

**CITY COMMISSION
AGENDA
REGULAR MEETING
OCTOBER 20, 2025
@ 5:30 PM
HARLINGEN ARTS AND HERITAGE MUSEUM
2425 BOXWOOD ST.
HARLINGEN, TEXAS 78550**

Notice is hereby given that the City Commission of the City of Harlingen, Texas, will hold a Regular Meeting on **MONDAY, OCTOBER 20, 2025, at 5:30 P.M.** at the Harlingen Arts & Heritage Museum, 2425 Boxwood St., 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 — "Stefano's Brooklyn Pizza"
 - c) Proclamation — Recognizing J&B'S CAFE
 - d) Proclamation — 80th Anniversary "National Disability Employment Awareness"
- 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 July 2, 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 a resolution authorizing the submission of a grant to the Office of the Governor for the SHSP and UASI – Supporting Border Crisis Response and Enforcement Projects (HSGP-BC), FFY 2025. Attachment **(Special Projects Department)**
 - b) Consideration and possible action to approve a resolution authorizing the acceptance of a grant award from the Office of the Governor FY 2026 Operation Lone Star Grant Program. Attachment **(Special Projects Department).**
 - c) Consideration and possible action to approve a resolution authorizing the Special Projects Director to accept a grant award from the Office of the Governor FY 2026 Border Zone Fire Departments Grant Program. Attachment. **(Special Projects Department)**
 - d) Consideration and possible action to approve a resolution authorizing the acceptance of a grant award from the Office of the Governor DJ 24 Justice Assistance Grant Program. Attachment **(Special Projects Department).**

- e) Consideration and possible action to approve a resolution authorizing the acceptance of a grant award from the Texas Department of Transportation – Selective Traffic Enforcement Program - Comprehensive. Attachment (**Special Projects Department**).
 - f) Consideration and possible action to approve a resolution authorizing the acceptance of a grant award from the Texas Department of Transportation – Selective Traffic Enforcement Program – Commercial Motor Vehicle (CMV). Attachment (**Special Projects Department**).
 - g) Consideration and possible action to approve an ordinance on second and final reading amending the City of Harlingen Code of Ordinances Master Fee Schedule, Chapter 18, by increasing the green fee/cart membership and coupons by 10%. Attachment (**Golf**)
 - h) Consideration and possible action to authorize the Mayor, on behalf of the City of Harlingen Police Department, to approve and sign the Interlocal Agreement Between the City of Brownsville, Texas, the City of Harlingen, Texas, Cameron County, Texas, the City of McAllen, Texas, the City of Pharr, Texas and the City of Donna, Texas regarding a Mutual Aid (Burglary and Theft of Motor Vehicle FY 26) Law Enforcement Task Force to Cooperate in Certain Criminal Investigations in fighting motor vehicle theft crime problems. Attachment (**Police**)
 - i) Consideration and possible action to allow Police Chief Alfredo Alvear to use \$8,123.00 from Federal Justice Forfeiture funds to complete the purchase of four (4) Chevy Colorado Crew Cab trucks from Same's Motor Company for a total cost of \$134,632.00. Attachment (**Police**)
 - j) Consideration and possible action to approve a contract between the City of Harlingen and Dr. Shelly Mitchell, DVM, to provide services for the Spay/Neuter Program as needed. Attachment (**Health Dept**)
- 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
 - c) Presentation and possible discussion by Orlando Campos, on the Harlingen Economic Development Corporation Final Report for FY 2025 Annual Work Plan (**HEDC**)
- 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 Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 323 W. Jackson Avenue, Suite A, bearing a legal description of Lots 1-5, Block 61, Harlingen Original Townsite. Applicant: Jane Mary Martinez. Attachment (**Planning & Development**)
 - b) Public hearing for a rezoning request from Not Designated ("N") District to General ("GR") District for 6.08 acres, more or less, out of the South Part of Block 5, Highland Subdivision, located south of South Expressway 77, approximately 845.39 feet east of Maggie Lane. Applicant: Jack L. Brown, c/o Dr. Ameer Hassan. Attachment (**Planning & Development**)
 - c) Public hearing for a voluntary annexation and establishing the initial zoning upon annexation to Light Industry ("LI") District for 4.50 acres of Lot 5, Block 1, Harlingen Industrial Park Subdivision No. 4, located north of Millenium Drive, approximately 688.85 feet east of FM 508. Applicant: Emiliano Rosel c/o Whiting Investments Ltd. 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 Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 323 W. Jackson Avenue, Suite A, bearing a legal description of Lots 1-5, Block 61, Harlingen Original Townsite. Applicant: Jane Mary Martinez. Attachment. **(Planning & Development)**
- b) Consideration and possible action to approve an ordinance on first reading for a rezoning request from Not Designated ("N") District to General ("GR") District for 6.08 acres, more or less, out of the South Part of Block 5, Highland Subdivision, located south of South Expressway 77, approximately 845.39 feet east of Maggie Lane. Applicant: Jack L. Brown, c/o Dr. Ameer Hassan. Attachment. **(Planning & Development)**
- c) Consideration and possible action to approve an ordinance on first reading for the voluntary annexation and to establish the initial zoning upon annexation to Light Industry ("LI") District for 4.50 acres of Lot 5, Block 1, Harlingen Industrial Park Subdivision No. 4, located north of Millenium Drive, approximately 688.85 feet east of FM 508. Applicant: Emiliano Rosel, c/o Whiting Investments Ltd. Attachment. **(Planning & Development)**



- d) Consideration and possible action to approve a variance to the City of Harlingen Code of Ordinances to allow one instead of two required entrances for the proposed Horseshoe Pointe Subdivision, located in the 3.5-mile ETJ, on the south side of Morris Road, approximately 2,095.97 feet southwest of S. Ed Carey Drive. Applicant: Melden & Hunt, Inc. c/o Leonard P. Simmons III & Mary Beth Simmons. Attachment **(Planning & Development)** **(This item was tabled during the Regular City Commission Meeting of October 6, 2025).**
- e) Consideration and possible action to approve a contract with the Boy's and Girl's Club of Harlingen for Fiscal Year 2026 in the amount of \$145,757.00 for Teen Service Programs and authorize the City Manager to sign the contract. Attachment **(Parks & Recreation)**
- f) Consideration and possible action to approve a contract with the Boy's and Girl's Club of Harlingen for Fiscal Year 2026 in the amount of \$140,104.00 for Youth Service Programs and authorize the City Manager to sign the contract. Attachment **(Parks & Recreation)**
- g) Consideration and possible action to approve the proposed list of streets for the 2026 Streets Improvement Program Project. Attachment **(Engineering)**
- h) Consideration and possible action to approve a resolution providing the name of the nominee from the City of Harlingen for the Appraisal District Directors for Cameron Appraisal District Board of Directors. Attachment **(City Manager)**
- i) Consideration and possible action to approve a resolution for the City of Harlingen to deny the increased rates from the Texas Gas Service Company and to have the City's reasonable rate case expenses reimbursed. Attachment **(City Manager)**
- j) Consideration and possible action to cancel the City Commission meetings of November 19th and December 17th 2025. Attachment **(City Manager)**

