

**CITY COMMISSION
AGENDA
REGULAR MEETING
SEPTEMBER 21, 2022
@ 5:30 PM
CITY HALL, TOWN HALL MEETING ROOM
2ND FLOOR, 118 E. TYLER AVENUE
HARLINGEN, TEXAS 78550**

Notice is hereby given that the City Commission of the City of Harlingen, Texas will hold a Regular Meeting on **Wednesday, September 21st, 2022 at 5:30 P.M.** at City Hall, Town Hall Meeting Room, 2nd Floor, 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 – Mayor Norma Sepulveda

Pledge of Allegiance/Welcome

Call Meeting to Order

Conflict of Interest

“Under State Law, a conflict of interest exists if a council 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 conflicts of interest to disclose at the time? **(City Attorney)**

Citizen Communication

- 1) Presentation of the following proclamations:
 - a) Proclaiming “Fire Prevention Week” Oct. 9 thru 15, 2022
 - b) Proclaiming “World Teachers’ Day” the week of October 5th, 2022
- 2) Approval of Minutes
 - a) Regular Meeting of July 20, 2022
 - b) Regular Meeting of July 28, 2022
- 3) Consent Agenda
 - a) Consideration and possible action to approve a resolution adopting the Harlingen Community Improvement Board Budget for Fiscal Year 2023. Attachment **(Finance)**
 - b) Consideration and possible action to approve a Facility Use Agreement between the City of Harlingen and Harlingen, Texas Bronco Baseball League for the use of the baseball complex at Victor Park. Attachment **(Parks & Recreation)**
 - c) An ordinance amending Exhibit “A” of Ordinance No. 2018-1, Master Fee Schedule of the Harlingen Code of Ordinances establishing new rates for business vendors and food vendors at Riofest, Blues on the Hill, Freedom Fest, and the Harlingen Marathon providing for publication and ordaining other matters related to the foregoing. Attachment **(Visit Harlingen Director)**
 - d) Consideration and possible action to approve a request from Cameron County Elections Department to change the election hours as follows: Attachment **(Javier Mendez)**

Monday Oct. 24 thru Friday, Oct. 28	9:00 a.m. to 7:00 P.m.
Saturday, Oct. 29 thru Sunday, Oct. 30	10:00 a.m. to 5:00 P.m.
Monday, Oct. 31 thru Wednesday, Nov.2	9:00 a.m. to 7:00 p.m.
Thursday, Nov. 2 thru Friday, Nov. 4	8:00 a.m. to 8:00 p.m.

- e) Consideration and possible action to approve the installation of speed humps along the following streets/intersections. Attachment (***This item was requested by Commissioner Ford Kinsley and Commissioner Frank Morales***)
 - 1) Rio Hondo Road (Between 13th & 7th Street)
 - 2) Matz Avenue
 - 3) 1700 Blk. of S. 3rd Street
 - 4) 400/500 Blk. W. Lincoln
 - 5) Mangrove Palm Drive (2)

- f) Consideration and possible to adopt an ordinance on second and final 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. Applicant: Annette & Patrick C. Davis. Attachment (***Planning & Development***)

- g) Consideration and possible action to adopt an ordinance on second 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, Lots 9 and 10, New Hampshire Commercial Subdivision. Applicant: Doreen Ekabo. Attachment (***Planning & Development***)

- h) Consideration and possible action to approve a contract with the Boys and Girls Club of Harlingen for Fiscal Year 2023 in the amount of \$115, 757.00 for Teen Service Programs and authorize the City Manager to sign the contract. Attachment (***Javier Mendez***)

- i) Consideration and possible action to approve a contract with the Boys and Girls Club of Harlingen for Fiscal Year 2023 in the amount of \$140,104.00 Youth Service Programs and authorize the City Manager to sign the contract. Attachment (***Parks & Recreation***)

- J) Consideration and possible action to approve an agreement with the Marine Military Academy for the use of the Hote/Motel Funds for the promotion of tourism by maintaining the Iwo Jima Monument. Attachment (***Josh Ramirez***)

- k) Consideration and possible action to approve an agreement with Loaves and Fishes to provide meals for the homeless and needy through their kitchen and food pantry. Attachment (***Josh Ramirez***)

- l) Consideration and possible action to approve an agreement with Harlingen Performing Arts Theatre to use Hotel/Motel Funds for the purpose of encouragement, promotion, and application of the arts. Attachment (***Josh Ramirez***)

