

REGULAR  
CITY COMMISSION  
AGENDA  
**April 5, 2017**  
**@ 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, **April 5, 2017 at 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 Victor Leal

Pledge of Allegiance/Welcome

- 1) Board Recognition
- 2) Presentation of the following proclamations:
  - a) April 5, 2017 as "Riptide Cheerleading Team Day".
  - b) April 17, 2017 through April 22, 2017 as "Community Development Month"
  - c) Month of April, 2017 as "Fair Housing Month"
- 3) Neighborhood Clean-Sweep Month held March 11, 2017, District 3 from Los Alamos to W. Lamb Street, starting on Los Alamos, S. Estrellita Avenue and W. Lamb from 8 a.m. to 12 noon. Attachment **(Code Enforcement)**
- 4) Approval of Minutes
  - a) Regular Meeting of March 1, 2017

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 Items withdrawn from the Consent Agenda for individual consideration in their normal sequence will be heard after the remainder of the Consent Agenda has been acted upon.**

- 5a) Second and final reading to approve and adopt an ordinance for a Specific Use Permit ("SUP") to allow an adult business (smoke shop) in a General Retail ("GR") District located at 1309 E. Tyler Avenue, Suite "A," bearing a legal description of Lots 22 and 23, Block 1, Windsor Place Subdivision. Applicant: Lee Maldonado. Attachment ***(Planning & Zoning)***
  
- b) Second and final reading to approve and adopt an ordinance repealing Chapter 38, Section 38-69 (7), Service Charges Prescribed, of the Code of Ordinances of the City of Harlingen and establishing a new section under Chapter 40 Article VII, Street Maintenance Fee; establishing an effective date; providing for publication and ordaining other matters relating to the foregoing. Attachment ***(Carlos Sanchez, Asst. City Manager)***
  
- c) Consider and take action to approve a request from the Harlingen South Student Council Advisor to close the following sections of roadways/streets surrounding 3<sup>rd</sup> Street for their Annual 5K Color Run to benefit Autism, Saturday, April 29, 2017 from 7:45 a.m. to 11:00 a.m. Attachment ***(Police Dept.)***
  - (1) Bothwell St. & Dixieland Rd. (blocking the southbound traffic at Dixieland);
  - (2) Ailani Circle Street (North and South at Dixieland);
  - (3) Haverford Street at Dixieland;
  - (4) Adrian Street (East and West at Dixieland);
  - (5) Topaz Street at Dixieland; and,
  - (6) Garrett Road (East and West at Dixieland)
  
- d) Consider and take action to approve a request from the City of Harlingen, Texas to close Van Buren Avenue between "E" Street and "D" Street for the Cinco de Mayo Celebration, Saturday, May 6, 2017 from 12 p.m. to 6 p.m. at Gutierrez Park. Attachment ***(Police Dept.)***
  
- e) Consider and take action to approve a request from Our Lady of Assumption Church to close Lincoln Avenue between "L" Street and "M" Street from 5:00

p.m. to 11:00 p.m. on Friday, April 28, 2017 and Saturday, April 29, 2017 for their Annual Spring Festival. Attachment **(Police Dept.)**

- f) Consider and take action to approve a refund for property taxes to FedEx Freight East, Inc. in the amount of \$2,782.67 due to an adjustment of a decrease in value for Year 2016 for duplication of assets, Account No. 00-0100-0012-1655-91. Attachment **(Finance)**
- g) Consider and take action to approve a refund for property taxes to Harlingen Remington Place, Owners, in the amount of \$1,199.22 due to an adjustment of a decrease in value for Years 2012-2014, Acct. No. 98-4192-0010-1001. Attachment **(Finance)**
- h) Consider and take action to authorize the City Manager to sign a Texas 2017/2018 Application Local Government Approval for Nonprofit Organizations conducting ESG Shelter Activities by Loaves & Fishes of the Rio Grande Valley, Inc. and Family Crisis Center, Inc. Attachment **(City Manager)**
- i) Consider and take action to approve an amendment to the Memorandum of Agreement between the City of Harlingen and the Harlingen Farmers Market. Attachment **(Gabriel Gonzalez, Asst. City Manager)**
- j) Consider and take action to approve the final plat of the proposed Texas Regional Bank Stuart Place Subdivision being a 3.400 acres of land out of 13.258 acre tract, out of a 19.97 acre tract in Block Fifteen (15), Stuart Place Subdivision, located on the north side of W. Expressway 83 east of Stuart Place Road. Applicant: Oscar Chavez of CADCON Corp. c/o Texas Regional Bank. Attachment **(Planning & Zoning)**



