

**CITY COMMISSION
AGENDA
REGULAR MEETING
APRIL 20, 2022
@ 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 20th, 2022 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.myharlingen.us and the City of Harlingen YouTube Page.

The public will be permitted to offer citizen communication or participate in items listed as public hearings telephonically 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.

To offer citizen communication or participate in scheduled public hearings telephonically, go to 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 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 Michael Mezmar

Pledge of Allegiance/Welcome

Call Meeting to Order

Citizen Communication/Input

- 1)
 - a) Presentation of a Recognition Award to Faith Franklin and Coach Hickel Woolery from the Harlingen High School "Cardinals" Girl's Track Team. **(City Manager)**
 - b) Presentation of a Recognition Award by Texas Police Chiefs Association Regional Director for Region 12, Chief Michael Vela, to the Harlingen Police Department for being in compliance with the 170 Texas Law Enforcement Best Practices and herein recognized by the Texas Police Chiefs Association Best Practices Recognition Program. **(Police)**
- 2) Approval of Minutes
 - a) Regular City Commission Meeting of December 1, 2021
- 3) Consent Agenda
 - a) Consideration and possible action to approve a request from the Harlingen Consolidated Independent School District (HCISD) to close the following streets for HCISD's graduation ceremonies Friday, May 27 and Saturday, May 28, 2022 from 5:00 p.m. to 9:30 p.m. or until the ceremonies end. Attachment **(Police)**.
 - Harrison Avenue and 13th Street
 - Jefferson Avenue and 13th Street
 - Monroe Avenue and 12th Street
 - Van Buren Avenue and 12th Street
 - b) Second and final reading to approve an ordinance amending the City of Harlingen Code of Ordinances to rezone from residential, Mobile Home ("MH") District to Residential Duplex ("R - 2") District for a 0.572 acre tract, being all of Lot 6 and 0.113 acre out of Lot 7, J H West Subdivision, located at 1605 North 7th Street. Attachment **(Planning and Development)**
 - c) Second and final reading to approve an ordinance amending the City of Harlingen Code of Ordinances to rezone from Residential Single Family ("R-1") District to Residential, Multi - Family ("M-2") District for 15.99 acres out of Blocks 5, 7, and 9, Stuart Place Subdivision, located on the northeast corner of Stuart Place Road and Brenman Street. Attachment **(Planning and Development)**
 - d) Second and final reading to approve an ordinance amending the City of Harlingen Code of Ordinances to rezone from Residential, Single Family ("R-1") District to Residential, Duplex ("R - 2") District for Lot 1, Block 1, Harlingen Expressway Subdivision Section III, located at 1202 North "T" Street. Attachment **(Planning and Development)**
 - e) Second and final reading to approve an ordinance amending the City of Harlingen Code of Ordinances to issue an amendment to an existing Special Use Permit (Ordinance No. 2019 - 12) to Jesus A. Peña to allow the expansion of a bar/lounge in a General Retail (GR) District located at 309 W. Van Buren, bearing a legal description of Lots 7 and 8, Block 67, Harlingen Original Townsite. Attachment **(Planning and Development)**
 - f) Consideration and possible action to approve a request from S.K. Edgar Martinez, Grand Knight, Council #2785 with the Knights of Columbus to close the following streets to hold a to Association's Barbeque Competition Event, Friday, May 20, 2022 from 12:00 p.m. thru 11:00

p.m., Saturday, May 21, 2022. Attachment (**Police**)

- Intersection of East Harrison Avenue and 17th Street to block the northbound traffic;
- Intersection of East Van Buren Street and 17th Street to block the southbound traffic;
- Alleyways East and West of the 200 Block of South 17th Street to prevent traffic in the event area.

- g) Consideration and Possible Action to authorize the City Manager to execute a lease agreement between the City of Harlingen and the Lower Rio Grande Valley Development Council – Valley Metro for the use of the Harlingen Baseball Field Executive Offices as a temporary transfer station. Attachment (**City Manager**)

	NEW BUSINESS	
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- 4) Presentation and possible action by SAFE Global Services regarding the evaluation and review of the City of Harlingen's Public Funds Investment Policy. (**City Manager**)
- 5) Consideration and possible action to authorize the City Manager to refund \$600 to the widow of Mr. David Woodruff, a patron of the Tony Butler Golf Course. Attachment (**Assistant City Manager**)
- 6) Consideration and possible action to approve an ordinance on the first reading establishing a Harlingen Teen and Young Adult Advisory Board, Providing for the establishment of rules and regulations and providing for the creation of a chairperson and vice-chairperson and any other related matters. Attachment (**City Manager**)
- 7) Consideration and possible action to authorize the City Manager to reject all bids received for the execution of a construction contract under Bid No. 2022-08, Tony Butler Golf Course Renovation Project. Attachment (**Head Golf Pro**)
- 8) Consideration and possible action to approve an ordinance on first reading amending Chapter 36 of the Harlingen Code of Ordinances establishing rules and regulations for the Dog Park. Attachment (**Parks & Recreation**)
- 9) Consideration and possible action to amend Ordinance 05-04, Chapter 92, Health Regulations and Hospitals, of the City of Harlingen Code of Ordinances to increase the cost of the laminated pouch from \$1.00 to \$2.00. Attachment (**Health**)
- 10) Consideration and possible action to approve a resolution of the City of Harlingen, Texas finding that AEP Texas Inc.'s Application to amend its Distribution Cost Recovery Factors to increase Distribution Rates within the City should be denied; authorizing participation with the cities served by AEP Texas; authorizing hiring of legal counsel; finding that the City's reasonable rates case expenses shall be reimbursed by the company; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this resolution to the company and legal counsel. Attachment (**City Manager**)
- 11) Consideration and possible action to adopt a resolution directing staff to prepare an annexation service agreement and initiate proceedings for the voluntary annexation of Lots 1 and 2, Block 1, and a 7.84 acre tract labeled as "Reserve" all out of the Liberty Subdivision, Cameron County, Texas, located on the west side of FM 509 approximately 1,375 feet south of Grimes Road. Applicant: Harlingen Economic Development Corporation c/o Raudel Garza. Attachment (**Planning and Development**)
- 12) Discussion and possible action regarding first reading and public hearing on City of Harlingen Ordinance amending the Code of Ordinances to create guidelines and criteria for tax abatement, by adding Chapter 10, Article III, Tax Abatement and Incentive Policy, providing for an effective date and

providing for severability. Attachment (**City Attorney**)

