

**CITY COMMISSION
AGENDA
REGULAR MEETING
JUNE 19, 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, JUNE 19, 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 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
 - c) City Commission Member Announcements
- 4) **Presentation of Awards:**
 - a) Presentation of Certificate Award to the Public Works Department by Texas Municipal League (TML). **(Human Resources)**
 - b) Proclaiming the Month of June as "Elder Abuse Prevention Month"
- 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 May 1, 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 Edgar Serna, Marketing and Events Manager, to close the following streets for the Margarita Festival, Saturday, June 22, 2024, from 12:00 P.M. to 11:00 P.M. Attachment **(Police)**

Fair Park Blvd. between North "L" and "J" Streets (no thru traffic) to include all entries and exits from The Harlingen Performing Arts, Municipal Auditorium, and Casa De Amistad Parking Lots. Include detour signs at North "L" Street/Fair Park Blvd to send traffic north and onto Wichita Ave. North side Intersection of "L" Street and Adams Avenue.
 - b) Consideration and possible action to approve a request from the Harlingen Police Department to close the following streets, Tuesday, August 6, 2024, for the National Night Out Event. Attachment **(Police)**

Fair Park Blvd. between North "L" and "J" Streets (no thru traffic) to include all entries and exits from the Harlingen Performing Arts, Municipal Auditorium, and Casa De Amistad Parking Lots.

North side Intersection of "L" Street and Adams Avenue. Include detour signs at North "L" Street/Fair Park Blvd. to send traffic north and onto Wichita Ave.

- c) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow alcoholic beverages for onsite consumption at an event center in a General Retail ("GR") District located at 116 W. Van Buren Avenue, Suite A, bearing a legal description of Lot 20, Block 59, Harlingen Original Townsite Subdivision. Applicant: Juan Cabrera. Attachment (**Planning & Development**)
- d) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit ("SUP") to allow a storage building in a General Retail ("GR") District located at 1521 W Monroe Avenue, bearing a legal description of Lot 1, Block 3, Duerson & Hasselmeier Subdivision. Applicant: Gilbert Mendiola c/o Carlos Mendiola. Attachment (**Planning & Development**)
- e) 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 XVIII, Section 111-509(1)(e) Design Guidelines, Store Front Windows, by prohibiting air conditioner units mounted on walls of a building along a public street within the Downtown District Overlay. Applicant City of Harlingen. Attachment (**Planning & Development**)
- f) Consideration and possible action to adopt an ordinance on second and final reading authorizing the closing, vacating, transferring, and abandonment of a 0.05 acre tract of land located south of and adjacent to Lot 27, Block 2 of the L and L Subdivision, located on the west side of "K" Street approximately 48 feet north of Filmore Avenue, and authorizing the City Manager to execute all documents for the conveyance and release of alley right-of-way and convey to James DeLeon. Applicant: James DeLeon. Attachment (**Planning & Development**)
- g) Consideration and possible action to approve a request from Edgar Serna, Marketing and Events Manager to close the following streets for the Annual Freedom Festival on Thursday, July 4th, 2024 from 5:00 p.m. to 8:00 p.m. Attachment (**Police**)

Fair Park Blvd. between North "L" and "J" Street to include all entries and exits of the Municipal Auditorium, Casa De Amistad parking lots and Harlingen Performing Arts Center. Include detour sign at Fair Park Blvd./"L" Street to send traffic northbound on "L" Street. Close the east side intersection on "L" Street and the street behind the Municipal Auditorium parking lot.

- 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 Reports

- 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 allow an adult business (microblading/tattoo makeup studio) in a General Retail ("GR") District located at 421 S. 77 Sunshine Strip, Suite C, bearing a legal description of Lots 22, 23, and the East 10 feet of Lot 24, Block 3, Windsor Place Subdivision. Applicant: Tania Cantu Salinas. Attachment (**Planning & Development**)

- b) Public hearing amending the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article VI, Section 111-140 Off-street Parking; by amending the dimensions of the off-street parking spaces; Article XXI, Section 111-582 Appendix B Parking Aisle Width Chart, by amending the length and maneuvering space of the parking spaces; Article X, Sign Regulations, Section 111-277(c) Lighting, and Section 111-277(d) Additional Sign Regulations for Billboards, by removing any reference to sign permits for animated signs only being issued for the conversion of existing signs to the said animated sign. Applicant: City of Harlingen. 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 adopt an ordinance on first reading for a Special Use Permit (SUP) to allow an adult business (microblading/tattoo makeup studio) in a General Retail ("GR") District located at 421 S. 77 Sunshine Strip, Suite C, bearing a legal description of Lots 22, 23, and the East 10 feet of Lot 24, Block 3, Windsor Place Subdivision. Applicant: Tania Cantu Salinas. Attachment (**Planning & Development**)
- b) Consideration and possible action to adopt an ordinance on first reading amending the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article VI, Section 111-140 Off-street Parking; by amending the dimensions of the off-street parking spaces; Article XXI, Section 111-582 Appendix B Parking Aisle Width Chart, by amending the length and maneuvering space of the parking spaces; Article X, Sign Regulations, Section 111-277(c) Lighting, and Section 111-277(d) Additional Sign Regulations for Billboards, by removing any reference to sign permits for animated signs only being issued for the conversion of existing signs to the said animated sign. Applicant: City of Harlingen. Attachment (**Planning & Development**)
- c) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow a storage building/detached garage greater than 144 sq. ft. in a Planned Development ("PD") District located at 3210 Seminole Court, bearing a legal description of Lots 6-7, Block 3, Treasure Hills Country Club Subdivision. Applicant: Ronald Richardson. Attachment (**Planning & Development**)

- d) Consideration and possible action to approve the selection of Freese & Nichols, Inc. under RFQ No. 2024-09, Professional Planning Services for a New Comprehensive Plan and Zoning Ordinance Update and authorize the city manager to negotiate a contract with the selected firm. Applicant: City of Harlingen. Attachment (**Planning & Development**)
- e) Consideration and possible action to authorize the Harlingen Police Dept. to purchase one (1) 2024 Ford Explorer XLT, from the Federal Forfeiture Treasury Account. 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 (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) Pursuant to Tx. Government Code Section 551.071 (1) and (2) - attorney consultation; Section 551.072 regarding 83/77 Properties. **(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 item 12 (a) 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, JUNE 14, 2024**, at or before 11:08 a.m./p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 14th day of JUNE 2024


For Amanda C. Elizondo, City Secretary