

**CITY COMMISSION
AGENDA
REGULAR MEETING
AUGUST 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, AUGUST 7, 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 requesting 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 - Mayor Norma Sepulveda
 - 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) **Proclamation/Presentation of Awards:**
 - a) Presentation of Award-Harlingen High School South "Hawks" Speech & Debate Team
 - b) Presentation of Proclamation recognizing the South Texas Emergency Care Foundation, d/b/a Harlingen Emergency Medical Service, for their service to the Citizens of Texas during Hurricane Beryl.
- 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 June 5, 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 St. Anthony Catholic Church to close the following streets, Friday, November 1st and Sunday, November 3, 2024 from 5:00 p.m. to 11:59 p.m. for their Annual Fall Festival. Attachment **(Police)**.

South and Eastside Intersections of 10th Street and Van Buren Avenue
Alleyway in the 200 Block of South 10th Street
Northside Intersection of 10th Street and Harrison Avenue
Westside Intersection of 11th Street and Van Buren Avenue
 - b) Consideration and possible action to approve a request from Robert L. Davies, Harlingen Consolidated Independent School District Athletic Director, to close the following streets for their Annual 2024 Football Games. Attachment **(Police)**

North 13th Street between East Jefferson and Harrison Avenue
Intersection of 12th Street and East Monroe and Van Buren Avenue
any and all alleyways leading to North 13th Street

- c) Consideration and possible action to approve a request from the Downtown Director to close Jackson Avenue between Commerce Avenue and 4th Street (alleyway to alleyway) for the Annual Jackson Street Classic Car Show, Saturday, October 12, 2024 from 7:00 a.m. to 3:00 p.m. Attachment (**Police**)
- d) Consideration and possible action to adopt an ordinance on second and final reading amending the City of Harlingen One Vision One Harlingen Comprehensive Plan by changing the designation of the Future Land Use Plan from Industrial to Low-Density Residential for a 73.69 acre tract of land, more or less, out of and forming a part of Blocks 28, 36 and 37, Palmetal Subdivision, located along the south side of Grimes Avenue approximately 6,500 feet East of Loop 499. Applicant: Francisco Arriaga. Attachment (**Planning & Development**)
- e) Consideration and possible action to adopt an ordinance on second and final reading for a rezoning request from Residential, Multi Family ("M-2") District and General Retail ("GR") District to Planned Development ("PD") District for townhome lots with a zero-foot side setback for all the lots in The Reserve Subdivision, located along the north side of North Business 77 Sunshine Strip, approximately 293 feet west of G Street. Applicant: Moore Land Surveying c/o MooVann, LLC. Attachment (**Planning & Development**)
- f) Consideration and possible action to approve a resolution authorizing the sale of real property located within blocks 72,73,92, and a 60-foot road, Airfield Addition, Cameron County Texas to TSTC for One Million, Nine Hundred Fourteen Thousand, Five Hundred Fifty Dollars and no 100s (\$1,914,550.00). Attachment (**Airport**)

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-Robert Rodriguez-(Finance Director)-Review of City of Harlingen's Investment Report quarter ending June 30, 2024.
- c) Presentation by John Percy regarding Harlingen's Architectural History
- d) Presentation by Linebarger Goggan Blair & Sampson, LLP

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 Light Industry ("LI") District and Office ("O") District to General Retail ("GR") District for a property located along the south side of E. Grimes Avenue, approximately 80 ft. east of N. 28th Street, bearing a legal description of Lot 1, Skyline Phase-II RGVCU Subdivision. Applicant: Andy Vigstol c/o Jose Sanchez. Attachment (**Planning & Development**)
- b) Public hearing for a rezoning request from Light Industry ("LI") District to General Retail ("GR") District for 10.13 acres of land out of Block 19, Cunninghams Subdivision, located at the southeast

corner of Primera Road and I-69 (E) (Expressway 77) Frontage Road. Applicant: Moore Land Surveying, LLC c/o CJE Construction. Attachment (**Planning & Development**)

