

**CITY COMMISSION  
AGENDA  
REGULAR MEETING  
June 2<sup>nd</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, June 2<sup>nd</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 – Commissioner Michael Mezmar

Pledge of Allegiance/Welcome

Call Meeting to Order

Citizen Communication/Input

- 1) Presentation of a Proclamation proclaiming - June, 2021 as “Elder Abuse Prevention Month.”
- 2) Approval of Minutes
  - a) Regular Meeting of March 3<sup>rd</sup>, 2021
  - b) Regular Meeting of December 16<sup>th</sup>, 2020

	<b>CONSENT AGENDA</b>	
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- 3a) Second and final reading to approve and adopt an ordinance 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**)
- b) Second and final reading to approve and adopt an ordinance 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. Applicant: Levi T. Burns and Brooke S. Burns. Attachment (**Planning & Zoning**)
- c) Second and final reading to approve and 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**)
- d) Consideration and possible action to approve a request from the Harlingen Convention and Visitors Bureau to close Fair Park Blvd. between North “L” and North “J” Street; and Washington Avenue between North “L” and North “K” Street from 7:00 a.m. to 9:30 p.m. on Saturday, July 3, 2021 for the Annual Freedom Fest Celebration Event. Attachment (**Police Dept**)
- e) Consideration and possible action to approve a request from the Harlingen Downtown District to place barricades on the intersections of the west side West Street; east side of “E” Street; north and south “C” Street; and north and south of “D” Street along Jackson Avenue from 12:00 p.m. to 11:59 p.m., Saturday, June 26, 2021 for the Jackson Street United Festival Event. Attachment (**Police Dept**)
- f) Consideration and possible action to approve a refund of property taxes paid by Wentworth Adam and Monica, Acct. #16-6170-0010-0110-00 for \$2,767.81 due to an addition of a 100% veteran's exemption for Years 2019-2020. Attachment (**Finance Dept.**)

- g) Consideration and possible action to approve a refund of property taxes paid by Tri-Park Machinery Service, Acct. #24-5900-0010-00 for \$5,673.45 due to a motion filed after certification approved by ARB for Year 2020. Attachment (**Finance Dept.**)
- h) Consideration and possible action to authorize the City Manager to enter into an Advanced Funding Agreement with the Texas Department of Transportation (TXDOT) for the maintenance of the landscaped areas along the US 77/83 Interchange and Expressway 77. Attachment (**Public Works**)



- 4) Consideration and possible action to select one of the top three (3) providers based on the presentations made by representatives of the firms and authorize the City Manager to negotiate and execute a contract for associated architectural and engineering services pursuant to the City's Request for Qualifications No. 2021-08 for the Design and Project Management of the Lon C. Hill Destination Park, Phase II. Attachment (**Parks & Recreation**)
- 5) Presentation and discussion by Rodrigo Davila, Public Works Director, and Andy Vigstol, Engineer, regarding the operation of the Public Works and Engineering Departments. (**Public Works**)
- 6) Public hearing to consider an ordinance on first reading for a Special Use Permit (SUP) to allow a food truck in a General Retail (GR) District located at 1811 W. Jefferson Avenue, bearing a legal description of Lot E, Block 1, Central Freight Lines Subdivision No. 1. Applicant: Lynn Zanca. 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 a food truck in a General Retail (GR) District located at 1811 W. Jefferson Avenue, bearing a legal description of Lot E, Block 1, Central Freight Lines Subdivision No. 1.
- 7) Consideration and possible action to prepare and approve an art program for the Intersections along Jackson Street. Attachment (**Downtown District**)
- 8) Consideration and possible action to approve the construction of a public restroom in the Downtown Improvement District Area. Attachment (**Downtown District**)
- 9) Consideration and possible action to approve the installation of lighting and electrical connections along the Centennial Park. Attachment (**Downtown District**)
- 10) Consideration and possible action to approve and authorize the City Manager to sign an Inter-local Agreement between the City of Harlingen and the Harlingen Consolidated Independent School District for the use of two school buses for the Parks and Recreation 2021 Summer Recreation Program. Attachment (**Parks & Recreation**)
- 11) Consideration and possible action to approve a resolution accepting the anticipated Federal

