

**CITY COMMISSION
AGENDA
REGULAR MEETING
JULY 16, 2025
@ 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, JULY 16, 2025 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.harlingentx.gov and the City of Harlingen YouTube Page.

The public will be permitted to offer citizen communication or participate in items listed as public hearings as provided by the agenda and as permitted by the presiding officer during the meeting.

To offer citizen communication or participate in scheduled public hearings, go to www.harlingentx.gov 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.

To submit written comments requesting an item for City Secretary, go to www.harlingentx.gov 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 3:00 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.

- 1) **Call Meeting to Order**
 - a) Invocation - Mayor Pro-Tem Ford Kinsley
 - b) Pledge of Allegiance
 - c) Welcome Citizens
- 2) **Conflict of Interest**

"Under State Law, a conflict of interest exists if a commission 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)**
- 3) **Announcements:** *With respect to items not listed elsewhere on this agenda, the City Commission may report on items of community interest, including announcing community events, announcing employee or community recognitions.*
 - a) Mayor's Announcements
 - b) City Manager's Announcements
 - c) City Commission Member Announcements
- 4) **Proclamation/Presentation of Awards:**
 - a) Harlingen Animal Shelter - "Pet of the Week"
 - b) Mayor's Business of the Month - Tito Resendez-State Farm Insurance
 - c) Presentation of Certificate of Recognition - "The Greater Chamber of Harlingen"
 - d) Proclamation - Proclaiming the Month of July 2025 as "Parks and Recreation Month"
- 5) **Citizen Communication:** *At this time, the public is invited to address the City Commission and speak on any matter not specifically listed for public hearing elsewhere in this agenda. Please note that the City Commission members may not respond to comments or deliberate on topics addressed.*
- 6) **Approval of Minutes:**
 - a) Regular Meeting of April 7, 2025
- 7) **Consent Agenda:** *No discussion is anticipated on any of the items in this section because they are routine business, were included in the budget adoption process, or have been previously discussed as a staff report or discussion item. These items will be considered collectively by a single vote, unless a commission member requests an item be removed from the consent agenda.*
 - a) Consideration and possible action to approve an ordinance on second and final reading for a request for a Special Use Permit ("SUP") to allow an adult business (Tattoo Studio) in a General Retail ("GR") District located at 602 S. "F" Street, Suite D, bearing a legal description of Lots 1-4, West Harlingen Addition. Applicant: Jerry Lopez. Attachment. **(Planning & Development)**
 - b) Consideration and possible action to approve a request from the Harlingen Police Department to close the following intersections for their National Night Out Event, Tuesday, August 5, 2025, from 6:00 p.m. to 9:00 p.m. Attachment **(Police)**

Fair Park Blvd. between North "L" Street and North "J" Street; (no thru traffic) to include all entries and exits from the Performing Arts, Municipal Auditorium and Casa de Amistad Parking Lots; Northside Intersection of North "L" Street and West Adams Avenue; and, Detour signs at North "L" Street and Fair Park Blvd. to direct traffic north onto Wichita Avenue. Street closures will begin on Tuesday, August 5, 2025 at 12:00 noon so that it will allow for officers, partners

and vendors to set up prior to the event and facilitate the safety of the attendees and participants.

- c) Consideration and possible action to approve a request from the Jaques Royal to close the following streets, Saturday, August 30, 2025, from 6:00 p.m. to 11:59 p.m. for their Sage Touch, Inc. Non-Profit Concert Event. Attachment **(Police)**.

Eastside Intersection of West Jackson Avenue and "D" Street;
Southside Intersection of the 100 Block of North "C" Street and alleyway;
Northside Intersection of the 100 Block of South "C" Street and alleyway; and,
Westside Intersection of West Jackson Avenue and West Street.

- d) Consideration and possible action to approve a request from St. Anthony Catholic Church to close certain sections of roadways/streets surrounding the Church's property, Friday, October 31, 2025 and Sunday, November 2, 2025 from 5:00 p.m. to 11:59 p.m. for their Annual Fall Festival. Attachment. **(Police)**.

South and Eastside Intersections of 10th Street and Van Buren Avenue;
Alleyway in the 200 Block of South 10th Street;
Northside Intersection of 10th Street and Harrison Avenue;
Westside Intersection of 11th Street and Van Buren Avenue

- e) Consideration and possible action authorizing the City Manager to accept a grant award from the Texas Veterans' Commission – Housing for Texas Heroes Grant Program. Attachment **(Special Projects Department)**
- f) Consideration and possible action authorizing the City Manager to accept a grant award from the Texas Veterans' Commission – General Assistance Grant Program – Financial Assistance. Attachment **(Special Projects Department)**

- 8) **Staff Reports and Other Discussion Items:** *Items in this section are not expected to require action by the City Commission and are generally for information only. However, any item listed in this section may become an action item at a future meeting with the request of the Mayor, or after the request of any two Commission members, or the City Manager.*

- a) City Manager's Report
- b) Staff Reports - Presentation by Engineering Dept. on completed and upcoming projects for FY 2025-2026.
- c) Presentation by Texas Music Office (TMO) on the Music Friendly Designation.
- d) Presentation by the Public Works Department on Proposed Monumental Signs for City Hall and Lon C. Hill Building Entrances.

- 9) **Public Hearings:** *At this time, the Mayor will invite members of the public who have filled out the Public Hearing and the Citizen Communication Form to address each item listed in this section. Please limit your comments to the topic of that public hearing. If more than one public hearing is being held, you will be allowed to speak during each topic, provided you have filled out the Public Hearing and Citizen Communication Form for the appropriate topic. If you are signed up for two (2) or more Public Hearings, you will be limited to 5 minutes for all topics.*

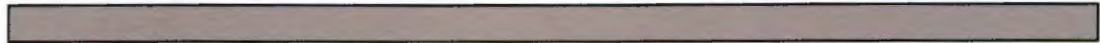
- a) Public hearing for a rezoning request from Not Designated ("N") District to Light Industry (LI) District for a 479.25-acre tract of land out of Survey 279, located along the north side of Rio Hondo Road, approximately 8,540 feet east of Loop 499. Applicant: City of Harlingen. Attachment **(Planning & Development)**

- b) Public hearing for the voluntary annexation of 10.00 acres of land out of Block 3, F.H. Handley Subdivision, located on the east side of Paloma Lane, approximately 2,010.46 ft. south of Garrett Road, including all the right-of-way on the south side of Garrett Road approx. 320.77 ft east of Paloma Lane and all the right-of-way along Paloma Lane south of Garrett Road to and through the property. Applicant: Casa Engineering c/o J.V. & Jessica Garcia. Attachment **(Planning & Development)**
 - c) Public hearing for the voluntary annexation of 126.50 acres of land out of the Cameron County School Lands Survey 279 located along the west side of Bob Youker Road and all the adjacent right-of-way along Rio Hondo Road, Woodall Avenue, and Bodenhamer Road, and the east 1,413.96 feet of Rio Hondo Road. Applicant: City of Harlingen. Attachment **(Planning & Development)**
 - d) Public hearing amending the City of Harlingen Code of Ordinances Chapter 109, Subdivisions, Section 109-91, Plat Requirements, Form, and Content, by adding a section pertaining to the expiration of the plat and moving the current content of Section (f) to Section (g). Applicant: City of Harlingen. Attachment **(Planning & Development)**
 - e) Public hearing amending the previously adopted Ordinance No. 2025-26 to extend the waiver of certain permit fees within the City of Harlingen caused by the recent State of Emergency, and amending the City of Harlingen Code of Ordinances, Chapter 103, "Buildings and Building Regulations," Section 103-6, "Waiver of Permit Fees for Rehabilitation during Declared State of Emergency." Applicant: City of Harlingen. Attachment **(Planning & Development)**
- 10) **Action Items:** *City Commission will discuss, consider, and take any action deemed necessary on items listed in this section, including the adoption of a resolution or an ordinance.*

Ordinances:

- a) Consideration and possible action to approve an ordinance on first reading for a request to rezone from Not Designated ("N") District to Light Industry (LI) District for a 479.25-acre tract of land out of Survey 279, located along the north side of Rio Hondo Road, approximately 8,540 feet east of Loop 499. Applicant: City of Harlingen. Attachment. **(Planning & Development)**
- b) Consideration and possible action to approve an ordinance on second and final reading for the voluntary annexation of 10.00 acres of land out of Block 3, F.H. Handley Subdivision, located on the east side of Paloma Lane approximately 2,010.46 ft. south of Garrett Road, including all the right-of-way on the south side of Garrett Road approx. 320.77 ft east of Paloma Lane and all the right-of-way along Paloma Lane south of Garrett Road to and through the property. Applicant: Casa Engineering c/o J.V. & Jessica Garcia. Attachment. **(Planning & Development)**
- c) Consideration and possible action to approve an ordinance on first reading for a request for the voluntary annexation of 126.50 acres of land out of the Cameron County School Lands Survey 279 located along the west side of Bob Youker Road and all the adjacent right-of-way along Rio Hondo Road, Woodall Avenue, and Bodenhamer Road, and the east 1,413.96 feet of Rio Hondo Road. Applicant: City of Harlingen. Attachment **(Planning & Development)**
- d) Consideration and possible action to approve an ordinance on first reading amending the City of Harlingen Code of Ordinances Chapter 109, Subdivisions, Section 109-91, Plat Requirements, Form, and Content; by adding a section pertaining to the expiration of the plat and moving the current content of Section (f) to Section (g). Applicant: City of Harlingen Attachment. **(Planning & Development)**
- e) Consideration and possible action to adopt an ordinance on first reading amending the previously adopted Ordinance No. 2025-26 to extend the waiver of certain permit fees within the City of Harlingen caused by the recent State of Emergency, and amending the City of Harlingen Code of Ordinances, Chapter 103, "Buildings and Building Regulations," Section

103-6, "Waiver of Permit Fees for Rehabilitation during Declared State of Emergency."
Applicant: City of Harlingen. Attachment (**Planning & Development**)



- f) Discussion and possible direction regarding the regulation of on-street parking on Barton Avenue, including consideration of potential parking restrictions, signage, or other traffic control measures. Attachment (**Planning & Development**)
 - g) Consideration and possible action to approve an ordinance on first reading amending the Harlingen Code of Ordinances, Article VI, Section 111-142 to add Sections 11-142(e),(f.) to regulate certain on-street parking within the City of Harlingen, to prohibit on-street parking at Barton Avenue to create exception to allow for service of utilizes and providing for severability. Attachment (***This item was requested by Commissioner Lopez and Commissioner Perez***)(***This item was tabled during the Meeting of July 2, 2025***)
 - h) Consideration and possible action to authorize the City Manager to enter into a Municipal Maintenance Agreement with the Texas Department of Transportation (TxDOT). (**Public Works**)
 - i) Consideration and possible action to authorize the Environmental Health Director to purchase a vehicle via TIPS-USA to replace unit 612, which was assigned to an Animal Control officer. Attachment (**Health Dept.**)
 - j) Consideration and possible action to approve a request from Union Pacific Railroad (UPRR) to permanently close "C" Street from Adams Avenue to Jefferson Avenue as part of the Union Pacific Railroad Rail Track Realignment Project. Attachment (**Engineering Dept.**)
 - k) Consideration and possible action to approve a resolution approving the One-Year Action Plan (Budget) for Fiscal Year 2025-2026 (Year 51) of the Community Development Block Grant (CDBG) Program and Fiscal Year 2025-2026 (Year 31) of the Home Investment Partnerships Program (HOME). Attachment (**CDBG**) (***This item was tabled during the Meeting of July 2, 2025.***)
 - l) Consideration and possible action to approve a resolution of the City of Harlingen suspending the August 19, 2025, effective date of Texas Gas Service Company's requesting increase to permit the City time to study the request and to establish reasonable rates approving cooperation with other Cities served by AEP Texas and authorizing intervention in AEP Texas Inc.'s requested rate change proceedings before the commission(PUC); hiring Lloyd Gosslink Attorneys and Consulting Services to negotiate with the Company and direct any necessary litigation and appeals; requiring reimbursement of Cities' rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and Legal Counsel. Attachment (**City Manager**)
 - m) Consideration and possible action to approve a resolution of the City Commission of Harlingen, Texas accepting for public use and maintenance a portion of an ingress and access easement located on Lots 1 and 2, previously dedicated for public use on the final plat of Camelot Professional Plaza. Attachment (**City Attorney**)
- 11) **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.

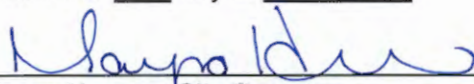
Airport
Animal Shelter Advisory Committee (2)
Audit Committee (Terms expire in June) (3)
Charter Review Committee (Ad Hoc)
Civil Service Commission

Community Development Advisory Board (1)
Construction Board of Adjustments
Convention & Visitors Bureau
Development Corporation of Harlingen, Inc.
Downtown Improvement Board
Golf Course Advisory Board
Harlingen Community Improvement Board
Harlingen Housing Authority Board
Harlingen Finance Corporation
Harlingen Teen and Young Adult Advisory Board (2)
Healthy Harlingen Advisory Board
Keep Harlingen Beautiful Board
Library Advisory Board
Mayor Wellness Council
Museum Advisory Board (1)
Parks Advisory Board(1)
Planning & Zoning Advisory Board
Senior Citizens Advisory Board (1)
Small Business Committee
Tax Increment Finance Board
Utility Board of Trustees
Veterans Advisory Board
Zoning Board of Adjustment

- 12) **Executive Session:** *All items listed in this section will be deliberated in a closed session. Members of the public are not generally permitted to attend a closed session. Executive Session items may be considered as an action item at the discretion of the Mayor. However, City Commission will not take any action in closed session.*
- 13) **Action on Executive Session Items:** *The City Commission will reconvene in open session and may take action on any item listed in the Executive Session Section of this agenda.*
- 14) **Adjournment:**

I, 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, JULY, 11, 2025** at or before 3:35 a.m./p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 11th day of JULY, 2025



Mayra Herrera, City Secretary

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

April 7th, 2025

A Regular Meeting of the Harlingen City Commission was held April, 7th 2025 at 5:31 pm at City Hall, Town Hall Meeting Room, 118 E. Tyler, Harlingen, Texas and providing the public the ability to view the meeting via internet, live streaming and permitting the public to offer citizen communication or participate in items listed on the agenda via videoconferencing or telephonically via www.harlingentx.gov Those in attendance were:

Mayor and Commissioners

Mayor Norma Sepulveda
Mayor Pro-Tem Ford Kinsley
Daniel N. Lopez, Commissioner District 2
Frank Morales, Commissioner District 4
Rene Perez, Commissioner District 5

Via Zoom

Michael Mezmar, Commissioner District 3

City Staff

Gabriel Gonzalez, City Manager
Hermelinda Gonzales, Interim City Secretary
Mark Sossi, City Attorney

1. Call Meeting to Order

Mayor Sepulveda called the meeting to order, announced that a quorum had been established, as Commissioner Mezmar joined Via-Zoom and stated that the meeting had been duly posted according to state law.

- a) Invocation – Mayor Pro-Tem Ford Kinsley
- b) Pledge of Allegiance
- c) Welcome Citizens

2. 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 this time?”

Mark Sossi, City Attorney, read the Conflict of Interest and asked the Mayor and City Commissioners if they had a conflict on any item on the agenda. None declared!

3. Announcements :

a) Mayor's Announcements –

Mayor Sepulveda addressed the recent flooding in Harlingen, noting that on March 26, 2025, Public Works confirmed the city’s drainage systems were functioning properly. However, an unexpected downpour the following day—totaling roughly 22 inches of rain—led to widespread flooding. She commended the Fire Department, Police Department, Public Works, city staff, and the Strike Team from the Texas Division of Emergency Management, which included personnel from several counties,

for their tireless work in managing floodwaters, assisting with recovery, and conducting rescues. Mayor Sepulveda expressed gratitude to Javier Segura and the Harlingen Convention Center team for providing shelter, and thanked Border Patrol for their support. In total, 1,041 rescues were completed. Thanks to Sister Norma connecting the city with World Central Kitchen, 2,000 meals were distributed. She also acknowledged the Red Cross and Salvation Army for supplying food, meals, and other resources to those affected. Mayor Sepulveda closed by thanking all involved for their compassion and dedication to the community.

b) City Manager's Announcements-

Mr. Gonzalez announced the promotion of Daniel Diaz to Parks and Recreation Director and echoed the mayor's gratitude. He commended city staff for going above and beyond, noting that no one hesitated to stay late or offer equipment—they simply did whatever was needed to help.

c) City Commission Member Announcements –

Mayor Pro-tem echoed these sentiments, offering thanks to residents who supported their neighbors. He emphasized that the actions of everyday citizens, especially those who helped strangers, were just as vital to the city's recovery.

Commissioner Lopez expressed his appreciation to all who assisted.

Commissioner Morales thanked every department and local church involved and gave special recognition to Constable Eddie Solis for his support.

Commissioner Mezmar commended Public Works and city staff for their exceptional efforts. He expressed sympathy for those affected emotionally and physically by the flooding, and addressed criticism of the city's response, stating that any city receiving such a volume of rainfall would have faced flooding, and Harlingen rose to the challenge.

Commissioner Perez thanked all contributors and affirmed that their efforts embody the spirit of "Harlingen Strong."

4. Proclamation/Presentation of Awards:

a) Harlingen Animal Shelter-"Pet of the Week"

Shannon Harvill, Director of Health, introduced Kaiser, a male shepherd mix who has been at the Harlingen Animal Shelter since March. Anyone interested in adopting Kaiser or another animal can contact the Harlingen Animal Shelter at (956) 216-5250. Ms. Harvill advised adoptions will take place at Petco on Saturday, April 12, 2025. Additionally, plans are underway for a vaccine clinic on April 26, 2025. More information about the clinic will be posted online soon.

b) Presentation by Interim Chief Alfredo Alvear on Life Saving Award to Harlingen Police Officers Rogelio Montoya, Jr., Ethan A. Gonzales and Randy Reyna for saving a human life on March 1, 2025.

Interim Chief Alfredo Alvear reported that at approximately 10:58 a.m. on March 1, 2025, Harlingen Police Officers Randy Reyna, Ethan Gonzales, and Rogelio Montoya responded to a medical emergency involving a man choking inside a vehicle on the frontage road. Upon arrival, the officers found the individual unconscious and immediately began CPR, successfully restoring his breathing. EMS later transported the man to the hospital. He expressed his honor in recognizing the officers for their extraordinary courage and swift action, presenting them with the Life-Saving Award.

c) Proclamation - "Women in EMS" of the South Texas Emergency Care Foundation d/b/a Harlingen Emergency Medical Service:

The City of Harlingen issued a proclamation recognizing the women of Harlingen EMS for their dedication to serving the community and delivering exceptional emergency care. South Texas Emergency Care Foundation, operating as Harlingen EMS, has proudly served Harlingen and surrounding areas since July 1, 1979. Over its years of service, Harlingen EMS has responded to more than 736,000 emergency calls, providing lifesaving treatment and transportation to those in need.

d) Proclamation - "Community Development Week"

The proclamation for "Community Development Week" has been rescheduled and will be presented at the City Commission Meeting on April 16, 2025.

e) Proclamation- "National Healthy Homes Month"

The proclamation for "National Healthy Homes Month" has been rescheduled and will be presented at the City Commission Meeting on April 16, 2025.

5. Citizen Communication:

- Alice Becerra–1406 White Oak Drive–Flooding and Drainage Problems on White Oak Drive
- Raymond Reyes–706 Nantucket Drive–Transparency, Responsibility and Integrity
- Robert Leftwich–909 E Parkwood Drive–Failed Leadership
- Israel Aguilar–28108 Cook Lane–Consent Agenda item A

6. Approval of Minutes:

a) Special Meeting of December 26, 2024

Motion was made by Mayor Pro-Tem Kinsley and seconded by Commissioner Lopez to approve the minutes of the Special Meeting of December 26, 2024. Motion carried unanimously.

7. Consent Agenda:

- a) Consideration and possible action to adopt an ordinance on second and final reading to rezone from Residential, Single-Family ("R -1 ") District to Residential , Duplex (" R-2") District for a property located at 101 W. Pierce Avenue, bearing a legal description of Lot 6, Block 139, Harlingen Original Townsite. Applicant: Reynaldo Del Toro c/o Anacahuita Development.

ORDINANCE NO. 25-14

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM RESIDENTIAL, SINGLE-FAMILY ("R-1") DISTRICT TO RESIDENTIAL, DUPLEX ("R-2") DISTRICT FOR A PROPERTY LOCATED AT 101 W. PIERCE, BEARING A LEGAL DESCRIPTION OF LOT 6, BLOCK 139, HARLINGEN ORIGINAL TOWNSITE SUBDIVISION.

PASSED AND APPROVED on first reading this the 9th day of March 2025.

PASSED AND APPROVED on the second and final reading this the 7th day of April 2025.

ATTEST:

/s/ Hermelinda Gonzales, Interim City Secretary

CITY OF HARLINGEN

/s/Norma Sepulveda, Mayor

- b) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow alcoholic beverages for onsite consumption at an event center in a General Retail ("GR") District for a tract of land bearing a legal description of 5.57 acres out of 15.57 acres out of Block 185, San Benito Land and Water Company Subdivision, located on the east side of South Ed Carey Drive, approximately 974 feet south of South Expressway 83 Frontage Road. Applicant: RGV Wine Country c/o Rodrigo Rubiano.

ORDINANCE NO. 25-15

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (ORDINANCE NO. 16-8) OF THE CITY OF HARLINGEN: TO ISSUE A SPECIAL USE PERMIT (SUP) TO RGV WINE COUNTRY LLC TO ALLOW ALCOHOLIC BEVERAGES FOR ONSITE CONSUMPTION AT AN EVENT CENTER IN A GENERAL RETAIL ("GR") DISTRICT FOR A TRACT OF LAND BEARING A LEGAL DESCRIPTION OF 5.57 ACRES OUT OF 15.57 ACRES OUT OF BLOCK 185, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, LOCATED ON THE EAST SIDE OF SOUTH ED CAREY DRIVE, APPROXIMATELY 974 FEET SOUTH OF SOUTH EXPRESSWAY 83 FRONTAGE ROAD.

PASSED AND APPROVED on first reading this the 9th day of March 2025.
PASSED AND APPROVED on the second and final reading this the 7th day of April 2025.

ATTEST: CITY OF HARLINGEN
/s/ Hermelinda Gonzales, Interim City Secretary /s/Norma Sepulveda, Mayor

- c) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-site consumption, in a General Retail District ("GR") located at 1301 N. 77 Sunshine Strip, bearing a legal description of Block 5 and the North Part of Block 6, Brown Subdivision. Applicant: Tim Ilaoa c/o 7-Eleven Inc.

ORDINANCE NO. 25-16

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT ISSUED TO TIM ILAOA TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISE CONSUMPTION IN A GENERAL RETAIL ("GR") DISTRICT LOCATED AT 1301 NORTH 77 SUNSHINE STRIP, BEARING A LEGAL DESCRIPTION OF BLOCK 5 AND THE NORTH PART OF BLOCK 6, BROWN SUBDIVISION.

PASSED AND APPROVED on first reading this the 9th day of March 2025.
PASSED AND APPROVED on the second and final reading this the 7th day of April 2025.

ATTEST: CITY OF HARLINGEN
/s/ Hermelinda Gonzales, Interim City Secretary /s/Norma Sepulveda, Mayor

- d) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow a storage building greater than 144 square feet in a Residential, Single-Family ("R-1") District located at 2220 E. Crockett Street, bearing a legal description of Lot 9, Block 2, Pendleton Subdivision. Applicant: James Petty.

ORDINANCE NO. 25-17

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT ISSUED TO JAMES PETTY TO ALLOW A STORAGE BUILDING GREATER THAN 144 SQUARE FEET IN A RESIDENTIAL, SINGLE-FAMILY ("R-1") DISTRICT LOCATED AT 2220 E. CROCKETT, BEARING A LEGAL DESCRIPTION OF LOT 9, BLOCK 2, PENDELTON SUBDIVISION, PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

PASSED AND APPROVED on first reading this the 9th day of March 2025.
PASSED AND APPROVED on the second and final reading this the 7th day of April 2025.

ATTEST: CITY OF HARLINGEN
/s/ Hermelinda Gonzales, Interim City Secretary /s/Norma Sepulveda, Mayor

- 1 e) Consideration and possible action to approve a request from Immaculate Heart of Mary Catholic
2 Church to close the following streets, Friday-Sunday, April 25th-27th, from 12:00 noon -11 :59 p.m.,
3 for their Annual Spring Fiesta.
4
5 • Southside intersection of Tyler Avenue and "C" Street;
6 • Alleyway in the 400 Block of "C" Street; and,
7 • Northside intersection of Polk Street and "C" Street.
8
9 f) Consideration and possible action to approve a request from S.K. Edgar Martinez, Grand Knight,
10 Council #2 785 with the Knights of Columbus to close the following streets, Friday-Saturday, May
11 2nd -3rd, 2025, from 12:00 noon - 11 :00 p.m. for the Knights of Columbus Association's 4th Annual
12 RGV BBQ Cookoff Event.
13
14 • Southside Intersection of Van Buren Avenue and 17th Street;
15 • Alleyway in the 200 Block of South 17th Street;
16 • Northside Intersection of Harrison Avenue and 17th Street
17
18 g) Consideration and possible action to approve a request from Logos Community Church to close
19 the following street, Tuesday, June 10, 2025, from 4:30p .m. - 9:00p.m., for their Logos Summer
20 Conference.
21
22 • Southside Intersection of Jackson Avenue and "E" Street;
23 • Alleyway in the 100 Block of South "E" Street;
24 • Northside Intersection of Van Buren Avenue and "E" Street
25
26 h) Consideration and possible action to approve a request from Buckner Children and Family Services
27 to close the following streets, Saturday, April 12, 2025, from 5:30 p.m.. to 8: 30 p.m., for their
28 Pinwheels for Prevention Event at Lon C. Hill Park located at 12 17 Fair Park Blvd.
29
30 • Fair Park Blvd. between North "L" and "J" Streets (no thru traffic) to include all entries and exits from
31 Harlingen Performing Arts and Casa de Amistad Parking Lots.
32 • DETOUR SIGNS at North "L" Street/Fair Park Blvd. to direct traffic north onto Wichita Avenue.
33
34 i) Consideration and possible action to approve the purchase of one (1) Man -Lift to maintain the
35 Transfer Station.
36
37 j) Consideration and possible action to approve the purchase of one (1) Pro-Patcher for the Paving
38 Department.
39
40 k) Consideration and possible action regarding a request from BC Lynd for payment of an Invoice to
41 vendor Christmas Decor, for Christmas Tree set-up, take-down and storage at the Harlingen
42 Convention Center.
43
44 l) Consideration and possible action to approve a resolution authorizing the submission and
45 acceptance of a grant from the Office of the Governor for the Fiscal Year 2025 Border Zone Fire
46 Departments Program; and dealing with related matters.
47
48 m) Consideration and possible action to approve a resolution authorizing the submission of a grant to
49 the Office of the Governor for the Fiscal Year 2026 Rifle Resistant Body Armor Grant Program.
50
51 n) Consideration and possible action to approve a resolution authorizing the submission and
52 acceptance of a grant to the Office of the Governor for the Fiscal Year 2024 Operation Stonegarden
53 Grant Program.
54
55 o) Consideration and possible action authorizing the City Manager to accept a grant award from Blue
56 Pearl Cares and to sign the required medical equipment grant terms and conditions. (list all
57 items/captions)

Commissioner Morales requested to remove Item 7(i) and 7(j) from the consent agenda.

Motion was made by Commissioner Perez and seconded by Mayor Pro-Tem Kinsley to approve remaining items 7 (a-h) and 7 (k-o). Motion carried unanimously.

Commissioner Morales requested copies of the price quotes for the purchases listed under items 7(i) and 7(j).

Chris Torres, Public Works Director, confirmed that he will provide the requested documentation.

Motion was made by Commissioner Morales and Seconded by Commissioner Perez to approve items 7(i) and 7(j). Motion carried unanimously.

8. Staff Reports and Other Discussion Items:

a) City Manager's Report -

None.

b) Staff Reports-Presentation by South Texas Emergency Care (STEC) on the Quarterly Report

A representative from South Texas Emergency Care (STEC) reviewed reports related to the recent flood, noting that one of the major challenges was reaching the hospital due to high water levels. Between March 27th and 29th, STEC received a total of 323 emergency calls. Their fleet includes 17 ambulances and 6 supervisor response vehicles.

The flooding significantly impacted on their equipment:

- 1 ambulance was declared a total loss
- 2 ambulances require engine replacements
- 2 ambulances sustained water damage and need repairs
- 1 supervisor response vehicle requires repair due to water damage
- 1 ambulance is being remounted

Mayor Sepulveda commended the STEC team for being able to manage through this flood and stated the city appreciates everything they do and their support during the flood.

9. Public Hearings:

Mayor Sepulveda announced Items (9 – a and f) are public hearings, and anyone wishing to speak for or against them could do so.

a) Public hearing for a Special Use Permit ("SUP") to allow a Civic Lodge in a Multi-Family (" M-2 ") District, located at 2006 Whalen Road, bearing a legal description of 2.5420 acres and 0.62 acres out of the South 5 acres of Lot 14, Block 147, San Benito Land and Water Company Subdivision. Applicant: Christine Blouch & Rene Capistran c/o Veterans of Foreign Wars Post 2410.

Item 9(a)-Melanie Dimas-2002 Whalen Road Harlingen, TX 78550 raised concerns regarding privacy, noise, and safety.

b) Public hearing for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("G R") District located at 1105 S. Tamm Lane, bearing a legal description of 3.4740 acres out of Block 33, Stuart Place Subdivision 139/297/298. Applicant: Cipriano Cardenas.

Item 9(b)- None

- 1 c) Public hearing for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a
2 General Retail ("GR") District to be located at 1402 N. Loop 499, bearing a legal description of
3 Tract A, Citrus Flats Subdivision, located along the East side of Loop 499, being 277 feet North
4 of Grimes Road. Applicant: Sydney Harness c/o Citrus Flatts Energy Center, LLC.

5
6 Item 9(d)- None
7

- 8 d) Public hearing amending the previously approved Planned Development ("PO") District Site Plan
9 to allow for 28-foot-wide streets with 30-feet of right-of-way for 90 townhome lots and one
10 commercial lot development on a property bearing a legal description of 12.537 acres of land out
11 of a Portion of Lots 1, 2, 7, and all of Lot 8, Block 146, San Benito Land and Water Company
12 Subdivision, located on the northwest corner of Haine Drive and FM 509. Applicant: Melden and
13 Hunt, c/o HOP Paso Real, LLC.

14
15 Item 9(d)- None
16

- 17 e) Public hearing for a rezoning request from Residential, Single Family ("R-1") District to Planned
18 Development ("PO") District to allow internal roads to have 50 feet R-O-W, and for 64 patio home-
19 style single family residential lots be less than the required 6,000 square feet for a property bearing
20 a legal description of 9.815 acres out of Lot 17, Cunningham's Subdivision, located on the south
21 side of Primera Road and Southbound Frontage Road of Expressway 77. Applicant: Melden and
22 Hunt, Inc.

23
24 Item 9(e)- None
25

- 26 f) Public hearing for the voluntary annexation of 3.22 acres of land out of Block 164, San Benito Land
27 and Water Company Subdivision, located along the south side of FM 675, approximately 2,890.
28 84 feet southeast of FM 509. Applicant: Emiliano Rosel c/o Mario Vega.

29
30 Item 9(f)- None
31

32 There being no further comments from the public, Mayor Sepulveda closed the public hearings.
33

34 **10. Action Items:**

35
36 **Ordinances:**
37

- 38 a) Consideration and possible action to adopt an ordinance on first reading for a Special Use Permit
39 ("SUP") to allow a Civic Lodge in a Multi-Family ("M-2") District, located at 2006 Whalen Road,
40 bearing a legal description of 2.5420 acres and 0.62 acres out of the South 5 acres of Lot 14, Block
41 147, San Benito Land and Water Company Subdivision. Applicant: Christine Blouch & Rene
42 Capistran c/o Veterans of Foreign Wars Post 2410.

43
44 Sol Nunez, Interim Planning and Zoning Director, reported that the applicant is proposing a 10,700
45 sq. ft. facility with operating hours from 12:00 p.m. to 12:00 a.m., Sunday through Saturday. Planning
46 and Zoning recommends approval with the following conditions:
47

- 48 • Maintain proper permits
49 • Ensure adequate parking
50 • Install video surveillance
51 • Comply with all requirements from Planning and Zoning, Building Inspections, Fire Prevention, and Police
52 Departments
53 • Adhere to the proposed operating hours
54 • Install a 10-ft. fence (as stipulated by the Planning and Zoning Commission)
55

Commissioner Mezmar inquired whether the facility currently hosts live music or plans to do so in the future.

Ms. Nunez confirmed that live music is currently featured at the location.

Motion was made by Commissioner Perez and seconded by Commissioner Morales to adopt an ordinance on first reading for a Special Use Permit ("SUP") to allow a Civic Lodge in a Multi-Family ("M-2") District, located at 2006 Whalen Road, bearing a legal description of 2.5420 acres and 0.62 acres out of the South 5 acres of Lot 14, Block 147, San Benito Land and Water Company Subdivision. Motion carried unanimously.

b) Consideration and possible action to adopt an ordinance on first reading for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 1105 S. Tamm Lane, bearing a legal description of 3.4740 acres out of Block 33, Stuart Place Subdivision 139/297/298. Applicant: Cipriano Cardenas.

Ms. Nunez reported that 8.26% of surrounding property owners submitted opposition to the proposal. Despite the opposition, Planning and Zoning recommends approval with the following conditions:

- Maintain valid permits
- Ensure adequate parking
- Install video surveillance
- Comply with regulations from Planning and Zoning, Building Inspections, Fire Prevention, Health, and Police Departments
- Adhere to approved operating hours
- Have a licensed security officer on-site during peak hours: Thursday through Saturday, 9:00 p.m. to 2:00 a.m.

Motion was made by Mayor Pro-Tem Kinsley and seconded by Commissioner Perez to adopt an ordinance on first reading for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 1105 S. Tamm Lane, bearing a legal description of 3.4740 acres out of Block 33, Stuart Place Subdivision 139/297/298. Motion carried as follows: FOR: Mayor Pro-Tem Ford Kinsley, Commissioners: Lopez, Mezmar, Perez; AGAINST: Commissioner Morales; ABSTAINED: None (Vote: 4-1-0).

c) Consideration and possible action to adopt an ordinance on first reading for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a General Retail ("GR") District to be located at 1402 N. Loop 499, bearing a legal description of Tract A, Citrus Flatts Subdivision, located along the East side of Loop 499, being 277 feet North of Grimes Road. Applicant: Sydney Harness c/o Citrus Flatts Energy Center, LLC.

