

**CITY COMMISSION  
AGENDA  
REGULAR MEETING  
OCTOBER 20, 2021  
@ 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, October 20th, 2021 at 5:30 P.M.** at City Hall, Town Hall Meeting Room, 118 E. Tyler Avenue, 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 - Commissioner Richard Uribe

Pledge of Allegiance/Welcome

Call Meeting to Order

Citizen Communication/Input

- 1) Approval of Minutes
  - a) Special Joint Meeting of the Harlingen City Commission and Harlingen Community Improvement Board of March 19, 2021
  - b) Special City Commission Meeting of June 28, 2021
- 2) Consent Agenda
  - a) Consideration and possible action to approve a resolution amending Resolution # 2021-04 approved on February 3, 2021 to remove the name of Dan Serna, former City Manager to City Manager. Attachment (**Police Dept**).
  - b) Consideration and possible action to approve a resolution amending Resolution # 2021-02 approved on February 3, 2021 to remove the name of Dan Serna, former City Manager to City Manager. Attachment (**Police Dept**).
  - c) Consideration and possible action to approve a resolution amending Resolution # 2021-10 approved on March 3, 2021 to remove the name of Dan Serna, former City Manager to City Manager. Attachment (**Police Dept**).
  - d) Consideration and possible action to authorize the City Manager, on behalf of the City of Harlingen, to accept STEP COMP grant funding in the amount of \$40,000.00 through the Texas Department of Transportation (TXDOT) Comprehensive Program. (TXDOT Funds - \$36,000 / City's match \$9,010.68. for a total of \$45,010.68 for FY 2021-2022). Attachment (**Police Dept**)
  - e) Consideration and possible action to authorize the City Manager, on behalf of the City of Harlingen, to accept STEP grant funding in the amount of \$12,000 through the Texas Department of Transportation (TXDOT) CMV Program. (TXDOT Funds - \$12,000 / City's match of \$3,162.56 for a total of \$15,162.56 for FY 2021-2022). Attachment (**Police Dept**)
  - f) Consideration and possible action to authorize the City Manager, on behalf of the City of Harlingen, to accept a grant award from the Office of the Governor - Homeland Security Grants Division, for funding overtime costs and operating expenses to the City of Harlingen, Texas for providing additional manpower to enhance and improve border security under the FY 2022 Local Border Security (Border Star) Program. Attachment (**Police Dept**)
  - g) Consideration and possible action to approve a resolution authorizing the City Manager to sign the first amendment on an option a ground lease agreement for the continued lease of City-owned real property to American Tower for operation, maintenance and expansion of a wireless communications tower and related facilities. Attachment (**Fire Dept**)
  - h) Consideration and possible action to approve the Annual Fire Protection Service Contracts with the Cities of Combes, Primera, and Palm Valley for Fiscal Year 2021-2022, and authorize the Mayor to sign the contracts. Attachment (**Fire Dept**)

- i) Consideration and possible action to approve an ordinance on second reading to amend the City of Harlingen Comprehensive Plan One Vision One Harlingen Thoroughfare Plan, by adding the extension of November Lane east of Cook Lane. Applicant: Dustin Moore of Moore Land Surveying, LLC, c/o Steven and Carly Thomas. Attachment (**Planning & Zoning Dept**)
- j) Consideration and possible action to approve an ordinance on second and final reading amending Chapter 18 of the Harlingen Code of Ordinances establishing fees to sharpen Golf Course Grounds Equipment. Attachment (**Parks Dept**)
- k) Second and final reading to approve and adopt an ordinance of the City of Harlingen, Texas repealing Ordinance 13-19 and establishing Section 2-436 of Chapter 2 of the Harlingen City Code: providing that certain City Boards meet and conduct every regular meeting of it's participation members after 5:00 P.M. on any weekday or at any reasonable time on weekends to increase public participation and attendance at City Board meetings, providing a savings clause: providing a severability clause and ordaining other matters pertaining to the foregoing. Attachment (**City Manager**)
- l) Consideration and possible action to approve an agreement with the Marine Military Academy for the use of the Hotel Motel funds for promotion of tourism by maintaining the Iwo Jima Monument. Attachment (**City Manager**)
- m) Consideration and possible action to approve an agreement with the Harlingen Performing Arts Theatre for the use of the Hotel Motel funds for promotion of the arts. Attachment (**City Manager**)
- n) Consideration and possible action to approve an agreement with Loaves and Fishes to provide meals for the homeless and needing through their kitchen and food pantry. Attachment (**City Manager**)

