Lighting Improvements - Phase III (Field #1) Project. Attachment (**Parks & Recreation**)
- j) Consideration and possible action to authorize City Manager to award and execute contract to Musco Sports Lighting, LLC, utilizing Buy Board Cooperative Purchasing Program for the purchase and installation of sports lighting for Field Number 1 at Vestal Park. Attachment (**Parks & Recreation**)
- k) Consideration and possible action to approve an agreement between the City of Harlingen and Spectrum for a Right of Entry to a parcel at the golf course to provide an upgrade or other service for the FAA/Airport outer marker beacon. Attachment (**City Manager**)

- 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 (1)
Audit Committee (Terms expire in June)
Charter Review Committee (Ad Hoc)
Civil Service Commission
Community Development Advisory Board (2)
Construction Board of Adjustments (4)
Convention & Visitors Bureau
Development Corporation of Harlingen, Inc.
Downtown Improvement Board (1)
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 (4)
Library Advisory Board
Mayor Wellness Council
Museum Advisory Board
Parks Advisory Board
Planning & Zoning Advisory Board
Senior Citizens Advisory Board (1)
Small Business Committee
Tax Increment Finance Board
Utility Board of Trustees
Veterans Advisory Board (1)
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) Executive/Closed Session - consultation with Legal Counsel pursuant to TX. Government Code §551.071(2) regarding the proposed Collective Bargaining Labor Agreement, Harlingen Professional Fire Fighters Association (HPFFA) (**City Attorney**)
- b) Pursuant to Tx. Government Code Section 551.071 (1) and (2) -attorney consultation; Section 551.072 regarding Bass Pro land issue. (**City Manager**)
- c) Discussion on purchase of property. (**City Manager**)

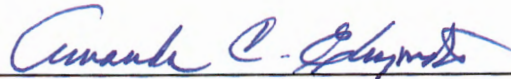
- 13) **Action on Executive Session Items:** *The City Commission will reconvene in open session and may take action on any item listed in the Executive Session Section of this agenda.*

- a) Consideration and possible action on Items 12(a), 12(b), and 12(c) 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 26, 2024** at or before 4:25 p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 26th day of APRIL, 2024



Amanda C. Elizondo, City Secretary