Ms. Nunez noted that while the property currently holds a special use permit, the City ordinance requires that a new owner must obtain a permit under their own name upon transfer of ownership. Planning and Zoning recommends approval of the permit with the following conditions:

- Compliance with regulations from Planning and Zoning, Fire Prevention, Engineering, and Building Inspection Departments
- Installation of a fence with landscaping and irrigation
- Fire Chief approval of the project prior to issuance of a building permit

Mayor Sepulveda raised concerns regarding battery storage facilities potentially drawing energy from the power grid.

In response, the applicant explained that the batteries are charged during periods of low energy demand. She stated that the facility supports grid stabilization by discharging stored energy during peak usage times, thereby contributing to the community's energy needs.

Motion was made by Commissioner Mezmar and seconded by Commissioner Morales to adopt an ordinance on first reading for a Special Use Permit (SUP) to allow an unmanned battery storage facility in a General Retail ("GR") District to be located at 1402 N. Loop 499, bearing a legal description of Tract A, Citrus Flats Subdivision, located along the East side of Loop 499, being 277 feet North of Grimes Road. Motion carried unanimously.

- d) Consideration and possible action to adopt an ordinance on first reading amending the previously approved Planned Development ("PD") District Site Plan to allow for 28-foot-wide streets with 30-feet of right-of-way for 90 townhome lots and one commercial lot development on a property bearing a legal description of 12.537 acres of land out of a Portion of Lots 1, 2, 7, and all of Lot 8, Block 146, San Benito Land and Water Company Subdivision, located on the northwest corner of Haine Drive and FM 509. Applicant: Melden and Hunt, c/o HDP Paso Real, LLC.

Ms. Nunez presented details of the applicant's proposal for a private gated subdivision consisting of 90 lots, featuring 28-ft paved roads within a 30-ft right-of-way. Due to the narrower road design, the streets will function entirely as fire lanes, and on-street parking will be prohibited throughout the subdivision. Planning and Zoning recommends approval of the permit with the following conditions:

- Compliance with all applicable building codes and regulations
- No on-street parking allowed on interior streets
- Full compliance with drainage requirements and applicable Engineering Department standards

Commissioner Mezmar raised concerns related to the recent flood, noting the absence of water retention features. He also asked whether the subdivision roads would be publicly owned or privately maintained.

A discussion followed concerning drainage. Ms. Nunez clarified that the roads will be privately owned and maintained by the Homeowners' Association (HOA). She further stated that the property is currently under subdivision review, and drainage remains an active focus. Once finalized, the project will return to the Commission for approval, with Planning and Zoning coordinating with Engineering to ensure full regulatory compliance.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Kinsley to adopt an ordinance on first reading amending the previously approved Planned Development ("PD") District Site Plan to allow for 28-foot-wide streets with 30-feet of right-of-way for 90 townhome lots and one commercial lot development on a property bearing a legal description of 12.537 acres of land out of a Portion of Lots 1, 2, 7, and all of Lot 8, Block 146, San Benito Land and Water Company Subdivision, located on the northwest corner of Haine Drive and FM 509. Motion carried unanimously.

- e) Consideration and possible action to adopt an ordinance on first reading for a rezoning request from Residential, Single Family ("R-1") District to Planned Development ("PD") District to allow internal roads to have 50 feet R-O-W, and for 64 patio home-style single family residential lots be less than the required 6,000 square feet for a property bearing a legal description of 9.815 acres out of Lot 17, Cunningham's Subdivision, located on the south side of Primera Road and Southbound Frontage Road of Expressway 77. Applicant: Melden and Hunt, Inc.

Ms. Nunez stated that, according to the applicant's site plan, 64 lots are designated for single-family residences in the form of patio homes. She also noted that the surrounding land use include single-family residential to the north, mobile home residential to the east, and vacant land to the south and west.

Commissioner Lopez highlighted the significant flooding in the area due to drainage infrastructure.

1 Mayor Sepulveda raised concerns about ensuring developers and homeowners' associations (HOAs)
2 follow through with maintenance commitments for private neighborhoods, as some subdivisions had
3 failed to uphold similar promises in the past.

4
5 Ms. Nunez explained that Planning and Zoning's involvement is limited, but Code Enforcement can
6 send reminder letters to property owners and developers about maintenance obligations.

7
8 Mr. Gonzalez suggested amending the ordinance to either require the establishment of an HOA before
9 selling lots or mandate an escrow account to fund the creation of an HOA if the developer does not
10 fulfill this responsibility.

11
12 Ms. Nunez recommended coordinating with the Engineering Department to address subdivision design
13 and drainage issues.

14
15 Commissioner Lopez called for collaboration between Public Works, Assistant City Manager Oscar
16 Garcia, the Texas Department of Transportation, and the City of Primera to develop drainage solutions
17 and prevent future flooding.

18
19 Motion was made by Commissioner Lopez and seconded by Commissioner Perez to adopt an
20 ordinance on first reading for a rezoning request from Residential, Single Family ("R-1") District to
21 Planned Development ("PD") District to allow internal roads to have 50 feet R-O-W, and for 64 patio
22 home-style single family residential lots be less than the required 6,000 square feet for a property
23 bearing a legal description of 9.815 acres out of Lot 17, Cunningham's Subdivision, located on the
24 south side of Primera Road and Southbound Frontage Road of Expressway 77. The motion is subject
25 to Planning and Zoning adding any conditions they deem necessary. Motion carried unanimously.

- 26
27 f) Consideration and possible action to adopt an ordinance on first reading for the voluntary
28 annexation of 3.22 acres of land out of Block 164, San Benito Land and Water Company
29 Subdivision, located along the south side of FM 675, approximately 2,890.84 feet southeast of FM
30 509. Applicant: Emiliano Rosel c/o Mario Vega.

31
32 Motion to approve was made by Mayor Pro-Tem Kinsley and seconded by Commissioner Lopez to
33 adopt an ordinance on first reading for the voluntary annexation of 3.22 acres of land out of Block 164,
34 San Benito Land and Water Company Subdivision, located along the south side of FM 675,
35 approximately 2,890.84 feet southeast of FM 509.

- 36
37 g) Consideration and possible action to adopt an ordinance on first reading amending the adoption of
38 the 2024 International Codes and the 2023 National Electrical codes. Applicant: City of Harlingen.

39
40 Ms. Nunez explained that this item was being brought back to the Commission for approval
41 because the wrong code set was repealed last year. Now, the correct code set is being repealed. She
42 also noted that these codes are set to go into effect on May 6th, 2025, the implementation date can be
43 pushed back if needed.

44
45 Mayor Sepulveda suggested postponing implementation to allow sufficient time for the appropriate
46 departments to prepare and ensure they are ready to enforce the codes.

47
48 Motion was made by Commissioner Lopez and seconded by Commissioner Morales to adopt an
49 ordinance on first reading amending the adoption of the 2024 International Codes and the 2023 National
50 Electrical codes. The motion is subject to postponing implementation till October 1st, 2025. Motion
51 carried unanimously.

- 52
53 h) Consideration and possible action to adopt an ordinance on first reading amending the City of
54 Harlingen Code of Ordinances, Chapter 103, Buildings and Building Regulations, Article 1, In
55 General, authorizing the waiver of city building permit fees for residences and businesses affected
56 by the recent storm (flooding). Applicant: City of Harlingen.

Commissioner Lopez inquired whether, if an amendment to the ordinance is being considered, it would be possible to grant the mayor the emergency power to waive the fees directly. He noted that requiring ratification each time creates unnecessary procedural complications. If the Commission is in agreement, the ordinance could be amended so that whenever the mayor signs a disaster declaration, they would automatically have the authority to waive the fees for up to 14 days. After that period, the City Commission would review and extend the waiver if needed, streamlining the process.

Mark Sossi, City Attorney, clarified that the City already has the authority to waive the fees. The proposed change would simply clarify the procedure, giving the mayor the power to unilaterally waive the fees for up to 14 days after a state of emergency is declared. If the waiver needs to extend beyond 14 days, the Commission would be involved.

Motion was made by Commissioner Lopez and seconded by Commissioner Perez to adopt an ordinance on first reading amending the City of Harlingen Code of Ordinances, Chapter 103, Buildings and Building Regulations, Article 1, In General, authorizing the waiver of city building permit fees for residences and businesses affected by the recent storm (flooding).

The motion is contingent upon the following changes: granting the mayor emergency powers in which he or she signs a declaration disaster order for 14 days, and with the possibility of an extension for an additional 90 days by the City Commission, in order to cover the permit fees for March 26, 2025. Motion carried unanimously.

i) Consideration and possible action to approve the Harlingen Main Street Contract for 2025.

Alexis Riojas, Downtown Director, stated that the 2025 contract is with the Texas Main Street Program to officially designate Harlingen as a Texas Main Street. She also outlined the benefits of being part of the program.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Kinsley to approve the Harlingen Main Street Contract for 2025. Motion carried unanimously.

j) Consideration and possible action to approve the Texas Downtown Association Membership Renewal for 2025.

Motion was made by Commissioner Lopez and seconded by Commissioner Morales to approve the Texas Downtown Association Membership Renewal for 2025. Motion carried unanimously.

k) Consideration and possible action to approve the National Main Street Center Membership for 2025.

Motion was made by Commissioner Lopez and seconded by Commissioner Morales to approve the National Main Street Center Membership for 2025. Motion carried unanimously.

11. **Board Appointments:**

Commissioner Morales appointed Dawn Rae Sealy-Leonard to the Harlingen Waterworks/Utility Board of Trustees.

Motion was made by Commissioner Morales to approve the appointment of Dawn Rae Sealy-Leonard to the Harlingen Waterworks/Utility Board of Trustees. Having no second, motion dies.

12. **Executive Session:**

a) Deliberation pursuant to Texas Government Code 551.074 to consider personnel matters; ie the regular annual evaluation of the City Manager. (Mayor)

b) Consultation with legal counsel pursuant to Texas Government Code 551.071, regarding an agreed order between the City of Harlingen and TSTC, pertaining to real property. (City Attorney).

c) Consultation with legal counsel pursuant to Texas Government Code 551.071 (2) to receive attorney-client consultation protected by the attorney-client communications privilege. (City Attorney)

Motion was made by Mayor Pro-Tem Kinsley and seconded by Commissioner Mezmar to go into executive session. Motion carried unanimously.

At 7:46 p.m., Mayor Sepulveda announced the City Commission would convene into Executive Session to discuss Item 12 (a-c).

13. Action on Executive Session Items:

At 8:06 pm, Mayor Sepulveda announced the City Commission had completed its Executive Session and declared the meeting open to the public.

a) Discussion and possible action on Item 12(a) as discussed in executive session.

Motion was made by Commissioner Lopez and seconded by Commissioner Morales on Item 12(a) to table the item as discussed in executive session. Motion carried unanimously.

b) Consideration and possible action on Item 12(b) as discussed in executive session.

Motion was made by Commissioner Lopez and seconded by Commissioner Morales on Item 12(b) to table the item as discussed in executive session. Motion carried unanimously.

c) Consideration and possible action on Item 12(c) as discussed in executive session.

No action was made regarding Executive Session Item 12 (c).

14. Adjournment:

There being no other business to discuss, Mayor Sepulveda adjourned the meeting.

City of Harlingen

ATTEST:

Norma Sepulveda, Mayor

Hermelinda Gonzales, Interim City Secretary

7(2)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 16, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on second and final reading for a request for a Special Use Permit ("SUP") to allow an adult business (Tattoo Studio) in a General Retail ("GR") District located at 602 S. "F" Street, Suite D, bearing a legal description of Lots 1-4, West Harlingen Addition. Applicant: Jerry Lopez. Attachment (*Planning & Development*)

Prepared By: Soledad A. Núñez, CNU-A
Title: Interim Planning and Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- May 30, 2025 – Application for Special Use Permit ("SUP") submitted to the City. (**ATTACHMENT I**)
- June 12, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- June 13, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- June 25, 2025 - Public hearing and consideration of requested Special use permit by the Planning and Zoning Commission (P&Z).
- July 2, 2025 – Public hearing and consideration of requested SUP via 1st ordinance reading scheduled before the City Commission.
- July 16, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Pursuant to the Code of Ordinances, an "adult business" (tattoo studio) use in a General Retail "GR" District requires the approval of a Special Use Permit (SUP) by the City Commission.
- Jerry Lopez, the applicant, is requesting a special use permit to allow a tattoo studio out of an existing 600 square ft. suite located in the Discount Plaza at 602 S. "F" Street. (**ATTACHMENT II AND III**).
- Based on the site plan and the information submitted by the applicant, the proposed business will operate under the name of "Tinta Eterna." The hours of operation will be from Monday through Saturday from 8a.m. to 12a.m. Two parking spaces are required and provided in the common parking area for the plaza which includes a nail salon, an accessory store, and a daycare. (**ATTACHMENT III and IV**).
- Surrounding properties are zoned General Retail "GR" in all directions. The surrounding land uses consist of a tire shop to the north, a mechanic shop to the south, "United Refrigeration" and a commercial plaza to the east, and single-family residential use to the west. (**ATTACHMENTS V and VI**).
- The City of Harlingen Building Inspections, Fire Prevention, and Police Departments

reviewed the SUP application. The Building Inspection, Fire Prevention, and Police Departments reported no objection to the proposed request subject to adhering to the Harlingen Code of Ordinances and procedures administered by each department. (ATTACHMENTS VII-IX).

- The applicant must obtain and maintain the proper State and City permits.
- Presently, the Planning and Zoning Department has not received any objections to the request from surrounding property owners.
- In accordance with the zoning ordinance, the P&Z and City Commissions may impose requirements and conditions of approval as needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount ☐ Yes ☐ No*

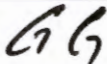
*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

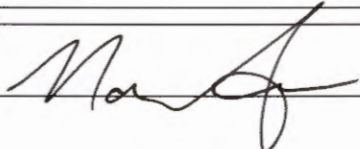
Staff Recommendation:

Staff recommends approval of the request subject to compliance with the following conditions:

1. Obtaining and maintaining the proper State and City permits;
2. Maintaining the required parking in accordance with city regulations;
3. Hours of operation are from 8am – 12am, Sunday through Saturday;
4. Providing video surveillance with a thirty-day video retention; and
5. Complying with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, and Police Departments.

City Manager's approval:  ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:  ☒ Yes ☐ No ☐ N/A

Attachment I

CITY OF HARLINGEN PLANNING AND ZONING DIVISION MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 602 SE street, Suite P Nearest Intersection W Wright Ave & SE ST
(Proposed) Subdivision Name Discount Plaza Lot 1-2-3-4 Block 6
Existing Zoning Designation General Retail Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Jerry Lopez Phone 956-203-3412 FAX _____
Email Address (for project correspondence only): jl2190621@gmail.com
Mailing Address 210 Rancha Vieja Av City Brownsville State TX Zip 78526
Property Owner Jesus P Garza Phone (956)244-7950 FAX _____
Email Address (for project correspondence only): _____
Mailing Address 521 W Tyler Ave City Harlingen State Tx Zip 78550

Select appropriate process for which approval is sought. Attach completed checklists with this application.

- | | |
|--|---|
| ☐ Annexation Request.....No Fee | ☐ Preliminary Construction Plans/Final Plat.....\$150.00 |
| ☐ Administrative Appeal (ZBA).....\$125.00 | ☐ Subdivision Variance Request.....\$25.00 (each) |
| ☐ Comp. Plan Amendment Request...\$250.00 | ☐ Re-plat.....\$250.00 |
| ☐ Re-zoning Request.....\$250.00 | ☐ Vacating Plat.....\$50.00 |
| ☒ SUP Request/Renewal.....\$250.00 | ☐ License to Encroach.....\$250.00 |
| ☐ Zoning Variance Request (ZBA).....\$250.00 | ☐ Right-of-Way/Utility Easement Abandonment...No Fee |
| ☐ PDD Request.....\$250.00 | |

Please provide a basic description of the proposed project: 8am-12am Tinta Eterna

I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided or this application is incorrect the permit or approval may be revoked.

Applicant's Signature: [Signature] Date: 5-30-25

Property Owner(s) Signature: [Signature] Date: 5-30-25

Accepted by: _____ Date: _____

Attachment II



Request for a Special Use Permit (SUP) to allow an adult business (Tattoo Studio) in a General Retail ("GR") District located at 602 South F Street, Suite D, bearing a legal description of Lots 1, 2, 3, and 4, Block 6, West Harlingen Addition. Applicant: Jerry Lopez



Boundary lines

- Harlingen city limits.shp
- 200' Notification Boundary
- Subject Property

Zoning Designations

- | | | |
|---------------------------|-------------------------------|--------------------------------|
| General Retail (GR) | Multi Family Residential (M2) | Office (O) |
| Heavy Industry (HI) | Mobile Home Residential (MH) | Planned Development (PD) |
| Light Industry (LI) | Not-Designated (N) | Single Family Residential (R1) |
| 3/4 Plex Residential (M1) | Neighborhood Services (NS) | Duplex Residential (R2) |
| | | Residential Patio Home (RPH) |

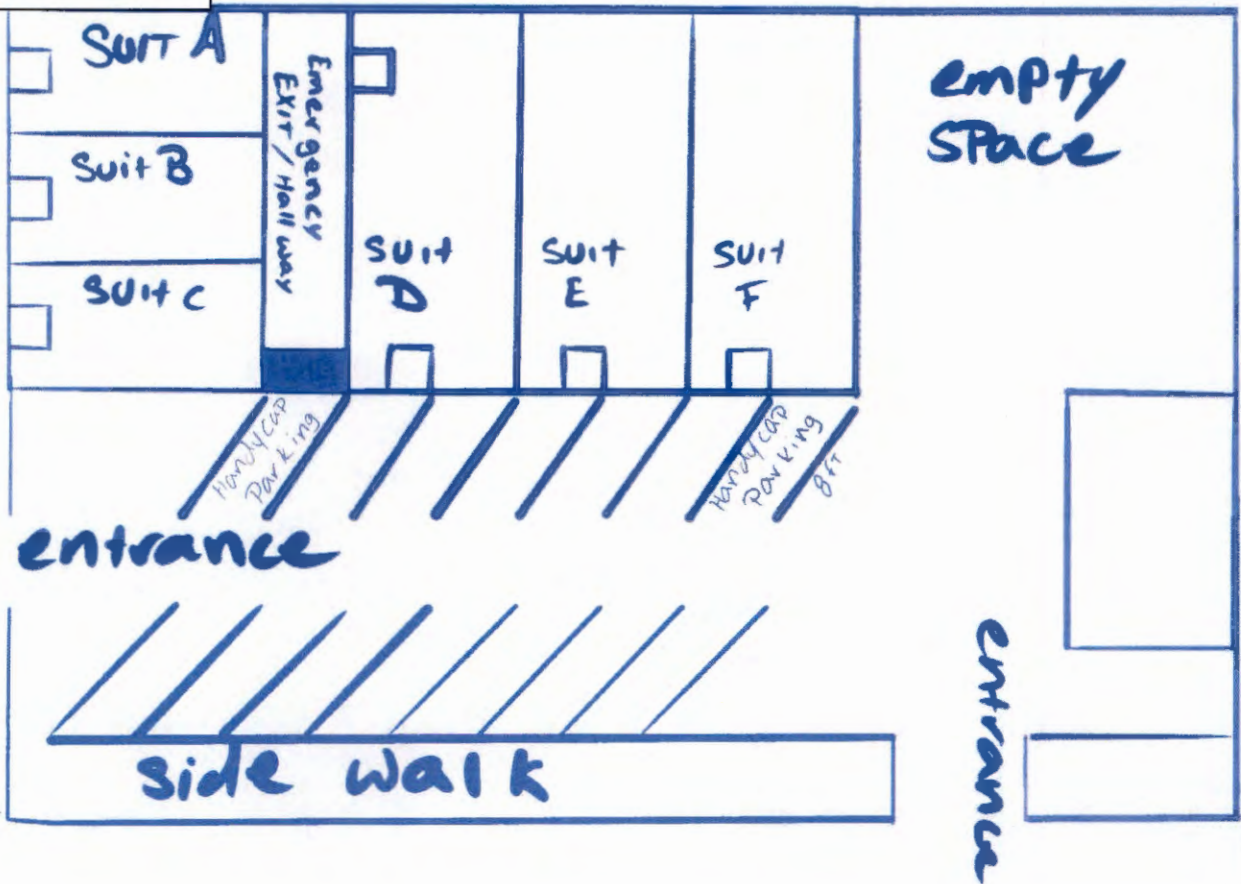
This map has been produced by the City of Harlingen for the sole purpose of locating jurisdictional boundaries and is not intended for any other. The map data is compiled from various sources including orthophoto imagery, engineer plans and plats, survey field notes, and other sources. This map is intended for graphic representation only. No warranty is made by the City regarding its accuracy or completeness. Before relying on any information on the map, check with the Planning Department. Date of map 06.10.2025

Attachment III



Attachment IV

SITE PLAN



Attachment V





Specific Use Permit ("SUP") Routing Slip

Applicant: Jerry Lopez

Phone No.: (956) 203-3412

Location: 602 S. F Street, Suite D

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (Tattoo Studio) in a General Retail ("GR") District located at 602 S. F Street, bearing a legal description of Lots 1, 2, 3, and 4, Block 6, West Harlingen Addition. Applicant: Dimas Rivas

Department: Building Permits and Inspections Department

Approval: YES NO X PENDING

Comments: If request is approved by the Planning Department, A Building Permit application, a site plan, existing floor plan and proposed floor plan with a code analysis for the proposed use must be submitted to the Building Department. The construction documents must comply with the 2018 International Building Code and Family of Codes. The city commission adopted the new 2024 family of codes which will take effect on October 1, 2025. Any building permit applications received after that date will have to follow the new codes.

Raul Rodriguez
Signature

06/17/2025
Date



Specific Use Permit ("SUP") Routing Slip

Applicant: Jerry Lopez

Phone No.: (956) 203-3412

Location: 602 South F Street, Suite D

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (Tattoo Studio) in a General Retail ("GR") District located at 602 South F Street, Suite D, bearing a legal description of Lots 1, 2, 3, and 4, Block 6, West Harlingen Addition. Applicant: Jerry Lopez

Department: Fire Prevention Bureau

Approval: X YES NO

Comments: Applicant will have to meet any code, regulation, ordinance, and standard required for permit.

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr

Date: June 17, 2025

Attachment VIII



Specific Use Permit ("SUP") Routing Slip

Applicant: Jerry Lopez

Phone No.: (956) 203-3412

Location: 602 S. F Street, Suite D

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (Tattoo Studio) in a General Retail ("GR") District located at 602 S. F Street, bearing a legal description of Lots 1, 2, 3, and 4, Block 6, West Harlingen Addition. Applicant: Dimas Rivas

Department: HARLINGEN POLICE DEPT.

Approval: ☒ YES ☐ NO

Comments: *APPROVAL PENDING CONTACT WITH APPLICANT. RECOMMEND MAKING CONTACT WITH APPLICANT AND DISCUSS SUP REQUIREMENTS.*



Alfredo Alvear, BSCJ, CPM
Interim Chief of Police

6/19/25

DATE

ORDINANCE NO. 25-_____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (ORDINANCE NO. 16-8) OF THE CITY OF HARLINGEN: TO ISSUE A SPECIAL USE PERMIT (SUP) TO JERRY LOPEZ TO ALLOW AN ADULT BUSINESS (TATTOO STUDIO) IN A GENERAL RETAIL ("GR") DISTRICT LOCATED AT 602 S. "F" STREET, BEARING A LEGAL DESCRIPTION OF LOTS 1-4, WEST HARLINGEN ADDITION.

WHEREAS, the Planning and Zoning Commission of the City of Harlingen pursuant to Harlingen's Zoning Ordinance procedure, has recommended a special use permit for certain described real property in the City of Harlingen; and it is deemed to be in the best interest of the City of Harlingen in accordance with said recommendation of the Planning and Zoning Commission of the City, being the recommendation as hereinafter set forth; and public notice of such proposed special use permit having been fully made and complied with as required by said Code of Ordinances and applicable laws of the State of Texas; and the City Commission of the City of Harlingen having held public hearings with reference thereto, being duly and thoroughly heard; and after consideration of the evidence presented, said City Commission is of the opinion that it is in the best interest of the City of Harlingen that said Code of Ordinances be amended as indicated, now, therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN

That the Code of Ordinances of the City of Harlingen (Ordinance 16-8) be and the same is herewith amended by the following described property being changed for permissive zone use as indicated:

Special Use Permit (SUP) to allow a tattoo store in a General Retail ("GR") District located at 602 S. "F" Street, Suite D, bearing a legal description of parts of Lots 1-4, West Harlingen Addition as shown in Exhibits "A" and "B" subject to:

1. Obtaining and maintaining the proper State and City permits;
2. Maintaining the required parking in accordance with city regulations;
3. Hours of operation are from 8am – 12am, Sunday through Saturday;
4. Provide video surveillance with a thirty-day video retention; and
5. Complying with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, and Police Departments

A copy of the Zoning Map constituting a part and parcel of the Code of Ordinances, as filed with the Building Inspection Inspector and for the joint use and information of the Planning and Zoning Commission shall, upon final enactment hereof, be and the same is herewith amended and revised to reflect that the above described property is zoned for land use purposes as above indicated by the boundaries thereof being outlined in pronounced heavy line markings and such heavy line marking boundary enclosure being indicated within by the appropriate initials for that portion herewith zoned for particular land uses; with the Planning and Development Director being herewith instructed and authorized to document such Zoning Map changes and revisions.

The provisions of this ordinance shall become effective from and after the final and lawful passage hereof and publication of the caption hereof as provided for and required in the Code of Ordinances and applicable state statutes.

FINALLY ENACTED this ____ day of _____, 2025 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

Exhibit "A"

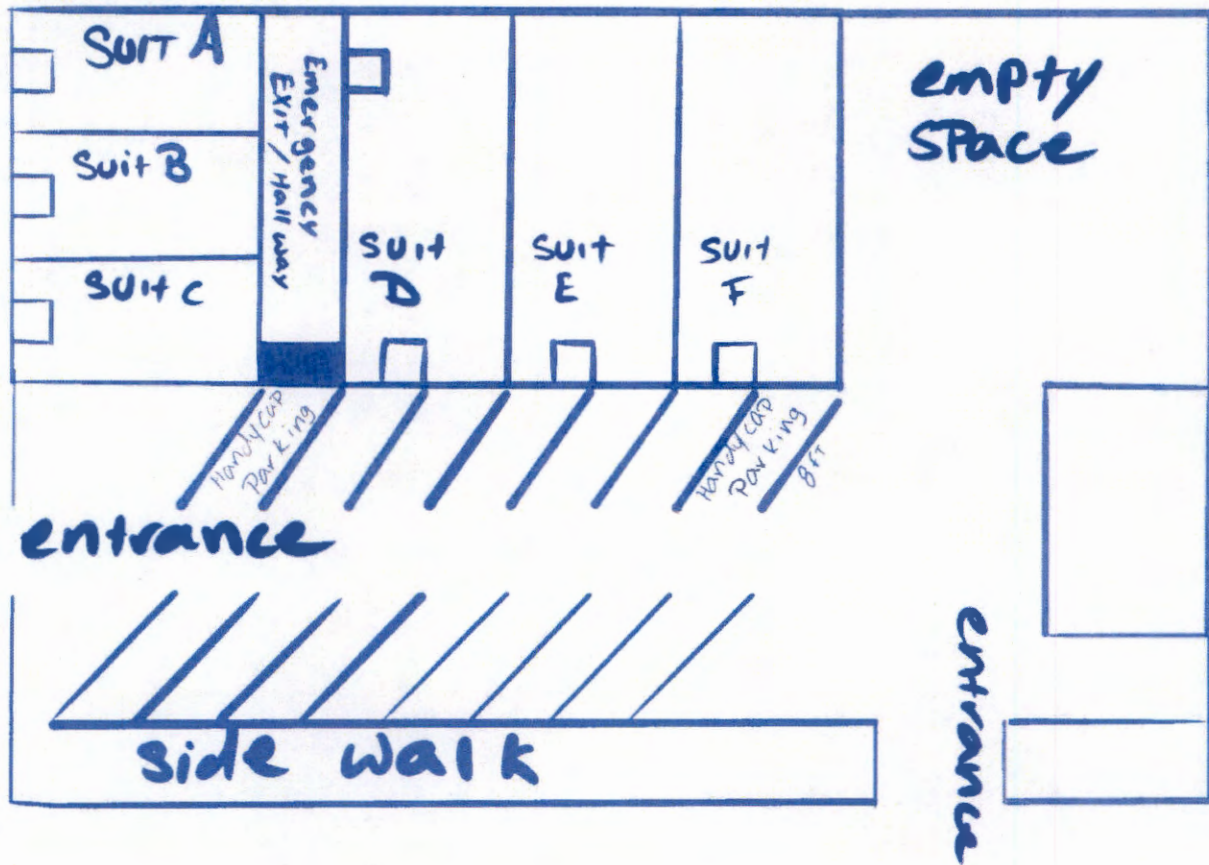
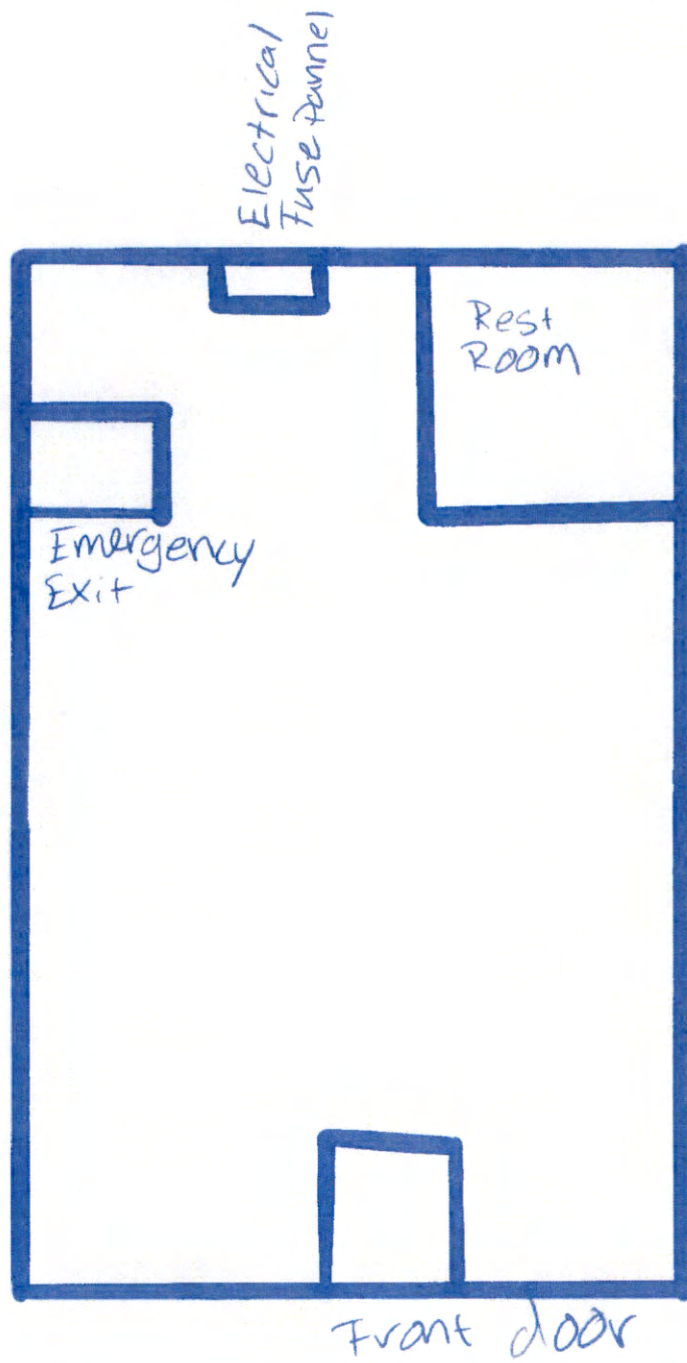


Exhibit "B"



7(b)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 16, 2025**

Agenda Item:

Consideration and possible action to approve a request from the Harlingen Police Department to close the following intersections for their National Night Out event on Tuesday, August 5, 2025 from 6:00 p.m. to 9:00 p.m.:

- Fair Park Blvd. between North "L" Street and North "J" Street; (no thru traffic) to include all entries and exits from the Performing Arts, Municipal Auditorium and Casa de Amistad parking lots;
- Northside intersection of North "L" Street and West Adams Avenue; and,
- Detour signs at North "L" Street and Fair Park Blvd. to direct traffic north onto Wichita Avenue.

Street closures will begin on Tuesday, August 5, 2025 at 12:00 noon so that it will allow for officers, partners and vendors to set-up prior to the event and facilitate safety of the attendees and participants.

Prepared By (Print Name): Alfredo Alvear

Title: Chief of Police

Signature: 

Brief Summary:

The Harlingen Police Department, in partnership with other City Departments and various citywide entities will be hosting the National Night Out event on Tuesday, August 5, 2025 from 6:00 p.m. to 9:00 p.m. at Lon C. Hill Park with the goal of promoting anti-crime theme "Say No to Drugs" and forging stronger community relations. The streets closures will begin on Tuesday, August 5, 2025 at 12:00 noon so that it will allow for officers, partners and vendors to set-up prior to the event and facilitate the safety of the attendees and participants.

The Harlingen Assistant Fire Chief has reviewed the request and provided approval.

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested: N/A

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

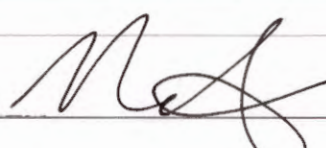
Staff Recommendation:

Staff recommends approval.

For Street Closures ONLY, Fire Chief's approval: ☒ Yes ☐ No ☐ N/A

City Manager's approval:  ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:  ☒ Yes ☐ No ☐ N/A



HARLINGEN POLICE DEPARTMENT
1018 FAIR PARK BLVD., HARLINGEN, TX 78550

INTER-DEPARTMENTAL COMMUNICATION
FRONT DESK: (956) 216-5401 ADMINISTRATION: (956) 216-5403

TO: Chief of Police

DATE: 7/7/25

FROM: District Representative Sandra Moreno # 3997

RE: Street Closure for National Night Out

Description: Annual National Night Out 42nd Anniversary Celebration being held at Lon C. Hill Park on August 05, 2025, between the hours of 6:00 PM through 9:00 PM. Free event is open for the community with fun games, food, entertainment and neighborhood safety tips from the Harlingen Police Department and participating businesses.

To ensure the safety of all the participants, we are requesting the closure of the following streets for the duration of the event on Tuesday.

- Close Fair Park Blvd. between North L Street and North J Street (prevent thru traffic) to include all entries and exits from the Municipal Auditorium, Case de Amistad, and Harlingen Performing Arts parking lots.
- Close the north side intersection of North L Street and West Adams Ave.
- Detour Signs at North "L" Street/ Fair Park Blvd. to send traffic north and onto Wichita Avenue.

