

REGULAR  
CITY COMMISSION  
AGENDA  
**January 17, 2018**  
**@ 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, **January 17, 2018 5:30 P.M.** in City Hall, Town Hall, 2<sup>nd</sup> Floor, 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 Richard Uribe

Pledge of Allegiance/Welcome

- 1) Approval of Minutes
  - a) Regular Meeting of December 6, 2017

	<b>CONSENT AGENDA</b>	
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**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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.**

- 2a) Second and final reading to approve and adopt an ordinance amending Exhibit A of Ordinance No. 14-10 and amend Chapter 18, Master Fee Schedule of the Harlingen Code of Ordinances establishing new rental rates for vendor booths for

various City events held at City parks, establishing rental rates for Harlingen Field, establishing rental rates for the mobile stage and establishing rental rates for bathroom units, providing for publication and ordaining other matters related to the foregoing. Attachment (***Gabriel Gonzalez, Asst. City Manager***)

- b) Second and final reading to approve and adopt an ordinance to rezone from Residential, Single Family ("R-1") District to Residential, Triplex and Quadruplex ("M-1") District for Lots 1 and 2, Block 1, Adams Treasure Subdivision, located at the northeast corner of 7<sup>th</sup> Street and Vinson Avenue. Applicant: Town and Country Homes, c/o Armando Elizarde. Attachment (***Planning & Zoning***)
- c) 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 1105 South Tamm Lane, bearing a legal description of 3.474 acres out of Block 33, Stuart Place Subdivision Survey 139/297/298. Applicant: Ruben Martinez. Attachment (***Planning & Zoning***)
- d) Second and final reading to approve and adopt an ordinance for a Specific Use Permit ("SUP") to allow an adult business (tattoo shop) in a General Retail ("GR") District located at 1617 East Harrison Avenue, bearing a legal description of Lots 13-16, Block G, East Park Terrace Subdivision. Applicant: Roger Castillo. Attachment (***Planning & Zoning***)
- e) Consideration and possible action to approve the preliminary plat of the proposed Oak Estates Subdivision, being a 15.18 acre tract of land, more or less out of Block 95, Lon C. Hill Subdivision, located on the west side of Ed Carey Dr, south of Morris Rd. Applicant: Jack Brown of Brown, Leal & Associates c/o Dr. Usman Sheriff. Attachment (***Planning & Zoning***)



- 3) Consideration and possible action to approve a resolution by the City of Harlingen to authorize the City Manager to enter into a contract between the City of Harlingen and the East Rio Hondo Water Supply Corporation for the City's use of the Corporation's fire hydrants for the purpose of fire suppression. Attachment (***Fire Dept.***)
- 4) Public hearing to consider an ordinance on first reading for a Specific Use Permit "SUP" to allow a storage container in a Light Industry ("LI") District located at 902 W. Harrison Avenue, bearing a legal description of Lots 4-9, Block 1, Svadlenak and Corris Subdivision. Applicant: Jesus Sanchez. Attachment (***Planning & Zoning***)
  - a) Public Hearing

- b) Consideration and possible action to approve an ordinance on first reading for a Specific Use Permit "SUP" to allow a storage container in the above described property.
- 5) Consideration and possible action to repeal the existing Flood Damage Prevention Ordinance (Chapter 105) and adopt in its place an updated Flood Damage Prevention Ordinance as provided by the Federal Emergency Management Agency (FEMA) to stay in compliance with the requirements of the National Flood Insurance Program (NFIP). Attachment (**Carlos Sanchez, Asst. City Manager**)
- 6) Consideration and possible action to support resolution in support of South Dakota's Petition to the United States Supreme Court to modify previous holdings restricting states and municipalities from collecting sales tax on internet sales at point of purchase rather than point of sale. Attachment (**City Manager**)
- 7) Board Appointments

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

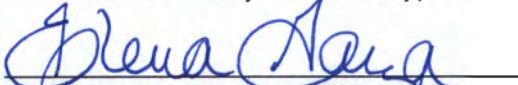
- a. Airport Board
- b. Animal Shelter Advisory Committee (2)
- c. Audit Committee (Terms expire annually in June)
- d. Civil Service Commission
- e. Community Development Advisory Board (2)
- f. Construction Board of Adjustments (5)
- g. Convention & Visitors Bureau (5)
- h. Development Corporation of Harlingen, Inc.
- i. Downtown Improvement District Board
- j. Golf Course Advisory Board (2)
- k. Harlingen Community Improvement Board (1)
- l. Harlingen Housing Authority Board
- m. Harlingen Finance Corporation
- n. Harlingen Proud Advisory Board (10)
- o. Library Advisory Board
- p. Mayor Wellness Council
- q. Museum Advisory Board (1)
- r. Parks Advisory Board
- s. Planning & Zoning Advisory Board (1)
- t. Senior Citizens Advisory Board (2)
- u. Tax Increment Finance Board (1)
- v. Utility Board of Trustees
- w. Veterans Advisory Board (4)
- x. Zoning Board of Adjustments (7)

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.

- 8) Executive Session pursuant to Chapter 551, Subchapter D., V.T.C.A. Government Code (Section 551.072), regarding the purchase, lease or value of real estate, if the deliberation in an open meeting would have a detrimental effect on the position of the Development Corporation of Harlingen Inc. in negotiations with a third person regarding some of the following projects; and/or Contemplated or pending litigation, or matters where legal advice is requested of the Attorney on a matter in which the duty of the attorney to the Board under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Act. Section 551.071 of the Texas Open Meetings Act. and/or Executive Session 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 Cardone Industries, Inc., SDC TX, LLC., and/or GLH, L.P. **(City Manager & EDC Chief Executive Officer)**
- 9) Consideration and possible action to approve an Amendment to the Performance Agreement dated November 29, 2017 with Cardone Industries, Inc. and SDC TX, LLC. and GLH, L.P., providing for the conveyance of approximately 2.79 acres to SDC TX, LLC and authorizing the Mayor to execute the Amendment. **(City Manager)**
- 10) Consideration and possible action to approve an Amendment to the Industrial District Agreement dated November 28, 2017 between the City of Harlingen, and Cardone Industries, Inc., GLH, L.P., and SDC TX, LLC. Attachment **(City Manager)**
- 11) 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, January 12<sup>th</sup>, 2018 at 5:00 p.m. at least 72 hours preceding the scheduled time of said meeting.

Dated this 12<sup>th</sup> day of January, 2018

  
Elena Garza, Assistant City Secretary