

**CITY COMMISSION
AGENDA
REGULAR MEETING
SEPTEMBER 7, 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, September 7, 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 Daniel N. Lopez

Pledge of Allegiance/Welcome

Call Meeting to Order

Conflict of Interest

"Under State Law, a conflict of interest exists if a council 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)**

Citizen Communication/Input

- 1) Presentation and recognition of awards:
 - a) Noah Huerta, Ramon Huerta, and Jazmine Thompson
 - b) American Legion Post 204 Guard
 - c) Recognition of the 2022 Law Enforcement Explorers: Alvino Rodriguez, Christian Rodriguez, Eddie Ramos and Pablo Ibarra
 - d) Harllingen Summer Track Program Participants
- 2) Approval of Minutes
 - a) Regular Meeting of July 6, 2022
- 3) Consent Agenda
 - a) Consideration and possible action to approve a resolution authorizing the City Manager, on behalf of the City of Harlingen, to authorize the Harlingen Police Department to submit a grant application to the FY-23 Bullet Resistant Shield Grant Program. Attachment **(Police Dept.)**
 - b) Consideration and possible action to approve a request from the 8th Annual 5K Run/Walk with the Heroes RGV 2022 Planning Committee to close the following streets for the 8th Annual 5K Run/Walk with the Heroes RGV 2022 Event, Saturday, October 8, 2022, Harlingen Downtown District from 7:00 a.m. to 12:00 noon: Attachment **(Police)**

Commerce Avenue / West Jackson Avenue
6th Street / East Jackson Avenue
North "A" Street (alleyway from Jackson Avenue)
South "A" Street (alleyway from Jackson Avenue
North 1st Street / Jackson Avenue
North 2nd Street (alleyway from Jackson Avenue)
South 2nd Street (alleyway from Jackson Avenue)
North 3rd Street (alleyway from Jackson Avenue)
South 3rd Street (alleyway from Jackson Avenue)
North 4th Street (alleyway from Jackson Avenue)
South 4th Street (alleyway from Jackson Avenue)
North 5th Street (alleyway from Jackson Avenue)
South 5th Street (alleyway from Jackson Avenue)
North 1st Street / Arcadia Drive
East Grimes / Ferguson Street

Austin Street / 5th Street
North 5th Street / Woodland Drive
North 3rd Street / East Washington Avenue
76 Drive (City Lake South Trail Exit)

- c) Consideration and possible action to approve a request from Aaron Gracia, Harlingen High School South Assistant Principal to close the following streets, Wednesday, October 19, 2022, from 6:15 p.m. to 7:00 p.m. for the Annual Homecoming Parade and Bonfire. Attachment (**Police**)

- West Bothwell Street / Dixieland Road (westside and northside of intersection)
- Ailani Circle (both westside intersections)
- Haverford Boulevard / Dixieland Road (eastside of intersection)
- West Adrian Street (westside and eastside of intersection)
- Topaz Drive / Dixieland Road (westside of intersection)
- Garrett Road / Dixieland Road (westside and northside of intersection)
- Harlingen South Baseball Complex / Dixieland Road (southside to stop northbound traffic)

- d) Consideration and possible action to approve a request to close the following streets for the Downtown at Sundown Events for every 3rd Saturday of the month from 3:00 p.m. to 10:30 p.m. Attachment (**Police**).

Eastside intersection of Commerce Street and West Jackson Avenue;
Intersection of "A" Street and West Jackson Avenue;
Westside intersection of First Street and East Jackson Avenue; and,
North and South alleyways of "A," First, 2nd, 3rd and 4th Streets.