If approved, barricades should be delivered and installed by the City of Harlingen Streets Department at 12:00P.M. on Tuesday August 05, 2025, and removed from the roadway at 11:00 P.M. on Tuesday, August 05, 2025. A copy of the map is attached to this IDC.

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE	<i>Sandra Moreno</i>	3997	7/7/2025
SERGEANT / SUPERVISOR	<i>Samuel</i>	2885	7/7/2025
COMMANDER / MANAGER	<i>Chavez</i>	4829	7/7/25
DEPUTY CHIEF			
ASSISTANT CHIEF			
CHIEF OF POLICE			

National Night Out 2025



Frances Pena - HPD

From: Ruben Balboa - HFD
Sent: Monday, July 7, 2025 5:04 PM
To: Frances Pena - HPD; Rafael Balderas - HFD; Donna Henderson - HFD
Subject: RE: STREET CLOSURE REQUESTS

Good afternoon Ms. Pena,

HFD has no issues with the street closures.

From: Frances Pena - HPD <fpena@harlingentx.gov>
Sent: Monday, July 7, 2025 1:37 PM
To: Ruben Balboa - HFD <rbalboa@harlingentx.gov>; Rafael Balderas - HFD <rbalderas@harlingentx.gov>; Donna Henderson - HFD <dhenderson@harlingentx.gov>
Subject: STREET CLOSURE REQUESTS

Good Afternoon Asst. Fire Chief Balboa:

I would ask if you could please review the attached street closure requests for the following events:

1. NATIONAL NIGHT OUT
2. ST. ANTHONY'S CATHOLIC CHURCH ANNUAL FALL FESTIVAL
3. SAGE TOUCH, INC. NON-PROFIT CONCERT

Please provide your recommendations so that I can include as agenda items at the next City Commission meeting.

Thank You!

Frances Peña
Executive Admin. Asst.
Office of the Chief of Police
1018 Fair Park Blvd.
Harlingen, TX 78550
956-216-5403 office
956-216-5407 fax
fpena@harlingentx.gov

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**AGENDA ITEM
EXECUTIVE SUMMARY**

7(c)

Meeting Date: **July 16, 2025**

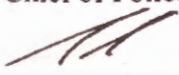
Agenda Item:

Consideration and possible action to approve a request from the Jaques Royal to close the streets listed below, on Saturday, August 30, 2025, from 6:00 p.m. to 11:59 p.m. for their Sage Touch, Inc. Non-Profit Concert event. Attachment (**Police**).

- Eastside intersection of West Jackson Avenue and "D" Street;
- Southside intersection of the 100 Block of North "C" Street and alleyway;
- Northside intersection of the 100 Block of South "C" Street and alleyway; and,
- Westside intersection of West Jackson Avenue and West Street.

Prepared By (Print Name): Alfredo Alvear

Title: Chief of Police

Signature: 

Brief Summary:

Jaques Royal, Founder and President of Sage Touch, Inc. is requesting the closure of the streets listed below, on Saturday, August 30, 2025, from 6:00 p.m. to 11:59 p.m. for their Sage Touch, Inc. Non-Profit Concert event:

- Eastside intersection of West Jackson Avenue and "D" Street;
- Southside intersection of the 100 Block of North "C" Street and alleyway;
- Northside intersection of the 100 Block of South "C" Street and alleyway; and,
- Westside intersection of West Jackson Avenue and West Street.

The street closures will help to ensure the safety of the visitors attending this event.

The Asst. Fire Chief has reviewed this request and provided his approval.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount ☐ Yes ☐ No*

*If no, specify source of funding and amount requested: N/A

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

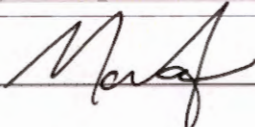
Staff Recommendation:

Staff recommends approval.

For Street Closures ONLY, Fire Chief's approval: ☒ Yes ☐ No ☐ N/A

City Manager's approval:  ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:  ☐ Yes ☐ No ☐ N/A



HARLINGEN POLICE DEPARTMENT
1018 FAIR PARK BLVD., HARLINGEN, TX 78550

INTER-DEPARTMENTAL COMMUNICATION
FRONT DESK: (956) 216-5401 ADMINISTRATION: (956) 216-5403

TO: Chief of Police

DATE: 7/3/25

FROM: District Representative Benito Bravo #3412

RE: Street Closure for Sage Touch Inc. Non-Profit Music Concert

Requestor: Alexis Riojas / Downtown Director

Event Date: Saturday, August 30, 2025

Time: 6:00 p.m. to 12:00 a.m. (midnight)

Location: West Jackson Avenue/ South C Street, Harlingen, Texas

Mrs. Riojas is requesting a street closure on behalf of the Harlingen Downtown Board for their Sage Touch Inc. Non-Profit Music Concert event. The event will feature a vendor market, food vendors and much more. The street closure being requested is from 6:00 p.m. to 12:00 a.m. (midnight) on August 30, 2025. The closing of the streets will ensure the safety of the public attending the event.

If approved, barricades are to be delivered by the City of Harlingen Streets Department prior to 4:00 p.m. on Friday, August 29, 2025, and removed from the roadway on August 31, 2025, at 1:00 a.m. A copy of the map is attached to this IDC.

- Close the east side intersection of West Jackson Ave. and D Street.
- Close the south side intersection of the 100 Block of North C Street and alleyway.
- Close the north side intersection of the 100 Block of South C Street and alleyway.
- Close the west side intersection of West Jackson Ave. and West Street.

S

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE	<i>Benito Bravo</i>	3412	07/03/2025
SERGEANT / SUPERVISOR	<i>Sgt. M. B. M.</i>	2885	07/03/2025
COMMANDER / MANAGER			
DEPUTY CHIEF	<i>J. L. Seal</i>	1933	7/3/25
ASSISTANT CHIEF			
CHIEF OF POLICE	<i>[Signature]</i>	2743	7/3/25

STREET CLOSURE SAGE TOUCH INC. CONCERT



 Barricade

Benito Bravo - HPD

From: Angela Anderson
Sent: Wednesday, July 2, 2025 12:03 PM
To: Benito Bravo - HPD; Jose J. Lopez - HPD; Frances Pena - HPD; Alfredo Alvear - HPD
Cc: Alexis Riojas; Norma L. Gonzalez
Subject: DID Approved Street Closure Sage Touch-8.30.25
Attachments: Street Closure Sage Touch August 2025.pdf

Good morning.

Please see the attached street closure approval and map for the upcoming Sage Touch Inc. Non-Profit Music Concert event scheduled for Saturday, August 30th, 2025, from 6:00 PM-12:00 AM.

Thank you.

Angie Anderson

Promotion & Events Manager

📞 956 216 4910 EXT 4911

✉ aanderson@harlingentx.gov

🌐 www.harlingentx.gov

📍 209 W. Jackson Ave | Harlingen, TX 78550





Downtown Harlingen

P.O. Box 2207, Harlingen, TX 78551-2207

(Office at 209 W. Jackson)

Phone: (956) 216-4910 Fax: (956) 216-8037

www.downtownharlingen.com

Raymond Reyes
318 W. Jackson Ave
Harlingen, Texas 78550

On behalf of the Downtown Improvement District Office, our D.I.D. Board approved the following on July 1, 2025:

- **Consideration and possible action to approve the proposed street closures for the "Sage Touch Inc. Non-Profit Ignite Change EDM Donation Drive" event, scheduled for August 30, 2025, from 6:00 p.m. to 12:00 a.m. -*The D.I.D. Board has approved the submitted street closure requests.***

We appreciate your patience and cooperation. Please contact the office for any additional information at 956-216-4910.

Best regards,

Alexis Riojas
Downtown Director



SAGE TOUCH INC.

IGNITE CHANGE

EDM DONATION DRIVE

AUGUST 30

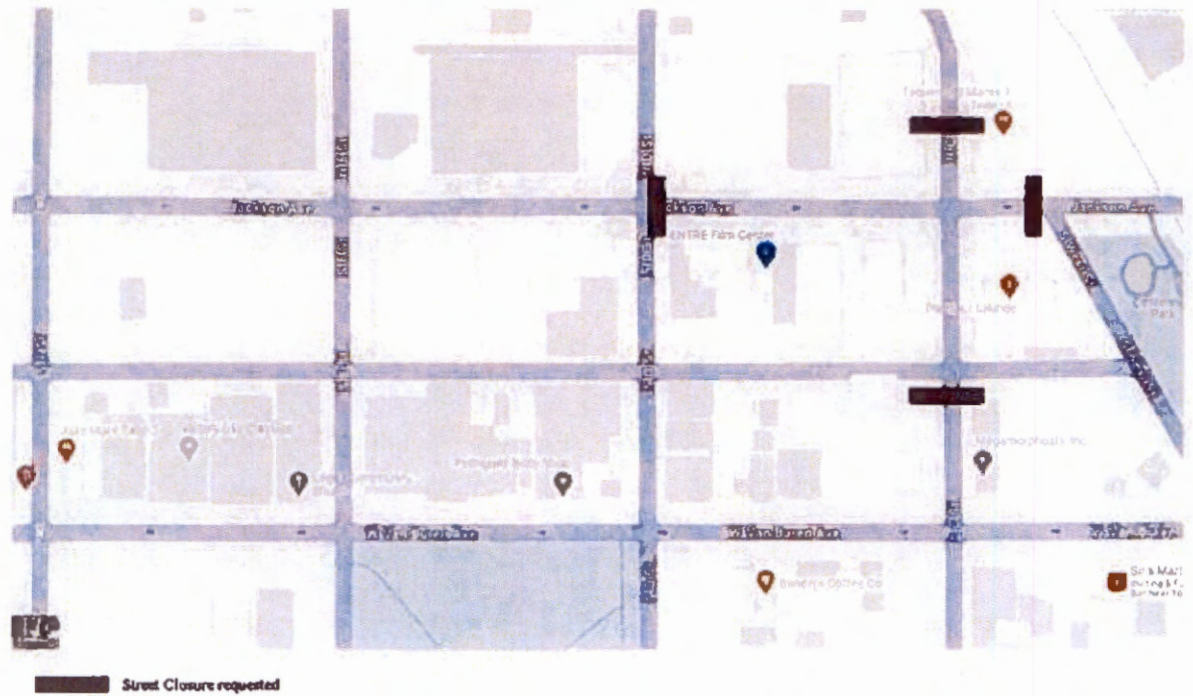
Dj's list to be announced

**318 W. JACKSON AVE
HARLINGEN TX**

8PM-MIDNIGHT ON STAGE
12AM-2AM LUNA SKY LOUNGE



Event Non-Profit Music Concert for Sage Touch Inc. August 30th 6pm - 1145pm / After Party at LUNA



Frances Pena - HPD

From: Ruben Balboa - HFD
Sent: Monday, July 7, 2025 5:04 PM
To: Frances Pena - HPD; Rafael Balderas - HFD; Donna Henderson - HFD
Subject: RE: STREET CLOSURE REQUESTS

Good afternoon Ms. Pena,

HFD has no issues with the street closures.

From: Frances Pena - HPD <fpena@harlingentx.gov>
Sent: Monday, July 7, 2025 1:37 PM
To: Ruben Balboa - HFD <rbalboa@harlingentx.gov>; Rafael Balderas - HFD <rbalderas@harlingentx.gov>; Donna Henderson - HFD <dhenderson@harlingentx.gov>
Subject: STREET CLOSURE REQUESTS

Good Afternoon Asst. Fire Chief Balboa:

I would ask if you could please review the attached street closure requests for the following events:

1. NATIONAL NIGHT OUT
2. ST. ANTHONY'S CATHOLIC CHURCH ANNUAL FALL FESTIVAL
3. SAGE TOUCH, INC. NON-PROFIT CONCERT

Please provide your recommendations so that I can include as agenda items at the next City Commission meeting.

Thank You!

Frances Peña
Executive Admin. Asst.
Office of the Chief of Police
1018 Fair Park Blvd.
Harlingen, TX 78550
956-216-5403 office
956-216-5407 fax
fpena@harlingentx.gov

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7(d)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 16, 2025**

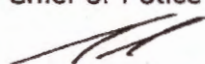
Agenda Item:

Consideration and possible action to approve a request from St. Anthony Catholic Church to close certain sections of roadways / streets surrounding the Church's property commencing Friday, October 31, 2025 at 5:00 p.m. thru 11:59 p.m. on Sunday, November 2, 2025 for their Annual Fall Festival. Attachment (**Police**).

- South and eastside intersections of 10th Street and Van Buren Avenue
- Alleyway in the 200 Block of South 10th Street
- Northside intersection of 10th Street and Harrison Avenue
- Westside intersection of 11th Street and Van Buren Avenue

Prepared By (Print Name): Alfredo Alvear

Title: Chief of Police

Signature: 

Brief Summary:

Martha Madrigal Ramos, Festival Co-Chair with St. Anthony Catholic Church is requesting to close the following streets commencing on Friday, October 31, 2025 at 5:00 p.m. thru 11:59 p.m. on Sunday, November 2, 2025 for their Annual Fall Festival.

- South and eastside intersections of 10th Street and Van Buren Avenue
- Alleyway in the 200 Block of South 10th Street
- Northside intersection of 10th Street and Harrison Avenue
- Westside intersection of 11th Street and Van Buren Avenue

The closure is required to provide a safe haven for all individuals attending the festival. The Asst. Fire Chief has reviewed this request and provided his approval.

Funding (If applicable):

Are funds specifically designated in the current budget for the full amount for this purpose? ☐ Yes ☐ No*

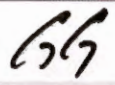
*If no, specify source of funding and amount requested: N/A

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

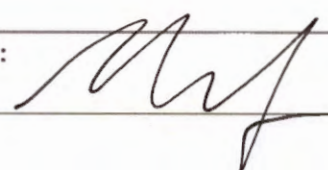
Staff Recommendation:

Staff recommends approval.

For Street Closures ONLY, Fire Chief's approval: ☒ Yes ☐ No ☐ N/A

City Manager's approval:  ☐ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:  ☐ Yes ☐ No ☐ N/A



HARLINGEN POLICE DEPARTMENT
1018 FAIR PARK BLVD., HARLINGEN, TX 78550

INTER-DEPARTMENTAL COMMUNICATION
FRONT DESK: (956) 216-5401 ADMINISTRATION: (956) 216-5403

TO: Chief of Police

DATE: 7/2/25

FROM: District Representative Sandra Moreno #3997

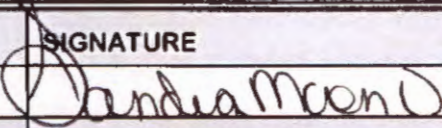
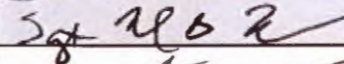
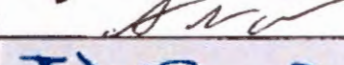
RE: Street Closure for St. Anthony Church Annual Fall Festival

Requestor: Martha Madrigal-Ramos / St. Anthony Festival Co-Chair
Event Date: October 31, 2025 5:00 P.M. to November 2, 2025 12:00 A.M.
Location: St. Anthony Catholic Church (1015 E. Van Buren, Harlingen, Texas)

Ms. Madrigal- Ramos is requesting a street closure on behalf of St. Anthony Catholic Church for their Annual Fall Festival. This event has been held, for several years, at the external grounds of the church property. Due to the magnitude of this annual event that attracts a considerable number of people from Harlingen and its vicinity, they would like to request permission to close the 200 Block of South 10th Street and the 1000 Block of East Van Buren. The event will begin on Friday, October 31, 2025 from 5:00 pm through midnight on Sunday, November 2, 2025. The closing of the above mentioned streets will secure the safety of families and individuals that would normally attend this event.

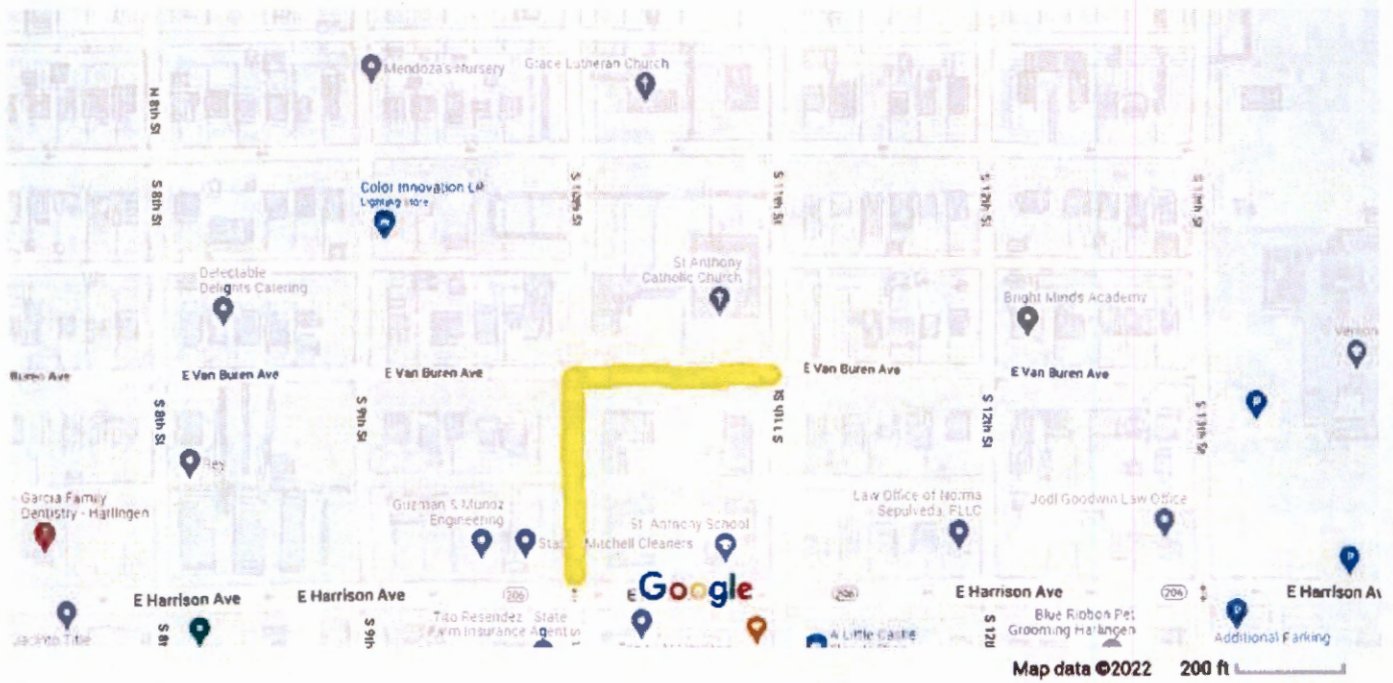
If approved, barricades are to be delivered and installed by the City of Harlingen Streets Department prior to 4:00 pm on Friday, October 31, 2025 and removed from the roadway on November 2, 2025 at 12:00 A.M. midnight. A copy of the map is attached to this IDC.

- Close the south and east side intersections of 10th Street and Van Buren Ave.
- Close the alleyway in the 200 block of South 10th Street.
- Close the north side intersection of 10th Street and Harrison Ave.
- Close the west side intersection of 11th Street and Van Buren Ave.

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE		3997	7/2/2025
SERGEANT / SUPERVISOR		2885	7/2/2025
COMMANDER / MANAGER		4822	7/2/25
DEPUTY CHIEF		1933	7/3/25
ASSISTANT CHIEF			
CHIEF OF POLICE		2743	7/3/25

St. Anthony Catholic Church





Frances Pena - HPD

From: Marty Madrigal <mleal3389@gmail.com>
Sent: Tuesday, June 24, 2025 1:53 PM
To: Frances Pena - HPD
Subject: Street Closure
Attachments: StA Festival_Street Map.pdf

June 24, 2025

City of Harlingen Police Department

Attn: Frances Pena, Secretary to Chief

email: fpena@harlingentx.gov

1018 Fair Park Blvd.

Harlingen, Texas 78550

RE: Request for Street Closure

To Whom It May Concern:

This is a formal request for street closure on behalf of St. Anthony Catholic Church community for the dates of Friday, October 31, 2025 at 5pm through Sunday, November 2, 2025 at 5 pm 12:00 am (midnight).

The Parish is planning the Annual Fall Festival that is open to the public. We anticipate as many as 400 people to attend the festival.

The streets to be closed are: One block: Harrison to Van Buren

And One block: Van Buren - 10th to 11th Street.

I can be reached at contact information below if additional information is needed. We appreciate your consideration and approval.

Best regards,

Martha Madrigal -Ramos

Festival Co-Chair

Cell # 956-778-6244

Email: mleal3389@gmail.com

Sent from my iPhone

Frances Pena - HPD

From: Ruben Balboa - HFD
Sent: Monday, July 7, 2025 5:04 PM
To: Frances Pena - HPD; Rafael Balderas - HFD; Donna Henderson - HFD
Subject: RE: STREET CLOSURE REQUESTS

Good afternoon Ms. Pena,

HFD has no issues with the street closures.

From: Frances Pena - HPD <fpena@harlingentx.gov>
Sent: Monday, July 7, 2025 1:37 PM
To: Ruben Balboa - HFD <rbalboa@harlingentx.gov>; Rafael Balderas - HFD <rbalderas@harlingentx.gov>; Donna Henderson - HFD <dhenderson@harlingentx.gov>
Subject: STREET CLOSURE REQUESTS

Good Afternoon Asst. Fire Chief Balboa:

I would ask if you could please review the attached street closure requests for the following events:

1. NATIONAL NIGHT OUT
2. ST. ANTHONY'S CATHOLIC CHURCH ANNUAL FALL FESTIVAL
3. SAGE TOUCH, INC. NON-PROFIT CONCERT

Please provide your recommendations so that I can include as agenda items at the next City Commission meeting.

Thank You!

Frances Peña
Executive Admin. Asst.
Office of the Chief of Police
1018 Fair Park Blvd.
Harlingen, TX 78550
956-216-5403 office
956-216-5407 fax
fpena@harlingentx.gov

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7e)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 16, 2025**

Agenda Item:

Consideration and possible action authorizing the City Manager to accept a grant award from the Texas Veterans' Commission – Housing for Texas Heroes Grant Program. Attachment (*Special Projects Department*)

Prepared By: Ana Hernandez, Mobility & Special Projects Director

Brief Summary:

The Housing for Texas Heroes (H4TXH) Grant Program provides necessary home modifications, repairs, and weatherization for veterans and surviving spouses who live in Texas. The City of Harlingen has been awarded \$500,000.00 to provide housing assistance to eligible low-income households. Eligible services include home modification, home repair, and home weatherization projects. The maximum reimbursement per beneficiary household is \$35,000.00.

There is no match for the grant. The grant cycle begins July 1st, 2025, and runs through August 31st, 2026.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount (Yes/No):

*If no, specify source of funding and amount requested:

Finance Director's approval (Yes/No/NA):

Staff Recommendation:

Staff recommends approval of this Resolution.

City Manager approval:

66

Comments:

City Attorney's approval:

RESOLUTION NO. 2025 - ____

A RESOLUTION TO THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT AWARD FROM THE TEXAS VETERANS COMMISSION – HOUSING FOR TEXAS HEROES PROGRAM.

WHEREAS, the Texas Veterans' Commission provides grants to nonprofit organizations and local government programs that address the needs of Texas veterans and their families; and,

WHEREAS, the Housing for Texas Heroes Grant Program provides necessary home modifications, repairs, and weatherization for veterans and surviving spouses who live in Texas; and,

WHEREAS, the Harlingen City Commission finds it in the best interest of the residents of Harlingen, Texas, to accept a grant award of \$500,000 from the Texas Veterans' Commission to provide housing assistance to eligible low income households

NOW, THEREFORE, BE IT RESOLVED that the Harlingen City Commission approves the acceptance of \$500,000 from the Texas Veterans' Commission 2025-2026 Housing for Texas Heroes Program.

CONSIDERED and **ADOPTED** this 16th day of July 2025 at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present, and which was held in accordance with Government Code Chapter 551, as amended.

CITY OF HARLINGEN

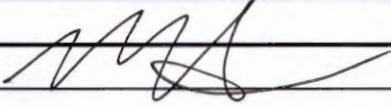
Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 16, 2025**

Agenda Item:
Consideration and possible action authorizing the City Manager to accept a grant award from the Texas Veterans' Commission – General Assistance Grant Program – Financial Assistance. Attachment (<i>Special Projects Department</i>)
Prepared By: Ana Hernandez, Mobility & Special Projects Director
Brief Summary:
The General Assistance (GA) Grant Program includes service categories collectively supporting veterans, dependents, and surviving spouses living in Texas. Tangible services paid for by this grant program must be in Texas. The City of Harlingen has been awarded \$400,000.00 to provide financial assistance to eligible beneficiaries who can demonstrate financial need in the following categories: mortgage, rent, utilities, and child/adult care categories.
There is no match for the grant. The grant cycle begins July 1st, 2025, and runs through August 31st, 2026.
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
Staff recommends approval of this Resolution.
City Manager approval: 
Comments:
City Attorney's approval: 

RESOLUTION NO. 2025 - ____

A RESOLUTION TO THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS, AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT AWARD FROM THE TEXAS VETERANS COMMISSION – GENERAL ASSISTANCE GRANT PROGRAM – FINANCIAL ASSISTANCE

WHEREAS, the Texas Veterans' Commission provides grants to nonprofit organizations and local government programs that address the needs of Texas veterans and their families; and,

WHEREAS, the General Assistance (GA) Grant Program includes service categories that collectively support veterans, dependents, and surviving spouses who live in Texas.

WHEREAS, the Harlingen City Commission finds it in the best interest of the residents of Harlingen, Texas, to accept a grant award of \$400,000 from the Texas Veterans' Commission to provide financial assistance to eligible beneficiaries who can demonstrate financial need.

NOW, THEREFORE, BE IT RESOLVED that the Harlingen City Commission approves the acceptance of \$400,000 from the Texas Veterans' Commission 2025-2026 General Assistance Grant Program.

CONSIDERED and **ADOPTED** this 16th day of July 2025 at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present, and which was held in accordance with Government Code Chapter 551, as amended.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

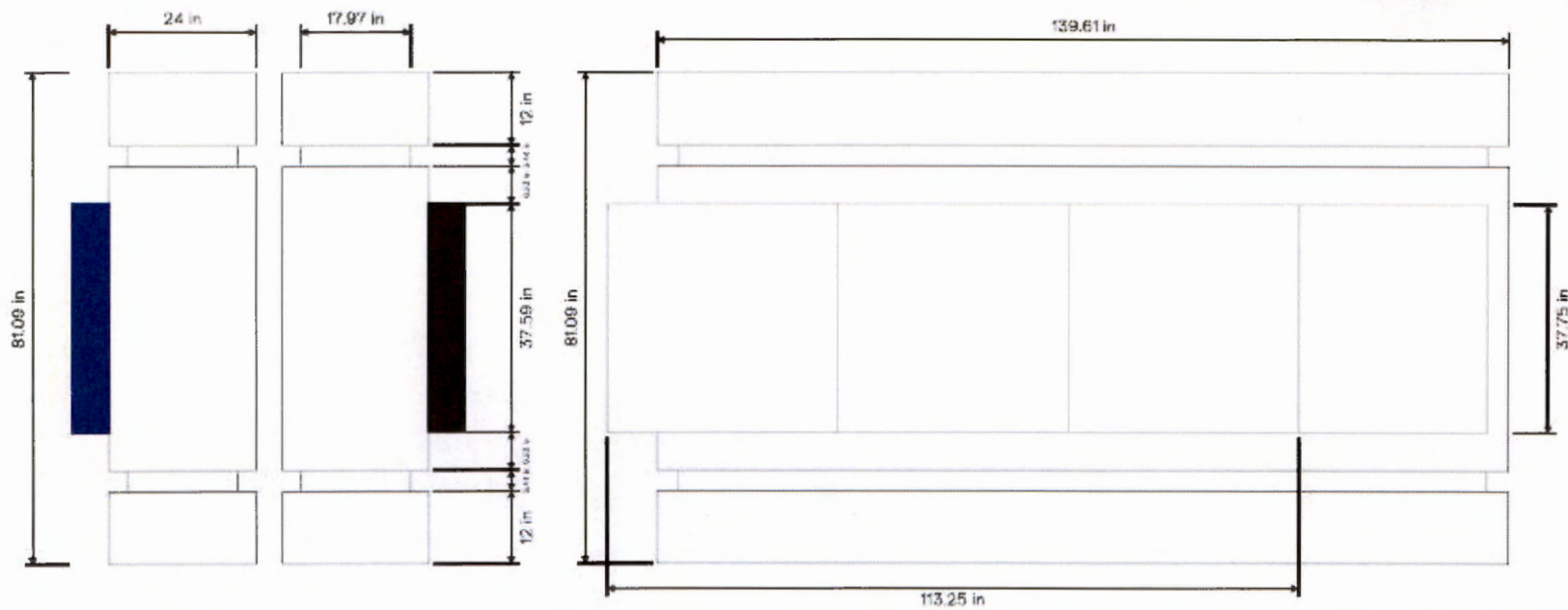
ATTEST:

Mayra Herrera, City Secretary

CITY HALL



CITY HALL



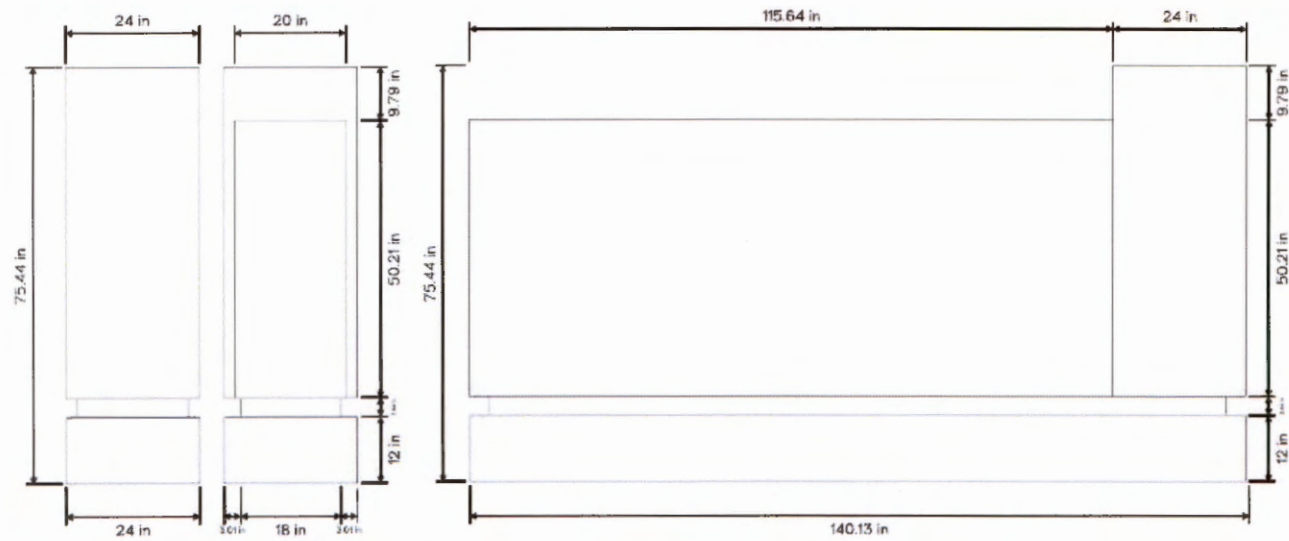
CITY HALL



LON C. HILL



LON C. HILL



LON C. HILL



9(2)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 16, 2025**

Agenda Item:

Public hearing for a rezoning request from Not Designated ("N") District to Light Industry (LI) District for a 479.25-acre tract of land out of Survey 279, located along the north side of Rio Hondo Road, approximately 8,540 feet east of Loop 499. Applicant: City of Harlingen. Attachment (**Planning & Development**)

Prepared By: Soledad A. Núñez, CNU-A
Title: Interim Planning & Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- June 17, 2025 – Application for rezoning submitted to the City. (**ATTACHMENT I**).
- June 25, 2025 – In accordance with State and local law, notice of the required public hearing was mailed to all property owners within a 200 feet radius of subject tract.
- June 28, 2025 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- July 9, 2025 - Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z).
- July 16, 2025 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- August 6, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

This is a City initiated rezoning, for City owned property. The request is to rezone the subject property from Not designated, ("N") District to Light Industry ("LI") District to allow for the development of a manufacturing facility. (**ATTACHMENT I**). The subject properties were annexed into the City on February 5, 2025.

- The subject properties are located along the north side of Rio Hondo Road, approximately 8,540 feet east of Loop 499. The property is currently vacant. (**ATTACHMENT III**). The properties have approximately 3,383.59 feet of frontage along Bob Youker Road, 5,348.06 feet of frontage along FM 509 and 2,129.12 feet of frontage along Rio Hondo Road.
- The surrounding properties are zoned Planned Development ("PD") district to the north and west, Not Designated and Light Industry to the south, and to the east is County. Surrounding land uses include vacant farmland to the north, south, and east, and private hangars and Valley International Airport to the west. (**ATTACHMENT IV**)
- The Future Land Use Plan component of the City of Harlingen's Vision 2020

Comprehensive Plan shows this area as Institutional. While the request is not consistent with the Future Land Use Plan, it is consistent with the Industrial Land Use to the north, south, and east and it is a part of the Airport District. (ATTACHMENT VII).

- To the present, the Planning and Zoning Department has not received any phone calls in opposition from the surrounding property owners regarding the proposed request. Staff mailed out one notice to the surrounding property owner.

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

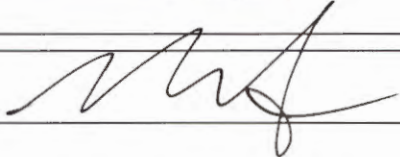
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the rezoning request.

City Manager's approval:  ☐ Yes ☐ No ☒ N/A

Comments:

City Attorney's approval:  ☒ Yes ☐ No ☐ N/A

PLANNING AND ZONING COMMISSION

July 9, 2025

3. Public hearing and take action to consider a request to rezone from Not Designated (N) District to Light Industry (LI) District for a 479.25-acre tract of land out of Survey 279, located along the north side of Rio Hondo Road, approximately 8,540 feet east of Loop 499. Applicant: City of Harlingen

Assistant Planning and Development Director, Joel Olivo, presented the following information related to the request to rezone, as follows:

- An Aerial View of the Subject Property was presented. Mr. Olivo explained that the request to rezone was to allow for a manufacturing facility on the property. He stated that the property was recently annexed in February 2025.
- The Survey was presented. The property has about a little over two thousand (2000) feet of frontage on Rio Hondo Road, three thousand (3000) feet of frontage on Bob Youker and then five thousand (5000) feet of frontage on FM 509.
- The property is currently vacant as seen on the Aerial View.
- A Street View of the Property from Rio Hondo Road was presented.
- A Street View of the Property from FM 509 was presented.
- The Future Land Use Map was presented. Mr. Olivo indicated that the Future Land Use Map shows it as institutional use. He said that although it is not consistent with the Future Land Use Plan, it is consistent with the surrounding Light Industry (LI) Land Use and zoning to the south of the property.
- Property owners within the two hundred (200) foot radius were notified. Staff received no objections.
- Staff is recommending approval of the request.
- Mr. Olivo made himself available to take any questions on the item.

