

**CITY COMMISSION
AGENDA
REGULAR MEETING
APRIL 17, 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, APRIL 17, 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) Harlingen High School South "Hawks" - Boys Powerlifting Team
 - b) Harlingen High School South "Hawks" - Girls Powerlifting Team
 - c) Proclaiming April 29, 2024, as "World Wish Day"
 - d) Mayor's Business of The Month - Beauty on the GoGo
- 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 February 21, 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 Residential, Single Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 102 N. 27th Street, bearing a legal description of Lot 8, Block C, Hunter Subdivision No. 1. Applicant: Mark Hallett. Attachment **(Planning & Development)**
 - b) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) request to allow the sale of alcoholic beverages for on-premise consumption in a General Retail ("GR") District located at the Stripes Convenience Store located at 1610 S. F Street, bearing a legal description of Block 1, Williams Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc. Attachment **(Planning & Development)**

- c) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) request to allow an adult business (microblading studio) in a General Retail ("GR") District located at 2222 S. Expressway 83, Suite 508, bearing a legal description of 1.956 acres of 3.30 acres part west 10.34, Lot AN-1, Block 24, Lon C. Hill Subdivision. Applicant: Daisy Nieto. Attachment (**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 Planned Development District ("PD") to allow 32 ft. wide streets with 50 ft. of right-of-way, one cul-de-sac to serve 28 lots, and smaller lot sizes for Lots 1, 15-19, 21-33, and 36-48, for a proposed 80-lot single-family development on a property 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 west 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 adopt an ordinance on second and final reading to abandon and vacate a 20-foot drainage easement being a 0.115 acre tract of land out of Lot 1, Block 1, Capps Addition, located along the west side of Loop 499 approximately 725 feet north of Harrison Avenue. Applicant: Santiago Espinoza. Attachment (**Planning & Development**)
- f) Consideration and possible action to purchase an additional table and two table covers for the Veterans Advisory Board. (**City Manager**)
- g) Consideration and possible action to approve the installation of speed humps at the following locations: (***This item was requested by Commissioner Daniel N. Lopez and Commissioner Frank Morales***)
 - 1. Arroyo Vista Ct.
 - 2. "L" Street
 - 3. "K" Street
- h) Consideration and possible action to approve an ordinance on second and final reading amending the Harlingen Code of Ordinances, Chapter 6, Animals, Article II, Administration and Enforcement, Division 1, and enacting Section 6-26, establishing a dedicated fund entitled "The Harlingen Animal Shelter Fund" in the City's Financial Management and Reporting System to account for all fines collected by the City resulting from the enforcement of certain animal control ordinances, and dedicating exclusive use of those city funds for the operation of the Harlingen Animal Shelter. Attachment (**City Attorney**)
- i) Consideration and possible action to approve a request from Prince of Peace Church to close the following streets, for "El Dia De Nino" Event, Saturday, April 27, 2024, from 10:00 a.m. to 5:00 p.m. Attachment (**Police**).
 - South 4th Street and East Buchanan Street
 - Alleyway in between East Buchanan Street and East Lincoln Avenue
 - South 4th Street and East Lincoln Avenue
- j) 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), 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 Reports
 - b) Staff Reports
 - c) Presentation by Dr. Sudershan Pasupuleti regarding UTRGV "Age Friendly RGV(AF-RGV) Initiative" Program.
- 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 amending the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article XIII, Section 111-62 Use Chart; by requiring a Special Use Permit for a car wash use when located in a General Retail ("GR"), Light Industry ("LI"), or Heavy Industry ("HI") Districts; and Article XII, Special Use Regulations and Restrictions, Section 111-336, Car Wash Regulations, by establishing guidelines for a car wash use, and Section 111-413, Special Use Permit, by clarifying the notification process for a car wash use. Applicant: City of Harlingen. Attachment (**Planning & Development**)
 - b) Public Hearing on water and sewer rate adjustments to provide for forecasted operating expenses, capital asset costs, and funding of Harlingen Waterworks System's Five-Year Capital Improvement Plan. (**HWWS**)
- 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.*
- a) Consideration and possible action to approve an ordinance on first reading amending the City of Harlingen Code of Ordinances Chapter 111, Zoning, Article XIII, Section 111-62 Use Chart; by requiring a Special Use Permit for a car wash use when located in a General Retail ("GR"), Light Industry ("LI"), or Heavy Industry ("HI") Districts; and Article XII, Special Use Regulations and Restrictions, Section 111-336, Car Wash Regulations, by establishing guidelines for a car wash use, and Section 111-413, Special Use Permit, by clarifying the notification process for a car wash use. Applicant: City of Harlingen. Attachment (**Planning & Development**)
 - b) Consideration and possible action to approve the preliminary construction plans and final plat with a variance request regarding the minimum lot depth and lot area for Lots 4-9 and 15 for the proposed Paloma Ranch Subdivision, bearing a legal description of 33.91 acres of land more or less, out of Blocks 1, 2, and 3, F.Z. Bishop Subdivision of the South Half of Survey No. 41, located along the east side of Paloma Lane approximately 370 feet north of Garrett Road. Applicant: Moore Land Surveying, LLC c/o UR Homes Texas, LLC. Attachment (**Planning & Development**)
 - c) Consideration and possible action to approve an ordinance on second and final reading regarding water and sewer rate adjustments to provide for forecaster operating expenses, capital asset costs, and funding of Harlingen Waterworks System's Five-Year Capital Improvement Plan. Attachment (**HWWS**)