- e) Consideration and possible action to approve a request from the Downtown Director to close the following streets listed below for The Jackson Street Classic Car Show, Saturday, October 22, 2022, from 7:00 a.m. to 3:00 p.m. Attachment (**Police**)

Intersection of Commerce Street and West Jackson Avenue
Intersection of East Jackson Avenue and 4th Street
North and South alleyways of "A" Street, First Street, 2nd Street and 3rd Street

- f) Consideration and possible action to authorize the City Manager, on behalf of the City of Harlingen Police Department, to sign Amendment No. Two of the Interlocal Agreement Between the City of Harlingen (HPD) and Texas State Technical College (TSTC) for the efficient and effective use of resources in regards to the coordination of law enforcement services. Attachment (**Police**)

- g) Consideration and possible action to approve a resolution authorizing the City Manager, on behalf of the City of Harlingen, to accept FY23 STEP COMP Grant funding of \$36,000.00 made available through the Texas Department of Transportation (TXDOT) Comprehensive Program (TXDOT Funds - \$36,000.00 / City's Matching funds \$9,022.13), total funds for 2022-2023 - \$45,022.13. Attachment (**Police**)

- h) Consideration and possible action to approve a resolution authorizing the City Manager, on behalf of the City of Harlingen, to accept FY-23 STEP CMV Grant funding of \$12,000 made available through the Texas Department of Transportation (TXDOT) CMV Program. (TXDOT Funds \$12,000 / City's matching funds \$3,037.90, Total Funds for 2022-2023 Grant \$15,037.90. Attachment (**Police**)

- i) Second and final reading to approve an ordinance rezoning from a Single Family

Residential ("R-1") District to a Multi-Family Residential ("M-2") District for a property located along the east side of Paloma Lane approximately 952 feet south of Business 83, bearing a legal description of Lots 1,2, and 3, Block 1, Ruth Estates Subdivision. Applicant: Amado Gamboa. Attachment (**Planning & Development**)

- j) Second and final reading to approve an ordinance amending the City of Harlingen Code of Ordinances Chapter 1111, Article XVIII, Sections 111-500 thru 509, adjusting the design guidelines for the Downtown District Overlay and removing language not in accordance with state law. Attachment (**Planning & Development**)
- k) Second and final reading to approve an ordinance amending the City of Harlingen's Budget for Fiscal Year 2022. Attachment (**Finance**)
- l) Consideration and possible action to approve a request from Robert L. Davies, Harlingen Consolidated Independent School District Athletic Director, on the dates listed below for their 2022 Football Games and requests street closures as follows: Attachment (**Police**)

Intersection of 13th Street and East Jefferson Avenue
Intersection of 12th Street and East Monroe Avenue
Intersection of 12th Street and East Van Buren Avenue
Intersection of 13th Street and East Harrison Avenue
any and all alleyways leading to North 13th Street

- m) Consideration and possible action to approve a request from the Immaculate Heart of Mary Catholic Church requesting to close / place barricades on the corner of South "C" Street and Tyler Avenue and "C" Street and Polk Street, to block traffic going north or south on the 400 Block of South "C" Street, Friday, September 30, 2022 at 12:00 noon to begin setting up through Sunday, October 2, 2022 at 11:59 p.m. for their Annual "Fiesta de Amistad." Attachment (**Police**)
- n) Consideration and possible action to approve a request from the Harlingen Housing Authority to place barricades / close the corner of Palm Street and North 24th Street and the corner of Briar Street and North 24th Street to block traffic going north or south on the 3200 Block of North 24th Street within the LeMoyne Gardens Housing Complex on Thursday, October 20, 2022 from 1:00 p.m. to 7:00 p.m. for their Community Fall Festival. Attachment (**Police**)

	NEW BUSINESS	
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- 4) Consideration and possible action to renew the contractual agreement between the City Of Harlingen and Elizabeth Rose Flores to provide water aerobics classes at Pendleton Park Pool for the term of one year, beginning from October 1, 2022 to September 30, 2023. Attachment (**Javier Mendez**)
- 5) Consideration and possible action to renew the contractual agreement between The City of Harlingen and John M. Tucker, (Harlingen Aquatics Team) to use Pendleton Park and Victor Park Pools to operate a youth swim program. Attachment (**Javier Mendez**)
- 6) Consideration and possible action to authorize the City Manager to execute a contract with Alamo 1 Facility Services, utilizing the Inter-local Purchasing System Program to construct the restroom facility at Lozano Plaza. Attachment (**Javier Mendez**)