The Chairman thanked Mr. Olivo. He asked if it was part of the airport aerotropolis development. Mr. Olivo said yes. The Chairman asked if the Airport Board was briefed on it and whether they approved it. Mr. Olivo confirmed that they were briefed and stated that they reported no objections. The Chairman acknowledged Mr. Olivo's response.

The Chairman asked if there were any other questions for Staff. Upon hearing none, he proceeded to the Public Hearing.

The Public Hearing was opened. The Chairman asked if there was anyone that would like to speak on this item. Upon seeing and hearing none, the Chairman closed the Public Hearing.

The Chairman asked if there were any other questions or a motion to approve. Cmr. Cruz-Velázquez made the motion to approve. Cmr. Cantu seconded the motion. The Chairman asked if there was any further discussion and upon hearing none moved the motion to a vote. The motion passed unanimously.

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(b)

Meeting Date:

July 16, 2025

Agenda Item:

Public hearing for the voluntary annexation of 10.00 acres of land out of Block 3, F.H. Handley Subdivision, located on the east side of Paloma Lane approximately 2,010.46 ft. south of Garrett Road, including all the right-of-way on the south side of Garrett Road approx. 320.77 ft east of Paloma Lane and all the right-of-way along Paloma Lane south of Garrett Road to and through the property. Applicant: Casa Engineering c/o J.V. & Jessica Garcia. Attachment **(Planning & Development)**

Prepared By: Soledad A. Núñez, CNU-A

Title: Interim Planning and Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- June 14, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- June 25, 2025 – Public hearing to recommend the annexation by the Planning and Zoning Commission.
- July 2, 2025 – Public hearing and consideration of annexation by the City Commission via First Ordinance Reading.
- July 16, 2025 – Public hearing and consideration of annexation ordinance by the City Commission via Second and final reading.

Summary

- The property owners are requesting annexation for 10.00 acres. The property has frontage along Paloma Lane.
- The property owner is proposing a Residential subdivision on the property and finds it beneficial for the property to be within the city limits to process building permits.
- Water and sewer services for this property will be provided by the Harlingen Waterworks System.
- The subject annexation will require three public hearings and two readings of the ordinance. The above timeline delineates the annexation process.
- In 2025 the city has annexed 570.87 acres of land thus far. In 2024 the city annexed a total of 103.94 acres. In 2023, the city annexed 19.94 acres. In 2022, the city annexed 71.1 acres. In 2021, the city annexed 1.47 acres.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount for this purpose? ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval:

☐ Yes

☐ No

☐ N/A

Staff Recommendation:

Staff recommends approval.

City Manager's approval:

GG

☐ Yes

☐ No

☒ N/A

Comments:

City Attorney's approval:

MA

☒ Yes

☐ No

☐ N/A

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(c)

Meeting Date: **July 16, 2025**

Agenda Item:

Public hearing for the voluntary annexation of 126.50 acres of land out of the Cameron County School Lands Survey 279 located along the west side of Bob Youker Road and all the adjacent right-of-way along Rio Hondo Road, Woodall Avenue, and Bodenhamer Road, and the east 1,413.96 feet of Rio Hondo Road. Applicant: City of Harlingen. Attachment (***Planning & Development***)

Prepared By: Soledad A. Núñez, CNU-A

Title: Interim Planning and Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- June 28th, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- July 9th, 2025 – Public hearing to recommend the annexation by the Planning and Zoning Commission.
- July 16th, 2025 – Public hearing and consideration of annexation by the City Commission via First Ordinance Reading.
- August 6th, 2025 – Public hearing and consideration of annexation ordinance by the City Commission via Second and final reading.

Summary

- The owner of the property is the City of Harlingen. The property has frontage along Rio Hondo Road, Woodall Avenue, and Bob Youker Road.
- Once annexed, there is a proposed development which includes the construction of an airport hangar. Upon annexation, the property will need to be rezoned from Not Designated to Light Industry for the proposed development.
- Water and sewer services for this property will be provided by the Harlingen Waterworks System.
- The subject annexation will require three public hearings and two readings of the ordinance. The above timeline delineates the annexation process.
- In 2025 the city has annexed 580.87 acres of land thus far. In 2024 the city annexed a total of 103.94 acres. In 2023, the city annexed 19.94 acres. In 2022, the city annexed 71.1 acres. In 2021, the city annexed 1.47 acres.

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval:

☐ Yes

☐ No

☐ N/A

Staff Recommendation:

Staff recommends approval.

City Manager's approval:

llg

☐ Yes

☐ No

☒ N/A

Comments:

City Attorney's approval:

MA

☒ Yes

☐ No

☐ N/A

PLANNING AND ZONING COMMISSION

July 9, 2025

- 4. Public hearing and take action to consider a request for the voluntary annexation of 126.50 acres of land out of the Cameron County School Lands Survey 279 located along the west side of Bob Youker Road and all of the adjacent right-of-way along Rio Hondo Road, Woodall Avenue, and Bodenhamer Road, and the east 1,413.96 feet of Rio Hondo Road. Applicant: City of Harlingen**

Assistant Planning and Development Director, Joel Olivo, presented the following information related to the request for voluntary annexation as follows:

- Mr. Olivo pointed out that this property is actually west of the previously discussed agenda item.
- The Survey of the Property was presented. The property has about twenty-eight hundred (2800) feet of frontage on Rio Hondo Road and a depth of over four thousand (4000) feet.
- The applicant is proposing an airport hanger on the subject property. Upon annexation, the applicant will propose to zone the property to Light Industry (LI) District which is consistent with the surrounding area.
- The developer will be responsible for all the infrastructure improvements.
- Water and wastewater services will be provided by Harlingen Water Works.
- This annexation would require three (3) public hearings and two (2) ordinance readings to complete the annexation. This represents the first public hearing.
- Staff is recommending approval of the request.
- Mr. Olivo made himself available to take any questions on the item.

Chairman Consiglio thanked Mr. Olivo.

The Chairman asked how the City was the applicant instead of the landowner. Mr. Olivo stated that the City owns the property. The Chairman then confirmed that the City owned land not in the City. He was told yes.

The Chairman asked if there were any questions for Mr. Olivo. Upon hearing none, he proceeded to the Public Hearing.

The Public Hearing was opened. The Chairman asked if there was anyone that would like to speak on this item.

Dustin Moore, Moore Land Surveying (1030 Ferguson Drive)

Mr. Moore stated that their client is proposing to build a hanger and has a ground lease with the airport. He explained that in the process of submitting plans, the airport identified they had a keyhole that was in the County still. He said the City owns its and that Marv Esterly, Aviation Director for the Valley International Airport, basically asked him to do the annexation and get it through for him so that everything at the airport is in the City Limits.

Chairman Consiglio thanked Mr. Moore and upon seeing and hearing no other, closed the Public Hearing.

Chairman Consiglio asked if there was a motion. Cmr. Perez made the motion to approve. Cmr. Flores seconded the motion. The Chairman asked if there was any further discussion and upon hearing none moved the motion to a vote. The motion passed unanimously.

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(d)

Meeting Date: **July 16, 2025**

Agenda Item:

Public hearing amending the City of Harlingen Code of Ordinances Chapter 109, Subdivisions, Section 109-91, Plat Requirements, Form, and Content; by adding a section pertaining to the expiration of the plat and moving the current content of Section (f) to Section (g). Applicant: City of Harlingen. Attachment (**Planning & Development**)

Prepared By: Soledad A. Núñez, CNU-A

Title: Interim Planning and Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- June 28, 2025 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- July 9, 2025 – Public hearing and consideration of the requested ordinance amendments by the Planning and Zoning Commission (P&Z)
- July 16, 2025 – Public hearing and consideration of requested ordinance amendments via 1st ordinance reading scheduled before the City Commission.
- August 6, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Ordinance Section 109, Subdivisions, should be updated to facilitate the timely expiration of outdated plats, thereby creating valuable opportunities to revise development plans, align with modern standards, and better serve the public interest. As development standards evolve, it is important that new subdivisions remain consistent with current regulations to ensure safe, efficient, and sustainable growth.
- A summary of the recommended change is shown in **ATTACHMENT I**.
- The cities of McAllen, Brownsville, Mission, and Edinburg all include plat expiration provisions within their respective development codes. **ATTACHMENT II**

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the proposed amendments to Chapter 109, Subdivisions of the City of Harlingen Code of Ordinances.

City Manager's approval: *h* ☐ Yes ☐ No ☒ N/A

Comments:

City Attorney's approval: *M* ☒ Yes ☐ No ☐ N/A

PLANNING AND ZONING COMMISSION

July 9, 2025

- 2. Public hearing and take action to consider a request to consider an ordinance amending the City of Harlingen Code of Ordinances Chapter 109, Subdivisions, Section 109-91, Plat Requirements, Form, and Content; by adding a section pertaining to the expiration of the plat and moving the current content of Section (f) to Section (g). Applicant: City of Harlingen**

Assistant Planning and Development Director, Joel Olivo, presented the following information related to the request for the ordinance amendment, as follows:

- Mr. Olivo stated that the City is requesting to amend the Subdivision Section of the Code of Ordinance to establish a section pertaining to the expiration of a plat.
- He clarified that the amendment will basically establish a timeframe of an approved status to twenty-four (24) months from the date that the plat is recorded to complete the required improvements of the subdivision. If the improvements are not completed within the required twenty-four (24) month time frame from the date it is approved by P&Z and the City Commission, then the plat would be considered expired.
- Mr. Olivo said there would be an exception to that regulation. He used the example of substantial infrastructure improvements being made and completed. He said that the Director may grant an extension to that extension to complete the required improvements to get the plat recorded.
- Mr. Olivo explained that this is basically consistent with other cities. He said they generally have one (1) to two (2) years to complete the improvements.
- Mr. Olivo stated that Staff is recommending approval of the request.
- Mr. Olivo made himself available to take any questions on the item.

Chairman Consiglio asked what problem we were trying to solve. Mr. Olivo said that there have been situations where the plat was approved by the Planning and Zoning Commission or City Commission and the development may be idle, with no activity or improvements made to the subdivision, then a couple of years later, the developer may want to start improvements on the subdivision, but the regulations have been changed, or they are not consistent with modern regulations. He said they were trying to correct that and bringing it up to make sure that this doesn't take place. The Chairman needed further clarification. He posed an example of an approved plat with its drainage plan and the plans being grandfathered. Mr. Olivo said it may be grandfathered. He said summarized that it would be approved for twenty-four (24) months from the date it is approved by P&Z and with the new amendment, it would give you twenty-four (24) months to complete the required improvements. If they are not completed within twenty-four (24) months, the plat would be considered expired. He said that right now we currently don't have any expiration date on plats approved by the Planning and Zoning Commission and/or City Commission.

Mr. Olivo added that we used to have this same requirement a few years ago but that it was taken off the ordinance and so now we are bringing it back. The Chairman asked if, two (2) years, a developer would come back and reapply with whatever those fees are. Mr. Olivo said they would reapply again for approval. He said the fee was one hundred and fifty dollars (\$150),

adding that it was the lowest subdivision application fee in the state. The Chairman commented it wasn't an incredible expense. The Chairman asked if there were any questions.

Cmr. Sanchez indicated he had a couple of questions. Regarding the improvements, he asked if the improvements are guaranteed through letter creditors or something to that effect. Mr. Olivo said that was correct. Cmr. Sanchez acknowledged that this wouldn't change.

Cmr. Sanchez then asked about the case in which a subdivision plat is expired, he asked what that would mean to potential property owners that bought lots within the subdivision. Mr. Olivo said they wouldn't be able to buy the lots until the plat is recorded. He said that in this case, the plat hasn't been recorded; it has just been approved and not recorded yet so it wouldn't affect any person buying the lots because they wouldn't be sold yet. Cmr. Sanchez indicated he had misunderstood thinking the plat was recorded. Mr. Olivo said it would be for subdivision approval of the plat to get the improvements completed.

Cmr. Cruz-Velázquez said she had a question about the wording, that it could be extended if there are substantial infrastructure improvements. She asked what was considered substantial and for how much longer it could be extended. She asked if it could be another two (2) years. Mr. Olivo said that it would be at the discretion of the Director and could be six (6) more months. He said that the extension would be at the discretion of the Director and how much they felt the improvements had been completed or not. Cmr. Cruz-Velázquez asked if we wanted to leave that, that it is discretionary and asked if we wanted to put an actual second term of extension. Mr. Olivo said that if she wanted to add a timeframe, the Board could include it to read within a certain time frame but that, based on the proposed ordinance, it just says an additional extension may be granted and that again, it would be the Director to decide how much, if they feel substantial improvements have been made on the subdivision.

Chairman Consiglio asked if this would be administratively done. Mr. Olivo said yes. He said that it would be mainly to streamline the process to avoid having the developer wait and having to take it back and put it on the agenda. He said the developer wouldn't lose any time frame to get his improvements completed and get it recorded.

Cmr. Cruz-Velázquez confirmed that an extension time frame would be determined at the time the extension is granted. Mr. Olivo said yes.

The Chairman referred to the questions by Cmr. Sanchez. He asked for further clarification to define when this would apply and referenced the example of a plat that has been approved with changes from Engineering and then those modifications are not made. Mr. Olivo said that this would be for a plat that has gotten approved. He said that with this ordinance, the developer would get twenty-four (24) months for the infrastructure improvements to be completed, and get the [plat] recorded. Chairman asked if this would be to put a road in or drainage. Mr. Olivo said it would be to get a road in, drainage, water, sewer line or any of the improvements required for the subdivision. The Chairman acknowledged the response. Mr. Olivo continued and said that right now we don't have any time frame to get the plat recorded once it gets approved. This [ordinance] will require a maximum two (2) year time frame for the developer to get the plat recorded. He said it would basically put that the required improvements have to be in within two (2) years to get the plat recorded. If they don't, the subdivision would be considered expired, and

they would have to reapply and get the plat approved again before this Board or City Commission.

Cmr. Sanchez stated that he thought it helps and closes the window of opportunity per say. He used the example of the City working on revamping the ordinances or the drainage ordinances or what not. He said that from past experience, they would see an influx of application for approvals based on the existing ordinances or regulations to avoid the more stringent regulations that might be approved with the next month or two (2) or whatever. He said that by putting a time lapse on the expiration of a plat itself, on the approval, then that only gives them two (2) years or twenty-four (24) months. Cmr. Sanchez asked if this is what we were trying to address. Mr. Olivo said yes, that and then said that there are also cases when sometimes the regulations will change, and they want to comply with the previous regulations which don't meet current or modern standards. Cmr. Sanchez stated that he would be more in favor of maybe reducing the twenty-four (24) month period to twelve (12) months. He said he didn't know if that was something that would be a consideration.

Cmr. Cruz-Velázquez said that she though this made a lot of sense and that based on the fact that it is consistent with other nearby cities in the RGV, she made the motion to approve it the way it is. The Chairman told Cmr. Cruz-Velázquez that they needed to wait to have the Public Hearing. Cmr. Cruz-Velázquez acknowledged what she was told.

Cmr. Perez indicated he wished to make a comment. He referred to the question about extension. He said he agreed that if the Director is going to have discretionary approval to extend it, he would limit that to twelve (12) months. Cmr. Cruz-Velázquez stated that she agreed. The Chairman added that if they are getting two (2) years he also agreed that the extension should be limited as well for a three (3) month period or something because at that point it would be twenty-seven (27) months. Cmr. Perez indicated that this is what he was referring to with the extension. He said he was suggestion twelve (12) months because that is what he had seen but said that it would be up to whoever makes the motion.

Chairman Consiglio asked if Staff met with any developer on this. He asked if they had talked to any developers about this regulation or change. Mr. Olivo said they did and had also looked at the previous ordinance that had a similar regulation. He said they also looked at what other cities require, like McAllen, Edinburg, Mission and Brownsville. He said Brownsville has two (2) years, Edinburg [has] sixty (60) [months] for the preliminary and one (1) year for the final. McAllen has one (1) year, and they give a six (6) month extension and Mission has one (1) year.

Chairman Consiglio asked if Mr. Olivo recalled why it was removed and why that would change. Mr. Olivo said he thought it was removed three (3) years ago. The Chairman asked if it was due to pandemic supplies. Mr. Olivo said it was to try to streamline the subdivision process. He also noted that it was also to accommodate subdivisions with vested rights.

Cmr. Flores brought up a subdivision on Garrett Road that has been vacant for like two (2) or three (3) years he thought. He asked what would happen to that and asked if it would be grandfathered and granted an extension as being discussed, or whether they would need to replat and submit again. Mr. Olivo stated that the one he was referring to was recorded already and has

been for five (5) or six (6) years. Mr. Olivo agreed that it had been vacant for a while. Chairman Consiglio restated that it was recorded.

Chairman Consiglio asked if there were any other questions for Staff. He stated that there was a Public Hearing for the item. Upon hearing none, the Chairman proceeded.

The Public Hearing was opened. The Chairman asked if there was anyone that would like to speak on this item. Upon hearing and seeing none, the Public Hearing was closed.

Cmr. Cruz-Velázquez made the motion to approve but also to add to grant the discretionary extension up to twelve (12) months. She said it could be three (3) months, six (6) months or up to twelve (12) months but no more than twelve (12) months. Cmr. Perez seconded the motion. The Chairman asked if there was any further discussion and upon hearing none, moved the motion to a vote. The motion passed unanimously. The Chairman thanked the Board for the good deliberation on the item.

**AGENDA ITEM
EXECUTIVE SUMMARY**

91e)

Meeting Date: **July 16, 2025**

Agenda Item:

Public hearing amending the previously adopted Ordinance No. 2025-26 to extend the waiver of certain permit fees within the City of Harlingen caused by the recent State of Emergency, and amending the City of Harlingen Code of Ordinances, Chapter 103, "Buildings and Building Regulations," Section 103-6, "Waiver of Permit Fees for Rehabilitation during Declared State of Emergency." Applicant: City of Harlingen. Attachment (**Planning & Development**)

Prepared By: Soledad A. Núñez, CNU-A
Title: Interim Planning and Development Director
Signature: *Soledad A. Núñez*

- The City of Harlingen previously adopted an ordinance waiving certain building permit fees for rehabilitation of properties damaged by the severe flooding event of March 27, 2025, for applications submitted through June 27, 2025. However, many residents are still awaiting insurance claim settlements and FEMA assistance, which has delayed their ability to begin necessary repairs. The request to extend the permit fee waiver period through August 31, 2025, is intended to provide continued relief to these citizens and support the ongoing recovery process.
- The proposed ordinance amendment will allow additional time for property owners to obtain permits without the added financial burden of permit fees during this challenging period.

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval.

City Manager's approval: *hh* ☐ Yes ☐ No ☒ N/A

Comments:

City Attorney's approval: *Ma* ☒ Yes ☐ No ☐ N/A

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(2)

Meeting Date: **July 16, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading for a rezoning request from Not Designated ("N") District to Light Industry (LI) District for a 479.25-acre tract of land out of Survey 279, located along the north side of Rio Hondo Road, approximately 8,540 feet east of Loop 499. Applicant: City of Harlingen. Attachment **(Planning & Development)**

Prepared By: Soledad A. Núñez, CNU-A
Title: Interim Planning & Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- June 17, 2025 – Application for rezoning submitted to the City. **(ATTACHMENT I).**
- June 25, 2025 – In accordance with State and local law, notice of the required public hearing was mailed to all property owners within a 200 feet radius of subject tract.
- June 28, 2025 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- July 9, 2025 - Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z).
- July 16, 2025 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- August 6, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

This is a City initiated rezoning, for City owned property. The request is to rezone the subject property from Not designated, ("N") District to Light Industry ("LI") District to allow for the development of a manufacturing facility. **(ATTACHMENT I).** The subject properties were annexed into the City on February 5, 2025.

- The subject properties are located along the north side of Rio Hondo Road, approximately 8,540 feet east of Loop 499. The property is currently vacant. **(ATTACHMENT III).** The properties have approximately 3,383.59 feet of frontage along Bob Youker Road, 5,348.06 feet of frontage along FM 509 and 2,129.12 feet of frontage along Rio Hondo Road.
- The surrounding properties are zoned Planned Development ("PD") district to the north and west, Not Designated and Light Industry to the south, and to the east is County. Surrounding land uses include vacant farmland to the north, south, and east, and private hangars and Valley International Airport to the west. **(ATTACHMENT IV)**

- The Future Land Use Plan component of the City of Harlingen's Vision 2020 Comprehensive Plan shows this area as Institutional. While the request is not consistent with the Future Land Use Plan, it is consistent with the Industrial Land Use to the north, south, and east and it is a part of the Airport District. (ATTACHMENT VII).
- To the present, the Planning and Zoning Department has not received any phone calls in opposition from the surrounding property owners regarding the proposed request. Staff mailed out one notice to the surrounding property owner.

Funding (if applicable):

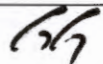
Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

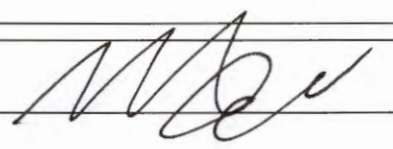
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the rezoning request.

City Manager's approval:  ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:  ☒ Yes ☐ No ☐ N/A

Attachment I - Application

CITY OF HARLINGEN PLANNING AND ZONING DIVISION MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address N/A Nearest Intersection _____
(Proposed) Subdivision Name _____ Lot _____ Block _____
Existing Zoning Designation Not Designated Future Land Use Plan Designation Light Industry

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

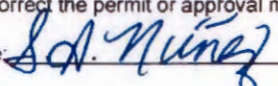
Applicant/Authorized Agent City of Harlingen Phone 956-216-5101 FAX _____
Email Address (for project correspondence only): _____
Mailing Address 502 E. Tyler Ave. City Harlingen State TX Zip 78550
Property Owner City of Harlingen Phone _____ FAX _____
Email Address (for project correspondence only): _____
Mailing Address _____ City _____ State _____ Zip _____

Select appropriate process for which approval is sought. Attach completed checklists with this application.

- | | |
|---|---|
| ☐ Annexation Request..... <u>No Fee</u> | ☐ Preliminary Construction Plans/Final Plat..... <u>\$150.00</u> |
| ☐ Administrative Appeal (ZBA)..... <u>\$125.00</u> | ☐ Subdivision Variance Request..... <u>\$25.00 (each)</u> |
| ☐ Comp. Plan Amendment Request... <u>\$250.00</u> | ☐ Re-plat..... <u>\$250.00</u> |
| ☒ Re-zoning Request..... <u>\$250.00</u> | ☐ Vacating Plat..... <u>\$50.00</u> |
| ☐ SUP Request/Renewal..... <u>\$250.00</u> | ☐ License to Encroach..... <u>\$250.00</u> |
| ☐ Zoning Variance Request (ZBA)..... <u>\$250.00</u> | ☐ Right-of-Way/Utility Easement Abandonment... <u>No Fee</u> |
| ☐ PDD Request..... <u>\$250.00</u> | |

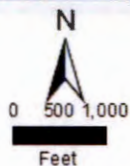
Please provide a basic description of the proposed project: Rezoning from Not Designated to Light Industry for a 479.25-acre tract of land owned by the City of Harlingen out of Survey 279.

I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit or approval may be revoked.

Applicant's Signature:  Date: 01/17/2025

Property Owner(s) Signature: _____ Date: _____

Accepted by: _____ Date: _____



 Harlingen city limits.shp
 200' Notification Boundary
 Subject Property

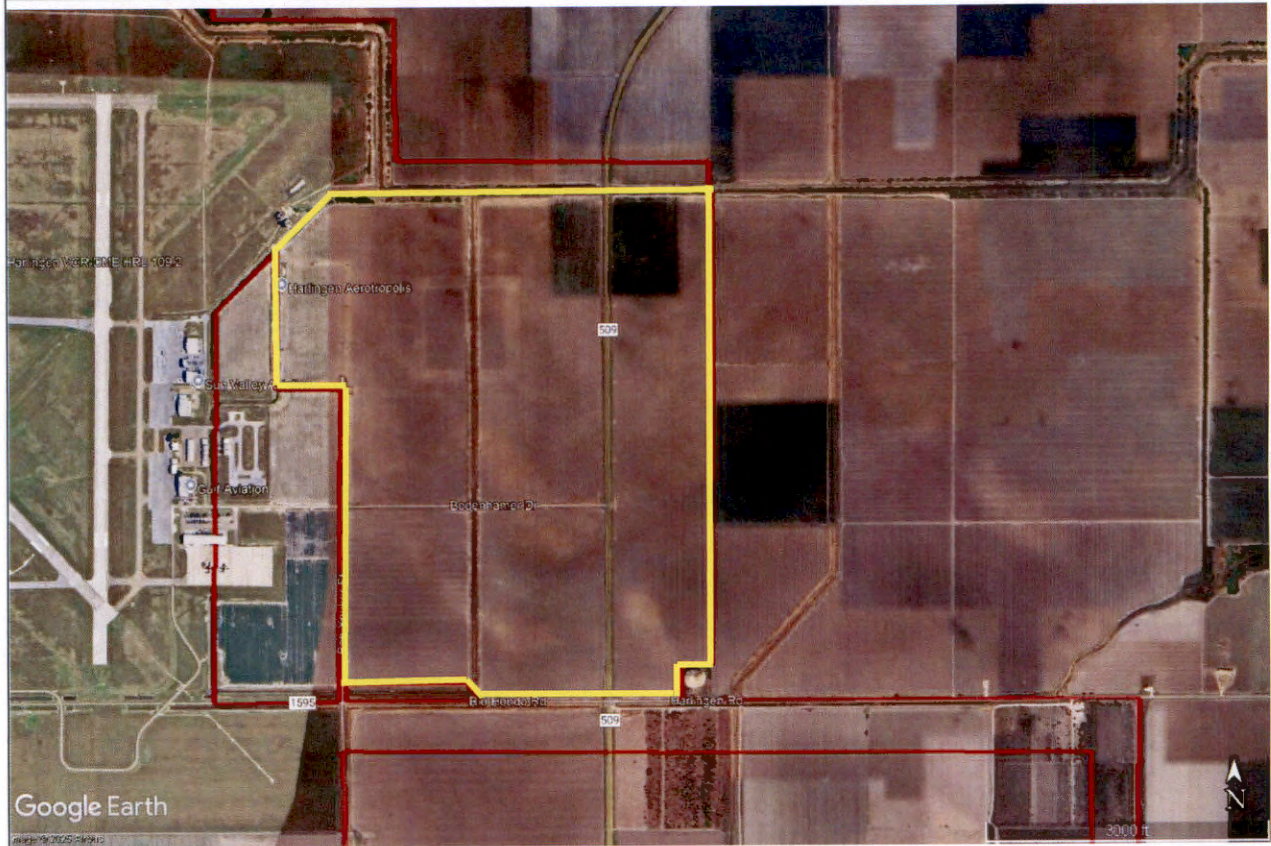
General Retail (GR)	Multi Family Residential (M2)	Office (O)
Heavy Industry (HI)	Mobile Home Residential (MH)	Planned Development (PD)
Light Industry (LI)	Not-Designated (N)	Single Family Residential (R1)
3/4 Plex Residential (M1)	Neighborhood Services (NS)	Duplex Residential (R2)
		Residential Patio Home (RPH)

This map has been produced by the City of Harlingen for the sole purpose of locating jurisdictional boundaries and is not intended for any other. The map data is compiled from various sources including orthophoto imagery, engineer plans and plats, survey field notes, and other sources. This map is intended for graphic representation only. No warranty is made by the City regarding its accuracy or completeness. Before relying on any information on the map, check with the Planning Department.
Date of map 06.25.2025

479.25 AC.

Map of a 479.25-acre land parcel, divided into a grid of smaller lots. The map includes various annotations, bearings, and distances. A shaded rectangular area is visible on the left side. The map is oriented with North at the top, indicated by a north arrow on the right side.

Attachment IV - Aerial

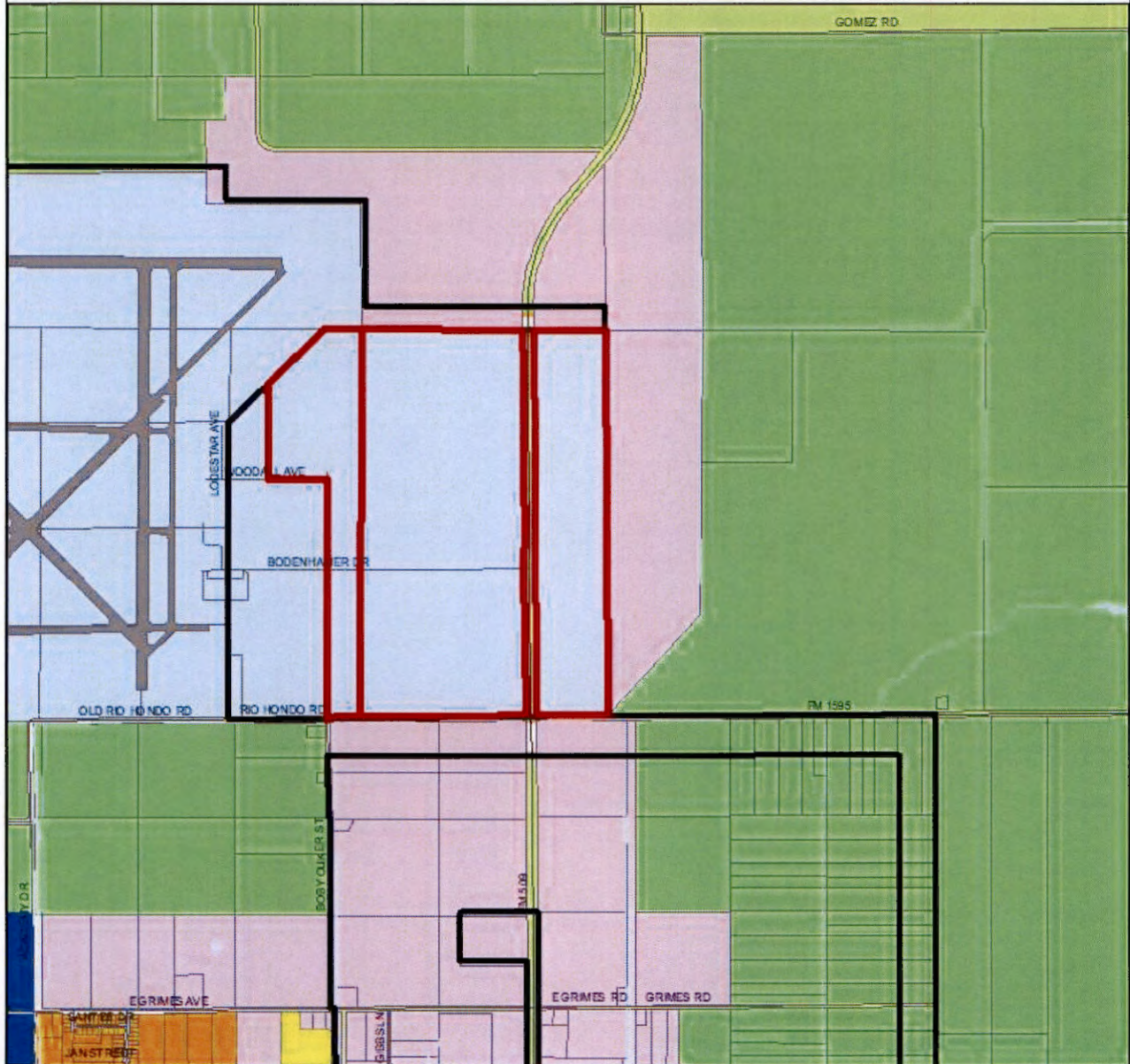


Attachment V – Future Land Use Map



Future Land Use Map

A comprehensive plan shall not constitute zoning regulations or establish zoning district boundaries.



Boundary Lines

- Harlingen City Limits
- Subject Property

Future Land Use

- | | | |
|--------------------------------|----------------------------|--------------------------|
| Agricultural/Rural Residential | Institutional | Recreational/Open Space |
| Employment Center | Low Density Residential | Retail-Regional |
| High Density Residential | Medium Density Residential | Retail/Commercial/Office |
| Industrial | Mixed Use | |

THIS MAP HAS BEEN PRODUCED BY THE CITY OF HARLINGEN FOR THE SOLE PURPOSE OF LOCATING JURISDICTIONAL BOUNDARIES AND IS NOT INTENDED FOR ANY OTHER PURPOSE. THE MAP DATA IS COMPILED FROM VARIOUS SOURCES INCLUDING ORTHOPHOTO IMAGERY, ENGINEERING PLANS AND PLATS, SURVEY FIELD NOTES AND OTHER SOURCES. THIS MAP IS INTENDED FOR GRAPHIC REPRESENTATION ONLY. NO WARRANTY IS MADE BY THE CITY OF HARLINGEN REGARDING ITS ACCURACY OR COMPLETENESS. BEFORE RELYING ON ANY INFORMATION ON THE MAP, CHECK WITH THE PLANNING DEPARTMENT.

Attachment VI – Street View

Street View from Rio Hondo Road



Attachment VI – Street View

Street View from FM 509



ORDINANCE NO. 25-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM NOT DESIGNATED ("N") DISTRICT TO LIGHT INDUSTRY ("LI") DISTRICT FOR A 479.25-ACRE TRACT OF LAND OUT OF SURVEY 279, LOCATED ALONG THE NORTH SIDE OF RIO HONDO ROAD APPROXIMATELY 8,540 FEET EAST OF LOOP 499.

WHEREAS, the Planning and Zoning Commission of the City of Harlingen pursuant to Harlingen's Zoning Ordinance procedure, has recommended a change in the zoning classification for certain described real property in the City of Harlingen; and it is deemed to be in the best interest of the City of Harlingen in accordance with said recommendation of the Planning and Zoning Commission of the City, being the recommendation as hereinafter set forth; and public notice of such proposed rezoning having been fully made and complied with as required by said Zoning Ordinance and applicable laws of the State of Texas; and the City Commission of the City of Harlingen having held public hearings with reference thereto, being duly and thoroughly heard; and after consideration of the evidence presented, said City Commission is of the opinion that it is in the best interest of the City of Harlingen that said Code of Ordinances be amended as indicated, now, therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN

That the Code of Ordinances of the City of Harlingen (Ordinance 16-8) be and the same is herewith amended by the following described property being changed for permissive zone use as indicated:

Rezoning from Not Designated ("N") District to Light Industry (LI) District for a 479.25-acre tract of land out of Survey 279, located along the north side of Rio Hondo Road, approximately 8,540 feet east of Loop 499 as shown in Exhibit "A".

