

**CITY COMMISSION  
AGENDA  
REGULAR MEETING  
AUGUST 21, 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 21, 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](http://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](http://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](http://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 Frank Morales
  - 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 Recognition - "RGV Roller"
  - b) Mayor's Business of the Month - Bicycle World
  - c) Recognition of the Harlingen Charter Review Committee Members
- 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 July 18, 2024
  - b) Special Meeting of August 12, 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 adopt an ordinance on second and final 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. **(Planning & Development)**
  - b) Consideration and possible action to adopt an ordinance on second and final 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)**

- c) Consideration and possible action to adopt an ordinance on second and final 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. **(Planning & Development)**
- d) 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 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. **(Planning & Development)**
- e) Consideration and possible action to approve a request from San Juanita Morales, to close the Northside intersection of East Buchanan Street and South West Street; and the Southside intersection of South West Street and West 4<sup>th</sup> Street, Saturday, August 24, 2024, from 4:00 p.m. to 11:59 p.m. for her mother's 80<sup>th</sup> Birthday Celebration Event. Attachment **(Police)**
- f) Consideration and possible action to approve a request from the Downtown Improvement District to close the following streets for the Fiesta de Piñatas at Gutierrez Park, Saturday, September 14, 2024, from 4:00 p.m. to 9:00 p.m. Attachment **(Police)**

Eastside Intersection of Van Buren Avenue and "F" Street;  
North and West Side Intersections of Van Buren Avenue and "E" Street;  
Alleyway in the 200 Block of South "E" Street;  
Northside Intersections of Harrison Avenue, "D" and "E" Streets; and Van Buren Avenue, "C" and "D" Streets;  
Alleyway in the 200 Block of South "D" Street;  
Northside Intersection of the 200 Block of South "C" Street and alleyway;  
Westside Intersection of Van Buren Avenue and West Street;

- 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
- c) Presentation of the South Texas Emergency Care (STEC) Quarterly Report

- 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 Not Designated ("N") District to Residential, Single-Family ("R-1") District for 3.79 acres of land out of the Briggs-Coleman Survey 28, located along the North side of Tovar Road, approximately 3,000 feet West of FM 507. Applicant: Terry-Robert Cortez. 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 1112 W. Filmore Avenue, bearing a legal description of Lot B, Block 2, Southwest Harlingen Subdivision. Applicant: Greg Mar. Attachment **(Planning & Development)**

- c) Public hearing amending the City of Harlingen Code of Ordinances Chapter 109, Subdivisions, Article I, Section 109-1, Definitions, by amending the definition of a major subdivision, and removing the definition of a minor plat; Article II, Section 109-27, Variances, by adding a provision which restricts variances to subdivisions that are subject to the model subdivision rules; and Article IV, Section 109-87, General Process for a Major Plat, by removing a reference to a minor plat, and Section 109-88, Minor Plat Approval Delegation, by removing this section in its entirety from the Subdivision Chapter of the Code of Ordinances. 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 approve an ordinance on first reading for a rezoning request from Not Designated ("N") District to Residential, Single-Family ("R-1") District for 3.79 acres of land out of the Briggs-Coleman Survey 28, located along the north side of Tovar Road, approximately 3,000 feet west of FM 507. Applicant: Terry – Robert Cortez. Attachment **(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 1112 W. Filmore Avenue, bearing a legal description of Lot B, Block 2, Southwest Harlingen Subdivision. Applicant: Greg Mar. Attachment **(Planning & Development)**
- c) Consideration and possible action to adopt an ordinance on first reading amending the City of Harlingen Code of Ordinances Chapter 109, Subdivisions, Article I, Section 109-1, Definitions, by amending the definition of a major subdivision, and removing the definition of a minor plat; Article II, Section 109-27, Variances, by adding a provision which restricts variances to subdivisions that are subject to the model subdivision rules; and Article IV, Section 109-87, General Process for a Major Plat, by removing a reference to a minor plat, and Section 109-88, Minor Plat Approval Delegation, by removing this section in its entirety from the Subdivision Chapter of the Code of Ordinances. Applicant: City of Harlingen. **(Planning & Development)**
- d) Consideration and possible action to approve an ordinance on first reading amending the City of Harlingen's Budget for Fiscal Year 2024. Attachment **(Finance Dept.)**
- e) Consideration and possible action to approve an ordinance on first reading amending Chapter 18, Master Fee Schedule of the Harlingen Code of Ordinances by 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); providing for publication and ordaining other matters pertaining to the foregoing. Attachment **(Golf)**
- f) Discussion and possible action to approve an ordinance on second and final reading 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. Attachment **(City Manager)**
- g) Consideration and possible action to approve an ordinance on first reading amending the Harlingen Code of Ordinances, Article III, Vehicle Towing; modifying the fee schedule and to appeal all ordinances in conflict therewith; providing for publication and for an effective date. Attachment **(Police)**