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)
Civil Service Commission
Community Development Advisory Board
Construction Board of Adjustments (4)
Convention & Visitors Bureau
Development Corporation of Harlingen, Inc.
Golf Course Advisory Board
Harlingen Community Improvement Board
Harlingen Housing Authority Board
Harlingen Finance Corporation (6)
Harlingen Teen and Young Adult Advisory Board (1)
Healthy Harlingen Advisory Board
Keep Harlingen Beautiful Board
Library Advisory Board
Mayor Wellness Council
Museum Advisory Board
Parks Advisory Board
Planning & Zoning Advisory Board
Senior Citizens Advisory Board (1)
Tax Increment Finance Board 1, 2 & 3
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 TUESDAY, OCTOBER 14, 2025, at or before 4:40 a.m./p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 14th day of OCTOBER 2025



Mayra Herrera, City Secretary

(43)

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

A Regular Meeting of the Harlingen City Commission was held July 2nd, 2025 at 5:30pm, 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
Michael Mezmar, Commissioner District 3
Frank Morales, Commissioner District 4
Rene Perez, Commissioner District 5

City Staff

Gabriel Gonzalez, City Manager
Mayra Herrera, City Secretary
Mark Sossi, City Attorney

1) Call Meeting to Order

- a) Invocation- Mayor Norma Sepulveda
- 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?"

Mark Sossi read the conflict of Interest and asked the Mayor and City Commissioners if they had a conflict on any item on the agenda

Commissioner Lopez abstained from Item 7(L).

3) Announcements:

a) Mayor's Announcements –

Mayor Sepulveda announced the 4th of July Freedom Fest taking place at Lon C Hill Park on Friday July 4th, 2025 @ 5pm and is free to the community.

b) City Manager's Announcements –

Mr. Gonzalez mentioned Non-Emergency City offices would be closing for the 4th of July Holiday, as well as Chief Alfredo Alvear & New Officers Ceremonial Swearing-in Event. He also stated that 8 additional officers joined the force in Harlingen; also Reminded citizens of upcoming Market Days, Saturday, July 5th, 2025.

1 c) City Commission Member Announcements –

2 Mayor Pro-Tem Ford Kinsley & Comm. Frank Morales expressed condolences to JJ Gonzalez
3 Family on his passing.
4

5 4) **Proclamation/Presentation of Awards:**

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

7 Shannon Harvill, Director of Health Department introduced "Taka", 5-week-old kitten. AJ Ruiz, Animal
8 Shelter Adoption Coordinator, reminded citizens of Animal Shelter hours of operation and contact information
9 and also announced all adoptions being half off on Saturday July 5th, 2025.
10

11 b) Presentation of Certificate of Recognition –

12 The City of Harlingen recognized Morgana Elizabeth Rodriguez Marin for her outstanding achievements in
13 the World of Chess winning 1st place at multiple competitions at 8 years old.
14

15 c) Presentation of Certificate of recognition –

16 The City of Harlingen recognized Lupita Muniz for her continued work as a dedicated Educator in the
17 community.
18

19 d) Presentation of Certificate of recognition –

20 Temple Beth Israel was recognized by the City of Harlingen on their 75th anniversary of congregation.
21

22 e) Presentation of Certificate of recognition –

23 The Greater Chamber of Harlingen recognition was not presented due to staff unable to attend meeting.
24

25 5) **Citizen Communication:**

- 26 • Robert A Leftwich – 909 E. Parkwood Dr. – Nepotism

27 6) **Approval of Minutes:**

28 a) Special Meeting of March 25, 2025

29
30 Motion was made by Commissioner Lopez with corrections submitted and seconded by Mayor Pro-
31 Tem Ford Kinsley. Motion carried unanimously.
32

33 7) **Consent Agenda:**

- 34
35 a) Consideration and possible action to approve a request from the Harlingen Convention and Visitors
36 Bureau to close the following streets, Friday, July 4, 2025 from 5:00p.m. to 10:00 p.m. for their Annual
37 Freedom Festival event. Fair Park Boulevard between North "L" and "J" Streets, to include all entries
38 and exits of the Municipal Auditorium, Casa de Amistad parking lots and Harlingen Performing Arts
39 Center; Eastside intersection on "L" Street and the street behind the Municipal Auditorium parking
40 lot. DETOUR Sign at Fair Park Boulevard / "L" Street to route traffic to "L" Street. Attachment (**Police**)
41
42 b) Consideration and possible action to allow Police Chief Alfredo Alvear to use Federal Justice
43 Forfeiture funds to purchase one (1) 2025 Ford F150 from Same's Motor Company for a total cost
44 of \$46,030.10. Attachment (**Police**)
45
46
47

- 1 c) Consideration and possible action to approve an ordinance on second and final reading for a request
2 to rezone from Not designated ("N") District to General Retail ("GR") District for 4.5 acres of land out
3 of Lots 1-9, Block 4, Midway Subdivision, located at the southeast corner of Grace and Gayle
4 Avenues. Applicant: Chris Hamby c/o LMB Properties, LTD ET AL. Attachment (*Planning &*
5 *Development*)

6 ORDINANCE NO. 25-37

7 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF
8 THE CITY OF HARLINGEN: REZONING FROM NOT
9 DESIGNATED ("N") DISTRICT TO GENERAL RETAIL ("GR")
10 DISTRICT FOR 4.5 ACRES OUT OF LOTS 1-9, BLOCK 4, MIDWAY
11 SUBDIVISION, LOCATED ON THE SOUTHEAST CORNER OF
12 U.S. 77 FRONTAGE ROAD AND GRACE A VENUE. APPLICANT:
13 CHRIS HAMBY C/O LMB PARTNERSHIP LTD ET AL
14

15 PASSED AND APPROVED on first reading this the 18th day of June 2025.

16 PASSED AND APPROVED on the second and final reading of this on the 2nd day of July
17 2025.

18 ATTEST:
19 Mayra Herrera, City Secretary

20 CITY OF HARLINGEN
21 Norma Sepulveda, Mayor

- 22 d) Consideration and possible action to approve an ordinance on second and final reading for a Special
23 Use Permit (SUP) request to allow an assisted living facility in a residential, single family ("R-1 ")
24 District located at 1901 E. Mesquite Drive, bearing a legal description of Lot 20, Block 2, Parkwood
25 Subdivision. Applicant: Veronica Gutierrez. Attachment (*Planning & Development*)

26 ORDINANCE NO. 25-38

27 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF
28 HARLINGEN: A SPECIAL USE PERMIT ISSUED TO VERONICA GUTIERREZ TO ALLOW
29 AN ASSISTED LIVING FACILITY IN A RESIDENTIAL, SINGLE FAMILY ("R-1 ") DISTRICT
30 LOCATED AT 1901 E. MESQUITE DRIVE, BEARING A LEGAL DESCRIPTION OF LOT 20,
31 BLOCK 2, PARKWOOD SUBDIVISION, PROVIDING FOR PUBLICATION AND
32 ORDAINING OTHER MATTERS RELATED TO THE FOREGOING
33