A copy of the Zoning Map constituting a part and parcel of the Code of Ordinances, as filed with the Building Inspection Inspector and for the joint use and information of the Planning and Zoning Commission shall, upon final enactment hereof, be and the same is herewith amended and revised to reflect that the above described property is zoned for land use purposes as above indicated by the boundaries thereof being outlined in pronounced heavy line markings and such heavy line marking boundary enclosure being indicated within by the appropriate initials for that portion herewith zoned for particular land uses; with the Planning and Development Director being herewith instructed and authorized to document such Zoning Map changes and revisions.

The provisions of this ordinance shall become effective from and after the final and lawful passage hereof and publication of the caption hereof as provided for and required in the Code of Ordinances and applicable state statutes.

FINALLY ENACTED this ____ day of _____, 2025 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present, and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

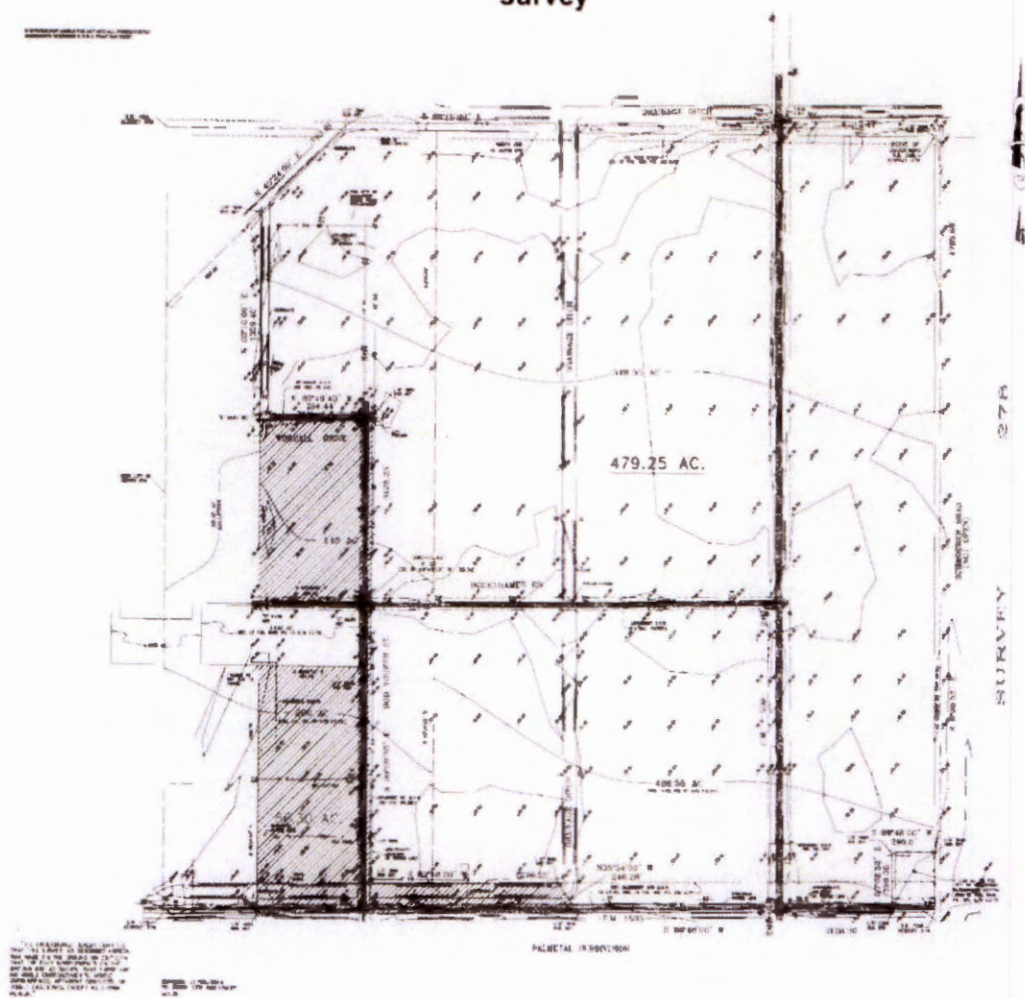
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

survey



**AGENDA ITEM
EXECUTIVE SUMMARY**

10(b)

Meeting Date: **July 16, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on second and final reading for the voluntary annexation of 10.00 acres of land out of Block 3, F.H. Handley Subdivision, located on the east side of Paloma Lane approximately 2,010.46 ft. south of Garrett Road, including all the right-of-way on the south side of Garrett Road approx. 320.77 ft east of Paloma Lane and all the right-of-way along Paloma Lane south of Garrett Road to and through the property. Applicant: Casa Engineering c/o J.V. & Jessica Garcia. Attachment **(Planning & Development)**

Prepared By: Soledad A. Núñez, CNU-A
Title: Interim Planning and Development Director
Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- June 14, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- June 25, 2025 – Public hearing to recommend the annexation by the Planning and Zoning Commission.
- July 2, 2025 – Public hearing and consideration of annexation by the City Commission via First Ordinance Reading.
- July 16, 2025 – Public hearing and consideration of annexation ordinance by the City Commission via Second and final reading.

Summary

- The property owners are requesting annexation for 10.00 acres. The property has frontage along Paloma Lane.
- The property owner is proposing a Residential subdivision on the property and finds it beneficial for the property to be within the city limits to process building permits.
- Water and sewer services for this property will be provided by the Harlingen Waterworks System.
- The subject annexation will require three public hearings and two readings of the ordinance. The above timeline delineates the annexation process.
- In 2025 the city has annexed 570.87 acres of land thus far. In 2024 the city annexed a total of 103.94 acres. In 2023, the city annexed 19.94 acres. In 2022, the city annexed 71.1 acres. In 2021, the city annexed 1.47 acres.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount for this purpose? ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval:

☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval.

City Manager's approval:

GG

☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:

MA

☒ Yes ☐ No ☐ N/A

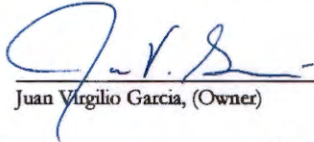
Attachment I- Letter Requesting Annexation



Civil And Surveying Associates, INC

City of Harlingen Annexation Request

We, Juan Virgilio Garcia and Jessica Michelle Garcia, owner(s) of the property described as Being 10.00 Acres Of Land Out of Block 3, F.H. Handley Subdivision, Cameron County, Texas Recorded In Volume 4, Page 64, Map Records Of Cameron County, Texas, formally request a Annexation Request to include the subject property and being part of the Municipal Jurisdiction of the City of Harlingen's City Limits.



Juan Virgilio Garcia, (Owner)

6/2/25
Date:

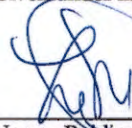


Jessica Michelle Garcia, (Owner)

6/2/25
Date:

Before me, the undersigned authority, on this day personally appeared Juan Virgilio Garcia & Jessica Michelle Garcia, known to me to be the person(s) whose name is subscribed to the foregoing document, and they acknowledged to me that they executed the same for the purposes and consideration therein expressed and, in the capacity, therein stated.

Given under my hand and seal of office, this 2nd day of June A D 2025.

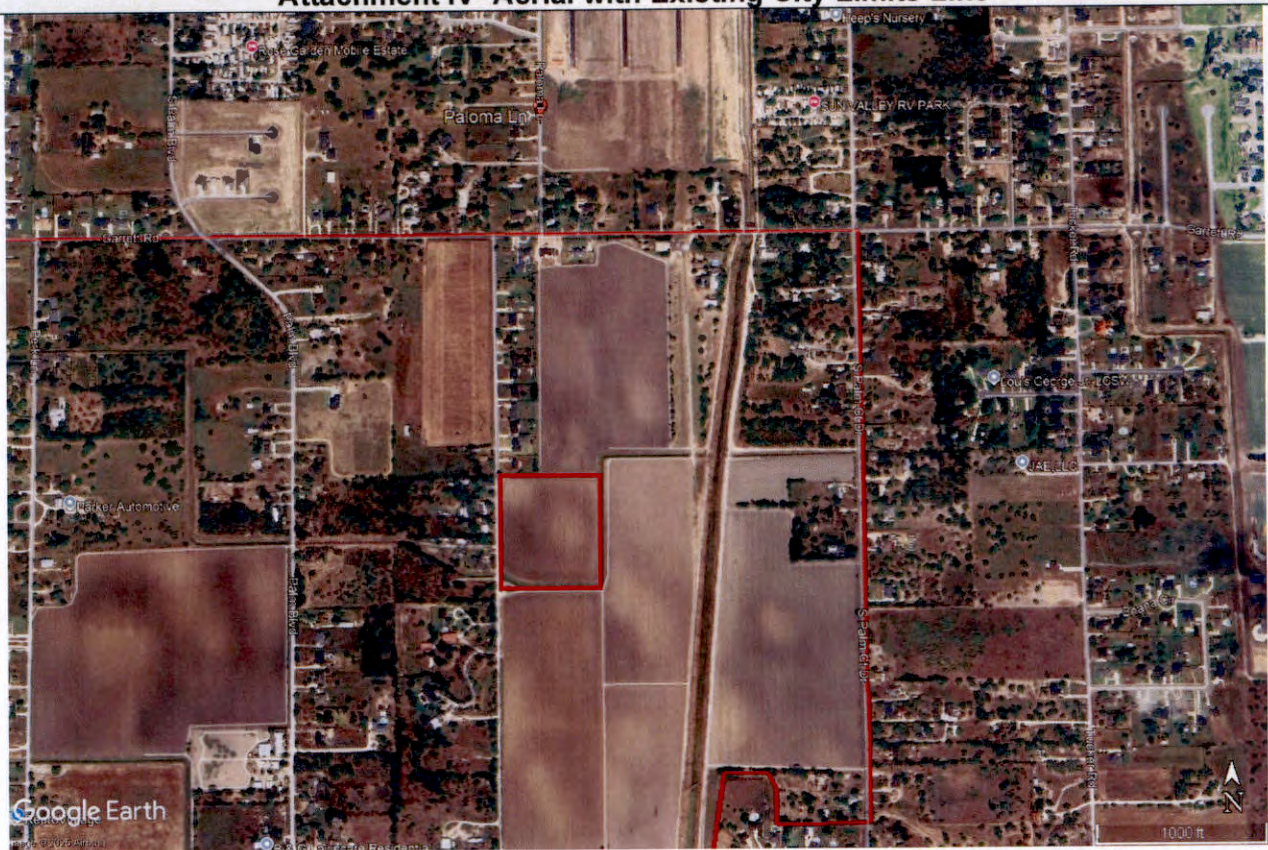


Notary Public Cameron County,
Printed Name:
My commission Expires:

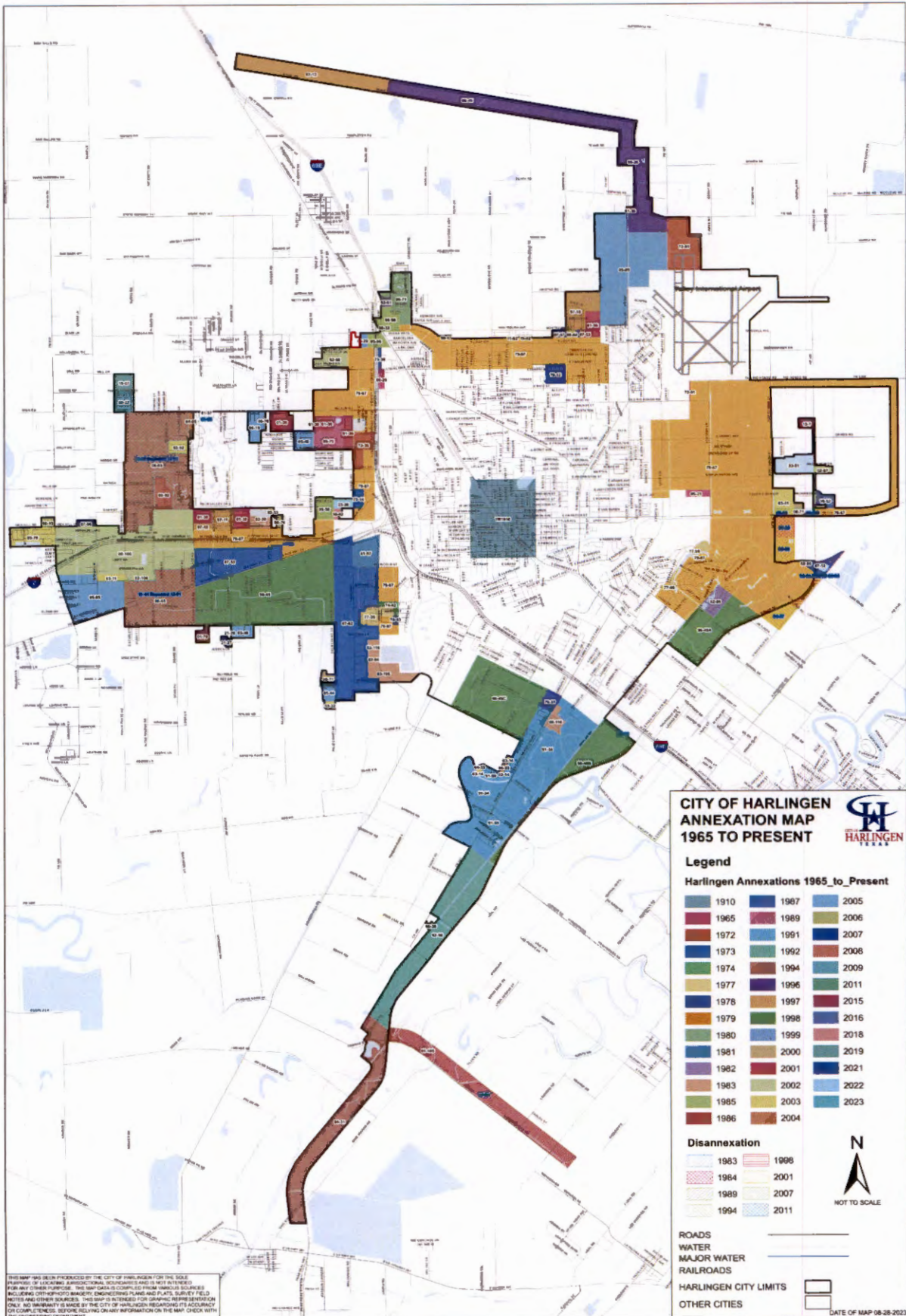


6-2-2025
Date

Attachment IV- Aerial with Existing City Limits Line



Attachment VI- Annexation Map



ORDINANCE NO. 25-_____

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HARLINGEN BY ANNEXING, FOR FULL PURPOSE, A 10.00 ACRE TRACT OF LAND OUT OF BLOCK 3, F.H.HANDLEY SUBDIVISION, LOCATED ON THE EAST SIDE OF PALOMA LANE APPROXIMATELY 2,010.46 FEET SOUTH OF GARRETT ROAD, INCLUDING ALL OF THE RIGHT-OF-WAY ON THE SOUTH SIDE OF GARRETT ROAD, APPROXIMATELY 320.77 EAST OF PALOMA LANE AND ALL OF THE RIGHT-OF-WAY ALONG PALOMA LANE, SOUTH OF GARRETT ROAD TO AND THROUGH THE PROPERTY; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Harlingen, Texas (the "City") desires to annex approximately 10.00 acres of land out of Block 3, F.H. Handley Subdivision, located on the east side of Paloma Lane approximately 2,010.46 feet south of Garrett Road, including all the right-of-way on the south side of Garrett Road approx. 320.77 feet east of Paloma Lane and all the right-of-way along Paloma Lane south of Garrett Road to and through the property, as shown in Exhibit "A" and "B", and

WHEREAS, pursuant to Chapter 43, Section 43.003, of the Texas Local Government Code, a home-rule municipality may extend the boundaries of the municipality and annex area adjacent to the municipality which are contained in the municipality's extra-territorial jurisdiction (ETJ); and

WHEREAS, Chapter 43, Subchapter C-3 of the Texas Local Government Code authorizes municipalities to annex an area on the request of all property owners in an area; and

WHEREAS, the City Commission provided public notice and held public hearings on June 25, July 2, and July 16, 2025, for all interested persons to attend and be heard in

accordance with Texas Local Government Code, Chapter 43, Subchapter C-3, § 43.0673;
and

WHEREAS, at such hearings all interested persons were heard concerning the advisability of annexing such tracts of land; and

WHEREAS, the City Commission of the City of Harlingen, finds that the inclusion of such additional area will be of benefit to the City of Harlingen; now therefore

BE IT ORDAINED BY THE CITY OF HARLINGEN:

- Section 1.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Commission and made a part hereof for all purposes as findings of fact.
- Section 2.** The Property, lying outside of, but adjacent to and adjoining the City and located within the City's ETJ, is hereby annexed into the City, and the boundaries of the City are extended to include the Property within the corporate limits of the City. From and after the date of this ordinance, the Property shall be entitled to all the rights and privileges of the City and shall be bound by all the acts, ordinances, resolutions, and regulations of the City.
- Section 3.** The City finds annexation of the Property to be in the public interest due the Property promoting economic growth of the City.
- Section 4.** The City Manager is hereby authorized and directed to take appropriate action to have the official map of the City revised to reflect the addition to the City's Corporate Limits and the City Secretary is directed to file a certified copy of this Ordinance in the office of the County Clerk of Cameron County, Texas, and in the official records of the City.
- Section 5.** If for any reason any section, paragraph, subdivision, clause, phrase, word, or other provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this Commission that every section, paragraph, subdivision, clause phrase, word, or provision hereof shall be given full force and effect for its purpose.

Section 6. This Ordinance will take effect upon its adoption by the City Commission in accordance with the provisions of Article V, Section 5 of the City Charter.

APPROVED ON FIRST READING on this 2nd day of July 2025

APPROVED, PASSED, AND ADOPTED ON SECOND AND FINAL READING on this 16th day of July 2025

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

EXHIBIT "A"

NOTES AND REVISIONS

1. THIS SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

2. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

3. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

4. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

5. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

6. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

7. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

8. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

9. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

10. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

11. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

12. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

13. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

14. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

15. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

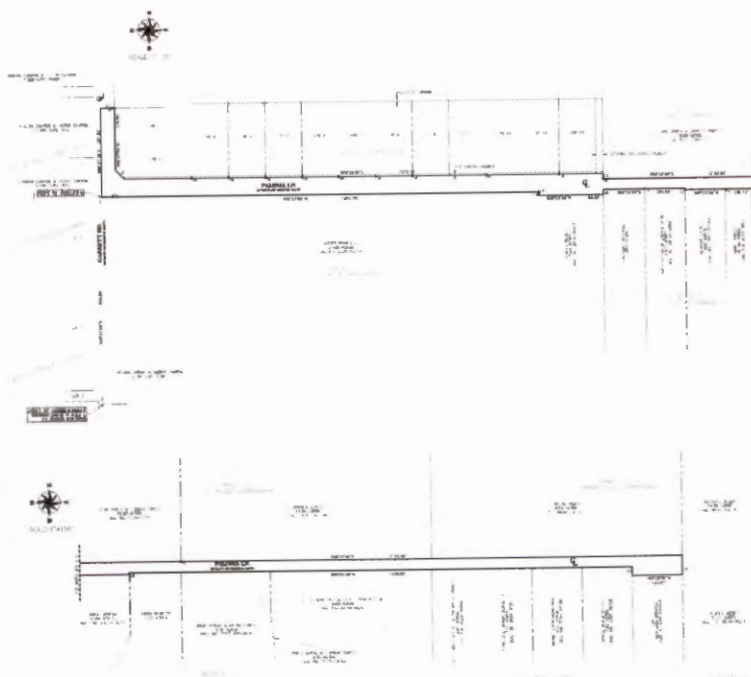
16. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

17. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

18. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

19. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.

20. THE SURVEY WAS PERFORMED IN ACCORDANCE WITH THE TEXAS SURVEYING ACT, CHAPTER 131, ACTS 1989, AS AMENDED.



LEGEND

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NOTES

1. BASIS OF BEARINGS AS PER THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH ZONE, 1983.
2. ADDRESS: PALOMA LANE, HANDBLEY, TEXAS 78052
3. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
4. IRRIGATION STRUCTURES WITHIN THIS TRACT FOR WHICH NO DEED WAS RECOVERED, FOR INFORMATION REGARDING IRRIGATION FACILITIES AND RIGHTS OF WAY CONTACT HANDBLEY IRRIGATION DISTRICT.
5. DRAINAGE DITCHES WITHIN THIS TRACT FOR WHICH NO DEED WAS RECOVERED, FOR INFORMATION REGARDING DRAINAGE FACILITIES AND RIGHTS OF WAY CONTACT CAMERON COUNTY DRAINAGE DISTRICT NO. 3.
6. AS PER FIELD MONUMENTATION THERE IS AN OVERLAP BETWEEN THE EAST BOUNDARY OF THIS TRACT AND THE WEST BOUNDARY OF THE TRACT TO THE EAST, AS SHOWN.

SURVEYOR CERTIFICATE

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY AS DESCRIBED HEREIN WAS MONUMENTED ON THE GROUND ON 04/10/2013, THAT THE ONLY MONUMENTS USED WERE AS SHOWN THAT THERE ARE NO MONUMENTS, OVERLAP, OR OTHER DISCREPANCIES, APPROPRIATE CONDUCTS, OR MONUMENTS EXCEPT AS SHOWN HEREIN. THIS SURVEY CONFORMS TO THE MINIMUM STANDARDS OF PRACTICE PROMULGATED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

BOUNDARY SURVEY OF:

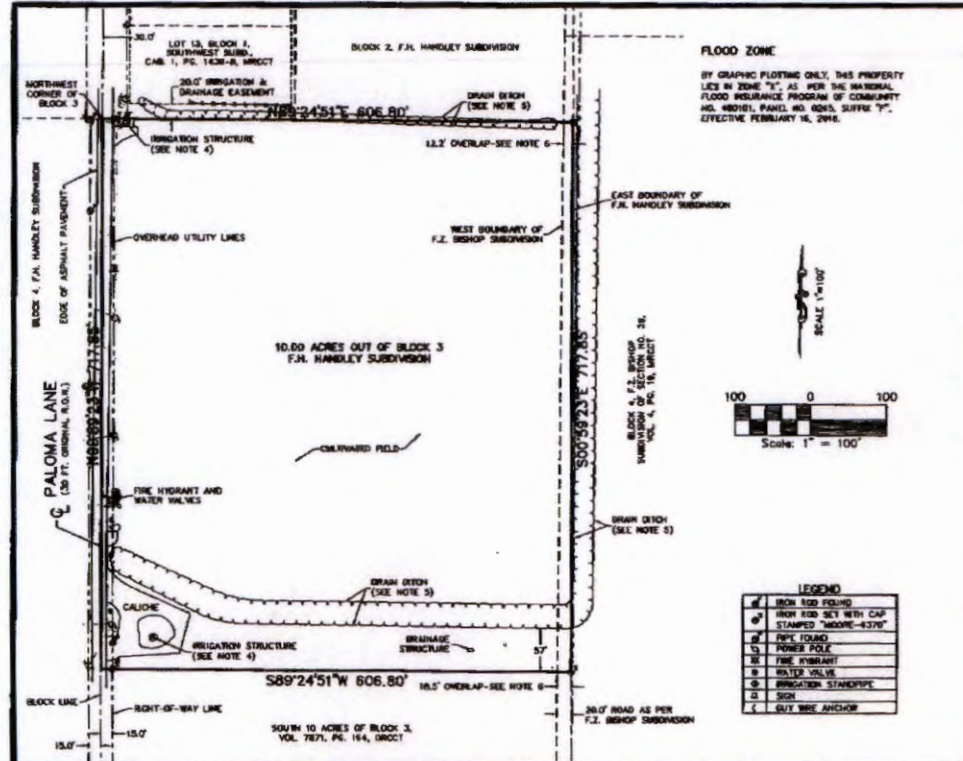
10.00 ACRES OF LAND OUT OF BLOCK 3, F.H. HANDLEY SUBDIVISION, CAMERON COUNTY, TEXAS, RECORDED IN VOLUME 4, PAGE 54, MAP RECORDS OF CAMERON COUNTY, TEXAS.

FOR: PALOMA LANE

DATE: 11 APRIL 2013

Moore Land Surveying, LLC

14216 Palo Verde, La Feria, TX 78529
(361) 499-0808 TEXAS REG. NO. 1208466



LEGEND

- 1. IRON ROD FOUND
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NOTES

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6. AS PER FIELD MONUMENTATION THERE IS AN OVERLAP BETWEEN THE EAST BOUNDARY OF THIS TRACT AND THE WEST BOUNDARY OF THE TRACT TO THE EAST, AS SHOWN.

SURVEYOR CERTIFICATE

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY AS DESCRIBED HEREIN WAS MONUMENTED ON THE GROUND ON 04/10/2013, THAT THE ONLY MONUMENTS USED WERE AS SHOWN THAT THERE ARE NO MONUMENTS, OVERLAP, OR OTHER DISCREPANCIES, APPROPRIATE CONDUCTS, OR MONUMENTS EXCEPT AS SHOWN HEREIN. THIS SURVEY CONFORMS TO THE MINIMUM STANDARDS OF PRACTICE PROMULGATED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING.

BOUNDARY SURVEY OF:

10.00 ACRES OF LAND OUT OF BLOCK 3, F.H. HANDLEY SUBDIVISION, CAMERON COUNTY, TEXAS, RECORDED IN VOLUME 4, PAGE 54, MAP RECORDS OF CAMERON COUNTY, TEXAS.

FOR: PALOMA LANE

DATE: 11 APRIL 2013

Moore Land Surveying, LLC

14216 Palo Verde, La Feria, TX 78529
(361) 499-0808 TEXAS REG. NO. 1208466

EXHIBIT "B"

ANNEXATION SERVICE AGREEMENT

SECTION 1. Pursuant to the provisions of V.T.C.A., Local Government Code Section 43.0672, in connection to the voluntary annexation of 10.00 acres of land out of Block 3, F.H. Handley Subdivision, located on the east side of Paloma Lane approximately 2,010.46 ft. south of Garrett Road, including all the right-of-way on the south side of Garrett Road approx. 320.77 ft east of Paloma Lane and all the right-of-way along Paloma Lane south of Garrett Road to and through the property, Cameron County, Texas, the owners(s) of the land in the area and the City of Harlingen ("City"), collectively referred to herein as the "Parties", hereby enter into this written Annexation Service Agreement as follows:

A. Services to be provided on the effective date of annexation unless otherwise specified.

1. Police Protection

Patrolling, radio response to calls and other routine police services using present personnel and equipment will be provided on the effective date of annexation. Patrol positions will be added when population warrants.

2. Fire Protection

Fire protection by the present personnel and equipment of the fire fighting force within the limitations of available water will be provided on the effective date of annexation.

3. Emergency Medical Services

Emergency medical services will be provided through contract services on the effective date of annexation.

4. Environmental Health and Code Compliance

Health protection including the elimination of weedy lots, illegal dumping, unsanitary septic systems, sources of standing water and other public nuisances will be provided on the effective date of annexation.

Regulation of animal and fowl density will be provided on the effective date of annexation.

5. Solid Waste Collection

Pick up will begin on the effective date of annexation at the same level of service and cost provided to other similar areas presently found within the City of Harlingen.

Brush collection will be on a periodic basis as established by the City Sanitation Department with an active utility account.

EXHIBIT "B"

6. Operation and maintenance of public water and wastewater facilities
Routine maintenance of existing water and wastewater facilities owned by Harlingen Waterworks System that are not within the service area of another water or wastewater utility will begin on the effective date of annexation.
 7. Operation and maintenance of public roads and streets
Routine maintenance of public roads and streets will begin on the effective date of annexation on the same basis as presently occurs in the city.
- B. If the city fails to zone the property as Residential, Single-Family District after the rezoning public hearings are held, the city agrees to de-annex the property within three (3) months after the rezoning process is completed.
- C. The city agrees not to require the dedication of any additional right of way and to not require ten (10) feet of additional asphalt, with curb and gutter and sidewalks along the Paloma Lane boundaries during the subdivision process.

SIGNED this 20 day of June, 2025.

CITY OF HARLINGEN

By: _____
Gabriel Gonzalez, CPM, City Manager

PROPERTY OWNER(S) OF THE PROPERTY DESCRIBED ABOVE

By: J.V. & Jessica Garcia
J.V. & Jessica Garcia

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(c)

Meeting Date: **July 16, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading for a request for the voluntary annexation of 126.50 acres of land out of the Cameron County School Lands Survey 279 located along the west side of Bob Youker Road and all the adjacent right-of-way along Rio Hondo Road, Woodall Avenue, and Bodenhamer Road, and the east 1,413.96 feet of Rio Hondo Road. Applicant: City of Harlingen. Attachment **(Planning & Development)**

Prepared By: Soledad A. Núñez, CNU-A

Title: Interim Planning and Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- June 28th, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- July 9th, 2025 – Public hearing to recommend the annexation by the Planning and Zoning Commission.
- July 16th, 2025 – Public hearing and consideration of annexation by the City Commission via First Ordinance Reading.
- August 6th, 2025 – Public hearing and consideration of annexation ordinance by the City Commission via Second and final reading.

Summary

- The owner of the property is the City of Harlingen. The property has frontage along Rio Hondo Road, Woodall Avenue, and Bob Youker Road.
- Once annexed, there is a proposed development which includes the construction of an airport hangar. Upon annexation, the property will need to be rezoned from Not Designated to Light Industry for the proposed development.
- Water and sewer services for this property will be provided by the Harlingen Waterworks System.
- The subject annexation will require three public hearings and two readings of the ordinance. The above timeline delineates the annexation process.
- In 2025 the city has annexed 580.87 acres of land thus far. In 2024 the city annexed a total of 103.94 acres. In 2023, the city annexed 19.94 acres. In 2022, the city annexed 71.1 acres. In 2021, the city annexed 1.47 acres.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount for this purpose? ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval:

☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval.

City Manager's approval:

GG

☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:

[Signature]

☒ Yes ☐ No ☐ N/A

S35°54'00" 246 28'

Attachment III- Metes & Bounds Description

Moore Land Surveying, LLC

14216 Palis Drive, La Feria, TX 78559 (956)245-0988 TBPLS Firm No. 10194186

June 24, 2025

METES AND BOUNDS 126.50 ACRES OF LAND

126.50 ACRES OF LAND being 128.63 Ac. out of Survey 279 of the Cameron County Schools Lands, Cameron County, Texas, being out of the tracts of land described in Volume 130, Page 974 and Vol. 1404, Pg. 63, Official Records of Cameron County, Texas, **SAVE AND EXCEPT** 2.13 Ac. out of the Aviserv, LLC ground lease being out of the tract of land described in Doc. No. 2014-38123, Official Records of Cameron County, Texas. Said 128.63 Ac. of land being more particularly described as follows:

COMMENCING at the southwest corner of Survey 279 of the Cameron County School Lands, Cameron County, Texas, and being on the South right-of-way of Rio Hondo Road; for the Southwest corner and **POINT OF BEGINNING** of the tract herein described;

- 1) **THENCE NORTH 00 DEG. 10 MIN. 00 SEC. EAST**, along the west line of said Survey 279, a distance of **4,065.54 FEET** to a point for a corner of the tract herein described;
- 2) **THENCE NORTH 45 DEG. 24 MIN. 00 SEC. EAST**, a distance of **896.25 FEET** to a point for a corner of the tract herein described;
- 3) **THENCE SOUTH 00 DEG. 10 MIN. 00 SEC. WEST**, along the west boundary of a tract of land described in City of Harlingen Ordinance 25-08, a distance of **1359.40 FEET** to a point on the North right-of-way of Woodall Drive, for a corner of the tract herein described;
- 4) **THENCE SOUTH 89 DEG. 49 MIN. 40 SEC. EAST**, along the North right-of-way of Woodall Drive a distance of **764.44 FEET** to a point on the East right-of-way of Bob Youker Drive, for a corner of the tract herein described;
- 5) **THENCE SOUTH 00 DEG. 09 MIN. 30 SEC. WEST**, along the East right-of-way of Bob Youker Drive being the west boundary of a tract of land described in City of Harlingen Ordinance 25-08, a distance of **3128.25 FEET** to a point on the North boundary of a 200' CP&L easement, for a corner of the tract herein described;
- 6) **THENCE NORTH 89 DEG. 48 MIN. 00 SEC. EAST**, along the North boundary of a 200' CP&L easement a distance of **1276.25 FEET** to a point for a corner of the tract herein described;
- 7) **THENCE SOUTH 35 DEG. 54 MIN. 00 SEC. EAST**, along the west boundary of a tract of land described in City of Harlingen Ordinance 25-08, a distance of **246.28 FEET** to a point on the South right-of-way of Rio Hondo Road, for a corner of the tract herein described;
- 8) **THENCE SOUTH 89 DEG. 48 MIN. 00 SEC. WEST**, along the South right-of-way of Rio Hondo Road, a distance of **2822.49 feet** to the **POINT OF BEGINNING**, and containing 128.63 acres of land.

