

**CITY COMMISSION  
AGENDA  
REGULAR MEETING  
May 19<sup>th</sup>, 2021  
@ 5:30 P.M.  
City Hall, Town Hall, 2<sup>nd</sup> Floor  
118 E. Tyler Street  
HARLINGEN, TEXAS  
AND VIA VIDEO CONFERENCE**

Notice is hereby given that the City Commission of the City of Harlingen, Texas will hold a Regular Meeting on **Wednesday, May 19<sup>th</sup>, 2021 at 5:30 P.M.** at City Hall, Town Hall Meeting Room, 2<sup>nd</sup> Floor, Harlingen, Texas and provide the public ability to view the meeting via internet live streaming at [www.myharlingen.us](http://www.myharlingen.us) and the City of Harlingen YouTube Page.

In accordance with the order of the Office of the Governor issued March 16, 2020, the City of Harlingen, Texas will conduct the meeting in person and provide viewing options for the public using live stream in order to advance the public health goal of limiting in-person meetings (also called "social distancing") to slow the spread of the Coronavirus (COVID-19). To view the City Commission meeting live, go to [www.myharlingen.us](http://www.myharlingen.us) and click on "CITY COMMISSION LIVE."

The public will be permitted to offer citizen communication or participate in items listed as public hearings telephonically or in person, as provided by the agenda and as permitted by the presiding officer during the meeting. Written comments may also be submitted for City staff to read aloud during the meeting.

**If you prefer to offer citizen communication or participate in scheduled public hearings telephonically, go to [www.myharlingen.us](http://www.myharlingen.us) 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, and (3) a working telephone number at which you may be reached to submit your comments. The City will then call you when the item you wish to address is being considered. You will then address the City Commission through speaker phone and your call will be made audible to the City Commission and to the public through the live stream. Please submit this request before 4 p.m. on the day of the meeting.

**To submit written comments for City staff to read aloud during the meeting, go to [www.myharlingen.us](http://www.myharlingen.us) 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 4 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.**

Invocation – Mayor Chris Boswell

Pledge of Allegiance/Welcome

Call Meeting to Order


Citizen Communication/Input

- 1) Approval of Minutes
  - a) Regular Meeting March 31<sup>st</sup>, 2021

	<b>CONSENT AGENDA</b>	
--	-----------------------	--

- 2a) Investment Report for the City of Harlingen for quarter ending March 31, 2021. (**Finance Dept.**)
- b) Consideration and possible action to approve a request from the Downtown Director, Alexis Alaniz, to close “A” Street between Jackson Avenue and the alleyway on the North and South side of Jackson Avenue for the City’s Art Night from 5:00 p.m. to 10:00 p.m. on the following dates: May 28<sup>th</sup>, June 25<sup>th</sup>, July 30<sup>th</sup>, August 27<sup>th</sup>, September 24<sup>th</sup>, October 29<sup>th</sup>, November 26<sup>th</sup>, and December 31<sup>st</sup>, 2021. Attachment (**Downtown District**)
- c) Second and final reading to approve and adopt an ordinance of the City of Harlingen, Texas amending Exhibit “A” of Ordinance No. 18-28 and 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, pertaining to Chapter 36 and other services provided by the City of Harlingen; providing for publication and ordaining other matters pertaining to the foregoing. Attachment (**Parks & Recreation**)
- d) Consideration and possible action to authorize the City Manager, on behalf of the City of Harlingen Police Department, to enter into a State Plan of Operation (SPO) between the State of Texas and the City of Harlingen (Police Department), which will be binding on the parties with respect to excess Department of Defense (DOD) personal property transferred, pursuant to 10 USC §2576a to promote the efficient and expeditious transfer of property to ensure accountability of the same. Attachment (**Police Dept.**)
- e) Consideration and possible action to approve the lease agreement for the voting equipment for the June 19<sup>th</sup>, 2021 Special Runoff Election and authorize the City Manager to sign the agreement. Attachment (**City Secretary**)
- f) Consideration and possible action to approve a refund of property taxes paid by CBOCS Texas LLC, on account #18-4034-0010-0010-00 in the amount of \$4,545.34 due to a change of value for Year 2019-2020 as per agreed judgment. Attachment (**Finance**)



