

REGULAR
CITY COMMISSION
AGENDA
August 20, 2014
@ 5:30 P.M.
TOWN HALL, CITY HALL
118 E. Tyler Street
Harlingen, Texas

Notice is hereby given that the above governmental body will hold a Regular Meeting on **Wednesday, August 20, 2014 at 5:30 P.M.** in City Hall, Town Hall, 2nd Floor, and Harlingen, Texas.

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 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 Basilio "Chino" Sanchez

Pledge of Allegiance/Welcome

- 1) Public Announcement of Events
- 2) Neighborhood Clean Sweep held August 9, 2014 from N. Parkwood from 77 Sunshine Strip to 25th Street to include Revere Lane & Laurel Drive, District 3. Attachment (***City Manager***)
- 3) Approval of Minutes
 - a) Regular Meeting of August 6, 2014

CONSENT AGENDA

The following items are of a routine or administrative nature. The Council has been furnished with background material on each item and/or it has been discussed at a previous meeting. All items will be acted upon by one vote, without being discussed separately, unless requested by a Commission

member. Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.

- 4a) Second and final reading to approve and adopt an ordinance for a Specific use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 1821B W. Tyler Ave, bearing a legal description of Lot 1, Block 1 Rodeway Inn Resubdivision. Applicant: Mohammed Chowdhury. Attachment (***Planning and Zoning***)
- b) Second and final reading to approve and adopt an ordinance amending Chapter 111, Section 111.02 permit required by adding Sections C 8, E and F to allow mobile food vendors to operate in fixed locations in certain zoning districts, and allow permitted food service establishments to have outdoor grilling under certain conditions, and allow businesses to secure a food permit and allow them to grill food under certain conditions. Attachment (***Gabriel Gonzalez, Asst. City Manager***)
- c) Second and final reading to approve and adopt an ordinance to rezone from a Residential Single Family ("R-1") District to Neighborhood Services ("NS") District for the property located at 1001 E. Jackson bearing a legal description of Lots 7-12, Block 3, Taylor Subdivision. Applicant: Charlene Albertson. Attachment (***Planning and Zoning***)
- d) Request from the Cameron County Elections Department to use the Cultural Arts Center, Studio A as a polling place for Early Voting, November 2014 General Election on the following days: Monday, October 20th through Friday, October 24th from 8:00 a.m. to 7:00 p.m.; Saturday, October 25th from 10:00 a.m. to 2:00 p.m.; and Monday, October 27th through Friday, October 31st, 2014 from 8:00 a.m. to 7:00 p.m. Attachment (***City Secretary***)

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- 5) Second public hearing to solicit comments from the public for or against the City of Harlingen proposed tax rate of \$0.588827 per \$100 in value for Fiscal Year 2014-15. Attachment (***Finance***)
 - 6) Public hearing to consider an ordinance on first reading to amend the City of Harlingen Zoning Ordinance No. 07-27, Section 8.03(g) Special Off-Street Parking Regulations, to amend off-street parking requirements in the Downtown Improvement District; and Section 16, Non-Conforming Uses and Structures, to clarify the term "reasonable value" when referring to partial destruction of a non-conforming use; and to include a provision which addresses off-street parking for similar uses in existing vacant buildings. Applicant: City of Harlingen Attachment (***Planning and Zoning***)

- a) Public hearing
 - b) Consider and take action to approve an ordinance on first reading amending Ordinance No. 07-27, Section 8.03 (g) Parking Regulations and Section 16, Non-Conforming Uses and Structures.
- 7) Public hearing to consider an ordinance on first reading for a specific use permit to allow an adult business (electronic cigarette store) in a General Retail ("GR") District located at 1418 E. Tyler Avenue, Suite 12, bearing a legal description of Lots 7-12, Block 4, Windsor Place Addition. Applicant: Mario A. Cardenas. Attachment (***Planning and Zoning***)
- a) Public hearing
 - b) Consider and take action to approve an ordinance on first reading for a specific use permit to allow an adult business (electronic cigarette store) in a General Retail ("GR") District at the above described property.
- 8) Public hearing to consider an ordinance on first reading to name the street along the Valley International Airport terminal to "Heritage Way" and the street south of Valley International Airport terminal and north of Loop 499 to "Airport Drive". Applicant: Valley International Airport. Attachment (***Planning and Zoning***)
- a) Public hearing
 - b) Consider and take action to approve an ordinance on first reading to name the street along the Valley International Airport terminal to "Heritage Way" and the street south of Valley International Airport terminal and north of Loop 499 to "Airport Drive".
- 9) Public hearing to consider an ordinance on first reading to amend the City of Harlingen Zoning Ordinance No. 07-27, Section 2 Definitions, to amend the definition of a daycare to establish a process which allows a daycare to be operated out of a church in all the designated zoning districts listed for a church. Applicant: City of Harlingen. Attachment (***Planning and Zoning***)
- a) Public hearing
 - b) Consider and take action to approve an ordinance on first reading to amend the City of Harlingen Zoning Ordinance No. 07-27, Section 2 - Definition of a daycare to establish a process which allows a daycare to be operated out of a church in all the designated zoning districts listed for a church.
- 10) Public hearing to consider an ordinance on first reading for a specific use permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 640 N. Ed Carey Drive bearing a legal description of Lot 4, Block 1, Southpoint