- 6) Consider and take action to approve the consulting and purchase agreement between the City of Harlingen and Library Interiors of Texas and authorize the Mayor to sign the agreement. Attachment **(Library)**
- 7) Consider and take action to authorize the City Manager to execute a contract for repairs to the public works canopy. Attachment **(Engineering)**
- 8) Consider and take action to repeal Ordinance 10-26 which designated a 40 foot "No Parking Zone" on the south side of Tyler Avenue located at 910 East Tyler Avenue. Attachment **(Engineering)**

- 9) Consider and take action to grant a license to encroach 1± feet (from back of curb) to allow an iron gate into the City road right-of-way located at 1301 E. Polk Avenue bearing a legal description of Lot 24, Block 4, Windsor Place Subdivision. Applicant: Richard Ross, c/o First Christian Church. Attachment **(Planning & Zoning)**
- 10) Consider and take action to approve the design for the Donor's Wall as part of the Harlingen Arts and Heritage Museum Historical Building Renovation. Attachment **(Arts & Entertainment)**
- 11) Consider and take action to approve the design of the Farmers Market Shelter to be constructed on the parking lot adjacent to City Hall. Attachment **(Gabriel Gonzalez, Asst. City Manager)**
- 12) Consider and take action to accept or reject bids and if necessary authorize staff to rebid the Lon C. Hill ADA Restroom Facility. Attachment **(Parks & Recreation)**
- 13) Consider and take action to accept or deny the donation and sponsorship for the wrapping of the mobile restroom. Attachment **(Parks & Recreation)**
- 14) Consider and take action to approve an ordinance on first reading amending Chapter 28 of the City of Harlingen Code of Ordinances, Article V, and Chapter 18. Attachment **(Police Dept.)**
- 15) Board Appointments

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

- a. Airport Board
- b. Animal Shelter Advisory Committee (4)
- c. Audit Committee (Terms expire annually in June)
- d. Civil Service Commission (1)
- e. Community Development Advisory Board (2)
- f. Construction Board of Adjustments (6)
- g. Convention & Visitors Bureau (5)
- h. Development Corporation of Harlingen, Inc.
- i. Downtown Improvement District Board (2)
- j. Golf Course Advisory Board (2)
- k. Harlingen Community Improvement Board
- l. Harlingen Housing Authority Board
- m. Harlingen Finance Corporation
- n. Harlingen Proud Advisory Board (6)
- o. Library Advisory Board

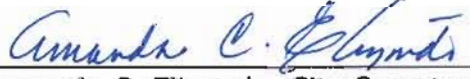
- p. Mayor Wellness Council
- q. Museum Advisory Board (1)
- r. Parks Advisory Board
- s. Planning & Zoning Advisory Board
- t. Senior Citizens Advisory Board (2)
- u. Tax Increment Finance Board (1)
- v. Tennis Advisory Board (2)
- x. Utility Board of Trustees
- y. Veterans Advisory Board (5)
- z. Zoning Board of Adjustments (6)

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.

- 16) Executive/Closed Session on the following items:
  - a) Pursuant to Section 551.071, Texas Gov't Code to consult with the City Attorney to seek legal advice in connection with the MPO Merger. (**City Manager**)
- 17) 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, March 31, 2017 at 4:45 p.m. at least 72 hours preceding the scheduled time of said meeting.

Dated this 31<sup>th</sup> day of March, 2017

  
Amanda C. Elizondo, City Secretary