- m) Consideration and possible action to approve an agreement with the Rio Grande Valley Birding Festival to use Hotel/Motel Funds to promote tourism through annual birding festival. Attachment (**Josh Ramirez**)
- n) Consideration and possible action to authorize the City Manager to sign a letter of commitment on behalf of the City of Harlingen for the Reconnecting Communities Pilot Program. Attachment (**City Manager**)
- o) Consideration and possible action to approve the Harlingen Police Department to auction off the vehicles listed below that were either awarded to the Police Department through (1) State Forfeiture; (2) Federal Forfeiture; or (3) General Fund account fund. Bond and Bond Auctioneers will be used to auction off those mentioned below on a date to be later determined. Attachment (**Police Dept.**)
 - 1) 2007 Mercedes Benz Bus seized and awarded (VIN 3MBAADMC47M019179) State Forfeiture
 - 2) #922 / 1998 Chevrolet Corvette (VIN 1G1YY22G9W5123608 State Forfeiture
 - 3) #534 / 2005 Ford Crown Victoria (VIN 2FAFP71W05X148634) State Forfeiture
 - 4) #471 / 2015 Ford Taurus (VIN 1FAHP2MK3FG140801) General Fund
 - 5) #468 / 2015 Ford Taurus (VIN 1FAHP2MK7FG140798) General Fund
 - 6) #480 / 2015 Ford Taurus (VIN 1FAHP2MK6G140808) General Fund
 - 7) #475 / 2015 Ford Taurus (VIN 1FAHP2MK9FG140804) General Fund

NEW BUSINESS

- 4) Consideration and possible action to approve an ordinance on second and final reading adopting the City of Harlingen's Annual Budget for Fiscal Year 2023 by record vote. Attachment (**Finance**)
- 5) Consideration and possible action to approve a resolution rarifying the property tax reflected in the adopted budget for Fiscal Year 2023. Attachment (**Finance**)
- 6) Consideration and possible action to approve an ordinance on second and final reading adopting the Tax Year 2023 Ad Valorem Tax Rate for Maintenance and Operations (M&O) together with the Interest and Sinking (I&S) rate for Fiscal Year 2023 by record vote. Attachment (**Finance**)
- 7) Consideration and possible action to award a contract for the reconstruction of two (2) homes on behalf of low to moderate income households located at 911 W. Filmore Street and 614 E. Madison Avenue to the lowest responsible bidder. Rell Transport, LLC. (**Community Development**)
- 8) Public hearing to consider an ordinance on first reading to amend the City of Harlingen Code of Ordinances Chapter 109, Subdivisions, Article IX, Updating the Subdivision Development Guide Section 109-250, Adoption of Infrastructure Standards, by amending the storm water design requirements, adjusting the requirements for testing, and updating the standards for curb and gutters. Applicant: City of Harlingen. Attachment (**Planning & Development**)
 - a) Public Hearing

- b) Consideration an possible action to adopt an ordinance on first reading to amend the City of Harlingen Code of Ordinances Chapter 109, Subdivisions, Article IX, Updating the Subdivision Development Guide, Section 109-250, Adoption of Infrastructure Standards, by amending the storm water design requirements, adjusting the requirements for testing, and updating the standards for curb and gutters. Applicant: City of Harlingen. **(Planning & Development)**

- 9) Consideration and possible action to adopt an ordinance on first reading to amend the City of Harlingen Code of Ordinances, Article 1, Section 20-3 et seq. of the City Code relating to adopting reasonable rules and regulations regarding outdoor burning and providing for a penalty for violation of the same. Attachment **(Fire Dept.)**

- 10) Consideration and possible action to approve a resolution authorizing the Development Corporation of Harlingen, Inc. Budget for Fiscal Year 2022-2023. Attachment **(HEDC)**

- 11) Consideration and possible action to approve an invoice in the amount of \$81,403.17 from Cameron County Elections Department for election services related to the City of Harlingen May 7, 2022 General Election for \$81,403.17. Attachment **(City Secretary)**

- 12) 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 Board (1)
Audit Committee (3-Vacancies)
Civil Service Commission
Community Development Advisory Board (1)
Construction Board of Adjustments (11)
Convention & Visitors Bureau (1)
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 (10)
Library Advisory Board
Mayor's Wellness Council
Museum Advisory Board (3)
Parks Advisory Board (1)
Planning & Zoning Advisory Board (2)
Senior Citizens Advisory Board (8)
Tax Increment Finance Board (5)
Veterans Advisory Board (2)
Zoning Board of Adjustment (8)

- 13) Executive/Closed Session – Consultation with the City Attorney pursuant to the Texas Government Code, Section 551.071 and 551.072 to receive attorney client consultation regarding the following items:

- a) South Texas Emergency Foundation Contract
- b) Resource Officers MOU
- c) Fire fighters Collective Bargaining Agreement
- d) AEP Property

14) Discussion and possible action on Items 13 a, b, c, and d.

- a) South Texas Emergency Foundation Contract
- b) Resource Officers MOU
- c) Fire Fighters Collective Bargaining Agreement
- d) AEP

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 read readily accessible to the general public at all times and on the City's Internet Website and said Notice was posted on Friday, September 16, 2022 at or before 5:30 p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 16th day of September, 2022


Amanda C. Elizondo, City Secretary