SAVE AND EXCEPT 2.13 Ac. out of the Aviserv, LLC ground lease being out of the tract of land described in Doc. No. 2014-38123, Official Records of Cameron County, Texas. Said 2.13 Ac. of land being more particularly described as follows:

COMMENCING at the southwest corner of Survey 279 of the Cameron County School Lands, Cameron County, Texas, and being on the South right-of-way of Rio Hondo Road; **THENCE NORTH 00 DEG. 10 MIN. 00 SEC. EAST**, along the west line of said Survey 279, a distance of **1662.30 FEET** to a point for the Southwest corner and **POINT OF BEGINNING** of the tract herein described;

- 1) **THENCE NORTH 00 DEG. 10 MIN. 00 SEC. EAST**, a distance of **305.00 FEET** to a point for a corner of the tract herein described;

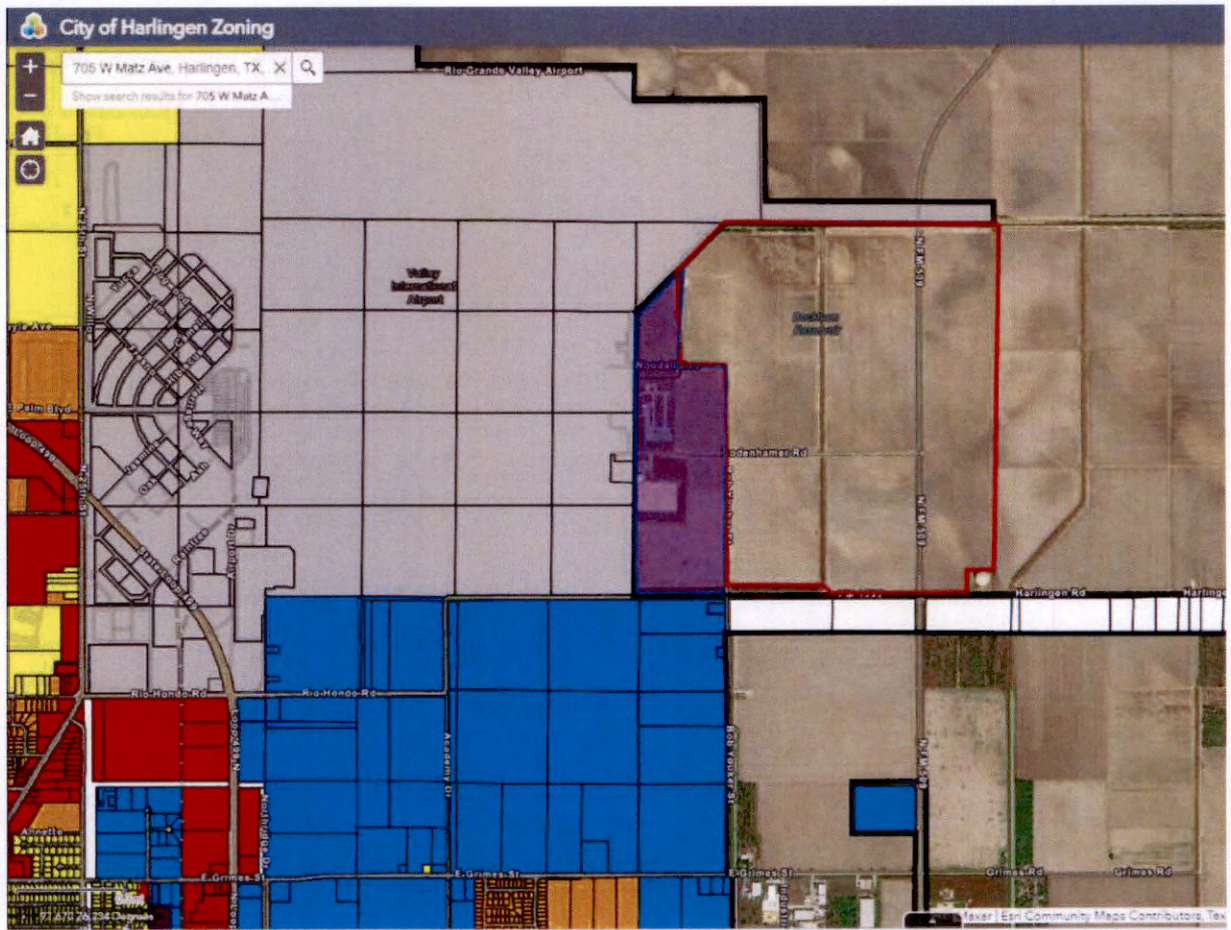
Attachment III- Metes & Bounds Description

- 2) THENCE SOUTH 89 DEG. 27 MIN. 55 SEC. EAST, a distance of 227.12 FEET to a point for a corner of the tract herein described;
- 3) THENCE NORTH 00 DEG. 32 MIN. 05 SEC. EAST, distance of 92.79 FEET to a point for a corner of the tract herein described;
- 4) THENCE SOUTH 89 DEG. 45 MIN. 30 SEC. EAST, a distance of 60.00 FEET to a point for a corner of the tract herein described;
- 5) THENCE SOUTH 00 DEG. 32 MIN. 05 SEC. WEST, a distance of 398.09 FEET to a point for a corner of the tract herein described;
- 6) THENCE SOUTH 89 DEG. 27 MIN. 55 SEC. WEST, a distance of 285.16 feet to the POINT OF BEGINNING, and containing 2.13 acres of land.

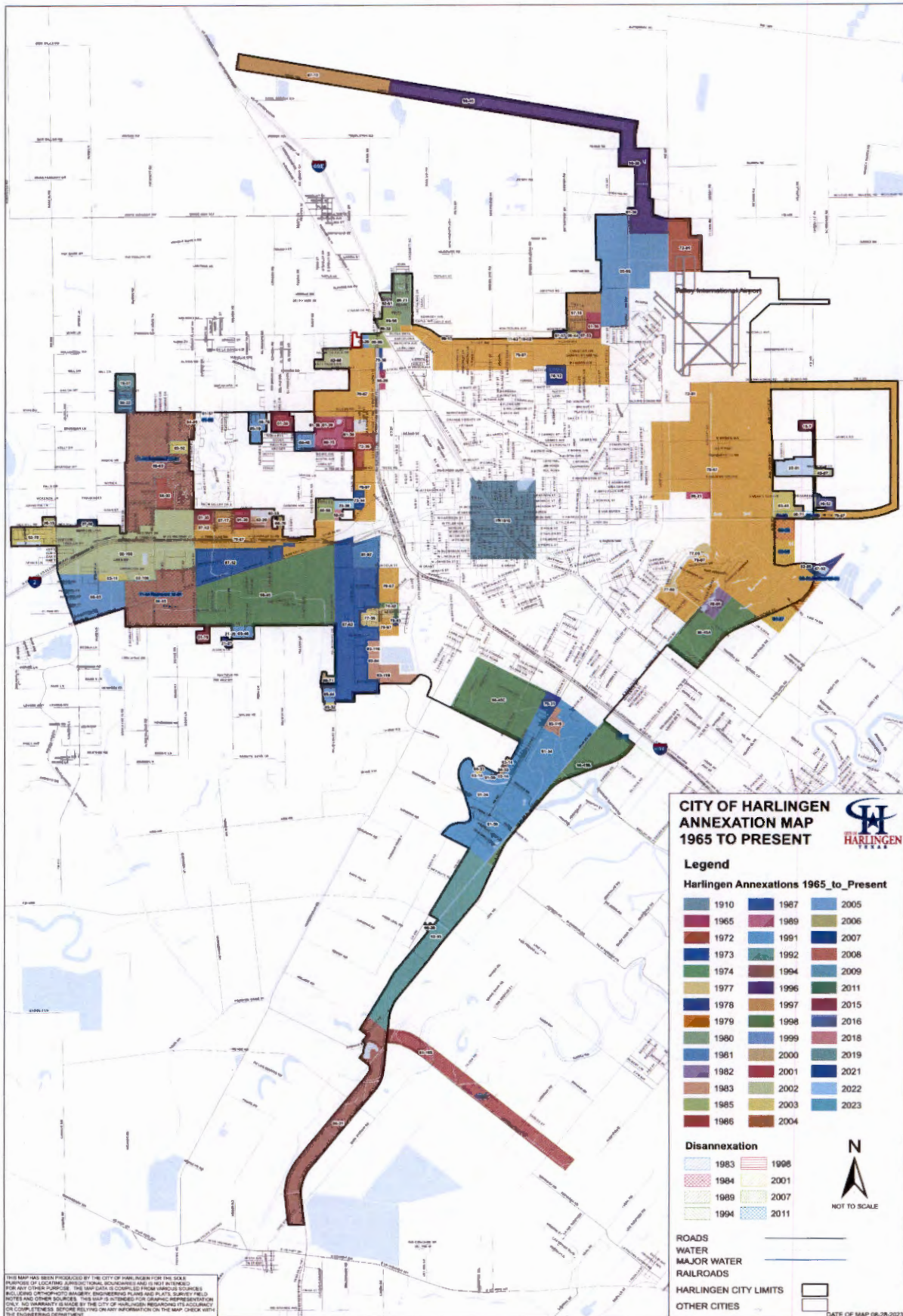
An aerial photograph of the Valley International Airport (IAH) in Houston, Texas. The airport's runways and taxiways are clearly visible. To the west of the airport is the Houston Intercontinental Airport (HIA). The surrounding area is a mix of agricultural fields and developed land. A red boundary line is drawn across the image, likely indicating a specific area of interest or a jurisdictional boundary. The Google Earth logo is visible in the bottom right corner.

Google Earth

Attachment V- Zoning Map



Attachment VI- Annexation Map



AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HARLINGEN BY ANNEXING, FOR FULL PURPOSE, A 126.50 ACRE TRACT OF LAND OUT OF THE CAMERON COUNTY SCHOOL LANDS LOCATED ALONG THE NORTH SIDE OF BODENHAMER ROAD AND WEST OF BOB YOUKER ROAD; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Harlingen, Texas (the "City") desires to annex approximately 126.50 acres of land out of the Cameron County School Lands Survey 279 located along the west side of Bob Youker Road and all of the adjacent right-of-way along Rio Hondo Road, Woodall Avenue, and Bodenhamer Road, and the east 1,413.96 feet of Rio Hondo Road as shown in Exhibit "A", and

WHEREAS, pursuant to Chapter 43, Section 43.003, of the Texas Local Government Code, a home-rule municipality may extend the boundaries of the municipality and annex area adjacent to the municipality which are contained in the municipality's extra-territorial jurisdiction (ETJ); and

WHEREAS, Chapter 43, Subchapter C-3 of the Texas Local Government Code authorizes municipalities to annex an area on the request of all property owners in an area; and

WHEREAS, the City Commission provided public notice and held public hearings on July 9, July 16, and August 6, 2025, for all interested persons to attend and be heard in accordance with Texas Local Government Code, Chapter 43, Subchapter C-3, § 43.0673; and

WHEREAS, at such hearings all interested persons were heard concerning the advisability of annexing such tracts of land; and

WHEREAS, the City Commission of the City of Harlingen, finds that the inclusion of such additional area will be of benefit to the City of Harlingen; now therefore

BE IT ORDAINED BY THE CITY OF HARLINGEN:

- Section 1.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Commission and made a part hereof for all purposes as findings of fact.
- Section 2.** The Property, lying outside of, but adjacent to and adjoining the City and located within the City's ETJ, is hereby annexed into the City, and the boundaries of the City are extended to include the Property within the corporate limits of the City. From and after the date of this ordinance, the Property shall be entitled to all the rights and privileges of the City and shall be bound by all the acts, ordinances, resolutions, and regulations of the City.
- Section 3.** The City finds annexation of the Property to be in the public interest due the Property promoting economic growth of the City.
- Section 4.** The City Manager is hereby authorized and directed to take appropriate action to have the official map of the City revised to reflect the addition to the City's Corporate Limits and the City Secretary is directed to file a certified copy of this Ordinance in the office of the County Clerk of Cameron County, Texas, and in the official records of the City.
- Section 5.** If for any reason any section, paragraph, subdivision, clause, phrase, word, or other provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this Commission that every section, paragraph, subdivision, clause phrase, word, or provision hereof shall be given full force and effect for its purpose.
- Section 6.** This Ordinance will take effect upon its adoption by the City Commission in accordance with the provisions of Article V, Section 5 of the City Charter.

APPROVED ON FIRST READING on this 16th day of July 2025

APPROVED, PASSED, AND ADOPTED ON SECOND AND FINAL READING on this 6th
day of August 2025

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

EXHIBIT "A"

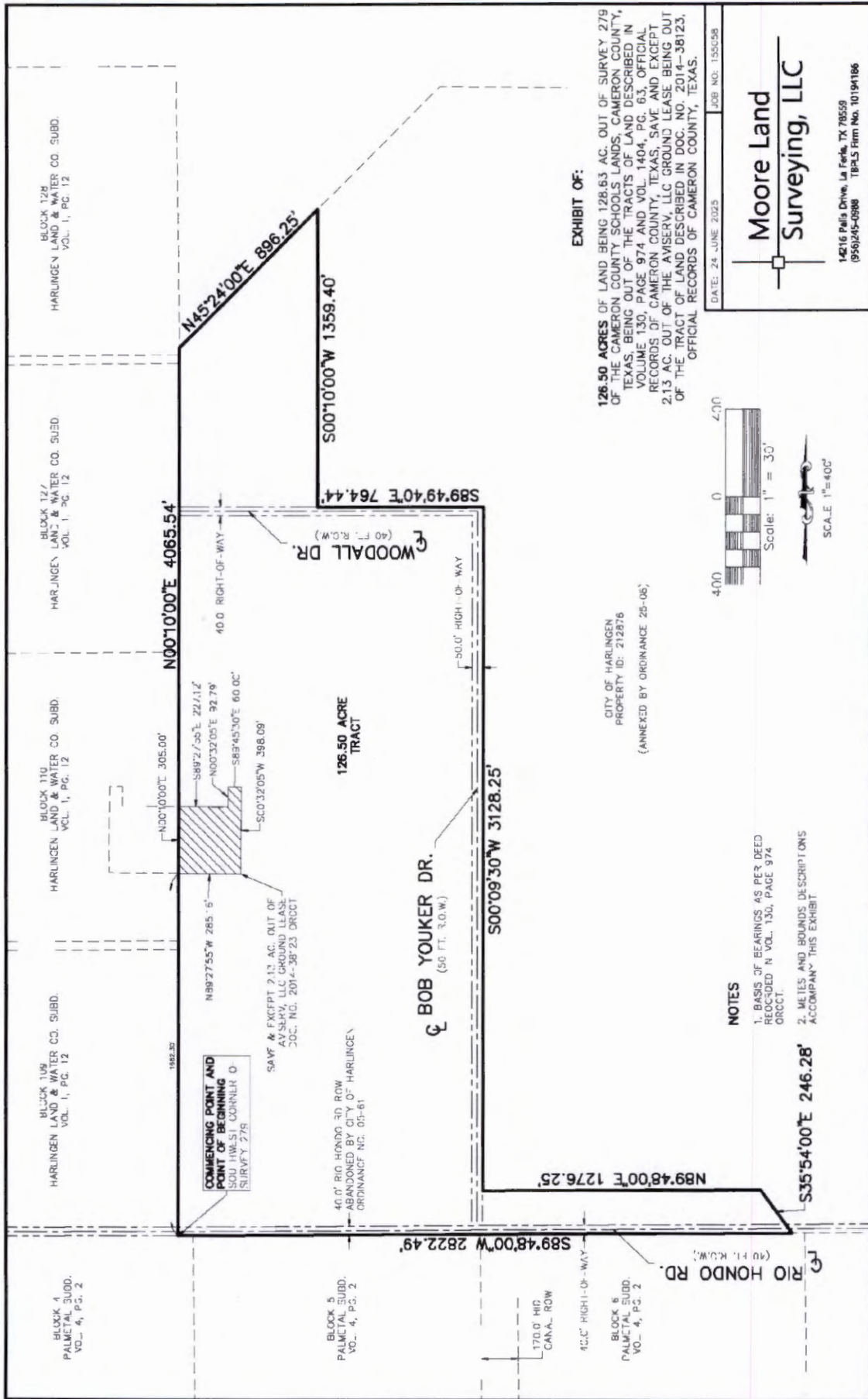


EXHIBIT "A"

Moore Land Surveying, LLC

14216 Palis Drive, La Feria, TX 78559 (956)245-0988 TBPLS Firm No. 10194186

June 24, 2025

METES AND BOUNDS 126.50 ACRES OF LAND

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- 8) **THENCE SOUTH 89 DEG. 48 MIN. 00 SEC. WEST**, along the South right-of-way of Rio Hondo Road, a distance of **2822.49 feet** to the **POINT OF BEGINNING**, and containing 128.63 acres of land.

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- 6) THENCE SOUTH 89 DEG. 27 MIN. 55 SEC. WEST, a distance of 285.16 feet to the POINT OF BEGINNING, and containing 2.13 acres of land.

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(d)

Meeting Date: **July 16, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading amending the City of Harlingen Code of Ordinances Chapter 109, Subdivisions, Section 109-91, Plat Requirements, Form, and Content; by adding a section pertaining to the expiration of the plat and moving the current content of Section (f) to Section (g). Applicant: City of Harlingen. Attachment (**Planning & Development**)

Prepared By: Soledad A. Núñez, CNU-A

Title: Interim Planning and Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Project Timeline

- June 28, 2025 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- July 9, 2025 – Public hearing and consideration of the requested ordinance amendments by the Planning and Zoning Commission (P&Z)
- July 16, 2025 – Public hearing and consideration of requested ordinance amendments via 1st ordinance reading scheduled before the City Commission.
- August 6, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Ordinance Section 109, Subdivisions, should be updated to facilitate the timely expiration of outdated plats, thereby creating valuable opportunities to revise development plans, align with modern standards, and better serve the public interest. As development standards evolve, it is important that new subdivisions remain consistent with current regulations to ensure safe, efficient, and sustainable growth.
- A summary of the recommended change is shown in **ATTACHMENT I**.
- The cities of McAllen, Brownsville, Mission, and Edinburg all include plat expiration provisions within their respective development codes. **ATTACHMENT II**

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the proposed amendments to Chapter 109, Subdivisions of the City of Harlingen Code of Ordinances.

City Manager's approval: *[Signature]* ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval: *[Signature]* ☐ Yes ☐ No ☐ N/A

Attachment I

Sec. 109-91. Plat requirements, form, and content.

(a) *Generally.*

- (1) The developer shall prepare a plat through a licensed surveyor and engineer in accordance with this article and state law.
- (2) No plat shall be recorded until:
 - a. The property is zoned in accordance with the city zoning code for the uses intended; and
 - b. The constructed public improvements required by this article have been approved and accepted by the city or an appropriate financial guarantee of performance (e.g. bonds, escrows or letter of credit) has been submitted and accepted by the city in lieu of construction of required improvements before plat recordation.

(b) *Time for filing and copies required.* The developer shall file with the department of planning and development:

- (1) One digital submission of both PDF and AutoCAD files. Files shall be submitted via compact disc, portable USB drive, or email as specified by the city engineer. AutoCAD files shall be submitted in the coordinate system as specified in section 109-91(c)(3)e. or as otherwise directed by the city engineer.
- (2) Hard copies of the plat may be required, folded with the name of the subdivision showing and an application on a form specified by the city (see section 109-222, Exhibit B).

(c) *Plat form and content.*

- (1) The plat and accompany data shall substantially conform to the conditions as approved by the planning and zoning commission, incorporating any and all changes, modifications, alterations and corrections imposed.
- (2) The plat shall be drawn to a scale not smaller than 100 feet to one inch on a sheet 24 inches by 36 inches. Where more than one sheet is necessary to accommodate the entire area, an index sheet showing the entire subdivision at an appropriate scale shall be attached to the plat. The plat shall be drawn in with a minimum of a one-half inch margins on all sides.
- (3) Upon completion of section 109-87(a)(8) regarding acceptance of infrastructure construction, the developer shall submit a plat for recordation. The plat shall be drawn in ink on mylar sheets and meet the requirements of this subsection. The plat shall contain the following:
 - a. Proposed name of the subdivision printed across the lots and blocks, which shall not have the same name and spelling or be pronounced similar to the name of any other subdivision within the city or within its extraterritorial jurisdiction;
 - b. Names of adjoining subdivisions and an indication of whether or not adjoining properties are platted with applicable record volume, page numbers, and legal descriptions;
 - c. Subdivision boundary lines, indicated by heavy lines and the total computed acreage of the subdivision;
 - d. A metes and bounds description of the subdivision boundary;
 - e. The primary subdivision corners with descriptions of coordinates where northing and easting shall be provided to four decimal places in the NAD 83 State Plane Coordinate System Texas South Zone (4205), or as directed by the city engineer with ties to the original block corners. Elevations of these points shall be provided to two decimal places in NAVD 88 datum, or as directed by the city engineer. All new monuments set at subdivision corners shall be set to a

Attachment I

sufficient depth to retain a stable and distinctive location, encased in concrete where location permits, shall be marked in a way that is traceable to the responsible surveyor, and shall conform to the appropriate state statutes;

- f. Existing site information as follows:
 - 1. Exact locations, descriptions and names of all existing or recorded streets, roads, alleyways, or other public right-of-way within the subdivision, intersecting or contiguous with its boundaries, or forming such boundaries. This shall include dimensions from the existing centerline to the right-of-way and overall width of the right-of-way;
 - 2. Exact locations and descriptions of all existing or recorded easements within the subdivision, intersecting or contiguous with its boundaries, or forming such boundaries. This shall include legal description, record information, width, and purpose of said easements;
 - 3. Exact locations, dimensions, and descriptions of all existing or recorded reservations, parks, public areas, watercourses, irrigation canals, or drainage ditches, within or contiguous with the subdivision; and
 - 4. Regulatory flood elevations and boundaries of flood prone area, including floodways, and areas located in the special flood hazard area;
- g. The exact location, dimensions, description and name of all proposed streets with full right-of-way dedication indicated, alleys, parks, other public areas, easements or other rights-of-way, lots with net square footage, blocks and other sites within the subdivision. All right-of-way dedicated by plat shall have a statement indicating so on the plat;
- h. Date of preparation, scale of plat (including a bar scale) and north arrow;
- i. A number or letter to identify each lot or site and each block;
- j. Building setback lines (if different from chapter 111 standards);
- k. Location of city limits lines, ETJ boundary if they traverse the subdivision, form part of the boundary of the subdivision, or are otherwise located within the plat;
- l. A vicinity map at a scale of not more detail than one inch to 2,000 feet that shall show existing subdivisions, streets, city limits and/or ETJ boundary. This map shall contain enough information, including names of major streets and subdivisions to properly discern the location of the proposed subdivision. This map shall be oriented to true north and include a north arrow and description of scale;
- m. Names of the developer, record owner, lienholders, engineer and/or surveyor with signature lines as appropriate;
- n. Owner's acknowledgement of the dedication to public use of all streets, alleys, easements, parks, and other public places, as applicable, shown on such final plat (see section 109-226, Exhibit F);
- o. The certification of the surveyor and/or engineer responsible for surveying the subdivision area, attesting to its accuracy, and for the preparation of the plat and supporting data, attesting to its accuracy (see section 109-226, Exhibit F);
- p. A blank statement for the certification of the city engineer or other designated city official that the plat conforms to all requirements of the subdivision regulations of the city; to be executed upon final approval (see section 109-226, Exhibit F);

Attachment I

- q. A blank statement for the planning and zoning commission chairperson that the plat has been approved by such commission; to be executed upon final approval (see section 109-226, Exhibit F);
 - r. A blank statement for the appropriate HWWO official that the plat has been approved by such department; to be executed upon plat approval (see section 109-226, Exhibit F);
 - s. A blank statement for the mayor that the plat has been approved and conforms to the requirements of the subdivision regulations of the city; to be executed upon final approval (see section 109-226, Exhibit F);
 - t. A signed statement for the appropriate drainage or irrigation district official that the plat has been approved by such department; to be executed upon final approval by such district (where applicable);
 - u. A general notes section which at a minimum shall contain:
 - 1. A description and basis of the flood zone(s) within the subdivision;
 - 2. An engineer's statement of the minimum permissive finished floor elevation that will protect all habitable improvements from the one percent annual exceedance probability (100-year) storm event in the flood zone location;
 - 3. If any portion of the subdivision for any lots within a special flood hazard area, a note will be required indicating that a floodway development permit is required before any construction is to take place;
 - 4. In residential subdivisions for any lots within 100 feet of a drainage inlet, a note on the plat shall indicate that the finished floor, for those specific lots, shall be six inches higher as compared to the other finished floors within the subdivision;
 - 5. A description, location, and elevation of the benchmark used to establish vertical control for the subdivision;
 - 6. The high and low ground elevations within the subdivision;
 - 7. The basis of bearings and vertical datum;
 - 8. A note describing the type of monuments set at interior corners;
 - 9. Certificate of compliance with the requirements of the applicable Texas Local Government Code;
 - 10. A description of setback requirements; and
 - 11. A note requiring sidewalks at time of construction (if applicable, see section 109-124(f) and indicating a permit is required from the city prior to construction of sidewalks; and
 - v. Name, address, phone number, and firm number of the engineer and/or surveyor.
- (d) *Additional content to be submitted.* Along with the plat, the following shall be submitted:
- (1) Preliminary subdivision construction plans;
 - (2) Proposed fills or other structure elevating techniques, levels, channel modifications, seawalls and other methods to overcome flood or erosion related hazards.
 - (3) A nonrefundable plat review fee in the amount as established in the city fee schedule in chapter 18 of the City of Harlingen Code of Ordinances.

- (4) A street lighting plan (existing and proposed) must be submitted that indicates placement of a standard streetlight as specified in the subdivision development guide.
- (5) A fire hydrant plan which includes location of existing and proposed fire hydrants. Fire hydrants must be shown to create a coverage network of not more than 500-foot intervals measured along streets or other public access right-of-way for single-family residential subdivisions. (In all other subdivisions, this distance must be a 150-foot radius.) Standard hydrants shall be installed as per specifications of the state board of insurance and HWWs. This requirement shall not apply to subdivisions within the North Alamo Water Supply Corporation CCN. A note in the plat would be required stating that the subdivision does not have fire hydrants.

Single-family homes may be considered in the city limits and ETJ on a one-lot subdivision on lots of one to 9.99 acres in size without a fire hydrant provided the property/homeowner agrees to and signs a notarized affidavit indemnifying and holding the city harmless of any liability that might occur to the subject property, due to fire or any other incident that would require a fire hydrant to assist the city in dealing with the fire or incident. If such property owner has requested that a fire hydrant not be installed on the property, a note on the plat to that effect shall be required as notification to subsequent property owners of the absence of a fire hydrant.

- (6) Written statements from the various utilities that they have reviewed the subdivision that they can provide service and are prepared to do so when requested by the developer.
- (7) Any restrictive covenants that will be imposed on the subdivision, complete with recording information, must be noted on the plat.
- (8) Tax certificates showing that all property taxes have been paid in full up to the most recently-completed fiscal year.
- (9) Documentation of any liens and encumbrances on the property subject to the plat.
 - a. The developer shall submit with the plat the opinion of an attorney, licensed to practice law in the State of Texas, showing any recorded liens and encumbrances affecting the title to said land as of the date of submission of the record plat for approval. A title commitment may be substituted for the attorney's opinion. Such opinion or title commitment may not be older than six months at the date of plat consideration by the planning and zoning commission.
 - b. If any liens appear of record, the subordination of such liens to the plat and dedications contained therein shall be secured by the developer prior to plat recording through a statement on the plat (see section 109-226, Exhibit F).
- (10) Any drainage or street assessments, street sign deposits, street light deposits, or other fees due must be submitted prior to recording of the plat.
- (11) Upon completion of section 109-87(a)(8) regarding acceptance of construction, a check payable to the county clerk in the amount of the recording fee for filing the plat (of subdivisions located inside city limits).
- (12) A portable USB drive or other digital medium with the plat shall be submitted with control points for incorporation into the city map. Such submission shall be in the format designated by the planning and development department.
- (13) Stormwater facility maintenance agreement and maintenance easement as required by the city municipal separate storm sewer system (MS4) permit and relevant ordinances.
- (e) *Simultaneous submission.* Plats shall be simultaneously submitted by the applicant to the appropriate entities of the subdivision review committee for review.

Attachment I

~~(f) Recording of the plat. After all plat conditions have been complied with, the director of planning and development or other designated official shall cause the plat to be recorded with the Cameron County Clerk.~~

(f) Expiration of the plat.

(1) The plat approval shall remain in approved status for a period of 24 months from the date of the Planning and Zoning Commission's & or City Commission's approval with conditions. The Director of Planning and Development is authorized to grant an extension if substantial infrastructure improvements can be demonstrated as substantially complete.

(g) *Recording of the plat.* After all plat conditions have been complied with, the director of planning and development or other designated official shall cause the plat to be recorded with the Cameron County Clerk.

(Ord. No. 2022-52, § 1, 12-21-2022)

Attachment II

Brownsville	2 years for preliminary plat approval
Edinburg	60 months (5 years) for preliminary plat approval and 12 months (1 year) for final plat approval
McAllen	1 year for preliminary approval, with the option of (1) six-month extension
Mission	1 year from date of final plat approval

ORDINANCE 25 -

AN ORDINANCE OF THE CITY OF HARLINGEN AMENDING THE CODE OF ORDINANCES, CHAPTER 109 SUBDIVISIONS, SECTION 109-91, PLAT REQUIREMENTS, FORM, AN CONTENT; BY ADDING A SECTION PERTAINING TO THE EXPIRATION OF THE PLAT AND MOVING THE CURRENT CONTENT OF SECTION (F) TO SECTION (G), PROVIDING FOR A REPEALER AND SEVERABILITY CLAUSES.

WHEREAS, the City of Harlingen, a home-rule city of the State of Texas, may adopt and enforce ordinances necessary to protect health, life, property and the general welfare of the City and its residents and visitors; and

WHEREAS, pursuant to this authorization, the City of Harlingen has adopted Chapter 109 as part of the City of Harlingen Code of Ordinances to accomplish these purposes and to therefore serve the public; and

WHEREAS, The Planning and Zoning Commission has reviewed the proposed subdivision ordinance amendments and has recommended approval; and

WHEREAS, The City Commission of the City of Harlingen desires to make amendments to the subdivision code of ordinances to continue accomplishing these purposes and to better serve the public;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HARLINGEN, THAT:

SECTION I: That the Code of Ordinances of the City of Harlingen, Chapter 109 (Subdivisions) is hereby amended by adding the language underlined (added) and deletions (stricken thru) to read in full as follows:

Chapter 109, Article IV: Sec. 109-91. Plat requirements, form, and content.

(a) Generally.

- (1) The developer shall prepare a plat through a licensed surveyor and engineer in accordance with this article and state law.
- (2) No plat shall be recorded until:
 - a. The property is zoned in accordance with the city zoning code for the uses intended; and
 - b. The constructed public improvements required by this article have been approved and accepted by the city or an appropriate financial guarantee of performance (e.g. bonds, escrows or letter of credit) has been submitted and accepted by the city in lieu of construction of required improvements before plat recordation.

(b) *Time for filing and copies required.* The developer shall file with the department of planning and development:

- (1) One digital submission of both PDF and AutoCAD files. Files shall be submitted via compact disc, portable USB drive, or email as specified by the city engineer. AutoCAD files shall be submitted in the coordinate system as specified in section 109-91(c)(3)e. or as otherwise directed by the city engineer.
- (2) Hard copies of the plat may be required, folded with the name of the subdivision showing and an application on a form specified by the city (see section 109-222, Exhibit B).

(c) *Plat form and content.*

- (1) The plat and accompany data shall substantially conform to the conditions as approved by the planning and zoning commission, incorporating any and all changes, modifications, alterations and corrections imposed.
- (2) The plat shall be drawn to a scale not smaller than 100 feet to one inch on a sheet 24 inches by 36 inches. Where more than one sheet is necessary to accommodate the entire area, an index sheet showing the entire subdivision at an appropriate scale shall be attached to the plat. The plat shall be drawn in with a minimum of a one-half inch margins on all sides.
- (3) Upon completion of section 109-87(a)(8) regarding acceptance of infrastructure construction, the developer shall submit a plat for recordation. The plat shall be drawn in ink on mylar sheets and meet the requirements of this subsection. The plat shall contain the following:
 - a. Proposed name of the subdivision printed across the lots and blocks, which shall not have the same name and spelling or be pronounced similar to the name of any other subdivision within the city or within its extraterritorial jurisdiction;
 - b. Names of adjoining subdivisions and an indication of whether or not adjoining properties are platted with applicable record volume, page numbers, and legal descriptions;
 - c. Subdivision boundary lines, indicated by heavy lines and the total computed acreage of the subdivision;
 - d. A metes and bounds description of the subdivision boundary;
 - e. The primary subdivision corners with descriptions of coordinates where northing and easting shall be provided to four decimal places in the NAD 83 State Plane Coordinate System Texas South Zone (4205), or as directed by the city engineer with ties to the original block corners. Elevations of these points shall be provided to two decimal places in NAVD 88 datum, or as directed by the city engineer. All new monuments set at subdivision corners shall be set to a sufficient depth to retain a stable and distinctive location, encased in concrete where location permits, shall be marked in a way that is traceable to the responsible surveyor, and shall conform to the appropriate state statutes;
 - f. Existing site information as follows:

1. Exact locations, descriptions and names of all existing or recorded streets, roads, alleyways, or other public right-of-way within the subdivision, intersecting or contiguous with its boundaries, or forming such boundaries. This shall include dimensions from the existing centerline to the right-of-way and overall width of the right-of-way;
2. Exact locations and descriptions of all existing or recorded easements within the subdivision, intersecting or contiguous with its boundaries, or forming such boundaries. This shall include legal description, record information, width, and purpose of said easements;
3. Exact locations, dimensions, and descriptions of all existing or recorded reservations, parks, public areas, watercourses, irrigation canals, or drainage ditches, within or contiguous with the subdivision; and
4. Regulatory flood elevations and boundaries of flood prone area, including floodways, and areas located in the special flood hazard area;
- g. The exact location, dimensions, description and name of all proposed streets with full right-of-way dedication indicated, alleys, parks, other public areas, easements or other rights-of-way, lots with net square footage, blocks and other sites within the subdivision. All right-of-way dedicated by plat shall have a statement indicating so on the plat;
- h. Date of preparation, scale of plat (including a bar scale) and north arrow;
- i. A number or letter to identify each lot or site and each block;
- j. Building setback lines (if different from chapter 111 standards);
- k. Location of city limits lines, ETJ boundary if they traverse the subdivision, form part of the boundary of the subdivision, or are otherwise located within the plat;
- l. A vicinity map at a scale of not more detail than one inch to 2,000 feet that shall show existing subdivisions, streets, city limits and/or ETJ boundary. This map shall contain enough information, including names of major streets and subdivisions to properly discern the location of the proposed subdivision. This map shall be oriented to true north and include a north arrow and description of scale;
- m. Names of the developer, record owner, lienholders, engineer and/or surveyor with signature lines as appropriate;
- n. Owner's acknowledgement of the dedication to public use of all streets, alleys, easements, parks, and other public places, as applicable, shown on such final plat (see section 109-226, Exhibit F);
- o. The certification of the surveyor and/or engineer responsible for surveying the subdivision area, attesting to its accuracy, and for the preparation of the plat and supporting data, attesting to its accuracy (see section 109-226, Exhibit F);
- p. A blank statement for the certification of the city engineer or other designated city official that the plat conforms to all requirements of the subdivision regulations of the city; to be executed upon final approval (see section 109-226, Exhibit F);

- q. A blank statement for the planning and zoning commission chairperson that the plat has been approved by such commission; to be executed upon final approval (see section 109-226, Exhibit F);
 - r. A blank statement for the appropriate HWWWS official that the plat has been approved by such department; to be executed upon plat approval (see section 109-226, Exhibit F);
 - s. A blank statement for the mayor that the plat has been approved and conforms to the requirements of the subdivision regulations of the city; to be executed upon final approval (see section 109-226, Exhibit F);
 - t. A signed statement for the appropriate drainage or irrigation district official that the plat has been approved by such department; to be executed upon final approval by such district (where applicable);
 - u. A general notes section which at a minimum shall contain:
 - 1. A description and basis of the flood zone(s) within the subdivision;
 - 2. An engineer's statement of the minimum permissive finished floor elevation that will protect all habitable improvements from the one percent annual exceedance probability (100-year) storm event in the flood zone location;
 - 3. If any portion of the subdivision for any lots within a special flood hazard area, a note will be required indicating that a floodway development permit is required before any construction is to take place;
 - 4. In residential subdivisions for any lots within 100 feet of a drainage inlet, a note on the plat shall indicate that the finished floor, for those specific lots, shall be six inches higher as compared to the other finished floors within the subdivision;
 - 5. A description, location, and elevation of the benchmark used to establish vertical control for the subdivision;
 - 6. The high and low ground elevations within the subdivision;
 - 7. The basis of bearings and vertical datum;
 - 8. A note describing the type of monuments set at interior corners;
 - 9. Certificate of compliance with the requirements of the applicable Texas Local Government Code;
 - 10. A description of setback requirements; and
 - 11. A note requiring sidewalks at time of construction (if applicable, see section 109-124(f) and indicating a permit is required from the city prior to construction of sidewalks; and
 - v. Name, address, phone number, and firm number of the engineer and/or surveyor.
- (d) *Additional content to be submitted.* Along with the plat, the following shall be submitted:
- (1) Preliminary subdivision construction plans;
 - (2) Proposed fills or other structure elevating techniques, levels, channel modifications, seawalls and other methods to overcome flood or erosion related hazards.
 - (3) A nonrefundable plat review fee in the amount as established in the city fee schedule in chapter 18 of the City of Harlingen Code of Ordinances.