Aviation Administration (FAA) Grant 3-48-0101-067-21 in the amount of Two Million, Eight Hundred Seventy-Eight Thousand, Eight Hundred Sixty-Two Dollars and no/100 (\$2,878,862) contingent upon the receipt of the FAA Grant. Attachment (**Airport**)

- 12) Consideration and possible action to approve an ordinance on first reading amending the City of Harlingen's Budget for Fiscal Year 2021. (***This item was tabled at the Special Meeting May 26, 2021.***) Attachment (**Finance**)
- 13) Consideration and possible action to authorize the City Manager to pay the Ancillary Service charges to GEXA as a result of the February Winter Storm Event. Attachment (***Gabriel Gonzalez, Asst. City Manager***) (***This item was tabled at the Special Meeting of May 26, 2021***)
- 14) Discussion, consideration, and possible action, if appropriate, to amend the existing contract between the City of Harlingen and the City Manager. Attachment (***This item was requested by Commissioners: Rene Perez and Frank Puente***)
- 15) Discussion, consideration, and possible action, if appropriate, to amend the Harlingen City Charter to create term limits for the City Commission and Mayor. Attachment (***This item was requested by Commissioners: Rene Perez and Frank Puente***)
- 16) 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 (3 - vacancy) (terms expired June, 2019)
  - d. Civil Service Commission
  - e. Community Development Advisory Board (1)
  - f. Construction Board of Adjustments (3)
  - g. Convention & Visitors Bureau (2)
  - h. Development Corporation of Harlingen, Inc.
  - i. Downtown Improvement District Board (6)
  - j. Golf Course Advisory Board (3)
  - k. Harlingen Community Improvement Board (7)
  - l. Harlingen Housing Authority Board (3)
  - m. Harlingen Finance Corporation (6)
  - n. Keep Harlingen Beautiful Board (12)
  - o. Library Advisory Board (3)
  - p. Mayor Wellness Council
  - q. Museum Advisory Board (3)
  - q. Parks Advisory Board (3)
  - r. Planning & Zoning Advisory Board (4)
  - s. Senior Citizens Advisory Board (5)
  - t. Tax Increment Finance Board (7)
  - u. Utility Board of Trustees (1)
  - v. Veterans Advisory Board (7)
  - 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.

- 17) Executive/Closed Session regarding the following items:
- a) Pursuant to Tex. Gov't Code Sec. 551.087(1) to discuss or deliberate regarding commercial or financial information that the City of Harlingen has received from a business prospect that the governmental body seeks to have locate, stay, or expand in or near the City and with which the City is conducting economic development negotiations related to Project Double Stack. **(City Manager)**
  - b) Pursuant to Sec. 551.072, Tex. Gov't Code, to deliberate the purchase, exchange, lease, or value of real property, regarding ten acres of real property located on T Street just north of Harrison in Harlingen, more commonly known as Harlingen-Petersburg Pt Block 32 W. **(City Manager)**
  - c) Pursuant to Sec. 551.072, Tex. Gov't Code, - to deliberate the purchase of real property for the Valley International Airport Runway 17R/35L Extension Project. **(City Manager)**
  - d) Attorney consultation pursuant to Section 551.072, Texas Gov't Code to provide legal advice in connection with the City's rights, duties, privileges, and obligations regarding the employment agreement between City Manager, Dan Serna and the City of Harlingen, Texas. **(City Attorney)**
  - e) Attorney consultation pursuant to Section 551.074, Texas Gov't Code to deliberate the appointment, employment, duties, and other terms and conditions of the employment agreement between City Manager, Dan Serna and the City of Harlingen, Texas **(City Attorney)**
  - f) Attorney consultation pursuant to Section 551.072, Texas Gov't Code to provide legal advice in connection with the legally required processes and procedures to initiate a City Charter Amendment under Texas law and related legal matters. **(City Attorney)**
- 18) Consideration and possible action regarding the provision or approval of economic incentives to Project Double Stack. **(Development Corporation of Harlingen, Inc.)**
- 19) Consideration and possible action on Item 17 (c) regarding the purchase of real property for the Valley International Airport Runway 17R/35L Extension Project. **(City Manager)**

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 28<sup>th</sup>, 2021 at or before 3:00 p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 28<sup>th</sup> day of May, 2021

  
Amanda C. Elizondo, City Secretary