Notice is hereby given that the above governmental body will hold a Regular Meeting on Wednesday, November 6th, 2019 at 5:30 P.M. at City Hall, Town Hall Meeting Room, 2nd 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 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 Chris Boswell

Pledge of Allegiance/Welcome

Called Meeting to Order

Citizen Communication / Input

1) Proclamation – November 7th-9th, 14th-16th and 21st-23rd, 2019 as “Harlingen Professional Fire Fighters Local “Fill the Boots Days.” Attachment

2) Presentation by Rodrigo Davila, Public Works Director, regarding the duties and functions of the Public Works Department. (Public Works)

3) Approval of Minutes

a) Regular Meeting of September 18th, 2019

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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.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 an ordinance for a Specific Use Permit (SUP) to allow a storage building greater than 144 sq. ft. in a Single Family Residential (R-1) District for Lot 11 Block 153, Harlingen Original Townsite Subdivision located at 218 W. Lincoln Ave. Applicant: Magdalena & Jesus Peralta. Attachment (Planning & Zoning)

b) Second and final reading to approve an ordinance for a Specific Use Permit (SUP) to allow an expansion of an existing Childcare Business by the name of Martha’s Playground adjacent to the property located within a Light Industry (L-I) District for Lot 1, Block 1, Safeguard Subdivision and 1.58 acres out of the east 10 acres of Block 4, Highway Subdivision located at 5206-5402 S. Expressway 83. Applicant: Roger Gonzalez. Attachment (Planning & Zoning)

c) Second and final reading to approve an ordinance for a Specific Use Permit (SUP) to allow a Bar/Lounge in a General Retail (G-R) District for Lot 4, Block 1, South Point Subdivision located at 640 N. Ed Carey Drive. Applicant: Kamlesh Bhakta dba PPO Development LLC. Attachment (Planning & Zoning)

d) Second and final reading to approve an ordinance to rezone from Residential, Single Family ("R-1") District to General Retail (G-R) District for Lot 9 and the west 23.78 ft. of Lot 10, Block 6, Crown Heights Addition located at 918 E. Grimes Avenue. Applicant: Aaron Medina. Attachment (Planning & Zoning)

e) Second and final reading to approve an ordinance to regulate and reduce pollution that enters the surface water in the State of Texas and waters of the United States from discharges into the City’s municipal separate storm sewer system, by providing for the detection and elimination of illicit connections to the storm sewer system and requiring erosion control and pollution prevention at construction sites and to establish penalties and an effective date. Applicant: City of Harlingen. Attachment (Planning & Zoning)

f) Second and final reading to approve an ordinance to permanently close L & L 1/2 Street between Fair Park Boulevard and Adams Avenue for the construction of the Destination Park Project. Attachment (Engineering)

g) Consideration and possible action to approve a request from the Temple of the Lord Ministries to close the 2000 Block of West La Paloma Avenue from 1:00 p.m. to 7:00 p.m., Saturday, November 9, 2019 for their Community Fall Festival. Attachment (Police Dept.)

h) Consideration and possible action to approve a request from H.E.B. Supermarket to close the following streets beginning Thursday, November 7, 2019 at 8:00 a.m. to allow H.E.B. to stage their food trailers and start processing the food for the event through Friday, November 8, 2019 until their Annual Feast of Sharing Event ends. Attachment (Police Dept.)

- Madison Avenue from 2nd to 3rd Street
- 2nd Street from Jefferson to Madison Avenue
5) Consideration and appropriate action, if any, to retain the services of Attorney Rolando Rios and Associates in connection with the 2020 Census and the related redistricting process. Attachment (City Manager)

6) Presentation on the City of Harlingen’s Comprehensive Plan Report. Attachment (Special Project Director)

7) Consideration and possible action to approve an ordinance on first reading to rezone from Residential, Single Family (R-1) District to Residential, Multi-Family (M-2) District for Lot 3, Sun Valley Shopping Center Unit No. 2, save and except 30 feet x 58.33 feet, located on the west side of 11th Street north of Washington Avenue. Applicant: John Timms. Attachment (Planning & Zoning) (This item was tabled at the last regular meeting of October 22nd, 2019)

8) Consideration and possible action to amend the Contract with Loaves and Fishes to provide meals for the homeless and needy through their kitchen and food pantry and authorize the Mayor to sign the contract. Attachment (Gabriel Gonzalez, Asst. City Manager)

9) Consideration and possible action to adopt a resolution authorizing the City Manager to execute an Advance Funding Agreement with the Texas Department of Transportation for Sidewalk Improvements under the Statewide Curb Ramp Program. Attachment (City Engineer)

10) Consideration and possible action to accept or deny the donation of five (5) park benches to the City Parks from the Harlingen’s Wellness Coalition, a non-profit organization to be installed at the Meg Jorn Trail. Attachment (Parks & Recreation)

11) Consideration and possible action to approve a contract between the City of Harlingen and Cynthia Sparks to provide Infant Swimming Resource’s (ISR) Comprehensive Drowning Prevention instruction at Pendleton Park Pool and authorize the City Manager to sign the contract. (Parks & Recreation)

12) Consideration and possible action to enter into a contract with KONE Inc. utilizing the U.S. Communities Program in lieu of bids or RFP’s for the replacement of parts and repairs to the staff elevator and passenger elevator at the Harlingen Library and authorize the City Manager to sign the contract. Attachment (Parks & Recreation)

13) Consideration and possible action to approve the renewal of the Service Agreement between the City of Harlingen and Motorola Solutions to continue preventative maintenance and service to radio equipment at the New Hampshire/Lipscomb Tower Site and authorize the City Manager to sign the agreement. Attachment (Fire Dept.)