- c) Public hearing for a rezoning request from Residential, Single Family ("R-1") District to Neighborhood Services ("NS") District for 8.77 acres of land out of Blocks 43 & 44, Dixieland Heights No. 1 Subdivision, located at the southwest corner of Dixieland and Garrett Roads. Applicant: Moore Land Surveying, LLC c/o CJE Construction. 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 rezoning request from Light Industry ("LI") District and Office ("O") District to General Retail ("GR") District for a property located along the south side of E. Grimes Avenue, approximately 80 ft. East of N. 28th Street, bearing a legal description of Lot 1, Skyline Phase-II RGVCU Subdivision. Applicant: Andy Vigstol c/o Jose Sanchez. Attachment (**Planning & Development**)
- b) Consideration and possible action to adopt an ordinance on first reading for a rezoning request from Light Industry ("LI") District to General Retail ("GR") District for 10.13 acres of land out of Block 19, Cunninghams Subdivision, located at the southeast corner of Primera Road and I-69 (E) (Expressway 77) Frontage Road. Applicant: Moore Land Surveying, LLC c/o CJE Construction. Attachment (**Planning & Development**)
- c) Consideration and possible action to adopt an ordinance on first reading for a rezoning request from Residential, Single Family ("R-1") District to Neighborhood Services ("NS") District for 8.77 acres of land out of Blocks 43 & 44, Dixieland Heights No. 1 Subdivision, located at the southwest corner of Dixieland and Garrett Roads. Applicant: Moore Land Surveying, LLC c/o CJE Construction. Attachment (**Planning & Development**)
- d) Consideration and possible action to adopt an ordinance on first reading to abandon and vacate the West five (5) feet of a landscape easement being 483.74 square feet of land out of Lot 42, Block 1, Villas at Palm Valley Subdivision, located at 6301 El Camino Real Street. Applicant: Carter Biel. Attachment (**Planning & Development**)
- e) Consideration and possible action to adopt 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: Karlos Esquivel. Attachment (**Planning & Development**)
- f) Consideration and possible action to approve an ordinance of the City of Harlingen, Texas, ordering a Special Election on proposed amendments to the Home Rule City Charter of the City of Harlingen to be held on November 5, 2024, providing for the publication and posting of notice; proposing amendments to the Home Rule City Charter of the City of Harlingen; authorizing the City Manager to execute an Election Services Contract with Cameron County Elections Department; providing for dates for early voting by personal appearance; providing for deadline for application for absentee ballot; and providing an effective date. Attachment (**City Manager**)

- g) Consideration and possible action to approve a resolution calling and ordering the November 5, 2024, City of Harlingen General Election to elect three (3) members for the position of City Commissioners for District 3, 4, and 5 to the Harlingen Governing Body; any other matters related to the election; and authorize the City Manager to execute an election services contract with Cameron County. Attachment (**City Secretary**)
- h) Consideration and possible action to approve a resolution to adopt the One-Year Action Plan

(Budget) for Fiscal Year 2024-2025 (Year 50) of the Community Development Block Grant (CDBG) Program and Fiscal Year 2024-2025 (Year 30) of the Home Investment Partnership Program (HOME). Attachment (**CDBG**)

- i) Presentation by Scott Gibbs on Employee Group Life Insurance. Attachment (**Human Resources**)
- j) Consideration and possible action to approve a renewal agreement between the City of Harlingen and United Health Care to provide Employee Group Health Insurance. Attachment (**Human Resources**)
- k) Consideration and possible action to approve a renewal agreement between City of Harlingen and Aetna to provide Employee Group Dental Insurance. Attachment (**Human Resources**)
- l) Consideration and possible action to approve a renewal agreement between City of Harlingen and Davis Vision to provide Employee Group Vision Insurance. Attachment (**Human Resources**)
- m) Consideration and possible action to approve a renewal agreement between City of Harlingen and Unum to provide Employee Group Life Insurance. Attachment (**Human Resources**)
- n) Motion to rescind or amend proposed Charter amendments to Article IV, Section 3 of the Harlingen City Charter to be submitted to City of Harlingen voters on Special Election to be called on November 5, 2024. (Attachment) (***This item was requested by Mayor Pro-Tem Rene Perez and Commissioner Daniel N. Lopez***)
- o) Consideration and possible action to approve the City of Harlingen Investment Policy. Attachment (**Finance Dept.**)
- p) Consideration and possible action to approve a resolution authorizing the City Manager to sign an Advanced Funding Agreement with the Texas Department of Transportation and represent the City of Harlingen in all matters related to the Arroyo Colorado Trail Improvement project. Attachment (**Parks & Recreation**)
- q) Consideration and possible action to approve a Memorandum of Understanding (MOU) with the Junior Service League of Harlingen and the City of Harlingen for improvements at the Harlingen Public Library. 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

Golf Course Advisory Board

Harlingen Community Improvement Board (1)

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
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) Consultation with legal counsel pursuant to Texas Government Code 551.071 to receive a briefing from the City Attorney regarding a matter where the legal opinion is protected by the attorney client communication privilege. **(City Attorney)**
- 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, AUGUST 2, 2024**, at or before 12:25 p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 2nd day of AUGUST, 2024


Amanda C. Elizondo, City Secretary