- 7) Consideration and possible action to approve a resolution accepting Valley International Airport's Proposed 2023 Budget. Attachment (**Airport**)
- 8) Consideration and possible action to approve a resolution accepting the anticipated Federal Aviation Administration (FAA) Grant Offer No. 3-48-0101-070-2022, in the estimated amount of Fifteen Million, Seven Hundred Forty-Five Thousand Dollars and no/100s (\$15,745,000) Attachment (**Airport**)
- 9) Consideration and possible action to authorize the City Manager to award task orders under RFQ 2021-14, Professional Engineering Services for the City of Harlingen American Rescue Plan Act (ARPA) of 2021 Drainage Improvement Projects to the remaining three of nine previously selected firms. Attachment (**Engineering**)
- 10) Consideration and possible action to authorize the City Manager to award a construction contract to Clore Equipment, LLC, for The Los Vecinos Street Improvement Project which was designed by Staff and partially funded by the Community Development Block Grant (CDBG) Program, Grant B-19/20-MC-48-0504 and the Harlingen Housing Authority. (**Engineering**)
- 11) Consideration and possible action to approve the installation of speed humps along the following streets/intersections: Attachment (**This item was requested by Commissioner Daniel N. Lopez and Mayor Pro-Tem Rene Perez**)

West Ballard Ave; Lafayette Ave;
Arcadia Dr.;
East Taylor St. & S. 17th St.;
Sterling Ave./W. Vinson Ave./ N. Shirley St.;
S. 13th St.;
S. 11th St.;
Empress Lane to S. Tamm Lane;
Orange Heights Dr.;
Findley Dr.; and
N. "B: St.
- 12) Consideration and possible action to change the Harlingen City Commission Regular Meeting date of October 5, 2022 to another possible date. (**City Manager**)
- 13) Consideration and possible action to approve a resolution directing staff to schedule public hearings and to prepare an ordinance for a proposed street name change of "Haine Drive" to "University Drive" from Treasure Hills Boulevard to FM 509. Applicant: City of Harlingen. Attachment (**Planning & Development**)
- 14) Consideration and possible action to approve the early payoff of a note payable in the amount of \$347,630 bearing a legal description of N. 3.955 acres out of 7.91 acres of Block 179 out of San Benito Land & Water Co. Subdivision, property ID - 416444, located on the north-side of Tennessee Street between the VA Health Care Center and South Texas Emergency Care Foundation. (**Finance**)
- 15) Consideration and possible action to approve a resolution amending the Harlingen Downtown Improvement District Budget for Fiscal Year 2021 -2022. Attachment (**Finance**)
- 16) Consideration and possible action to approve a resolution adopting the Harlingen Downtown Improvement District Budget for Fiscal Year 2023. Attachment (**Finance**)
- 17) Public hearing to consider an ordinance on first reading for the adoption of the proposed City of Harlingen Annual Budget for Fiscal Year 2023. Attachment (**Finance**)
 - a) Public Hearing