34 PASSED AND APPROVED on first reading this on the 18th day of June 2025.

35 PASSED AND APPROVED on the second and final reading of this on the 2nd day of July
36 2025.

37 ATTEST:
38 Mayra Herrera, City Secretary

39 CITY OF HARLINGEN
40 Norma Sepulveda, Mayor

- 41 e) Consideration and possible action to approve an extension on the contract between the City of
42 Harlingen and Dr. Robert Kellogg, DVM, to continue providing services to the Harlingen Animal
43 Shelter as needed. Attachment (*Health*)
- 44 f) Consideration and possible action to approve an ordinance on second and final reading authorizing
45 the issuance and delivery of the City of Harlingen, Texas Waterworks and Sewer System Revenue
46 Bonds, Series 2025 (LSL); authorizing the execution of a paying agenda/register agreement and an
47 escrow agreement relating to such bonds; and pledging the revenues of the city's waterworks and
48 sewer system to the payment of the principle and interest on said bonds; and ordaining other matters
49 relating thereto. Attachment (*HWWS*)
- 50 g) Consideration and possible action to approve a resolution authorizing the City Manager to submit an
51 application to the Rio Grande Valley Metropolitan Planning Organization (RGVMPO) under the FY
52 2026 Category 7 and FY 2028 Category 10 Call for Projects. Attachment (*Special Projects Dept.*)
53
54
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58

- 1 h) Consideration and possible action to approve a resolution authorizing the City Manager to submit a
2 grant application to the U.S. Department of Justice, Office of Community-Oriented Policing Services
3 (COPS Office), FY25 Safer Outcomes: Enhancing De-Escalation and Crisis Response Training for
4 Law Enforcement grant. Attachment (*Special Project Dept.*)
5
6 i) Consideration and possible action to approve a resolution authorizing the City Manager to submit an
7 application to the Rio Grande Valley Metropolitan Planning Organization (RGVMPO) under the FY
8 2026 Category 7 and FY 2028 Category 10 Project Call. Attachment (*Special Projects Dept.*)
9
10 j) Consideration and possible action to approve a resolution authorizing the City Manager to submit a
11 grant application to the Texas Parks and Wildlife's Local Park Grant Program. Attachment (*Special*
12 *Projects Dept.*)
13
14 k) Consideration and possible action to authorize the purchase of a truck and a Big Tex trailer for the
15 Public Works Paving Crew to streamline the mobilization of equipment such as a backhoe, roller, and
16 zipper, utilizing available savings from previously approved equipment purchases. Attachment
17 (*Public Works*)
18
19 l) Consideration and possible action to approve an agreement with Cameron County for their Hazard
20 Mitigation Action Plan Update. Attachment (*Fire Dept.*)
21

22 Motion was made by Commissioner Perez and seconded by Commissioner Lopez, to approve
23 remaining items (7a-k). Motion Carried Unanimously.

24 Motion was made to approve item 7L by Commissioner Perez and seconded by Mayor Pro-Tem
25 Kinsley. Commissioner Lopez did Abstain. Motion carried (4-0-1)

26 Mayor Sepulveda asked if item 7(i) could be discussed due to existing voting on approving
27 remainder of consent agenda before notice of pulling of this item.

28 Mark Sossi, City Attorney, replied with a yes.

29 Commissioner Lopez advised that he would be abstaining from items 7(l) and 10(e) due to a conflict
30 of interest. He also requested that items 7(i) and 7(j) be pulled from the consent agenda for further
31 discussion.
32

33 Motion was made by Commissioner Perez and seconded by Mayor Pro-Tem Kinsley to approve
34 items 7(a-k). Motion carried unanimously.
35

36 Motion was made by Commissioner Perez and seconded by Mayor Pro-Tem Kinsley to approve
37 item 7(l). Motion Carried as follows: FOR: Mayor Pro-Tem Kinsley, Commissioners: Mezmar, Morales,
38 Perez. Against: None. Abstained: Commissioner Lopez (Vote 4-0-1)
39

40 During the meeting, it was noted that Commissioner Lopez's request to pull items 7(i) and 7(j) for
41 further discussion had been inadvertently overlooked, and the Commission had already voted to approve
42 them. City Attorney Mark Sossi advised that a motion to reconsider would be necessary to reopen the items.
43 Mayor Sepulveda asked Commissioner Lopez if he intended to propose changes to items 7(i) and 7(j), to
44 which Commissioner Lopez responded that he only had questions. Mr. Sossi clarified that discussion and
45 comments on the items could still proceed.
46

Commissioner Lopez raised a question regarding item 7(i), which involved an application to the Rio Grande Valley Metropolitan Planning Organization (RGVMPO). He asked Mr. Gonzalez whether transportation-related requests could be added to the application to potentially save the city money.

Mr. Gonzalez responded that this would not be possible, as the funds had already been committed and were not eligible for that type of funding.

On item 7(j), Mr. Gonzalez explained that the project for Arroyo Park had previously been approved by the City Commission for submission to Texas Parks and Wildlife. However, the deadline was missed due to a delay. The project is being resubmitted during the current cycle, having already been reviewed by the Commission.

Commissioner Lopez then asked whether applications for the Wilson Youth Sports Complex and Harlingen Soccer Complex were also in progress, as they had previously been approved.

Mr. Gonzalez confirmed that both applications had been submitted. The only item requiring Commission action at this time was Arroyo Park, due to the missed deadline.

8) Staff Reports and Other Discussion Items:

a) City Manager's Report – NONE

b) Staff Reports

Presentation by Sergio Mujica (MIS Director) on the New City App.

Mr. Mujica provided a presentation with the new updates for the new app. Explanation gives insight to the functions and abilities of the app. Also brought attention to connections within the app as far as events, podcasts, channels, etc. A short discussion was held in reference to the app as far as promoting and usage of the app.

9) Public Hearings:

Mayor Sepulveda announced Items (9 a-d) 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 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*)

- Item 9(a)- None

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*)

- Item 9(b)- None

c) Public hearing providing for Historic Preservation in the City of Harlingen; providing definitions and terms; creating a Historic Preservation Commission, specifying its membership and 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. Attachment (*This item was requested by Commissioner Daniel N. Lopez and Commissioner Rene Perez*)

- Item 9(c)- None

- d) Public hearing amending the 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. Attachment (*This item was requested by Commissioner Daniel N. Lopez and Commissioner Rene Perez*)

- Item 9(d)- None

There being no more comments from the public, Mayor Norma Sepulveda closed the Public Hearings.

10) **Action Items:**
Ordinances:

- a) Consideration and possible action to adopt an ordinance on first reading 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*)

Motion was made by Commissioner Mezmar and seconded by Commissioner Perez to adopt an ordinance on first reading for a Special Use Permit to allow an adult business in a General Retail District. Motion carried unanimously.

- b) Consideration and possible action to approve an ordinance on first 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. Attachment (*Planning & Development*)

Motion was made by Commissioner Perez and seconded by Commissioner Mezmar to approve an ordinance on first reading for the voluntary annexation. Motion carried unanimously.