- h) Consideration and possible action to approve and ordinance on first reading amending the Harlingen Code of Ordinances, Chapter 48, Division 4, Sections 48-144 and 48-145, Contingency & Emergency Water Management Plan, establishing an effective date, and providing for publication and ordaining other matters related to the foregoing. Attachment **(HWWS)**
- i) Consideration and possible action to approve an ordinance on first reading to promote Community Engagement and Accessibility through the requirement of Annual Comprehensive Town Halls, District-Specific Town Halls, and the Publication of contact information for the Mayor and City Commissioners. **(Mayor)**
- j) Consideration and possible action to approve the preliminary construction plans and final plat with conditions of the proposed Stonebriar Estates Phase II Subdivision, bearing a legal description of 2.71 acres of land out of Survey 299, located south of Stonebriar Estates Phase I, approximately 650.82 feet south of Wilson Road. Applicant: Moore Land Surveying, LLC c/o Marin-Zarate Development. Attachment **(Planning & Development)**
- k) Consideration and possible action to approve the preliminary construction plans and final plat with conditions of the proposed Stonebriar Estates Phase III Subdivision, and consideration of a reduction to the required park fees due to park amenities being provided in the development, bearing a legal description of 27.44 acres of land out of Survey 299, located south of Stonebriar Estates Phase I, approximately 689.78 feet south of Wilson Road. Applicant: Moore Land Surveying, LLC c/o Marin-Zarate Development. Attachment **(Planning & Development)**
- l) Consideration and possible action to approve the preliminary construction plans and final plat for the proposed Ramos Acres Subdivision, bearing a legal description of 0.863 gross acre tract of land, more or less, consisting of all of the west 110.0 feet of Lot 1, M. Garza Subdivision (unrecorded), being a 1.27 acre tract of land out of Block 32, Pomelo Subdivision, located along the north side of SH 107, approximately 280 feet east of Pomelo Road. Applicant: Salinas Engineering & Associates c/o Melissa Ramos and Pedro Ramos, Jr. Attachment **(Planning & Development)**
- m) Consideration and possible action to authorize the City Manager to award a construction contract with Saenz Utility Contractors for the Storm Sewer Improvements - Systems 204 and 252, (Sun Chase Drive, Sabel Palm St., and Lazy Palm Dr.) designed by SAMES, INC. under RFQ 2021-14 for the City of Harlingen American Rescue Plan Act (ARPA). Attachment **(Engineering Dept.)**
- n) Consideration and possible action to authorize the City Manager to award a Construction Contract with Saenz Utility Contractors for the Storm Sewer Improvements - System 122 (Jacaranda Dr), designed by Guzman & Munoz Engineering & Surveying, Inc. under RFQ 2021-14 for the City of Harlingen American Rescue Plan Act (ARPA). Attachment **(Engineering Dept.)**
- o) Consideration and possible action to approve a resolution adopting the Harlingen Downtown Improvement District Fund Budget Fiscal Year 2024-2025. Attachment **(Finance Dept.)**
- p) Consideration and possible action to propose a desired tax rate for Fiscal Year 2024-2025. Attachment **(Finance Dept.)**
- q) Consideration and possible action to approve a resolution accepting the Harlingen Waterworks System's Budget for Fiscal Year 2024-2025. Attachment **(HWWS)**

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) Pursuant to Tx. Government Code Section 551.071 (1) and (2) - attorney consultation, Section 551.072 regarding sale of property. **(City Manager)**

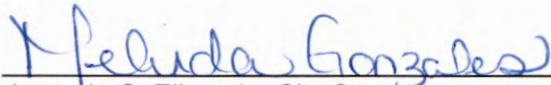
- 13) **Action on Executive Session Items:** *The City Commission will reconvene in open session and may take action on any item listed in the Executive Session Section of this agenda.*

- a) Consideration and possible action on 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 16, 2024** at or before 11:35 a.m./p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 16<sup>th</sup> day of AUGUST, 2024

  
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For: Amanda C. Elizondo, City Secretary