- b) Consideration and possible action to approve an ordinance on first reading adopting the City of Harlingen Annual Budget for Fiscal Year ending September 30, 2023.
- 18) Public hearing to consider an ordinance on first reading for the proposed adoption of the Tax Year 2022 Ad Valorem Tax Rate for Maintenance and Operation (M&O) together with the Interest and Sinking (I&S) Rate for Fiscal Year 2023, by a record vote. Attachment (**Finance**)
- a) Public Hearing
 - b) Consideration and possible action to approve an ordinance on first reading adopting the Tax Year 2022 Ad Valorem Tax Rate for Maintenance and Operations (M&O) together with the Interest and Sinking (I&S) rate for Fiscal Year 2023, by a record vote. (**Finance**)
- 19) Presentation of the City of Harlingen Investment Report for the quarter ending June 30, 2022. (**Finance**)
- 20) Public hearing to consider an ordinance on first reading for a Special Use Permit (SUP) for an Outdoor Event Center in a General Retail ("GR") District located along the north side of New Hampshire Street, approximately 1,900 feet north of Hale Avenue and approximately 2,400 feet south of Business 77 Sunshine Strip, bearing a legal description of Block 3, Lot 9 and 10, New Hampshire Commercial Subdivision. Applicant: Doreen Ekabo. Attachment (**Planning & Development**)
- a) Public Hearing
 - b) Consideration and possible action to approve an ordinance on first reading for a Special Use Permit (SUP) for an Outdoor Event Center in a General Retail ("GR") District located along the northside of New Hampshire Street, approximately 1,900 feet north of Hale Avenue and approximately 2,400 feet south of Business 77 Sunshine Strip, bearing a legal description of Block 3, Lots 9 and 10, New Hampshire Commercial Subdivision. Applicant: Doreen Ekabo.
- 21) Public Hearing to consider an ordinance on first reading for a Special Use Permit (SUP) for a Bed and Breakfast in a Single Family Residential (R-1) District located at 1118 Rio Hondo Road, bearing a legal description of Block 86, Harlingen Land and Water Company Subdivision. Attachment (**Planning & Development**)
- a) Public Hearing
 - b) Consideration and possible action to approve an ordinance on First Reading for a Special Use Permit (SUP) for a Bed and Breakfast in a Single Family Residential (R-1) District located at 1118 Rio Hondo Road, bearing a legal description of Block 86, Harlingen Land and Water Company Subdivision.
- 22) Consideration and possible action to create a Mayor's Legislative Sub-Committee. Attachment (**City Manager**)
- 23) Consideration and possible action to renew the AETNA Dental Insurance, the Met Life (formally Davis Vision Insurance) and the UNUM Live and AD&D Insurance Plans for the City of Harlingen Fiscal year 2022-2023 with no increases in premiums and to authorize the City Manager to sign the contracts. Attachment (**City Manager**)
- 24) Consideration and possible action to approve a resolution adopting the Harlingen Waterworks System's Budget for Fiscal Year 2022-2023. Attachment (**Tim Skoglund**)
- 25) Board Appointments
Discussion and possible action regarding membership on any of the following listed board/entity:
Airport
Animal Shelter Advisory Committee (1)

- Audit Committee (4-Vacancies) (Terms expired June, 2021)
- Civil Service Commission
- Community Development Advisory Board (1)
- Construction Board of Adjustments (11)
- Convention & Visitors Bureau (2)
- Development Corporation of Harlingen, Inc.
- Downtown Improvement Board (3)
- Golf Course Advisory Board (1)
- Harlingen Community Improvement Board (4)
- Harlingen Housing Authority Board
- Harlingen Finance Corporation (5)
- Harlingen Teen and Young Adult Advisory Board (9)
- Keep Harlingen Beautiful Board (10)
- Library Advisory Board
- Mayor Wellness Council
- Museum Advisory Board (3)
- Parks Advisory Board (2)
- Planning & Zoning Advisory Board (2)
- Senior Citizens Advisory Board (8)
- Tax Increment Finance Board (5)
- Utility Board of Trustees
- Veterans Advisory Board (3)
- Zoning Board of Adjustment (8)

- 26) Executive/Closed Session - Consultation with the City Attorney pursuant to the Texas Government Code, Section 551.0171(2) to receive attorney client consultation regarding the following items:
- a) School Resource Officer Program Interlocal Agreement between the City of Harlingen and the Harlingen Consolidated Independent School District;
 - b) Fire Facility Agreement between the City of Harlingen and the Harlingen Consolidated Independent School District; and
 - c) MOU between the City of Harlingen and South Texas Emergency Foundation
- 27) Discussion and action to approve Item 26 (a) as discussed in executive session.
- 28) Discussion and action to approve Item 26 (b) as discussed in executive session.
- 29) Discussion and action to approve Item 26 (c) as discussed in executive session.

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, September 2nd, 2022 at or before 5:00 p.m. p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 2nd day of September, 2022


Amanda C. Elizondo, City Secretary