	NEW BUSINESS	
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- 3) Consideration and possible action to accept or reject bids received for Bid No. 2021-11 Sale of Real Property: Six Separate City Owned Properties. Attachment (**Special Projects Dept**)
- 4) Public hearing to consider an ordinance on first reading to rezone from Light Industry ("LI") to Planned Development ("PD") District for townhouse/condiminium and commercial uses for 31.98 acres out of Block 139, San Benito Land and Water Company Subdivision, located on the west side of FM 509 approximately 4,000 feet south of FM 106. Applicant Ferris, Flinn, and Medina for Eko Corporate. Attachment (**Planning & Zoning Dept**)
  - a) Public Hearing
  - b) Consideration and possible action to rezone from Light Industry ("LI") District to Planned Development ("PD") District for townhouse/condiminium and commercial uses for 31.98 acres out of Block 139, San Benito Land and Water Company Subdivision, located on the west side of FM 509 approximately 4,000 feet south of FM 106.
- 5) Public Hearing to consider an ordinance on first reading to rezone from Residential, Single Family ("R-1") District to General Retail ("GR") District for Lots 101 and 102, Homeland Addition, located on the west side of Ed Carey Drive approximately 200 feet south of Expressway 83. Applicant: Juan Aldape. Attachment (**Planning & Zoning Dept**)
  - a) Public Hearing

- b) Consideration and possible action to rezone from Residential, Single Family ("R-1") District to General Retail ("GR") District for Lots 101 and 102, Homeland Addition, located on the west side of Ed Carey Drive approximately 200 feet south of Expressway 83.
- 6) Stormwater Pollution Awareness and Prevention Presentation by the Planning and Development Director, Xavier Cervantes. Attachment (**Planning & Zoning Dept**)
- 7) Consideration and possible action to approve a developer's agreement for Storm Sewer Improvements Upsize in the Oak Ranch Estates Subdivision Phase III and authorization for the City Manager to execute the agreement. Attachment (**Carlos A. Sanchez, Asst. City Manager**)
- 8) Consideration and possible action to approve an agreement with the Rio Grande Valley Birding Festival for the use of the Hotel Motel funds for promotion of tourism through the Annual Birding Festival. Attachment (**City Manager**)
- 9) Consideration and possible action to amend Ord. No. 2017-30, to remove Section 22-21 "Reserved right to grant exclusive contract for ambulance services in the City of Harlingen." (**This item was requested by Mayor Pro-Tem Uribe and Commissioner Frank Puente**)
- 10) Consideration and possible action to award a contract to Cobb Fendley to conduct a Feasibility Study for broadband connectivity in Harlingen. Attachment (**City Manager**)
- 11) Consideration and possible action to award a contract for Performance Auditing Services. (**This item was tabled on the Regular City Commission Meeting of Sep. 15, 2021**) (**City Manager**)
- 12) Board Appointments  
Discussion and possible action regarding membership on any of the following listed board/entity:
  - a) Airport Board
  - b) Animal Shelter Advisory Committee (6)
  - c) Audit Committee (4-vacancy)(terms expired June, 2019)
  - d) Civil Service Commission
  - e) Community Development Advisory Board (3)
  - f) Construction Board of Adjustments (7)
  - g) Convention & Visitors Bureau (1)
  - h) Development Corporation of Harlingen, Inc.
  - i) Downtown Improvement District Board (7)
  - j) Golf Course Advisory Board (1)
  - k) Harlingen Community Improvement Board (5)
  - l) Harlingen Housing Authority Board (3)
  - m) Harlingen Finance Corporation (5)
  - n) Keep Harlingen Beautiful Board (13)
  - o) Library Advisory Board
  - p) Mayor Wellness Council

- q) Museum Advisory Board (3)
- r) Parks Advisory Board (1)
- s) Planning & Zoning Advisory Board (1)
- t) Senior Citizens Advisory Board (4)
- u) Tax Increment Finance Board (5)
- v) Utility Board of Trustees
- w) Veteran's Advisory Board
- x) Zoning Board of Adjustments (4)
- y) 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.

- 13) Executive/Closed Session- Deliberation pursuant to Texas Government Code 551.074 regarding the employment of the City Manager. **(City Attorney)**
- 14) Discussion and action to enter into employment contract with Mr. Gabriel Gonzalez for the position of City Manager of the City of Harlingen. **(City Attorney)**

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, October 15th, 2021 at or before 3:15p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 15<sup>th</sup> day of October, 2021

  
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Amanda C. Elizondo, City Secretary