- d) Consideration and possible action to approve a resolution amending the Harlingen Downtown Improvement District Fund 2023-2024 Fiscal Year Budget. Attachment (**Finance**)
- e) Consideration and possible action to approve a request from Tony Butler Golf Course to post a notice to demolish three private cart shed buildings. (**Golf**)
- f) Consideration and possible action to accept or reject bids and award a contract for the 2024 Street Improvement Program (SIP) under Bid Number 2024-06. Attachment (**Engineering Dept.**)
- g) Consideration and possible action to prioritize and select an outdoor recreational grant project and to approve a resolution authorizing the City Manager to submit a grant application to the Texas Parks and Wildlife's Urban Outdoor grant program. Attachment (**Parks & Recreation**)
- h) Consideration and possible action to approve an ordinance on first reading amending Chapter 36 of the Harlingen Code of Ordinances establishing prohibited activities in City Parks. Attachment (**Parks & Recreation**)
- i) Consideration and possible action to authorize the City Manager to purchase a 2024 Ford Explorer for Communication and Media Department for transportation of equipment to and from event locations. Attachment (**City Manager**)
- j) Consideration and possible action to create an Ad Hoc Committee to appoint members to assess the physical and social environment of a Community/City in the Rio Grande Valley Region for adults. Attachment (**Mayor**)
- k) Discussion and possible action to approve a resolution authorizing city staff to proceed with the filing of Articles of Incorporation of a Non-Profit Animal Welfare Corporation to support the Harlingen Animal Shelter. Attachment (**City Attorney**) (**This item was tabled during the meeting of March 20, 2024**)
- l) Discussion regarding City Boards. (**City Attorney**)

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

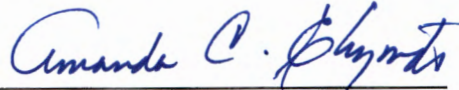
Animal Shelter Advisory Committee (1)
Audit Committee (Terms expire in June)
Charter Review Committee (3)
Civil Service Commission
Community Development Advisory Board (2)
Construction Board of Adjustments (4)
Convention & Visitors Bureau
Development Corporation of Harlingen, Inc.
Downtown Improvement 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
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.*
- 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.*
- 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 12, 2024** at or before 4:30 p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 12th day of APRIL, 2024



Amanda C. Elizondo, City Secretary