- 
- 3) Public hearing and appropriate action to consider an appeal to the decision of the Chief Building Official to revoke the contractor registration from GemStar Homes and Construction, LLC out of Brownsville, Texas. Applicant: Eric Garza of GemStar Homes and Construction, LLC. **(Planning & Zoning)**
    - a) Public Hearing
    - b) Consideration and possible action regarding the appeal to the decision of the Chief Building Official to revoke the contractor registration from GemStar Homes and Construction, LLC out of Brownsville, Texas.
  - 4) Public hearing to consider an ordinance on first reading for a Special Use Permit (SUP) to allow an adult business (liquor store) in a General Retail (GR) District located at 822 Dixieland Road, bearing a legal description of Lot 1, Block 1, Luby's Subdivision. Applicant: John McClure, c/o McClure Partners. Attachment **(Planning & Zoning)**
    - a) Public Hearing
    - b) Consideration and possible action to approve an ordinance on first reading for a Special Use Permit (SUP) to allow an adult business (liquor store) in a General Retail (GR) District located at 822 Dixieland Road, bearing a legal description of Lot 1, Block 1, Luby's Subdivision.
  - 5) Public hearing to consider an ordinance on first reading to rezone from Not-Designated (N) District to Single Family Residential (R1) District for 109.395 acres comprised of 29.195 acres out of Block 12, Minner Subdivision and 80.20 acres out of Block 140, Harlingen Land and Water Company Subdivision, located on the west side of FM 507, north of Bartola. Applicant: Levi T. Burns and Brooke S. Burns. Attachment **(Planning & Zoning)**
    - a) Public Hearing
    - b) Consideration and possible action to approve an ordinance on first reading to rezone from Not-Designated (N) District to Single Family Residential (R-1) District for 109.395 acres comprised of 29.195 acres out of Block 12, Minner Subdivision and 80.20 acres out of Block 140, Harlingen Land and Water Company Subdivision, located on the west side of FM 507, north of Bartola.
  - 6) Public Hearing and possible action to approve One Year Action Plan (Budget) for Fiscal Year 2021-2022 (Year 47) of the Community Development Block Grant (CDBG) Program and Fiscal Year 2021-2022 (Year 27) of the Home Investment Partnerships Program (Home). Attachment **(Community Development)**
  - 7) Consideration and possible action to approve the preliminary rankings for Architectural Services as recommended by the evaluation committee and authorize the City Manager to negotiate and execute a contract for associated architectural and engineering services


pursuant to the City Request for Qualifications No. 2021-08 for Phase II of the Lon C. Hill Destination Park. Attachment (**Parks & Recreation**)

- 8) Consideration and possible action to adopt an ordinance to designate a "No Parking Zone" on the south side of Decilos Drive, 70 feet from the Intersection of Aragon Drive and Decilos Drive for approximately 20 feet. Attachment (**Engineering**)
- 9) Board Appointments  
Discussion and possible action regarding membership on any of the following listed board/entity:
  - a. Airport Board
  - b. Animal Shelter Advisory Committee (5)
  - c. Audit Committee (3 - vacancy) (terms expired June, 2019)
  - d. Civil Service Commission
  - e. Community Development Advisory Board (1)
  - f. Construction Board of Adjustments (5)
  - g. Convention & Visitors Bureau (1)
  - h. Development Corporation of Harlingen, Inc.
  - i. Downtown Improvement District Board (1)
  - j. Golf Course Advisory Board
  - k. Harlingen Community Improvement Board (1)
  - l. Harlingen Housing Authority Board (5)
  - m. Harlingen Finance Corporation (5)
  - n. Keep Harlingen Beautiful Board (14)
  - o. Library Advisory Board (1)
  - p. Mayor Wellness Council
  - q. Museum Advisory Board (1)
  - q. Parks Advisory Board
  - r. Planning & Zoning Advisory Board
  - s. Senior Citizens Advisory Board
  - t. Tax Increment Finance Board (7)
  - u. Utility Board of Trustees
  - v. Veterans Advisory Board
  - w. Zoning Board of Adjustments (5)
  - x. Complete Census Committee

Specifically, appointment or discussion and possible action to include appointment bylaws and/or removal of any position subject to appointment or removal by statute, ordinance or bylaws.

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, May 14<sup>th</sup>, 2021 at or before 3:55 p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 14<sup>th</sup> day of May, 2021

  
Amanda C. Elizondo, City Secretary