

**CITY COMMISSION  
AGENDA  
REGULAR MEETING  
DECEMBER 21, 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, DECEMBER 21, 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](http://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](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 Ford Kinsley

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 of Awards

- 1) Harlingen Hawks Football Team
- 2) Harlingen Cardinal Football Team
- 3) Harlingen Cardinal Girls Volleyball Team

2) Approval of Minutes

- a) Regular Meeting of September 7, 2022

3) Consent Agenda

- a) Consideration and possible action to adopt an ordinance on second and final reading to amend the Harlingen Code of Ordinances. Chapter 109 (Subdivisions), Article I-VIII. Applicant: City of Harlingen. Attachment (**Planning and Development**)
- b) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow a Tattoo Studio in a General Retail ("GR") District located at 1921 E. Tyler Ave. Suite D., located on the North side of Tyler Avenue between 19<sup>th</sup> and 21<sup>st</sup> Streets, bearing a legal description of Lots 6 and 7, Block 2, Harlingen Park Subdivision. Applicant: Tucker Guerrero. Attachment (**Planning and Development**)
- c) Consideration and possible action to approve the Facility Use Agreement between the City of Harlingen and Arroyo Youth Soccer Club, Inc. for use of the Harlingen Soccer Complex and authorize the City Manager to execute the agreement. Attachment (**Parks & Recreation**)
- d) Consideration and possible action to approve an ordinance on second and final reading amending Chapter 46 of the Harlingen Code, Traffic and Vehicles to add Article I, § 46.2 "No Wake on Flooded Street", providing for a criminal penalty and establishing an affirmative defense. Attachment (**City Manager**)
- e) Consideration and possible action to approve a resolution authorizing the City Manager, on behalf of the City of Harlingen, to accept STEP Grant Funding for \$12,000 from the Texas Department of Transportation (TXDOT) IDM Program. TXDOT Funds \$12,000 / City Matching funds of \$3,230.51. Totaling \$15,230.51. Attachment (**Police**)
- f) Consideration and possible action to approve a request from Juan Carlos Gonzalez for a Certificate of Public Necessity and Convenience to operate a Taxicab Business under the proposed name of "R.G.V. Taxi" in the City of Harlingen. (**Police Department**)

NEW BUSINESS

- 4) Consideration and possible action to approve the preliminary construction plans and final plat for the proposed Paloma Ranch Subdivision, bearing a legal description of 33.91 acres of land more or less, out of Blocks 1, 2, and 3, F.Z. Bishop Subdivision of the South Half of Survey No. 41, located along the east side of Paloma Lane approximately 370 feet north of Garrett Road. Applicant: Moore Land Surveying, LLC c/o UR Homes Texas, LLC. Attachment (**Planning and Development**)
- 5) Consideration and possible action to approve a variance to the Subdivision Ordinance to allow one instead of two required entrances and a 50 foot right-of-way width for the first 114.45 feet instead of the required 60 feet for a local street north of E. Taft Avenue for the proposed Coakley Estates Phase II Subdivision, located on the north side of Taft Avenue, approximately 285 feet east of Bush Street. Applicant: Moore Land Surveying, LLC c/o Elite & Zarate Developments. Attachment (**Planning and Development**)
- 6) Consideration and possible action to approve an ordinance on first reading, amending the Harlingen Code of Ordinances, Chapter 18, Master Fee Schedule to add daily junior fees for golf and group rates at Tony Butler Golf Course, and granting the ability for the General Manager to designate one Daily Special each Month on Special Days. Attachment (**Golf**)
- 7) 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 TEDSI Infrastructure Group for the design of 5th and 7th Storm Sewer Improvements-System 21 Project and Half Associates, Inc. for the design of Lozano St. Detention Pond and System Improvements-Phase 1 Project. Attachment (**Engineering**)
- 8) Consideration and possible action to approve a resolution amending the Harlingen Downtown Improvement District Fund 2022-2023 Fiscal Year Budget. (**Finance Department**)
- 9) Review of Investment Reports for the City of Harlingen for the quarter ending September 30, 2022, and for the year ending September 30, 2022. (**Finance Department**)
- 10) Public Hearing to consider an ordinance on second and final reading redesigning the geographical boundaries of an enterprise zone pursuant to Texas Government Code Chapter 2303, and a tax reinvestment zone pursuant to Texas Tax Code 312.204 and 312.11. Attachment (**Legal**)
  - a) Public Hearing
  - b) Consideration and possible action to approve an ordinance on second and final reading redesigning the Geographic Boundaries of an enterprise zone pursuant to Texas Government Code Chapter 2303, and a tax reinvestment zone pursuant to Texas Tax Code 312.204 and 312.11
- 11) Consideration and possible action to approve the participation of the Mayor and City Commissioners in the 2023 "It's Time Texas Community Challenge" and execute a Challenge Pledge Form. Attachment (**Parks & Recreation**)
- 12) Consideration and possible action to create an Ad-Hoc Committee to assist in the planning of City Events. (**Mayor**)
- 13) 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 Committee  
Audit Committee (2-Vacancies) (Terms expire in June)  
Civil Service Commission  
Community Development Advisory Board (1)  
Construction Board of Adjustments (10)  
Convention & Visitors Bureau (1)  
Development Corporation of Harlingen, Inc.  
Downtown Improvement Board (1)  
Golf Course Advisory Board (1)  
Harlingen Community Improvement Board (1)  
Harlingen Housing Authority Board  
Harlingen Finance Corporation (5)  
Harlingen Teen and Young Adult Advisory Board (7)  
Healthy Harlingen Advisory Board (5)  
Keep Harlingen Beautiful Board (10)  
Library Advisory Board  
Mayor Wellness Council  
Museum Advisory Board (3)  
Parks Advisory Board  
Planning & Zoning Advisory Board (1)  
Senior Citizens Advisory Board (7)  
Tax Increment Finance Board (2)  
Utility Board of Trustees  
Veterans Advisory Board (1)  
Zoning Board of Adjustment (7)

14) Executive/Closed Session:

- a) Consultation with Legal Counsel pursuant to Tx. Government Code § 551.071 (2) to receive privileged attorney client communication regarding contractual rights and obligations **(Legal)**
- b) Pursuant to Chapter 551, Subchapter D., V.T.C.A. Government Code (Section 551.087) regarding commercial and financial information from business prospects with which the Board is conducting economic development negotiations and/or to discuss or deliberate financial or other incentives relating to Project SBI. **(HEDC)**

- 15) Discussion and possible action Item #14 (a) regarding the Tennis Pro Contract at the Tennis Center, Pendleton Park. **(City Manger)**
- 16) Consideration and possible action to approve an ordinance on first reading amending the Harlingen Code of Ordinances, Chapter 18, establishing the rental fees for the HEB Tennis Center. Attachment **(Parks & Recreation)**
- 17) Consideration and possible action to approve a full-time Tennis Pro position and two part-time clerk positions to the 2023 Budget to manage and operate the HEB Tennis Center at Pendleton Park. **(Parks & Recreation)**
- 18) Consideration and possible action on Item #14 (b) as discussed in executive session.
- 19) Adjournment

I, Amanda C. Elizondo, City Secretary, 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, DECEMBER 16, 2022 at or before 3:40 p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 16th day of December, 2022

A handwritten signature in blue ink that reads "Amanda C. Elizondo". The signature is written in a cursive style and is positioned above a horizontal line.

Amanda C. Elizondo, City Secretary