- (4) A street lighting plan (existing and proposed) must be submitted that indicates placement of a standard streetlight as specified in the subdivision development guide.
- (5) A fire hydrant plan which includes location of existing and proposed fire hydrants. Fire hydrants must be shown to create a coverage network of not more than 500-foot intervals measured along streets or other public access right-of-way for single-family residential subdivisions. (in all other subdivisions, this distance must be a 150-foot radius.) Standard hydrants shall be installed as per specifications of the state board of insurance and HWWWS. This requirement shall not apply to subdivisions within the North Alamo Water Supply Corporation CCN. A note in the plat would be required stating that the subdivision does not have fire hydrants.

Single-family homes may be considered in the city limits and ETJ on a one-lot subdivision on lots of one to 9.99 acres in size without a fire hydrant provided the property/homeowner agrees to and signs a notarized affidavit indemnifying and holding the city harmless of any liability that might occur to the subject property, due to fire or any other incident that would require a fire hydrant to assist the city in dealing with the fire or incident. If such property owner has requested that a fire hydrant not be installed on the property, a note on the plat to that effect shall be required as notification to subsequent property owners of the absence of a fire hydrant.

- (6) Written statements from the various utilities that they have reviewed the subdivision that they can provide service and are prepared to do so when requested by the developer.
- (7) Any restrictive covenants that will be imposed on the subdivision, complete with recording information, must be noted on the plat.
- (8) Tax certificates showing that all property taxes have been paid in full up to the most recently-completed fiscal year.
- (9) Documentation of any liens and encumbrances on the property subject to the plat.
 - a. The developer shall submit with the plat the opinion of an attorney, licensed to practice law in the State of Texas, showing any recorded liens and encumbrances affecting the title to said land as of the date of submission of the record plat for approval. A title commitment may be substituted for the attorney's opinion. Such opinion or title commitment may not be older than six months at the date of plat consideration by the planning and zoning commission.
 - b. If any liens appear of record, the subordination of such liens to the plat and dedications contained therein shall be secured by the developer prior to plat recording through a statement on the plat (see section 109-226, Exhibit F).
- (10) Any drainage or street assessments, street sign deposits, street light deposits, or other fees due must be submitted prior to recording of the plat.
- (11) Upon completion of section 109-87(a)(8) regarding acceptance of construction, a check payable to the county clerk in the amount of the recording fee for filing the plat (of subdivisions located inside city limits).

- (12) A portable USB drive or other digital medium with the plat shall be submitted with control points for incorporation into the city map. Such submission shall be in the format designated by the planning and development department.
- (13) Stormwater facility maintenance agreement and maintenance easement as required by the city municipal separate storm sewer system (MS4) permit and relevant ordinances.
- (e) *Simultaneous submission.* Plats shall be simultaneously submitted by the applicant to the appropriate entities of the subdivision review committee for review.
- ~~(f) *Recording of the plat.* After all plat conditions have been complied with, the director of planning and development or other designated official shall cause the plat to be recorded with the Cameron County Clerk.~~
- (f) *Expiration of the plat.*
- (1) The plat approval shall remain in approved status for a period of 24 months from the date of the Planning and Zoning Commission's & or City Commission's approval with conditions. The Director of Planning and Development is authorized to grant an extension if substantial infrastructure improvements can be demonstrated as substantially complete.
- (g) *Recording of the plat.* After all plat conditions have been complied with, the director of planning and development or other designated official shall cause the plat to be recorded with the Cameron County Clerk.
- (Ord. No. 2022-52, § 1, 12-21-2022)

SECTION III: CUMULATIVE/REPEALER CLAUSE

This ordinance shall be cumulative of all provisions of state or federal law and other ordinances of the City of Harlingen, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION IV: SEVERABILITY CLAUSE

It is hereby declared to be the intention of the City Commission that the phrases, clauses, sentences, paragraphs and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by a valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Commission without the incorporation of this Ordinance of any such unconstitutionality phrase, clause, sentence, paragraph or section.

SECTION V: That the City Secretary of the City of Harlingen, Texas is hereby authorized and directed to cause a true copy of the caption of this ordinance to be published in a newspaper having general circulations in the City of Harlingen, Cameron County, Texas.

The provisions of this ordinance shall become effective from and after the final and lawful passage hereof and publication of the caption hereof as provided for and required in the Code of Ordinances and applicable state statutes.

FINALLY ENACTED this ____ day of _____, 2025, at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN, TEXAS

Norma Sepulveda, Mayor

Mayra Herrera, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(e)

Meeting Date: **July 16, 2025**

Agenda Item:

Consideration and possible action to adopt an ordinance on first reading amending the previously adopted Ordinance No. 2025-26 to extend the waiver of certain permit fees within the City of Harlingen caused by the recent State of Emergency, and amending the City of Harlingen Code of Ordinances, Chapter 103, "Buildings and Building Regulations," Section 103-6, "Waiver of Permit Fees for Rehabilitation during Declared State of Emergency." Applicant: City of Harlingen. Attachment (**Planning & Development**)

Prepared By: Soledad A. Núñez, CNU-A
Title: Interim Planning and Development Director
Signature: *Soledad A. Núñez*

- The City of Harlingen previously adopted an ordinance waiving certain building permit fees for rehabilitation of properties damaged by the severe flooding event of March 27, 2025, for applications submitted through June 27, 2025. However, many residents are still awaiting insurance claim settlements and FEMA assistance, which has delayed their ability to begin necessary repairs. The request to extend the permit fee waiver period through August 31, 2025, is intended to provide continued relief to these citizens and support the ongoing recovery process.
- The proposed ordinance amendment will allow additional time for property owners to obtain permits without the added financial burden of permit fees during this challenging period.

Funding (if applicable):

Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval.

City Manager's approval: *GB* ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval: *[Signature]* ☐ Yes ☐ No ☐ N/A

ORDINANCE NO. 25- __

AN ORDINANCE AMENDING ORDINANCE NO. 2025-26 WAIVING CERTAIN PERMIT FEES WITHIN THE CITY OF HARLINGEN CAUSED BY THE RECENT STATE OF EMERGENCY, AND AMENDING THE CITY OF HARLINGEN CODE OF ORDINANCES AT CHAPTER 103, "BUILDINGS AND BUILDING REGULATIONS" AMENDING SECTION 103-6 "WAIVER OF PERMIT FEES FOR REHABILITATION DURING DECLARED STATE OF EMERGENCY"

WHEREAS, on March 28th, 2025, Harlingen Mayor Norma Sepulveda declared a state of disaster within the City of Harlingen because of widespread flooding in the city which both damaged property and endangered human life, and

WHEREAS, one day later, on March 29th, 2025, the Governor of the State of Texas also declared a state of disaster in Cameron County due to severe flooding affecting both Cameron and Hidalgo Counties, and

WHEREAS, the flooding throughout the City of Harlingen has caused widespread property damage which in turn has imposed a financial burden on many citizens and residents who need to immediately remediate their property, and

WHEREAS, this financial burden has been made even more pressing because of widespread lack of affordable home insurance for flood events, and

WHEREAS, the Harlingen City Commission wishes to assist Harlingen residents dealing with this hardship by waiving to the extent that those residents may have been impacted by the severe storms beginning March 27th, 2025 by extending the deadline until August 31, 2025 and

WHEREAS, the City Commission also wishes to establish a standard procedure in the Harlingen Code of Ordinance so that in the event of any future declared state of disaster such relief might be provided, and

WHEREAS, The City Commission of the City of Harlingen finds that it is in the best interests of the citizens of Harlingen to amend the Code of Ordinances as set forth below;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSIONER OF THE CITY OF HARLINGEN, TEXAS, THAT:

- 1.01. The City Commission of the City of Harlingen hereby waives for qualified applicants all building permit fees for rehabilitation caused by the storm and flooding event of March 27th, 2025, in the City of Harlingen. Said fees will be waived for such building rehabilitation related residential and commercial permit applications from March 27th, 2025, to August 31, 2025 only.
- 1.02. To establish qualifications for the waiver of fees, the applicant must submit to the City evidence and documentation of property damage caused by the storm and flooding events of March 27th, 2025. (the declared state of emergency) to their property.

**IT IS FURTHER ORDAINED BY THE CITY COMMISSION OF THE CITY OF HARLINGEN,
THAT**

- 2) The Harlingen Code of Ordinances at. Chapter 103, Buildings and Building Regulations, Article 1, Section 103 is hereby amended to add section 103-6 which shall state as follows:

**103-6 Residential and Commercial Rehabilitation Related Permit Fees Incurred
Because of a Declared State of Emergency**

- a.) If a state of emergency is declared by the Mayor of the City, the Mayor may waive building and permit fees and mechanical permit fees for reasonable and necessary repairs made necessary by the events triggering the state of emergency for a period not to exceed fourteen days from the date the state of emergency is declared in the City. The Harlingen City Commission may, by resolution, waive said fees for a period of up to a total of 120 days including any time waived by the mayor.
- b.) To establish qualifications for the waiver of fees, the applicant must submit to the City evidence and documentation of property damage caused by the storm and flooding events of March 27th, 2025. (the declared state of emergency) to their property no later than August 31, 2025

The provisions of this ordinance shall become effective from the date of the declared state of emergency on March 27th, 2025. This Ordinance was adopted by the Harlingen City Commission at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

Executed this ____ day of July 2025.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

10(f)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 16, 2025**

Agenda Item:

Discussion and possible direction regarding the regulation of on-street parking on Barton Avenue, including consideration of potential parking restrictions, signage, or other traffic control measures. Attachment (***Planning & Development***)

Prepared By: Soledad A. Núñez, CNU-A

Title: Interim Planning and Development Director

Signature: *Soledad A. Núñez*

Brief Summary:

Summary

- Several complaints have been received regarding on-street parking along Barton Avenue.
- The neighborhood is zoned for commercial and light industrial use. The northern end of Barton Avenue primarily consists of single-family residential properties, while the southern end is mainly industrial and commercial, with a few single-family homes mixed in.
- Barton Street is paved 37 feet wide from back of curb to back of curb. The Duerson and Hasselmeier Subdivision was recorded on November 30, 1945.
- There are a total of 7 commercial businesses located on the south side of Barton Avenue. Additionally, there are 13 homes along Barton Avenue: 11 on the northern end and 2 on the southern end, interspersed among the commercial businesses. These homes do not have garages, and their driveways are smaller than those typically found with newer homes. As a result, limiting parking to certain hours could create challenges for the residents living there.
- Possible solutions to assist the neighborhood with on-street parking are outlined below:
 - **Shared parking:** Encourage agreements between nearby businesses and residents to share available parking spaces during off-peak hours, helping to maximize existing parking without adding new restrictions.
 - **Demand-based parking:** Implement parking management strategies that adjust to actual demand, such as time-limited parking only during peak hours, to ensure availability while minimizing impact on residents and businesses.
 - **Unbundled parking:** Encourage property owners or landlords to separate (or “unbundle”) the cost of parking from the cost of housing or commercial leases. This allows residents and businesses to pay only for the parking they actually need, reducing excess demand for on-street parking.
 - **Sec. 46-166. - Residential parking permits for elderly and disabled persons:** Where a parking space has been designated by order of the chief of police as a parking space for persons with disabilities, and/or where said parking space has been so designated by the installation of the standardized symbol for the parking of a vehicle driven by or

transporting person with disabilities, it shall be unlawful for a person to park a vehicle in said parking space unless said vehicle bears a special identifying registration insignia issued by the Texas Department of Highways and Public Transportation to disabled persons.

- A person must be 70 years or older to qualify for the elderly parking permit
- **Parking maximums instead of minimums:** Adjust zoning or development requirements to set parking maximums rather than minimums. This can help prevent an oversupply of parking spaces, reduce congestion, and encourage more efficient use of on-street parking and alternative transportation options.
- **On-street parking management:** Implement targeted strategies such as designated parking zones, permit programs, or time-limited parking to better balance the needs of residents, businesses, and visitors while reducing congestion on neighborhood streets.
- The property owners do not have garages and rely on street parking themselves. Implementing parking restrictions would place an unnecessary burden on the neighborhood as a whole and could also negatively impact the commercial businesses in the area.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

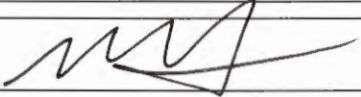
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

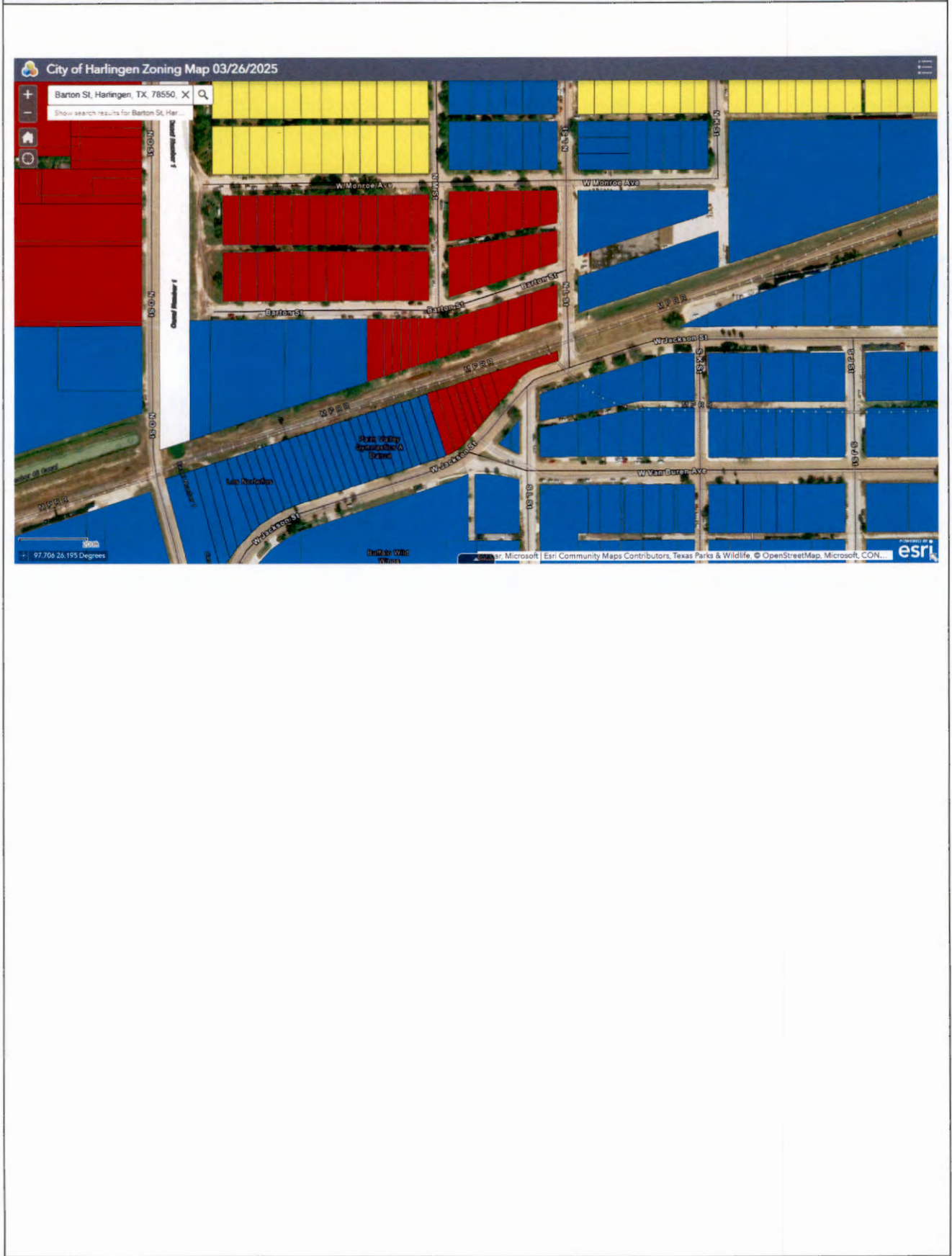
Staff recommends having a discussion on the item. No action is required.

City Manager's approval:  ☐ Yes ☐ No ☒ N/A

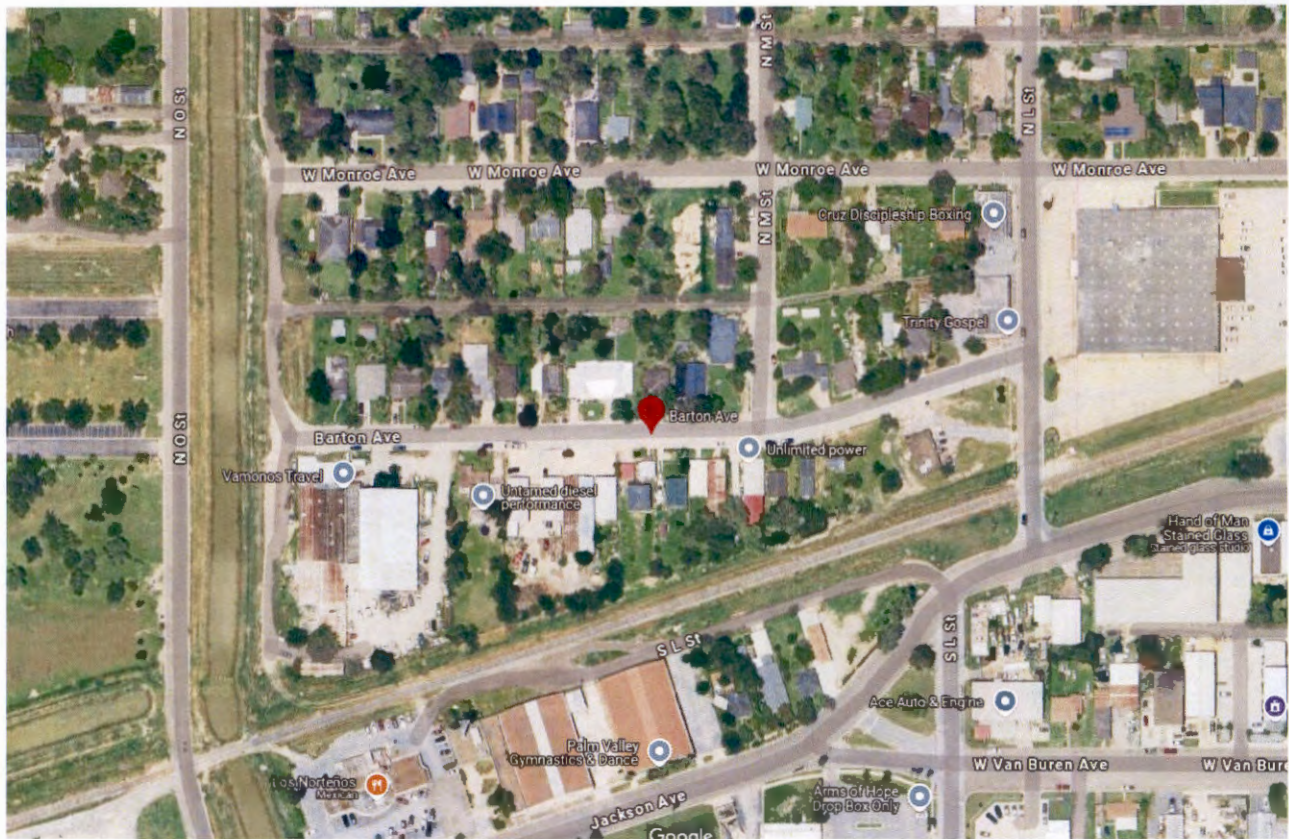
Comments:

City Attorney's approval:  ☒ Yes ☐ No ☐ N/A

Attachment I – Zoning Map



Attachment II – Aerial View



Attachment III – Section 46-166

Residential area is defined as the area consisting of residential dwellings which include single-family houses, townhouses and duplexes.

(b) *Eligibility requirements.* All of the following criteria must be satisfied for a location to be considered eligible for the installation of a "NO **PARKING** EXCEPT WITH PERMIT" sign:

- (1) Applicants must not be delinquent in ad valorem taxes to the city or owe any fees or fines or tickets.
- (2) An application provided by the engineering department must be submitted by the property owner in question or by an appointed representative.
- (3) Provide a written documentation from a physician licensed to practice medicine in this state, or authorized by applicable law to practice medicine in a hospital or other health facility of the United States Department of Veterans Affairs, certifying and providing evidence acceptable to the department that the person making the application or on whose behalf the application is made is legally blind or has a mobility problem that substantially impairs the person's ability to ambulate. The statement or prescription must include a certification that the disability is permanent. The department shall determine a person's eligibility based on the medical documentation form provided by the applicant establishing legal blindness or mobility impairment. The applicant must also have been issued and show proof of having a current disabled license plate or a disabled placard issued by the State of Texas.
- (4) Provide proof of residency such as a utility bill or phone bill. Name and address proof must match the location of the proposed installation of the sign. Local post office box is acceptable with proper proof of address reflected on the bill or statement.
- (5) Provide a current, government-issued identification, such as a driver's license or passport, which contains the following: name, date of birth, expiration date, signature, and a recent and recognizable photograph.
- (6) A deed or other legal document from the applicant proving ownership of the property. Permits will not be issued to properties which are leased to other individuals.
- (7) The applicant must also provide current department of motor vehicle registration for the vehicle for which the permit will be issued.
- (8) The permit may only be issued within residential areas. No commercial properties, nursing homes, or retirement homes shall be considered for this permit.

City of Harlingen
Agenda Item Request Form

We hereby request the following item to be added to July 16, 2025, City Commission Agenda:

1. Public hearing for Historic Preservation in the City of Harlingen; providing definitions and terms; creating a Historic Preservation Commission, specifying its membership, tenure; setting forth duties and responsibilities of the Historic Preservation Commission; defining duties and responsibilities of the Historic Preservation Officer; providing designation criteria and procedure for designating historic landmarks and districts; establishing incentive programs for historic preservation; providing criteria and procedure for obtaining certificates of appropriateness; establishing design standards and guidelines; creating minimum maintenance standards; addressing demolition by neglect; providing for a penalty; providing a severability clause; and providing for publication and effective date. **(This item was tabled during the Meeting of July 2, 2025)**
2. Consideration and possible action to approve an ordinance on first reading amending Harlingen Code of Ordinances, Article VI, Section 111-142 to add Sections 11-142(e.) (f.) to regulate certain on street parking within the City of Harlingen, to prohibit on street parking at Barton Avenue to create exception to allow for service of utilizes and providing for severability. **(This item was tabled during the Meeting of July 2, 2025).**



Daniel N. Lopez, Commissioner Dist. 2



Rene Perez, Commissioner Dist. 5

**An Ordinance Amending
Harlingen Code of Ordinances, Article VI,
Section 111-142 to add Sections 111-142(e.) (f.) to
Regulate Certain On Street Parking within the City
Of Harlingen, To Prohibit On Street Parking
at Barton Avenue to create exceptions to allow
for service of utilizes
and providing for severability**

Whereas, the City of Harlingen has experienced a great deal of growth and commercial development over the past several years, and

Whereas, this increased growth has resulted in increased issues with traffic and parking within the City, and

Whereas, there is clear need for expanded parking regulations which enhance public safety on public streets generally and,

Whereas, the City Commission has also been made aware of concerns raised by residents of Barton Avenue regarding excessive traffic, speeding, and parking on that street,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS

Section 1. That The Harlingen Code of Ordinances at Article VI, Section 111-142 *On Street Parking Regulations* is hereby amended to add Sections 111-142 (e.) (f.) and (g.) as follows;

§ 111-142 On Street Parking Regulations

- e. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with law or the directions of a police officer or traffic control device, in any of the following places:
 - 1.) Any parking place where official signs prohibiting stopping are installed or may be installed by the traffic safety coordinator.
 - 2.) In a fire lane established around or adjacent to any building where such area has prominently displayed thereon a sign on the pavement, a stand or other object adjacent thereto, the words "No Parking – Fire Lane," and the fire lane is clearly delineated by proper markings. No person shall be guilty of a violation of this subsection unless the fire lane is clearly marked and identified
 - 3.) Within 20 feet of a crosswalk at an intersection except momentarily to pick up or discharge a passenger. It is an affirmative defense to prosecution under this subsection, if a parking space is marked within 20 feet of a crosswalk at an intersection.

- 4.) Within 15 feet of a fire hydrant except momentarily to pick up or discharge a passenger.
- 5.) In front of a public or private driveway except momentarily to pick up or discharge a passenger.
- 6.) On all or part of a sidewalk.
- 7.) On the roadway side of a vehicle stopped or parked at the edge or curb of a street.
- 8.) On any of the following locations:
 - a. On Barton Avenue, between the hours of 12 am and 4 am.

f. Section 111-142 will not apply to the following:

- 1.) Street construction, maintenance and repair equipment.
- 2.) Trucks, equipment, trailers and other vehicles used by public service utility companies engaged in repairing or extending public service utilities.
- 3.) Motor buses when taking on or discharging passengers at bus stops;
- 4.) Where it is lawful to park a commercial motor vehicle for the purpose of accepting or delivering transportable goods; or
- 5.) A motor vehicle with a mechanical defect, making it unsafe to proceed further, in which event, it shall be lawful to stand or park the vehicle during the time necessary to make emergency repairs, not to exceed 48 hours.
- 6.) Further, this section will not apply during any public event sponsored by the City of Harlingen , including an hour before and after such an event.

G.) That if any provision of this section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances, is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance or their application to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Commission in adopting this ordinance that no portion hereof or provision or regulations contained herein shall become inoperative or fail by any reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Passed, Approved and Effective on this, the _____ day of July, 2025 at a Regular Meeting of the City Commission at which a quorum was present.

Attest

City of Harlingen, Texas
Signed by:

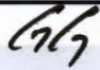
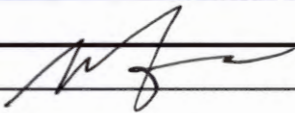
City Secretary

Mayor Norma Sepulveda
City of Harlingen, Texas

10(h)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 16, 2025**

Agenda Item:
Consideration and possible action to authorize the City Manager to enter into a Municipal Maintenance Agreement with the Texas Department of Transportation (TxDOT). (<i>Public Works</i>)
Prepared By: Christopher D. Torres, Director
Brief Summary:
This agreement outlines the responsibilities of both the City and TxDOT regarding the maintenance and operation of designated state roadways within the City's jurisdiction. The updated agreement, as prepared and facilitated by TxDOT, is attached for consideration and review.
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
City Manager approval: 
Comments:
City Attorney's approval: 



MUNICIPAL MAINTENANCE AGREEMENT

This Municipal Maintenance Agreement ("Agreement") is made this _____ day of _____ 20____, by and between the State of Texas through the Texas Department of Transportation ("State"), and the City of _____ (population _____, 2020, latest Federal Census) acting by and through its duly authorized officers ("City").

RECITALS

A. Chapter 311 of the Transportation Code gives the City exclusive dominion, control, and jurisdiction over and under the public streets within its corporate limits and authorizes the City to enter agreements with the State to fix responsibilities for maintenance, control, supervision, and regulation of State highways within and through its corporate limits; and

B. Section 221.002 of the Transportation Code authorizes the State, at its discretion, to enter agreements with cities to fix responsibilities for maintenance, control, supervision, and regulation of State highways within and through the corporate limits of such cities; and

C. The Executive Director, acting for and on behalf of the Texas Transportation Commission, has made it known to the City that the State will assist the City in the maintenance and operation of State highways within the City, conditioned that the City will enter into agreements with the State for the purpose of determining the respective responsibilities of the parties; and

D. The City has requested the State to assist in the maintenance and operation of State highways within the City as described herein. The Municipal Ordinance or Resolution authorizing the undersigned City Official to execute this Agreement on behalf of the City is attached as Exhibit C.

AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto, it is agreed as follows:

ARTICLE I. COVERAGE

1. State assumption of maintenance and operations described in this Agreement shall be effective on the date of execution of this agreement by the Texas Department of Transportation.
2. In this Agreement, the use of the words "State Highway" shall be construed to mean all numbered highways that are part of the State's Highway System.

3. This Agreement is intended to cover and provide for State participation in the maintenance and operation of the following classifications of State Highways within the City:
 - A. Non-Controlled Access highways or portions thereof which are described as "State Maintained and Operated" highways in the document attached and incorporated as **Exhibit A**.
 - B. All State highways or portions thereof which have been designated by the Texas Transportation Commission, or are maintained and operated, as Controlled Access Highways and which are described in the document attached and incorporated as **Exhibit B**.
4. In the event that the present system of State highways within the City is changed by cancellation, modified routing, new routes, or a change to City boundaries, the State shall terminate maintenance and operation and this Agreement shall become null and void on those portions of the highways which are no longer on the State Highway System; and this Agreement shall apply to the new highways on the State Highway System within the City; and they shall be classified as "State Maintained and Operated" under paragraph 3 above, unless the execution of a new agreement on the changed or new portions of the highways is requested by either the City or the State.
5. Exhibits that are a part of this Agreement may be changed with both parties' written concurrence. Additional exhibits may also be added with both parties' written concurrence. The Parties shall periodically update any exhibits to reflect changes to the State Highway System under paragraph 3. Paragraph 4 shall apply to changes to the State Highway System regardless of whether an exhibit has been updated under this Paragraph.
6. The terms of the Agreement apply to a State Highway described by paragraphs 2-4 of this Article, unless provided otherwise in a specific project agreement.

ARTICLE II. GENERAL CONDITIONS

1. The City authorizes the State to maintain and operate the State highways covered by this agreement in the manner set out herein.
2. This agreement is between the State and the City only. No person or entity may claim third party beneficiary status under this contract or any of its provisions, nor may any non-party sue for personal injuries or property damage under this contract.
3. This agreement is for the purpose of defining the authority and responsibility of both parties for maintenance and operation of State highways through the City. This agreement shall supplement any special agreements between the State and the City for the maintenance, operation, and/or construction of the State highways covered herein, and this agreement shall supersede any existing Municipal Maintenance Agreements.

4. Traffic regulations, including speed limits, shall be established only after traffic and engineering studies have been completed by the State or City, as applicable and in accordance with 43 Tex. Admin. Code Ch. 25, Subch. B, and approved by the State.
5. The State shall install, maintain, and operate, when required, all traffic signs and associated pavement markings necessary to regulate, warn, and guide traffic on State highways within the State right-of-way, including main lanes and frontage roads, except as otherwise provided in this paragraph and elsewhere in this Agreement.
 - A. At the intersections of off-system approaches to State highways, the City shall install and maintain (1) all stop signs, yield signs, and one-way signs to regulate, warn, and guide traffic on the off-system street, even if such signs are to be installed on State right-of-way, and (2) any necessary stop or yield bars and pedestrian crosswalks outside the main lanes or outside the frontage roads, if such exist. These signs and markings must meet or exceed the latest State breakaway standards, if applicable, and be in accordance with the latest edition/revision of the Texas Manual on Uniform Traffic Control Devices
 - B. The City shall install and maintain all street name signs except for those mounted on State-maintained traffic signal poles or arms or special advance street name signs on State right-of-way.
 - C. Any other signs or pavement markings desired by the City on State right-of-way shall require prior written authorization by the State, and shall be installed and maintained by the City.
 - D. All signs and markings installed by the City under this Paragraph must meet or exceed the latest State breakaway standards, if applicable, and be in accordance with the latest edition/revision of the Texas Manual on Uniform Traffic Control Devices. All existing signs or markings shall be upgraded on a maintenance replacement basis to meet these requirements.
6. Traffic control devices such as signs, traffic signals, and pavement markings, with respect to type of device, points of installation, and necessity, shall be determined by traffic and engineering studies as provided by regulation in the Texas Administrative Code.
 - A. The City shall not install, maintain, or permit the installation of any type of traffic control device which will affect or influence the use of State highways unless approved in writing by the State. Traffic control devices installed prior to the date of this agreement are hereby made subject to the terms of this agreement and the City agrees to the removal of such devices which affect or influence the use of State highways unless their continued use is approved in writing by the State.
 - B. It is understood that basic approval for future installations of traffic control signals by the State or as a joint project with the City, shall be indicated by the

proper City official's signature on the title sheet of the plans. Both parties should retain a copy of the signed title sheet or a letter signed by both parties acknowledging which signalized intersections are covered by this agreement. Any special requirements not covered within this agreement shall be covered under a separate agreement.

- C. This Agreement satisfies the agreement requirements of 43 Tex. Admin. Code § 25.5 concerning traffic signal installation, unless the parties determine a separate agreement is necessary to address project-specific issues that are not otherwise addressed by this Agreement.
- 7. Subject to approval by the State, any State highway lighting system may be installed by the City provided the City shall pay or otherwise provide for all cost of installation, maintenance, and operation, except in those installations specifically covered by separate agreements between the City and State.
 - A. For all highway lighting system projects, including those covered by separate agreements unless provided otherwise therein, (1) costs shall include the electricity required to construct and operate the lighting system, (2) the State shall not begin the trial phase of a newly installed lighting system until the applicable utility account is established by the City.
 - B. Attached as **Exhibit D** is a list of lighting installations subject to this Agreement, but which do not have a separate agreement. Exhibit D shall be updated as necessary pursuant to Article 1, Section 6.
- 8. The City shall enforce the State laws governing the movement of loads which exceed the legal limits for weight, length, height, or width as prescribed by Chapters 621, 622, and 623 of the Transportation Code for public highways outside corporate limits of cities. The City shall also, by ordinance/resolution and enforcement, prescribe and enforce lower weight limits when mutually agreed by the City and the State that such restrictions are needed to avoid damage to the highway and/or for traffic safety.
- 9. The City shall prevent future encroachments within the right-of-way of the State highways and assist in removal of any present encroachments when requested by the State except where specifically authorized by separate agreement; and prohibit the planting of trees or shrubbery or the creation or construction of any other obstruction within the right-of-way without prior approval in writing from the State. Permitted landscaping and public art installations shall be handled through separate agreements.
- 10. New construction of sidewalks, shared use pathways, curb ramps, or other accessibility-related items by either Party shall comply with current ADA standards. Except as otherwise provided in this paragraph, the City is responsible for the maintenance of these items, regardless of whether the City or the State constructed the item. Maintenance includes keeping sidewalks clear of debris and vegetation, but does not

include pavement work except as provided in the next sentence. If a Party's highway project is considered an "alteration" under the ADA that triggers the requirement to construct or upgrade accessibility-related items, that Party is responsible for the construction or upgrade, unless provided otherwise in a separate agreement.