- c) Consideration and possible action to approve an ordinance on first reading providing 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. Attachment (*This item was requested by Commissioner Daniel N. Lopez and Commissioner Rene Perez*)

1
2 Motion was made by Commissioner Morales and seconded by Commissioner Mezmar to table item.
3

4 Commissioner Lopez stated that if there are any questions or concerns for this item to reach out to Mr.
5 Sossi, for example any concerns being in reference to slight adjustments, and certain "language" used for
6 this item.
7

- 8 d) Consideration and possible action to approve an ordinance on first reading amending the Harlingen
9 Code of Ordinances, Article VI, Section 111-142 to add Sections 11-142(e.) (f.) to regulate certain
10 on-street parking within the City of Harlingen, to prohibit on-street parking at Barton Avenue to
11 create exception to allow for service of utilizes and providing for severability. Attachment (***This item***
12 ***was requested by Commissioner Daniel N. Lopez and Commissioner Rene Perez***
13

14 Commissioner Lopez stated he has received numerous concerns and a petition provided by the
15 neighbors in the neighborhood, totaling 18 signatures. In reference to on-street parking by the shutdown
16 garage down the street. The concern being mostly an obstructing view of other cars coming or going.
17

18 Commissioner Mezmar asked about the extent of the ordinance. Asking for clarification that
19 Commissioner Lopez did not want to paint red curbs to solidify the no parking on the curb.
20

21 Commissioner Lopez clarified the request.
22

23 Sol Nunez, City Planner responded to the opening comment indicating that this area is partial
24 commercial and partial residential, which is creating the conflict over the matter. However, she did
25 confirm that the "shop" on this property is no longer active, which should no longer exempt them for the
26 "commercial" side of the property.
27

28 Mayor Sepulveda interjected with an attempt at finding an alternate resolution than that of a city
29 ordinance. The concern of the remaining details is that the area of concern still being that of a public
30 street where the cars are parked. In addition, those residents who live in these homes would not be
31 able to leave their own cars on the street.
32

33 Commissioner Lopez did stress the continued efforts to work with different departments to resolve
34 this matter such as Public Works, HPD, and Code Enforcement.
35

36 Mayor Sepulveda stated that there was no evidence in reference to the efforts that had so far on
37 the issue. She also mentioned if there is not a possibility of having this ordinance extend to other areas
38 and citizens of Harlingen, instead of only covering just one area.
39

40 Commissioner Lopez provided evidence of the ongoing situation regarding this item.
41

42 Mayor Sepulveda mentioned if there is not a possibility of having this ordinance extend to other
43 areas and citizens of Harlingen, instead of only covering just one area. She also made sure that there
44 is clarification as far as what cars are considered part of the issue as opposed to just part of someone's
45 property who resides in one of the homes for the area/neighborhood of concern.
46

47 Motion was made by Commissioner Lopez and seconded by Commissioner Perez to table this item
48 for further review. Motion carried unanimously.

- 1
2 e) Consideration and possible action to approve two (2) invoices from Cameron County Elections
3 Department for November 5th, 2024, District 3, 4, and 5 Regular City Elections and the December
4 14th, 2024, Runoff Elections. Attachment (City Secretary/Remi Garza)
5

6 Remi Garza, Cameron County Elections Administrator, spoke regarding the two invoices presented.
7 The first invoice is for the November 5, 2025, General Elections with a balance of \$168,623.70. The second
8 invoice is for \$111,834.51 for the Run-off Election. Mr. Garza acknowledges the higher amount of the
9 charges as well as providing explanation that the contributing factors in the difference in cost were for
10 personnel and supplies required for the election process. Mr. Garza followed this by providing a breakdown
11 of the overall cost and the city's portion of responsibility.
12

13 Commissioner Mezmar asked to confirm the responsibility listed for the City of Harlingen and asked
14 about the process for future costs with future elections.
15

16 Mr. Garza replied with the amount that would be the City's responsibility, as well as explained the
17 expectations for the process to come up with the estimate for the cost of the upcoming elections.
18

19 Mayor Sepulveda asked if there was a breakdown on the number of citizens that voted in the City of
20 Harlingen that are considered outside of the city jurisdiction.
21

22 Mr. Garza replied he did not run a report on those statistics.
23

24 Commissioner Perez gave kudos and acknowledgement to the efforts for the work it takes to run
25 elections and stated "its money well spent" in reference to the invoices.
26

27 Motion was made by Commissioner Mezmar and seconded by Commissioner Perez to approve the
28 two (2) invoices from Cameron County Elections Department for November 5th, 2024, District 3, 4, and 5
29 Regular City Elections and the December 14th, 2024, Runoff Elections. Motion carried unanimously.
30

- 31 f) Consideration and possible action to approve a resolution approving the One-Year Action Plan (Budget)
32 for Fiscal Year 2025-2026 (Year 51) of the Community Development Block Grant (CDBG) Program and
33 Fiscal Year 2025-2026 (Year 31) of the Home Investment Partnerships Program (HOME). Attachment
34 (CDBG)
35

36 Motion was made by Commissioner Mezmar and seconded by Commissioner Perez to table item.
37 Motion carried unanimously
38

- 39 g) Consideration and possible action to approve a request for \$21 ,000 in matching funds from Region
40 One Education Center in support of a Teacher Certification Program for Paraprofessionals.
41 Attachment (HEDC)
42

43 Motion was made by Commissioner Lopez and seconded by Commissioner Perez to approve a request
44 for \$21 ,000 in matching funds from Region One Education Center in support of a Teacher Certification
45 Program for Paraprofessionals. Motion carried unanimously.
46

47 11) **Board Appointments:**
48

1 Mayor Pro-Tem Ford Kinsley- re-appointed Joe Wagner to Downtown Improvement Board (DID)
2 Commissioner Rene Perez-Appointed Marcus Cruz to 4B Board.
3

4 Motion was made by Mayor Pro-Tem Kinsley and seconded by Commissioner Mezmar to approve
5 the re-appointment of Joe Wagner to Downtown Improvement Board and the appointment of Marcus Cruz
6 to the 4B board. Motion carried unanimously.
7

8 **12) Executive Session:**
9

10 a) Consultation with legal counsel pursuant to Texas Government Code 551 .071 (2) to receive
11 attorney-client consultation protected by the attorney-client communication privilege.
12

13 b) Pursuant to Texas Government Code Section 551.071- attorney consultation and contemplated
14 litigation; Section 551 .072- deliberation regarding real estate; and Section 551 .087- economic
15 development relating to the following projects:
16

17 1. Project Roosevelt
18

19 Motion was made by Commissioner Mezmar and seconded by Mayor Pro-Tem Kinsley to go into
20 executive session. Motion carried unanimously.
21

22 At 7:03pm Mayor Sepulveda announced that City Commission would convene into Executive Session
23 to discuss item 12b.
24

25 **13) Action on Executive Session Items:**
26

27 At 7:35pm, Mayor Sepulveda announced the City Commission had completed the Executive Session
28 and declared the meeting open to the public.
29

30 a) Consideration and possible action on Item 12 (a) as discussed in executive session.
31

32 Motion was made by Commissioner Lopez and seconded by Perez to proceed as discussed in executive
33 session. Motion carried unanimously.
34

35 b) Consideration and possible action on Item 12b(1) as discussed in executive session.
36

37 Motion was made by Commissioner Lopez and seconded by Commissioner Perez to proceed as
38 discussed in executive Chambers
39

40 **14) Adjournment:**
41

42 There being no other business to discuss, Mayor Sepulveda adjourned the meeting.
43
44

CITY OF HARLINGEN

47 **ATTEST:**
48
49

Norma Sepulveda, Mayor

50 _____
Mayra Herrera, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to approve a resolution authorizing the submission of a grant to the Office of the Governor for the SHSP and UASI – Supporting Border Crisis Response and Enforcement Projects (HSGP-BC), FFY 2025. Attachment (*Special Projects Department*)

Prepared By: Ana Hernandez, Mobility & Special Projects Director

Brief Summary:

The purpose of this announcement is to solicit applications for projects that support state and local efforts to prevent terrorism and targeted violence and prepare for the threats and hazards that pose the greatest risk to the security of Texas citizens. The Office of the Governor (OOG), Public Safety Office (PSO), provides funding to implement investments that build, sustain, and deliver the 32 core capabilities essential to achieving a secure and resilient state.