14) Consideration and possible action to approve a Mutual Aid Agreement between the Harlingen Police Department Special Weapons and Tactic’s (SWAT) Unit and the Cameron County Special Weapons and Tactic’s (SWAT) Unit and authorize the Mayor, Commissioners, and City Attorney to sign the Mutual Aid Agreement. Attachment (Police Dept.)

15) Consideration and possible action to approve a resolution amending Resolution No. R15-31 to remove Section 3, “Any board member of the Board who fails to attend three (3) consecutive regular meetings automatically forfeit such position.” Attachment (Gabriel Gonzalez, Asst. City Manager)
16) Consideration and possible action to approve the rental rates for the Harlingen Convention Center. Attachment (Gabriel Gonzalez, Asst. City Manager)

17) Consideration and possible action to approve a resolution authorizing and implementing an Economic Development Program Agreement with "Heart of Christmas, LLC" pursuant to Chapter 380 of the Texas Local Government Code. Attachment (City Manager)

18) Board Appointments

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

a. Airport Board (1)
b. Animal Shelter Advisory Committee (2)
c. Audit Committee (1 - vacancy) (all other terms expire annually in June, 2019)
d. Civil Service Commission (1)
e. Community Development Advisory Board (2)
f. Construction Board of Adjustments (5)
g. Convention & Visitors Bureau (2)
h. Development Corporation of Harlingen, Inc.
i. Downtown Improvement District Board (1)
j. Golf Course Advisory Board
k. Harlingen Community Improvement Board (1)
l. Harlingen Housing Authority Board (2)
m. Harlingen Finance Corporation (4)
n. Keep Harlingen Beautiful Board (5)
o. Library Advisory Board
p. Mayor Wellness Council
q. Museum Advisory Board (3)
r. Parks Advisory Board
s. Planning & Zoning Advisory Board (1)
t. Senior Citizens Advisory Board (2)
u. Tax Increment Finance Board (7)
v. Utility Board of Trustees
w. Veterans Advisory Board
x. Zoning Board of Adjustments (6)
y. 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.

19) Executive/Closed Session on the following items:

a) Personnel – deliberation pursuant to Texas Gov't Code, Section, 551.074, to deliberate the appointment, employment, evaluation, reassignment, or duties of the City Auditor. (Mayor)

b) Personnel - deliberation pursuant to Texas Gov't Code, Section 551.074, to deliberate the appointment, employment, evaluation, reassignment, or duties of the City Manager. (Mayor)
c) Attorney consultation pursuant to Section 551.071(1) and (2), Texas Gov't Code to receive legal advice regarding pending litigation under Chapter 19, Texas Civil Practice & Remedies Code between Texas State Technical College and the City of Harlingen, Texas to clear title to ownership of certain real property located along Loop 499 with TSTC (formerly known as TSTI) as purchaser and the City of Harlingen as Seller. (City Manager)

d) Attorney consultation pursuant to Section 551.071(2), Texas Gov't Code to secure legal advice and counsel pertaining to the City's rights, duties, privileges, and obligations under the Convention Center Lease & Operation Agreement and the Working Capital Fund contemplated therein, and related legal issues." (City Manager)

20) Consideration and possible action as discussed in executive session regarding Item (19-a). (City Manager)

21) Consideration and possible action as discussed in executive session regarding Item (19-b). (City Manager)

22) Consideration and action authorizing legal counsel to represent the City of Harlingen, Texas in connection with the legal proceeding under Chapter 19, Texas Civil Practice & Remedies Code between Texas State Technical College and the City of Harlingen, Texas to clear title to ownership of certain real property located along Loop 499 and related legal matters. (City Manager)

23) Consideration and appropriate action to authorize the City Manager to determine and pay the required payments from the Working Capital Fund to BC Lynd Convention Services as specified in the Convention Center Lease & Operation Agreement.

Adjournment

I, the undersigned authority, do hereby certify that the above notice of meeting is a true and correct copy of said notice posted on the City's bulletin board, City Hall, 118 E. Tyler Avenue, a place convenient and readily accessible to the general public at all times and said notice was posted on Friday, November 1st, 2019 at 5:10 p.m. at least 72 hours preceding the scheduled time of said meeting.

Dated this 1st day of November, 2019

Amanda C. Elizondo, City Secretary