Subdivision Unit 2. Applicant: Justin Kemmerling. Attachment ***(Planning and Zoning)***

- a) Public hearing
 - b) Consider and take action to approve an ordinance on first reading to allow a bar/lounge in a General Retail ("GR") District at the above mentioned described property.
- 11) Consider and take action to grant a variance to the City of Harlingen Subdivision Ordinance No. 07-28, Section 4.1.3(M) with regards to the 30 ft. corner clip required on the southwest corner of the proposed Menchaca Estates Subdivision, located on the corner of Harrison Avenue and "L" Street, bearing a legal description of 0.8425 acre tract of land comprised of all of Lot 8, 0.343 acre tract out of Lot 1, 0.095 acre tract out of Lot 2, and 0.051 acre tract of the reserved area, Block "B", Brown Place Addition. Applicant: Juan Garcia, c/o Manuel Menchaca. Attachment ***(Planning and Zoning)***
 - 12) Consider and take action to extend LifeLine Heart of Worship's rental agreement for the Harlingen Municipal Auditorium to include Wednesday evening services from August 20, 2014 to January 28, 2015. Attachment ***(Arts & Entertainment)***
 - 13) Consider approval of HEDC's Board action to enter into an Agreement between the Development Corporation of Harlingen, Inc., Cameron County and Space X Corporation. Attachment ***(Economic Development)***
 - 14) Consider and take action to approve a resolution amending the Development Corporation of Harlingen, Inc. 2013-2014 Fiscal Budget. Attachment ***(Economic Development)***
 - 15) Consider and take action to approve an ordinance on first reading amending Chapter 51, to reduce the amount of commodity water granted within water base fees and to adjust wastewater base fees necessary to fund the Capital Improvement Program. Attachment ***(Water Works System)***
 - 16) Consider and take to approve the City Manager's appointment of a Fire Chief. ***(City Manager)***
 - 17) Board Appointments

Discussion and possible action regarding membership on any of the following listed board/entity:

- a. Airport Board (0)
- b. Animal Shelter Advisory Committee (6)
- c. Audit Committee (Terms expire annually in June)

- d. Civil Service Commission (Mayor) (1)
- e. Community Development Advisory Board (2)
- f. Construction Board of Adjustments (5)
- g. Convention & Visitors Bureau (3)
- h. Development Corporation of Harlingen, Inc.
- i. Downtown Improvement District Board (1)
- j. Golf Course Advisory Board (1)
- k. Harlingen Community Improvement Board (3)
- l. Harlingen Housing Authority Board
- m. Harlingen Finance Corporation (1)
- n. Harlingen Proud Advisory Board (5)
- o. Library Advisory Board
- p. Municipal Auditorium Advisory Board (3)
- q. Museum Advisory Board (1)
- r. Parks Advisory Board (1)
- s. Planning & Zoning Advisory Board (2)
- t. Senior Citizens Advisory Board (3)
- u. Tax Increment Finance Board
- v. Tennis Advisory Board (1)
- w. Utility Board of Trustees (1)
- x. Veterans Advisory Board (2)
- y. Zoning Board of Adjustments (4)

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.

18) Citizen Communication

I, the undersigned authority, do hereby certify that the above Notice of Meeting is a true and correct copy of said Notice and that I posted said Notice on the bulletin board in the City Hall of the City of Harlingen, a place convenient and readily accessible to the general public at all times and said Notice was posted on Friday, August 15th, 2014 at 6:20 p.m. at least 72 hours preceding the scheduled time of said meeting.

Dated this 15th day of August, 2014


Amanda C. Elizondo, City Secretary