The Federal Emergency Management Agency (FEMA) has established National Priority Areas (NPA) for the Homeland Security Grant Program and requires the State to dedicate at least 30% of Texas' SHSP funds to projects under the NPAs. PSO expects to invest at least 10% of available funding for projects under the Supporting Border Crisis Response and Enforcement NPA.

The subrecipient agrees to comply with the Department of Homeland Security and immigration officials' coordination and cooperation requirements.

There is no match required for this grant. The minimum request is \$10,000 with no maximum. If awarded, the project would start between 01/01/2026 and 03/01/2026 and end on or before 12/31/2027.

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:

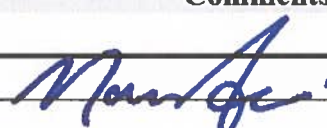
Finance Director's approval (Yes/No/NA):

Staff Recommendation:

Staff recommends approval of this Resolution.

City Manager approval: 

Comments:

City Attorney's approval: 

RESOLUTION No. 2025 - ____

A RESOLUTION OF THE HARLINGEN CITY COMMISSION AUTHORIZING THE SUBMISSION OF A GRANT TO THE OFFICE OF THE GOVERNOR FOR THE SHSP AND UASI – SUPPORTING BORDER CRISIS RESPONSE AND ENFORCEMENT PROJECTS (HSGP-BC), FFY 2025

WHEREAS, Federal funds are authorized under Section 2002 of the Homeland Security Act of 2002, as amended (Pub. L. No. 107-296), (6 U.S.C. 603),

WHEREAS, the City of Harlingen finds it in the best interest of the citizens of Harlingen, Texas, and the region to apply for funding from the Office of the Governor;

WHEREAS, the Harlingen City Commission agrees to provide any applicable matching funds for the said project as required by the SHSP and UASI – Supporting Border Crisis Response and Enforcement Projects (HSGP-BC), FFY 2025; and,

WHEREAS, the Harlingen City Commission agrees that in the event of loss or the misuse of the Texas Office of the Governor funds, the Harlingen City Commission assures that the funds will be returned to the Office of the Governor in full; and,

WHEREAS, the City Commission designates the Mobility & Special Projects Director as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the City of Harlingen.

NOW, THEREFORE, BE IT RESOLVED that the Harlingen City Commission approves the submission of the grant application to the Office of the Governor.

CONSIDERED AND ADOPTED this **1st day of October 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.

Norma Sepulveda, Mayor

Mayra Herrera, City Secretary

7(b)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to approve a resolution authorizing the acceptance of a grant award from the Office of the Governor FY 2026 Operation Lone Star Grant Program.
Attachment (*Special Projects Department*).

Prepared By: Ana Hernandez, Mobility & Special Projects Director

Brief Summary:

The Harlingen Police Department has been awarded \$239,864.77 to fund personnel overtime, license plate readers, surveillance cameras, and a handheld narcotics analyzer. There is no match for this grant. The grant cycle is from September 1, 2025, to August 31, 2026.

State funds for these projects are authorized under the Texas General Appropriations Act, Article I, for Trusteed Programs within the Office of the Governor.

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 acceptance of the grant award.

City Manager approval: 

Comments:

City Attorney's approval: 

RESOLUTION NO. 2025 - ____

**A RESOLUTION AUTHORIZING THE SPECIAL PROJECTS
DIRECTOR TO ACCEPT A GRANT AWARD FROM THE OFFICE OF
THE GOVERNOR FY 2026 OPERATION LONE STAR GRANT
PROGRAM (OLS)**

WHEREAS, the FY 2026 Operation Lone Star Grant Program's purpose is to enhance interagency border security operations supporting Operation Lone Star, including the facilitation of directed actions to deter and interdict criminal activity;

WHEREAS, the Harlingen City Commission finds it in the best interest of the residents of Harlingen, Texas, to accept a grant award of \$239,864.77 to fund personnel overtime and equipment for the Harlingen Police Department;

WHEREAS, the Harlingen City Commission agrees that in the event of loss or the misuse of the Texas Office of the Governor funds, the Harlingen City Commission assures that the funds will be returned to the Office of the Governor in full; and,

WHEREAS, the City Commission designates the Special Projects Director as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the City of Harlingen.

NOW, THEREFORE, BE IT RESOLVED, that the Harlingen City Commission approves the acceptance of a grant award from the Office of the Governor, FY 2026 Operation Lone Star Grant Program

CONSIDERED AND ADOPTED this 20th day of October 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.

Norma Sepulveda, Mayor

Mayra Herrera, City Secretary

7(c)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to approve a resolution authorizing the Special Projects Director to accept a grant award from the Office of the Governor FY 2026 Border Zone Fire Departments Grant Program. Attachment. *(Special Projects Department)*

Prepared By: **Ana Hernandez, Mobility & Special Projects Director**

Brief Summary:

The office of the Governor, through its FY 2026 Border Zone Fire Departments Grant Program, has awarded the City of Harlingen Fire Department \$100,961.87 to purchase 25 radios to equip firefighters. The purpose of the program is to provide grants to professional fire departments along the Texas-Mexico border region for the purpose of equipment, maintenance, and medical supplies to support emergency services in connection with border security activities.

There is no cost-share required for the grant. However, SWIC approval will be required prior to submitting a purchase order for the radios. The grant cycle is from 09/01/2025 – 08/31/2026.

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 - __

**CONSIDERATION AND POSSIBLE ACTION TO APPROVE A
RESOLUTION AUTHORIZING THE SPECIAL PROJECTS
DIRECTOR TO ACCEPT A GRANT AWARD FROM THE OFFICE OF
THE GOVERNOR FY 2026 BORDER ZONE FIRE DEPARTMENTS
GRANT PROGRAM**

WHEREAS, the FY 2026 Border Zone Fire Departments Grant Program's purpose is to provide grants to professional fire departments along the Texas-Mexico border region for the purpose of equipment, maintenance, and medical supplies to support emergency services in connection with border security activities;

WHEREAS, the Harlingen City Commission finds it in the best interest of the residents of Harlingen, Texas, to accept a grant award of \$100,961,87 to purchase 25 radios to equip firefighters of the Harlingen Fire Department;

WHEREAS, the Harlingen City Commission agrees that in the event of loss or the misuse of the Texas Office of the Governor funds, the Harlingen City Commission assures that the funds will be returned to the Office of the Governor in full; and,

WHEREAS, the City Commission designates the Special Projects Director as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the City of Harlingen.