11. If the City has a driveway permit process that has been submitted to and approved by the State, the City shall issue permits for access driveways on State highway routes and shall assure the grantee's conformance, for proper installation and maintenance of access driveway facilities, with either a Local Access Management Plan that the City has adopted by ordinance and submitted to the State or, if the City has not adopted by ordinance and submitted to the State a Local Access Management Plan, the State's Access Management Manual. If the City does not have an approved city-wide driveway permit process, the State shall issue access driveway permits on State highway routes in accordance with the City's Local Access Management Plan, adopted by city ordinance and submitted to the State or, if the City has not adopted by ordinance and submitted a Local Access Management Plan, the State's Access Management Manual.
12. The use of unused right-of-way and areas beneath structures for public functions, such as parking, recreation, and law enforcement use, shall be determined by a separate agreement.
13. The State shall be responsible for installation, repair, and maintenance of any mailbox supports installed on the State highway system, including any markings needed on the mailbox supports.
14. The State shall be responsible for installation, repair, and maintenance of any roadside barriers including guardrail, guardrail end treatments, cable barriers, and concrete barriers needed for traffic safety on the state highway system.
15. The State shall be responsible for any structural repairs needed at bridges, culverts, drainage pipes, embankments, and retaining walls on the state highway system.
16. For purposes of this Agreement, "grade separation structure" is defined as any bridge, overpass, or similar structure that raises the roadway above ground level, regardless of what is underneath the structure.

ARTICLE III. NON-CONTROLLED ACCESS HIGHWAYS

The following specific conditions and responsibilities shall apply to the non-controlled access State highways described in Exhibit A, in addition to the General Conditions in Article II above.

1. State's Responsibilities (Non-Controlled Access)

- A. Maintain the traveled surface and foundation beneath such traveled surface necessary for the proper support of vehicular loads encountered, and maintain the shoulders.

- B. Assist in mowing and litter pickup within the right of way to supplement City resources, when requested by the City and if State resources are available.
- C. Assist in sweeping and otherwise cleaning the traveled surface and shoulders to supplement City resources, when requested by the City and if State resources are available.
- D. Assist in snow and ice control to supplement City resources, when requested by the City and if State resources are available.
- E. Structural maintenance and repairs of drainage facilities within the limits of the right-of-way and State drainage easements. This does not relieve the City of its responsibility for drainage of the State highway facility outside of the right of way or State easements but within its corporate limits.
- F. In cities with less than 50,000 population, the State shall install and maintain school safety devices, school crosswalks, and crosswalks installed in conjunction with pedestrian signal heads. This does not include other pedestrian crosswalks.
- G. Install, operate, and maintain traffic signals in cities with less than 50,000 population.
- H. In cities equal to or greater than 50,000 population, the State may provide for installation of traffic signals when the installation is financed in whole or in part with federal-aid funds, if the City agrees to enter into an agreement setting forth the responsibilities of each party.

2. City's Responsibilities (Non-Controlled Access)

- A. Prohibit angle parking, except upon written approval by the State after traffic and engineering studies have been conducted to determine if the State highway is of sufficient width to permit angle parking without interfering with the free and safe movement of traffic.
- B. Install and maintain all parking restriction signs, pedestrian crosswalks (except as provided in Art. II.5), parking stripes, and special guide signs when agreed to in writing by the State. Cities greater than or equal to 50,000 population shall also install, operate, and maintain all school safety devices and school crosswalks.
- C. Signing and marking of intersecting city streets with State highways shall be the full responsibility of the City (except as provided under Art. II.5).
- D. Require installations, repairs, removals or adjustments of publicly or privately owned utilities or services to be performed in accordance with Texas Department of Transportation specifications and subject to approval of the State in writing.

- E. Regular cleanups and litter control to ensure drainage facilities are clear. Further, State structural maintenance and repair of drainage facilities within the right-of-way does not relieve the City of its responsibility for drainage of the State highway facility outside of the right-of-way or State easements but within its corporate limits, except where participation by the State is specifically covered in a separate agreement between the City and the State.
- F. Install, maintain, and operate all traffic signals in cities equal to or greater than 50,000 population. Any variations shall be handled by a separate agreement.
- G. Perform mowing and litter pickup.
- H. Sweep and otherwise clean the pavement, including grade separation structures. This includes cleaning and removing litter, trash, discarded personal property, unauthorized temporary shelters, or any other unauthorized item from all areas within the right of way, including underneath a grade separation structure.
- I. Perform snow and ice control.
- J. Retain all functions and responsibilities for maintenance and operations which are not specifically described as the responsibility of the State.

ARTICLE IV. CONTROLLED ACCESS HIGHWAYS

The following specific conditions and responsibilities shall apply to the controlled access State highways described in Exhibit B, in addition to the General Conditions in Article II above.

1. State's Responsibilities (Controlled Access)

- A. Maintain the traveled surface and foundations of the main lanes, ramps, and frontage necessary for the proper support of vehicular loads encountered.
- B. Mow and clean up litter within the outermost curbs of the frontage roads or the entire right-of-way width where no frontage roads exist. Assist in performing these operations between the right-of-way line and the outermost curb or crown line of the frontage roads on the City's request and if State resources are available.
- C. Sweep and otherwise clean the traveled surface and shoulders of the main lanes, ramps, grade separation structures, and frontage roads.
- D. Remove snow and control ice on the main lanes and ramps. Assist in these operations on the frontage roads and grade separation structures on the City's request and if State resources are available.

- E. Install and maintain school safety devices, school crosswalks, and crosswalks installed in conjunction with pedestrian signal heads on frontage roads. This does not include other pedestrian crosswalks.
- F. Install, operate and maintain traffic signals at ramps and frontage road intersections, unless covered by a separate agreement.
- G. Structural maintenance and repair of drainage facilities within the limits of the right-of-way and State drainage easements. This does not relieve the City of its responsibility for drainage of the State highway facility outside of the right-of-way or State easement but within its corporate limits.

2. City's Responsibilities (Controlled Access)

- A. Prohibit, by ordinance or resolution and through enforcement, all parking on frontage roads except when parallel parking on one side is approved by the State in writing. Prohibit all parking on main lanes and ramps and at such other places where such restriction is necessary for satisfactory operation of traffic, by passing and enforcing ordinances or resolution and taking other appropriate action in addition to full compliance with current laws on parking.
- B. When considered necessary and desirable by both the City and the State, the City shall pass and enforce an ordinance or resolution providing for one-way traffic on the frontage roads except as may be otherwise agreed to by separate agreements with the State.
- C. Secure the approval of the State before any utility installation, repair, removal or adjustment is undertaken, crossing over or under the highway facility or entering the right-of-way. In the event of an emergency, it being evident that immediate action is necessary for protection of the public and to minimize property damage and loss of investment, the City, without the necessity of approval by the State, may at its own responsibility and risk make necessary emergency utility repairs, notifying the State of this action as soon as practical.
- D. Pass necessary ordinances or resolutions and retain responsibility for enforcing the control of access to an expressway/freeway facility.
- E. Sweep and otherwise clean the pavement other than the traveled surface and shoulders, including underneath grade separation structures. This includes cleaning and removing litter, trash, discarded personal property, unauthorized temporary shelters, or any other unauthorized item.
- F. Mow and clean up litter between the right-of-way line and the outermost curb or crown line of the frontage roads, including drainage facilities in this area.

- G. Install and maintain all parking restriction signs, pedestrian crosswalks (except as provided by Art. II.5), and parking stripes when agreed to by the State in writing.
- H. Signing and marking of intersecting city streets to State highways shall be the full responsibility of the City (except as provided by Art. II.5).
- I. Retain all functions and responsibilities for maintenance and operations which are not specifically described as the responsibility of the State. State maintenance of drainage facilities within the right-of-way does not relieve the City of its responsibility for drainage of the State highway facility outside of the right-of-way but within its corporate limits except where participation by the State is specifically covered in a separate agreement between the City and the State.

ARTICLE V. TERMINATION

1. All obligations of the State to maintain and operate a State highway covered by this agreement shall terminate if and when such highway ceases to be designated as part of the State highway system.
2. Should either party fail to properly fulfill its obligations under this Agreement, the other party may terminate this agreement upon 30 days written notice.
3. Upon termination, all maintenance and operation duties on non-controlled access State highways shall revert to City responsibilities, except that the State shall retain all maintenance and operation responsibilities on controlled access State highways.

City of _____

State of Texas

Signature

TxDOT District Engineer

Name

Name

Title

Date

Date

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(i)

Meeting Date: **July 16, 2025**

Agenda Item:

Consideration and possible action to authorize the Environmental Health Director to purchase a vehicle via TIPS-USA to replace unit 612 which was assigned to an Animal Control officer.

Prepared By (Print Name): Shannon Harvill
Title: Environmental Health Director

Signature: 

Brief Summary:

The City of Harlingen Health Department is requesting approval to purchase a 2025 Ford F150XL Super Cab from Boswell Elliff Ford. This vehicle is to replace unit 612, which was declared a total loss by TML due to a vehicle accident. The total cost of the new vehicle is \$39,950.00, but there will be an adjustment of \$16,157.50 once TML receives unit 612 from the city. The final total for the 2025 Ford F150XL Super Cab will be \$23,792.50. This unit will be used for Animal Control.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount ☐ Yes ☐ No*

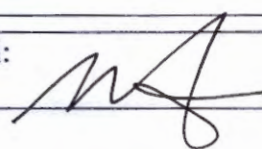
*If no, specify source of funding and amount requested:

Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

City Manager's approval:  ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:  ☐ Yes ☐ No ☐ N/A

1401 W.BUSINESS 77
P.O.BOX 1871
SAN BENITO, TX 78586
WWW.BOSWELLAUTO.COM



EMAIL: ROBGARCIA@BOSWELLAUTO.COM
PHONE: 1-888-233-5721/(956)399-2468
FAX: (956)399-4707

MOTOR VEHICLE PURCHASE ORDER

Purchaser CITY OF HARLINGEN Salesman Robert Garcia Date 7/9/2025
Address _____ Residence Phone _____ Bus. Phone _____
City _____ State TX Zip _____

I hereby offer to purchase from you under the terms and conditions specified, the following:

Delivery is to be made _____ or as soon thereafter as possible. It is agreed, however, that neither you nor the Manufacturer will be liable for failure to effect delivery.

DESCRIPTION OF SALE UNIT					
Quantity 1	☒ New ☐ Used	Year 2025	Make FORD	Cyl. 2.7L	Model F150 XL
Body Style SUPERCAB		Stock No. ORDER	Color WHITE		
Vehicle Identification No.			License No.		
Inspection	Mileage	Validation No.			
USED CAR TRADE-IN					
Year	Make	Body Type			
Model	Cyl.	Mileage			
Vehicle Identification No.			License No.		
Inspection	Validation No.				
Appraised Value of Trade-in \$		FMCC Deal No.			
TIPS-USA VENDOR #7490 CONTRACT #240901 TRANSPORTATION VEHICLE					

DOCUMENTARY FEE. A DOCUMENTARY FEE IS NOT AN OFFICIAL FEE. A DOCUMENTARY FEE IS NOT REQUIRED BY LAW, BUT MAY BE CHARGED TO BUYERS FOR HANDLING DOCUMENTS AND PERFORMING SERVICES RELATED TO CLOSING OF A SALE. A DOCUMENTARY FEE MAY NOT EXCEED \$25. THIS NOTICE IS REQUIRED BY LAW. THE DEALER'S INVENTORY TAX CHARGE IS INTENDED TO REIMBURSE THE DEALER FOR AD VALOREM TAXES ON ITS MOTOR VEHICLE INVENTORY. THE CHARGE, WHICH IS PAID BY THE DEALER TO THE COUNTY TAX ASSESSOR/COLLECTOR, IS NOT A TAX IMPOSED ON A CONSUMER BY THE GOVERNMENT, AND IS NOT REQUIRED TO BE CHARGED BY THE DEALER TO THE CONSUMER.

AVISO
EL COBRO DOCUMENTAL NO ES UN COBRO OFICIAL. EL COBRO DOCUMENTAL NO ES REQUISITO BAJO LA LEY, PERO SE LE PUEDE COBRAR AL COMPRADOR POR EL RENDIMIENTO DE LOS SERVICIOS RELACIONADOS CON LA COMPLETACION DE LA VENTA Y POR COMPLETAR LOS DOCUMENTOS. EL COBRO DOCUMENTAL NO PUEDE SOBREPASAR LOS \$50.00 (U.S.) ESTE AVISO ES REQUERIDO BAJO LA LEY. EL COBRO DEL CONCESIONARIO POR IMPUESTOS AL INVENTARIO ES PARA REEMBOLSAAR AL CONCESIONARIO POR IMPUESTOS POR EL VALOR DE SU INVENTARIO DE VEHICULOS MOTORIZES. ESTE CARGO, QUE HACE EL CONCESIONARIO AL RECOLECTOR-EVALUADOR DE IMPUESTOS DEL CONDADO, NO ES UN IMPUESTO IMPUTADO AL CONSUMIDOR POR EL GOBIERNO, Y NO SE REQUIERE QUE SEA COBRADO AL CONSUMIDOR POR EL CONCESIONARIO.

DISCLAIMER OF WARRANTIES

Any warranties on the products sold hereby are those made by the manufacturer. The seller hereby expressly disclaims all warranties, either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and the Seller neither assumes nor authorizes any other to assume for it any liability in connection with the sale of said products.

I understand and agree to the terms of this order, whether on the front or the reverse side. This order contains the entire agreement proposed for the purchase of the above described vehicle and no other agreement or understanding of any nature concerning this transaction has been made unless attached to this order and signed by the seller and buyer. Seller makes no representations concerning fuel economy of the sale unit and any information posted on the sale unit or contained in literature relating to the same reflect the results of tests performed, required or prescribed by a government agency, upon which seller has relied. If the sale unit is a used motor vehicle: (1) seller will deliver to the buyer an Odometer Disclosure Statement based on written information relating to the sale unit obtained from the previous owner and upon which seller has relied; and (2) seller has obtained from the previous owner a written Certificate of Title prepared by the State Department of Highways and Public Transportation from its official records, all of the information in which seller has relied upon in the Description of Sale Unit in this order.

Seller's Signature Robert Garcia Purchaser's Signature _____ Date _____

PRICE OF UNIT	\$ 43955	00
BEF-GP DISC	-4005	00
Selling Price	\$ 39950	00
Trade Allowance	\$	
Difference	\$	
Sales Tax	\$	
License and Titles Fees	\$	
State Inspection	\$	
Documentary Fee	\$	
Dealer Inventory Tax	\$	
Subtotal	\$	
Add Balance Owed on Trade	\$	
Subtotal	\$	
Cash on Delivery	\$	
Unpaid Balance Due	\$ 39950	00

10(5)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 16, 2025**

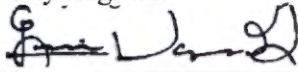
Agenda Item:

Consideration and possible action to approve the request from Union Pacific Railroad (UPRR) to permanently close "C" Street from Adams Avenue to Jefferson Avenue as part of the UPRR's Rail Track Realignment Project. Attachment (**Engineering Dept.**)

Prepared By (Print Name): Luis Vargas, PE, CFM, CPM

Title: City Engineer

Signature:



Brief Summary:

1. The goal of this project is to eliminate the existing railway and crossings that run from the Commerce St and N BUS 77 intersection to Jefferson Avenue and connect the existing tracks West of Commerce St to the tracks along Jefferson Avenue. Please see the attached exhibits.
2. This project is led by the Cameron County Regional Mobility Authority (CCRMA) in coordination with UPRR and the City. The project was funded by the Consolidated Rail Infrastructure and Safety Improvements (CRISI) Program, and the grant is managed by CRRMA. The project is also being coordinated with the City's Commerce Street Redesign project.
3. The project will eliminate the rail track crossings at N Commerce St, Markowsky Ave, Orange Heights Dr, Lela Ave, Ona Ave, Washington Ave, and Adams Ave. It will add a crossing on Commerce St to connect to Jefferson Avenue. The project includes an alignment modification of the railroad along Jefferson Avenue to improve the mobility of the railway cars and enhance the safety of crossings.
4. In the future, the land occupied by the vacated railroad tracks can be converted to a trail.
5. UPRR initially inquired on permanently closing the crossing at 3rd St and Jefferson Avenue (by Bowie Park and Casa del Sol), to which staff denied the request.
6. As the design plans have progressed, currently at 30%, the intent now is to close permanently C Street. The permanent closure of C Street will keep the same number of crossings along Jefferson within the project boundaries to six (new crossing at Commerce St, B St, A St, 1st St, 2nd St and 3rd St). The closure will also reduce short-term construction costs and long-term maintenance costs.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount ☐ Yes ☐ No*

*If no, specify source of funding and amount requested:

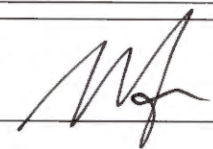
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommend the permanent closure of C Street from Adams Avenue to Jefferson Avenue.

City Manager's approval:  ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:  ☒ Yes ☐ No ☐ N/A

PROJECT LOCATION MAP



RAILROAD TRACK CROSSINGS TO BE ELIMINATED



10(k)

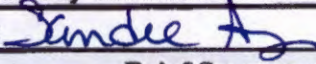
**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 16, 2025**

Agenda Item:

Consideration and possible action to approve a resolution approving the One-Year Action Plan (Budget) for Fiscal Year 2025-2026 (Year 51) of the Community Development Block Grant (CDBG) Program and Fiscal Year 2025-2026 (Year 31) of the Home Investment Partnerships Program (HOME). Attachment (CDBG) (This item was tabled on City Commission Meeting July 2, 2025.)

Prepared By:



Brief Summary:

As a condition of receiving Community Development Block Grant (CDBG) and HOME funds in FY 2025-2026, the City is required to prepare a One-Year Action Plan outlining objectives, outcomes and indicators for each activity that receives funding. The funding recommendations established are not only based on meeting the required national objectives and other HUD requirements but also with consideration given to HUD's priorities of:

Increasing homeownership and improving existing housing for extremely low-income persons

1. Ending homelessness
2. Promoting economic development through the creation of jobs and/or businesses

Prior to establishing their funding recommendations the Community Development Advisory Board and staff, reviewed and evaluated applications (prior performance, priority need, submission requirements, project eligibility) held public hearings, workshops, and provided each applicant with the opportunity to give a presentation to the Community Development Advisory Board. All requests for funding are high priorities established in the Consolidated Plan & Strategy.

This year's CDBG allocation is estimated to be \$952,807.00 and the HOME program allocation is \$327,366.31.

The required 30-day comment period began on June 26th, the day after the approved recommendations were published in the Valley Morning Star. The comment period will end on July 28th, 2025.

The attached budget was presented by the CDAB board chair and approved by the City Commission on June 18, 2025.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount (Yes/No):

*If no, specify source of funding and amount requested:

Finance Director's approval (Yes/No/NA):

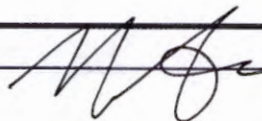
Staff Recommendation:

City Manager approval:



Comments:

City Attorney's approval:



RESOLUTION R2025-____

STATE OF TEXAS

COUNTY OF CAMERON

WHEREAS, pursuant to the laws of the United States of America, the United States Government has allocated to the City of Harlingen, Texas, the sum of \$952,807 in Community Development Block Grant (CDBG) funds for the 2025-2026 Entitlement year and the City has identified an amount of \$18,419.64 received in CDBG revolving loan funds for a total amount of \$971,226.64 in CDBG funds; and

WHEREAS, the United States Government has additionally allocated the sum of \$327,366.31 in Home Investment Partnership Program (HOME) funds to the City as a Participating Jurisdiction for the Entitlement Year; said funds constituting CDBG Funds and HOME Funds from the U. S. Department of Housing and Urban Development to the City of Harlingen; to be used by the City in the implementation and completion of Community Development Programs as specified in the application for said funds; and

WHEREAS, pursuant to the provisions attendant with such grant funds, with the approval of the City Commission, the City Manager of Harlingen budgeted and programmed the expenditures of such funds for various approved projects for the City of Harlingen, including public services, planning and development; all to be funded from the aforesaid CDBG and HOME Grants, as being funds surplus and wholly in addition to all other revenues and sources of funds of the City of Harlingen for Fiscal Year 2025-2026; said City Manager having submitted such budget and proposed expenditures of such funds to the Mayor and Elective Commission of the City of Harlingen; and

WHEREAS, the Community Development Advisory Board through public hearings, and the Mayor and Elective Commission having reviewed and considered such proposed budget and expenditures for the 2025-2026 period as submitted, in the form of a budget to the public on June 18th, 2025; and

WHEREAS, the meeting was held on the 18th day of June, 2025 at a City Commission Regular meeting at 5:30 p.m. as posted, and said budget was discussed and all interested persons were given an opportunity to be heard on any matter relative thereto, and all interested persons were heard; and there being no other persons seeking to be heard with reference to any matter concerning said funding; and

WHEREAS, prior to final adoption of the One Year Action Plan by the City Commission, an additional public hearing was held on July 8th, 2025 by the Community Development Advisory Board during the required comment period to obtain citizen comments; and

WHEREAS, upon receipt of the Request For Release of Funds and Removal of Grant Conditions from the U.S. Department of Housing and Urban Development, the City Manager of the City of Harlingen is authorized to execute agreements for subrecipients approved in the 2025-2026 One Year Action Plan as required by HUD; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF HARLINGEN:

That the Community Development Block Grant and HOME Funds Budget for the City of Harlingen, appropriating funds only for the programs set forth in the "CDBG and HOME Funds---2025-2026 Budget", in the total amount of \$1,298,592.95; a copy of said budget being attached as Exhibit "A" and more clearly identified within the CITY OF HARLINGEN ONE YEAR ACTION PLAN and the same is hereby adopted as the funds and expenditures listed under the 2025-2026 budget in connection with the receipt of the aforesaid CDBG and HOME funds, and the regulatory required budgeting and disposition thereof; all being separate and apart from the regular fiscal year budget of the City of Harlingen.

CONSIDERED AND ADOPTED this 16th day of July, 2025, at a regular meeting of the Elective Commission of the City of Harlingen at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, TITLE 5, SUBTITLE A., CHAPTER 551, enacted by Acts 1993, 73rd Leg., ch. 268, S 1, effective September 1, 1993.

CITY OF HARLINGEN

BY: _____
Norma Sepulveda, Mayor

ATTEST

Mayra Herrera, City Secretary

EXHIBIT "A"
C.D.B.G. AND HOME FUNDS
2025-2026 ONE YEAR ACTION PLAN BUDGET

C.D.B.G. Allocation	\$ 952,807.00
Anticipated Program Income (from Housing Assistance Loans to the City)	\$ 18,419.64
HOME Allocation	\$ 327,366.31
Combined Total Allocations	\$1,298,592.95
PROPOSED PROJECTS	
05D – Public Services (Youth) Boys and Girls Club	\$ 29,681.00
05A - Public Services (Seniors) Amigos Del Valle	\$ 10,053.00
05N – Public Services (Abused Children) CACCWC- Maggie's House	\$ 16,000.00
05N - Public Services (Abused Children) CASA	\$ 16,000.00
05N - Public Services (Abused Children) Family Crisis Center	\$ 17,500.00
05A - Public Services (Srs/Dis) Aging & Disability (LRGVDC)	\$ 7,500.00
05A - Public Services (Seniors) Area Agency on Aging (LRGVDC)	\$ 7,500.00
05M - Public Services (Health) Sunshine Haven	\$ 15,000.00
03T – Public Services (Homeless) Loaves and Fishes of the RGV	\$ 23,687.00
04 – Clearance & Demolition	\$ 11,157.00
03F – Parks, Recreation Facilities – Arroyo Park Improvements	\$ 10,000.00
03F – Parks, Recreation Facilities – Rangerville Park Improvements	\$ 240,000.00
03F – Parks, Recreation Facilities – Wilson Park Improvements	\$ 110,000.00
03F – Parks, Recreation Facilities – Hunter Park Improvements	\$ 25,000.00
03Z – Other Public Improvements Not Listed – Solar Lights	\$ 156,168.00
03Z – Other Public Improvements Not Listed – Retrofit of Streetlights	\$ 35,000.00
14H - Housing Rehabilitation Administration	\$ 42,000.00
21A - General Administration	\$ 190,561.00
Total CDBG Funding	\$ 952,807.00
12 & 13B - HOME-Affordable Housing Programs -CITY	\$ 245,524.73
21H - HOME-Administrative Support	\$ 32,736.63
12 – HOME – CHDO Set-Aside	\$ 49,104.95
Total HOME Funding	\$ 327,366.31
14A – Housing Rehabilitation (anticipated RL program income)	\$ 18,419.64
Total Anticipated Program Income	\$ 18,419.64
Total Funding	\$1,298,592.95

10(2)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 16, 2025**

Agenda Item:

Consideration and possible action to approve a resolution of the City of Harlingen suspending the August 19, 2025, effective date of Texas Gas Service Company's requesting increase to permit the City time to study the request and to establish reasonable rates approving cooperation with other Cities served by AEP Texas and authorizing intervention in AEP Texas Inc.'s requested rate change proceedings before the commission(PUC); hiring Lloyd Gosslink Attorneys and Consulting Services to negotiate with the Company and direct any necessary litigation and appeals; requiring reimbursement of Cities' rate case expenses; finding that the meeting at which this resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and Legal Counsel. Attachment (**City Manager**)

Prepared By: Gabriel Gonzalez, City Manager

Brief Summary:

TGS is seeking to increase its revenues by \$41.1 million, which is an increase of 7.07% including gas costs, or 9.83% excluding gas costs. and is looking to consolidate all service areas into a single statewide jurisdiction served by TGS.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount (Yes/No):

*If no, specify source of funding and amount requested:

Finance Director's approval (Yes/No/NA):

Staff Recommendation:

City Manager approval:



Comments:

City Attorney's approval:



MODEL STAFF REPORT REGARDING TGS'S REQUESTED RATE CHANGE

OVERVIEW:

On June 30, 2025, Texas Gas Service Company ("TGS" or "Company") a Division of ONE Gas, Inc. ("ONE Gas"), pursuant to Subchapter C of Chapter 104 of the Gas Utility Regulatory Act, filed its Statement of Intent to change gas rates at the Railroad Commission of Texas ("RRC") and in all municipalities exercising original jurisdiction within the incorporated areas of the Central-Gulf, West North, and Rio Grande Valley Service Areas, effective August 19, 2025.

TGS is seeking to increase its revenues by \$41.1 million, which is an increase of 7.07% including gas costs, or 9.83% excluding gas costs. TGS is also seeking to consolidate all service areas into a single statewide jurisdiction served by TGS. The Company's proposed rates for all of its customers are based on the systemwide cost of providing service to customers throughout the entirety of Texas. TGS is also requesting: (1) approval of new depreciation rates for direct and division distribution and general plan within its service areas; (2) a finding that the expenses for COVID-19 that are contained in regulatory assets authorized by the Commission are reasonable, necessary, and accurate; (3) a prudence determination for capital investment made in Texas through December 31, 2024; (4) approval of the form of notice for the proposed Rate Schedule Pipeline Integrity Testing ("PIT"); and (5) approval to recover the reasonable rate case expenses associated with this filing through a surcharge on rates.

Since TGS is requesting consolidation of all its service areas, the Company will need to withdraw its existing tariffs to reflect the new TGS rates and/or related changes necessary to reflect consolidation. The Company's new proposed tariff includes: (1) a new Customer Assistance rate design and related scheduled; (2) revisions to the Rules of Service and T-Terms to include new definitions; (3) revisions to the Cost of Gas clause for consistency with all Company areas of service; and (4) combining the Commercial, Industrial, Public Authority and Compressed Natural Gas rate on the Transportation Schedule into one Transportation rate and adding a new Electric Generation rate design and rate schedule.

The resolution suspends the August 19, 2025 effective date of the Company's rate increase for the maximum period permitted by law to allow the City, working in conjunction with other similarly situated cities with original jurisdiction served by TGS, to evaluate the filing, to determine whether the filing complies with the law, and if lawful, to determine what further strategy, including settlement, to pursue.

The law provides that the Company's rate request cannot become effective until at least 35 days following the filing of the application. The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. **If the City fails to take some action regarding the filing before the effective date, TGS's rate request is deemed approved.**

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF _____,
TEXAS SUSPENDING THE AUGUST 19, 2025 EFFECTIVE
DATE OF TEXAS GAS SERVICE COMPANY'S
REQUESTED INCREASE TO PERMIT THE CITY TIME TO
STUDY THE REQUEST AND TO ESTABLISH
REASONABLE RATES; APPROVING COOPERATION
WITH OTHER CITIES IN THE TEXAS GAS SERVICE
COMPANY'S SERVICE AREA; HIRING LEGAL AND
CONSULTING SERVICES TO NEGOTIATE WITH THE
COMPANY AND DIRECT ANY NECESSARY LITIGATION
AND APPEALS; AUTHORIZING INTERVENTION IN
TEXAS GAS SERVICE'S STATEMENT OF INTENT TO
CHANGE GAS UTILITY RATES AT THE RAILROAD
COMMISSION; REQUIRING REIMBURSEMENT OF
CITIES' RATE CASE EXPENSES; FINDING THAT THE
MEETING AT WHICH THIS RESOLUTION IS PASSED IS
OPEN TO THE PUBLIC AS REQUIRED BY LAW;
REQUIRING NOTICE OF THIS RESOLUTION TO THE
COMPANY AND LEGAL COUNSEL**

WHEREAS, on or about June 30, 2025, Texas Gas Service Company, a Division of ONE Gas, Inc. ("TGS" or "Company"), pursuant to Gas Utility Regulatory Act § 104.102, filed with the City of _____ ("City") a Statement of Intent to change gas rates in all municipalities exercising original jurisdiction within the incorporated areas of the Central-Gulf, West North, and Rio Grande Valley Service Areas effective August 19, 2025; and

WHEREAS, the City is a gas customer of TGS and a regulatory authority with exclusive original jurisdiction over the rates and charges of TGS within the City; and

WHEREAS, it is reasonable for the City of _____ to cooperate with other similarly situated cities in conducting a review of the Company's application and to hire and direct legal counsel and consultants and to prepare a common response and to negotiate with the Company and direct any necessary litigation; and

WHEREAS, the Gas Utility Regulatory Act § 104.107 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days; and

WHEREAS, TGS has filed an application with the Railroad Commission, that could become the docket into which appeals of city action on the TGS filing are consolidated; and

WHEREAS, the Gas Utility Regulatory Act § 103.022 provides that costs incurred by cities in ratemaking activities are to be reimbursed by the regulated utility.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF _____, TEXAS:

SECTION 1. That the August 19, 2025, effective date of the rate request submitted by TGS on or about June 30, 2025, be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

SECTION 2. That the City is authorized to cooperate with other cities in the TGS service area to hire and direct legal counsel and consultants, negotiate with the Company, make recommendations to the City regarding reasonable rates and to direct any necessary administrative proceedings or court litigation associated with an appeal of a rate ordinance and the rate case filed with the City or Railroad Commission.

SECTION 3. That, subject to the right to terminate employment at any time, the City of _____ hereby authorizes the hiring of the law firm of Lloyd Gosselink Rochelle & Townsend, P.C. and consultants to represent the City in all matters associated with the TGS application to increase rates and appeals thereof.

SECTION 4. That intervention at the Railroad Commission in the docket that the application is filed under is authorized.

SECTION 5. That the City's reasonable rate case expenses shall be reimbursed by the Company.

SECTION 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

SECTION 7. A copy of this Resolution shall be sent to TGS representatives Judy Hitchye, Texas Gas Service Company, Barton Skyway IV, 1301 S. Mopac, Suite 400, Austin, Texas 78746 (Judy.Hitchye@onegas.com), and to Thomas Brocato at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701 (tbrocato@lglawfirm.com).

PASSED AND APPROVED this _____ day of _____, 2025.

Mayor, City of _____

ATTEST:

**A RESOLUTION OF THE CITY COMMISSION
OF HARLINGEN, TEXAS ACCEPTING
FOR PUBLIC USE AND MAINTENANCE
A PORTION OF AN INGRESS AND ACCESS EASEMENT
LOCATED ON LOTS 1 AND 2,
PREVIOUSLY DEDICATED FOR PUBLIC USE
ON THE FINAL PLAT OF
CAMELOT PROFESSIONAL PLAZA**

WHEREAS, the Owner/Developer of the Camelot Professional Plaza, previously dedicated to the City of Harlingen, Texas, for public use and maintenance, an ingress and access easement on the final plat of a 8.4752 acre subdivision recorded at Volume 1, Page 6 of the Map Records of Cameron County, Texas and

WHEREAS, the final plat for the Camelot Professional Plaza was approved by both the City of Harlingen Planning and Zoning Commission and by the Harlingen City Commission in June, 2000.

WHEREAS, the City of Harlingen has not, prior to the enactment of this resolution, accepted any dedication for public use, any easement or right of way on this subdivision.

WHEREAS, the University of Texas RGV intends to develop one or more professional schools within the City of Harlingen and has acquired Lots 1 and 2 within the Camelot Professional Plaza for this purpose.

WHEREAS, the University of Texas RGV has requested the assistance of the City in its effort to locate said schools and educational programs within the City of Harlingen by requesting that the City maintain those portions of the ingress and access easements on the property acquired by UTRGV.

WHEREAS, the City Commission of the City of Harlingen wishes to accommodate UTRGV's desire to locate the educational programs within the City of Harlingen, and finds that the creation of the professional school within the city will serve the public purposes of advancing of public education, expanding the local economy and increasing employment thereby spurring economic development within the City of Harlingen.

WHEREAS, City Commission finds that assisting the University of Texas maintain those portions of the the ingress and access easement specifically located on the property owned by UTRGV as hereinafter set forth;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS:

That the City Commission hereby accepts for public use and maintenance, the entry and egress easement located on Lots 1 and 2 owned by UTRGV under the conditions set forth and as specifically depicted in Exhibit A.

That the City of Harlingen shall maintain said easement so long as Lots 1 and Lots 2 are owned by University of Texas RGV.

That the City Engineer is authorized and directed to include the accepted portions of ingress and access easement in the City's maintenance program.

PASSED AND ADOPTED by the City Commission of the City of Harlingen at a regular meeting of the City Commission at which a quorum was present, on this, the _____ day of July, 2025.

Norma Sepulveda
Mayor, City of Harlingen, Texas

Attest:

City Secretary
City of Harlingen