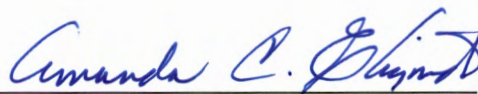
- 13) Public hearing to consider an ordinance on first reading amending the Harlingen Code of Ordinances to add, Subpart A, Chapter 2, Article II, City Commission, Section 2-22 "Regulating the Scheduling of Mayoral State of the City Address." Attachment (**This item was requested by Commissioner Rene Perez and Commissioner Frank Puente**) (**This item was tabled at the last Regular Meeting of April 6, 2022**)
 - a) Public Hearing
 - b) Consideration and possible action to approve an ordinance on first reading amending The Harlingen Code of Ordinances to add, Subpart A, Chapter 2, City Commission, Section 2-22 "Regulating the Scheduling of Mayoral State of the City Address."
- 14) Public hearing to consider an ordinance on first reading to amend the Planned Development ("PD") District by reconfiguring the site plan of the proposed Treasure Hills City Phase I Subdivision, bearing a legal description of 32.67 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 c/o Eko Corporate. Attachment (**Planning and Development**)
 - a) Public Hearing
 - b) Consideration and possible action to approve an ordinance on first reading to amend the Planned Development ("PD") District Site Plan of the proposed Treasure Hills City Phase I Subdivision, bearing a legal description of 32.67 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.
- 15) Public hearing to consider an ordinance on first reading for a Special Use Permit (SUP) to allow a battery storage energy facility in a General Retail ("GR") District located on a property along the east side of Tucker Road, approximately 500 feet south of Lincoln Avenue, bearing a legal description of 4.592 acres out of 5.380 acres out of Block 1, Howard Dixieland Heights Subdivision. Applicant: SMT Harlingen LLC c/o Francisco G. Gonzalez. Attachment (**Planning and Development**)
 - a) Public Hearing
 - b) Consideration and possible action to approve an ordinance on first reading for a Special Use Permit (SUP) to allow a battery storage energy facility in a General Retail ("GR") District located on a property along the east side of Tucker Road, approximately 500 feet south of Lincoln Avenue, bearing a legal description of 4.592 acres out of 5.380 acres out of Block 1, Howard Dixieland Heights Subdivision.
- 16) Public hearing to consider an ordinance on first reading for a Special Use Permit (SUP) to allow a parking lot in a Residential, Multi-Family ("M-2") District located at 2026 S. 23rd Street, bearing a legal description of Lot 5, Block 21, Treasure Hills Subdivision Unit 2. Applicant: Cesar Garcia. Attachment (**Planning and Development**)
 - a) Public Hearing
 - b) Consideration and possible action to approve an ordinance on first reading for a Special Use Permit (SUP) to allow a parking lot in a Residential, Multi-Family ("M-2") District located at 2026 S. 23rd Street, bearing a legal description of Lot 5, Block 21, Treasure Hills Subdivision Unit 2.
- 17) Public hearing to consider an ordinance on first reading to rezone from Neighborhood Services ("NS") District to Office ("O") District for 0.73 acres out of 2.646 acres out of Block 21, Howard Dixieland Heights No. 1 Subdivision, located at 1401 Dixieland Road. Applicant: Rick Caballero. Attachment

(Planning and Development)

- a) Public Hearing
 - b) Consideration and possible action to approve on first reading to rezone from Neighborhood Services ("NS") District to Office ("O") District for 0.73 acres out of 2.646 acres out of Block 21, Howard Dixieland Heights No. 1 Subdivision, located at 1401 Dixieland Road.
- 18) Board Appointments
Discussion and possible action regarding membership on any of the following listed board/entity:
- Airport
 - Animal Shelter Advisory Committee (2)
 - Audit Committee (4-Vacancies) (Terms expired June, 2021)
 - Civil Service Commission
 - Community Development Advisory Board (1)
 - Construction Board of Adjustments (7)
 - Convention & Visitors Bureau (1)
 - Development Corporation of Harlingen, Inc.
 - Downtown Improvement Board (7)
 - Golf Course Advisory Board (1)
 - Harlingen Community Improvement Board (4)
 - Harlingen Housing Authority Board (3)
 - Harlingen Finance Corporation (5)
 - Keep Harlingen Beautiful Board (13)
 - Library Advisory Board
 - Mayor Wellness Council
 - Museum Advisory Board (2)
 - Parks Advisory Board
 - Planning & Zoning Advisory (1)
 - Senior Citizens Advisory Board (4)
 - Tax Increment Finance Board (5)
 - Utility Board of Trustees
 - Veterans Advisory Board
 - Zoning Board of Adjustment (4)
 - Complete Census Committee
- 19) Executive/Closed Session – pursuant to 551.072 Gov't Code regarding Economic Development and other purposes regarding Project Cube.

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 April 14, 2022 at 3:00 p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 14th day of April, 2022



Amanda C. Elizondo, City Secretary