NOW, THEREFORE, BE IT RESOLVED, that the Harlingen City Commission approves the acceptance of a grant award from the Office of the Governor, FY 2026 Border Zone Fire Departments Armor Grant Program.

CONSIDERED AND ADOPTED this 20th day of October 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.

Norma Sepulveda, Mayor

Mayra Herrera, City Secretary

Grant Number 5228902

7(d)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to approve a resolution authorizing the acceptance of a grant award from the Office of the Governor DJ 24 Justice Assistance Grant Program. Attachment (*Special Projects Department*).

Prepared By: Ana Hernandez, Mobility & Special Projects Director

Brief Summary:

The Harlingen Police Department has been awarded \$61,560.20 to fund radios for patrol cars of the Harlingen Police Department. There is no match for this grant. The grant cycle is from October 1, 2025, to September 30, 2026.

Federal Funds are authorized under 34 U.S.C. §1 0152 Edward Byrne Memorial Justice Assistance Grant Program (JAG).

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 acceptance of the grant award.

City Manager approval: *GG*

Comments:

City Attorney's approval: *Mac A.*

RESOLUTION NO. 2025 - __

**A RESOLUTION AUTHORIZING THE SPECIAL PROJECTS
DIRECTOR TO ACCEPT A GRANT AWARD FROM THE OFFICE OF
THE GOVERNOR DJ24 JUSTICE ASSISTANCE GRANT PROGRAM**

WHEREAS, the DY24 Justice Assistance Grant Program's Federal Funds are authorized under 34 U.S.C. §1 0152 Edward Byrne Memorial Justice Assistance Grant Program (JAG).

WHEREAS, the Harlingen City Commission finds it in the best interest of the residents of Harlingen, Texas, to accept a grant award of \$61,560.20 to fund radios for patrol cars of the Harlingen Police Department;

WHEREAS, the Harlingen City Commission agrees that in the event of loss or the misuse of the Texas Office of the Governor funds, the Harlingen City Commission assures that the funds will be returned to the Office of the Governor in full; and,

WHEREAS, the City Commission designates the Special Projects Director as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the City of Harlingen.

NOW, THEREFORE, BE IT RESOLVED, that the Harlingen City Commission approves the acceptance of a grant award from the Office of the Governor, DY24 Justice Assistance Grant Program.

CONSIDERED AND ADOPTED this 20th day of October 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.

Norma Sepulveda, Mayor

Mayra Herrera, City Secretary

7(e)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to approve a resolution authorizing the acceptance of a grant award from the Texas Department of Transportation – Selective Traffic Enforcement Program - Comprehensive. Attachment (*Special Projects Department*).

Prepared By: **Ana Hernandez, Mobility & Special Projects Director**

Brief Summary:

The Harlingen Police Department has been awarded \$54,990.00 to fund personnel overtime costs for providing additional personnel to enhance and improve community and highway safety.

Funding Breakdown:

TxDOT Award: \$54,990.00

Matching Funds (20%): \$13,750.00

Total: \$68,740.00

The grant cycle is from October 1, 2025, to September 30, 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 acceptance of the grant award.

City Manager approval:

GG

Comments:

City Attorney's approval:

MA

RESOLUTION NO. 2025 - __

**A RESOLUTION AUTHORIZING THE SPECIAL PROJECTS
DIRECTOR TO ACCEPT A GRANT AWARD FROM THE TEXAS
DEPARTMENT OF TRANSPORTATION (TxDOT) FY26 SELECTIVE
TRAFFIC ENFORCEMENT PROGRAM (STEP) COMPREHENSIVE**

WHEREAS, the goal of the STEP COMP grant is to increase effective enforcement and adjudication of traffic safety-related laws to reduce crashes, injuries, and fatalities in the city of Harlingen;

WHEREAS, the Harlingen City Commission finds it in the best interest of the residents of Harlingen, Texas, to accept a grant award of \$54,990 to fund personnel overtime costs for providing additional personnel to enhance and improve community and highway safety;

WHEREAS, the Harlingen City Commission agrees that in the event of loss or the misuse of the Texas Office of the Governor funds, the Harlingen City Commission assures that the funds will be returned to the Office of the Governor in full; and,

WHEREAS, the City Commission designates the Special Projects Director as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the City of Harlingen.

NOW, THEREFORE, BE IT RESOLVED, that the Harlingen City Commission approves the acceptance of a grant award from the Texas Department of Transportation Selective Traffic Enforcement Program - Comprehensive

CONSIDERED AND ADOPTED this 20th day of October 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.

Norma Sepulveda, Mayor

Mayra Herrera, City Secretary

74)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to approve a resolution authorizing the acceptance of a grant award from the Texas Department of Transportation – Selective Traffic Enforcement Program – Commercial Motor Vehicle (CMV). Attachment (*Special Projects Department*).

Prepared By: **Ana Hernandez, Mobility & Special Projects Director**

Brief Summary:

The Harlingen Police Department has been awarded \$14,985.00 to fund personnel overtime costs to reduce commercial motor vehicle crashes, injuries, and fatalities.

Funding Breakdown:

TxDOT Award: \$14,985.00

Matching Funds (20%): \$3,747.00

Total: \$18,732.00

The grant cycle is from October 1, 2025, to September 30, 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 acceptance of the grant award.

City Manager approval:

GG

Comments:

City Attorney's approval:

[Signature]

RESOLUTION NO. 2025 - __

A RESOLUTION AUTHORIZING THE SPECIAL PROJECTS DIRECTOR TO ACCEPT A GRANT AWARD FROM THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) FY26 SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) COMMERCIAL MOTOR VEHICLE (CMV)

WHEREAS, the goal of the STEP CMV grant is to reduce commercial motor vehicle crashes, injuries, and fatalities involving vehicles with a vehicle body of semi trailer or truck tractor;

WHEREAS, the Harlingen City Commission finds it in the best interest of the residents of Harlingen, Texas, to accept a grant award of \$14,985 to fund personnel overtime costs for providing additional personnel to enhance and improve community and highway safety;

WHEREAS, the Harlingen City Commission agrees that in the event of loss or the misuse of the Texas Office of the Governor funds, the Harlingen City Commission assures that the funds will be returned to the Office of the Governor in full; and,

WHEREAS, the City Commission designates the Special Projects Director as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the City of Harlingen.

NOW, THEREFORE, BE IT RESOLVED, that the Harlingen City Commission approves the acceptance of a grant award from the Texas Department of Transportation Selective Traffic Enforcement Program – Commercial Motor Vehicle

CONSIDERED AND ADOPTED this 20th day of October 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.

Norma Sepulveda, Mayor

Mayra Herrera, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

7(g)

Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on second and final reading amending the City of Harlingen Code of Ordinances Master Fee Schedule, Chapter 18, by increasing the green fee/cart membership and coupons by 10%. Attachment **(Golf)**

Prepared By: Jeff Hart

Title: Director of Golf

Signature:

Summary:

Summary

Tony Butler Golf Course staff recommend a 10% pricing increasing of green fee/cart, membership and coupons but excluding the items that the council has already approved to increase: junior memberships, range basket, and 18-hole green fee with ½ cart. The Advisory Board voted on August 26, 2025, to approve the new rates and send them to the city council for a vote.

Staff Recommendation:

Staff and Advisory Board recommend increasing the rates by 10% for all green fee with half a cart, memberships and coupon rates except those items that have had a raise increase in the last year.

City Manager's approval:

CG



Yes



No



N/A

Comments:

City Attorney's approval:

Ma



Yes



No



N/A

ORDINANCENO. 2025-___

AN ORDINANCE OF THE CITY OF HARLINGEN, TEXAS AMENDING CHAPTER 18, MASTER FEE SCHEDULE OF THE HARLINGEN CODE OF ORDINANCES BY ESTABLISHING FEES FOR CERTAIN LICENSES, PERMITS, AND OTHER SERVICES PROVIDED BY THE CITY OF HARLINGEN AS THEY RELATE TO CHAPTER 36, ARTICLE V, DIVISION 2(TONY BUTLER GOLF COURSE); PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS PERTAINING TO THE FOREGOING.

WHEREAS, the City of Harlingen provides and maintains the Tony Butler Golf Course, to enhance the quality of life and provide opportunities for healthy activities for Harlingen residents and visitors; and

WHEREAS, the City finds that providing for additional resources in the maintenance of the Tony Butler Golf Course furthers these aims and better enables it to provide quality facilities for the enjoyment of the public;

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF HARLINGEN:

Section 1. That Chapter 18, Master Fee Schedule of the Code of Ordinances of the City of Harlingen is hereby amended by adjusting and increasing rates and fees by 10% for all Tony Butler Golf Course green fees with half a cart, memberships and coupon fees but excluding those items that have already been raised this past year to include range ball baskets, junior memberships and 18-hole green fee with half a cart

VOTE AND APPROVAL THIS 6th day of October, 2025 at a regular meeting of the City Council of Harlingen, Texas at which a quorum was present and a unanimous vote to increase pricing was held in accordance with TEXAS GOVERNMENT CODE, TITLE 5, SUBTITLE A, CHAPTER 551.

CITY OF HARLINGEN

BY: _____
Norma Sepulveda, Mayor

ATTEST:

By: _____
Mayra Herrera, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

7(h)

Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to authorize the Mayor, on behalf of the City of Harlingen Police Department, to approve and sign the Interlocal Agreement Between the City of Brownsville, Texas, the City of Harlingen, Texas, Cameron County, Texas, the City of McAllen, Texas, the City of Pharr, Texas and the City of Donna, Texas regarding a Mutual Aid (Burglary and Theft of Motor Vehicle FY 26) Law Enforcement Task Force to Cooperate in Certain Criminal Investigations in fighting motor vehicle theft crime problems.
Attachment (Police)

Prepared By (Print Name): **Alfredo Alvear**

Title: **Chief of Police**

Signature: 

Brief Summary:

This Interlocal Agreement is being extended from September 1, 2025 to August 31, 2026 and would be a renewal of the previously signed Interlocal Agreement.

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:



☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:



☒ Yes ☐ No ☐ N/A



HARLINGEN POLICE DEPARTMENT

Memorandum

Date: October 2, 2025

To: Mayra Herrera, City Secretary

From: Frances Peña, Exe. Admin. Asst.

Re: Interlocal Agreement (Burglary and Theft of Motor Vehicle FY26)

Attached is an *Interlocal Agreement*. I would ask to see if you can have Mayor Sepulveda sign where the tabs are located. It is the same agreement as the one she signed last year. The "Terms of this Agreement" extend from September 1, 2025 to August 31, 2026.

Please contact me once it has been signed so that I can send someone to pick up.

If you have any questions, please contact me at your convenience.

Thank you!

Interlocal Agreement
State of Texas

**INTERLOCAL AGREEMENT BETWEEN THE CITY OF BROWNSVILLE, TEXAS,
THE CITY OF HARLINGEN, TEXAS, CAMERON COUNTY, TEXAS, THE CITY OF
MCALLEN, TEXAS, THE CITY OF PHARR, TEXAS, AND THE CITY OF DONNA,
TEXAS REGARDING A MUTUAL AID (BURGLARY AND THEFT OF MOTOR
VEHICLE FY 26) LAW ENFORCEMENT TASK FORCE TO COOPERATE IN
CERTAIN CRIMINAL INVESTIGATIONS**

THIS AGREEMENT is made this _____ day of _____, 2025, in the City of Brownsville, State of Texas, pursuant to the Inter-local Cooperation Act, Texas Government Code, Chapter 791, regarding Law Enforcement Services Provided Through Cooperation of Municipalities, Counties, and certain other local Governments, between: (1) the City of Brownsville, an incorporated home-rule municipality of the State of Texas, having its principal administrative offices at 1001 E. Elizabeth St, Brownsville, Cameron County, Texas 78520, acting through the Brownsville City Commission, (2) the City of Harlingen, an incorporated home-rule municipality of the State of Texas, having its principal administrative offices at 118 E. Tyler Ave, Cameron County, Texas 78550, acting through the Harlingen City Commission, (3) the County of Cameron, a governmental division of the State of Texas, having its principal administrative offices at 1100 E. Monroe St, Brownsville, Cameron County, Texas 78520, acting through the Cameron County Commissioners' Court (4) the City of McAllen, an incorporated home-rule municipality of the State of Texas, having its principal administrative offices at 1300 West Houston, McAllen, Hidalgo County, Texas 78501, acting through the McAllen City Commission, (5) the City of Pharr, an incorporated home-rule municipality of the State of Texas, having its principal administrative offices at 118 S. Cage, Pharr, Hidalgo County, Texas 78577, acting through the Pharr City Commission, and (6) the City of Donna, an incorporated home-rule municipality of the State of Texas, having its principal administrative offices at 307 S. 12th Street, Donna, Hidalgo County, Texas 78537, acting through the Donna City Council.

WITNESSETH

WHEREAS, to continue to combat this state and county problem, working with the appropriate agencies and officials of the State of Texas, the Motor Vehicle Crime Prevention Authority has budgeted certain monies to be funneled to local governments for use in fighting motor vehicle theft crime problems.

WHEREAS, THE CITY OF BROWNSVILLE, several counties and municipalities therein jointly applied, through THE CITY OF BROWNSVILLE, for a share of these monies, to be used in establishing the SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE to combat said motor vehicle theft crime problems.

WHEREAS, the MOTOR VEHICLE CRIME PREVENTION AUTHORITY which is administering such funds on behalf of the State of Texas has authorized a grant in the sum of \$1,960,343.00 to be awarded to THE CITY OF BROWNSVILLE and the said participating counties and municipalities for such purposes.

WHEREAS, SOUTH TEXAS AUTO THEFT TASK FORCE has agreed to contribute the total of **\$956,062.00** in matching funds if said grant application is approved; and,

WHEREAS, Cameron and Hidalgo County agree to each accept the responsibility and to adhere to all applicable federal, state, and local laws or regulations

NOW, THEREFORE, for and in consideration of the premises and the mutual promises of the parties and mutual benefits they will gain by the performance thereof, all in accordance with the provisions hereinafter set forth, THE CITY OF BROWNSVILLE, THE CITY OF HARLINGEN, CAMERON COUNTY, THE CITY OF MCALLEN, THE CITY OF PHARR, and THE CITY OF DONNA AGREE AS FOLLOWS:

I.

PURPOSE OF AGREEMENT

The purpose of the agreement is the establishment of the SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE by the above-named parties to utilize a grant from the State of Texas to combat motor vehicle theft crimes throughout Cameron County, Texas and Hidalgo County, Texas. To this extent, the above-named parties, pursuant to action taken by the governing bodies of said parties at duly-scheduled open meetings of same (by resolution of order, as appropriate) have entered into this Agreement to form a mutual aid law enforcement task force to cooperate in motor vehicle theft & burglary criminal investigations, to include the agreement to conduct 68A vehicle inspections as often as scheduling and operations will allow for the individual cities of the task force for purposes of identifying stolen vehicles before titling in Texas. Whereby certain peace officers employed by said parties (as covered by this Agreement) will have the additional investigative authority throughout said counties as set forth in the Agreement, which shall provide for the compensation of the peace officers involved in the activities of the Task Force, which shall be known as the SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE.

To be established that there will be a fee for conducting 68A inspections to not be over \$40.00 dollars per inspection. Each agency part of the SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE shall decide whether they will charge for this service. The monies generated from these inspections will be deposited into the agency's account which shall be created solely for these events (unless it is deposited into a general account where track of the monies is kept). Once a month the monies generated will be transferred to the Grantee's account where it will be available for their agency's Taskforce member's needs as they arise. Each agency shall keep track of the inspections to include receipts if they so choose to charge.

II.

TERM OF AGREEMENT

This agreement will be effective from September 1, 2025 to August 31, 2026, at which time, said Agreement will terminate. Upon mutual agreement of the parties, set forth in writing and signed by the (participating) parties, assuming that funds are available to do so, this Agreement may be continued, on the same terms, for such periods as desired or is feasible, until modified by subsequent amendment. This Agreement, subject to applicable law and restrictions

contained in the aforesaid state grant, may be terminated at any time by mutual agreement of the parties, set forth in writing and signed by the parties.

III.

FUNDING

The said parties paying for the performance of the aforesaid governmental functions or services shall make payment therefore from current revenues available to the paying party.

IV.

EQUIPMENT and PERSONNEL

The SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE shall consist of the following personnel, assigned by the respective entities set forth hereinafter: (1) Detectives/Investigators/Officer, not more than Eighteen (18) at any one time, assigned to the Task Force by the Brownsville Police Department, Harlingen Police Department, Cameron County Sheriff's Office, McAllen Police Department, Pharr Police Department, and Donna Police Department, the final assignments to be approved by the Board of Governors pursuant to administrative provisions below. The personnel, supplies, and direct operating expenses for the Task Force shall be financed pursuant to and by the aforesaid state grant; a copy of the Budget Schedule there under being annexed hereto as Exhibit "A", which is incorporated by reference herein. The Task Force Commander and all other personnel assigned by the parties to this Agreement shall remain the employees of the party making such assignment and shall not, by virtue of serving on the South Texas Auto Theft Enforcement Task Force, be considered as employees, agents, or servants, of the Board of Governors, of the South Texas Auto Theft Enforcement Task Force, or of any party to this agreement other than the party making said assignment. Upon termination of this agreement, equipment including vehicles, hardware, and other non-expendable items will revert to the applicant (City of Brownsville). The Motor Vehicle Crime Prevention Authority of the State of Texas will be notified, and inventory records will be updated.

V.

AMENDMENTS

This Agreement may be amended by the mutual agreement of the parties hereto in writing to be attached to and incorporated into this agreement.

VI.

COMPENSATION

The officers serving on the SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE are entitled to the same wages, salary, pension, and other compensation and rights, including injury or death benefits, as if the service were rendered in the municipality (i.e., city or county) of the officer's regular employment. Moreover, the Officer is also entitled to payment for any reasonable expenses incurred for travel, food or lodging while on duty outside the limits of the territory of the officer's regular employment. To this extent, the officers serving on the TASK FORCE will be compensated in accordance with the salary schedule (which is annexed

hereto as Exhibit "A") incorporated into the Budget, as administered by the Board of Governors. Moreover, the municipality (i.e., city or county) regularly employing said officers; shall pay (subject to reimbursement pursuant to the procedures established under the aforesaid state grant, after the payment is made and reimbursement is requested), all wages and disability payments, pension payments, damages to equipment and clothing, medical expenses, and travel, food, lodging, and vehicle lease.

The personnel and sub grantee personnel (listed in the Professional and Contract Services Category) included in this grant shall only perform duties related to statutory purposes outlined in Texas Transportation Code Chapter 1006 and Texas administrative Code Title 43; part 3; Chapter 57. If the positions funded or used as cash match engage in general government duties, then the grantee (and sub-grantees) shall not submit for reimbursement the portion attributed to general government law enforcement operations.

VII.

EXTENT OF AUTHORITY

A law enforcement officer covered by this Agreement may make an arrest anywhere outside the jurisdiction in which the officer is or would be regularly employed, throughout Cameron, and Hidalgo Counties and any other area where such arrest is authorized by law. As required by statute, the law enforcement agencies of the area where the said arrest is made shall be notified of the said arrest without delay, and the notified agency shall make available the notice to the arrest in the same manner as if the arrest were made by a member of that agency.

VIII.

EMPLOYEE STATUS

A law enforcement officer regularly employed by another municipality (i.e. city or county) shall remain the employee of such municipality but shall be considered, for the purpose of making an arrest at any location throughout Cameron County and Hidalgo County, to be in service of the SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE and a peace officer in and about Cameron and Hidalgo County under the command and supervision of the TASK FORCE COMMANDER. Accordingly, the officer has all the powers of a regular law enforcement officer anywhere in Cameron and Hidalgo Counties; to this extent, qualification for office in the municipality (i.e., city or county) or regular employment constitutes qualification for office anywhere in Cameron and Hidalgo Counties, and no additional oath, bond, or compensation is needed. The party who assigns a peace officer to the SOUTH TEXAS AUTO THEFT ENFORCEMENT TASK FORCE or that regularly employs the TASK FORCE COMMANDER shall remain solely responsible for the health, safety, acts, or omissions of that assigned peace officer or TASK FORCE COMMANDER.

IX.

LEGAL CONSTRUCTION

In the event any one or more of the provisions contained in this Agreement shall be held to be invalid, illegal, or unenforceable in any respect such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained herein.

X.

UNIFORM ASSURANCES

In accordance with §783.005 of the Texas Government Code Grantee and sub-grantee shall comply with the following uniform assurances:

Byrd Anti-Lobbying Amendment-Grantee certifies that no federal appropriated funds have been paid or will be paid to any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress on its behalf to obtain, extend, or modify this contract or grant. If non-federal funds are used by Grantee to conduct such lobbying activities, the prescribed disclosure form shall promptly be filed. In accordance with 31 U.S.C. § 1352(b)(5), Grantee acknowledges and agrees that it is responsible for ensuring that each sub-grantee certifies its compliance with the expenditure prohibition and the declaration requirement.

Child Support Obligation-Grantee represents and warrants that it will include the following clause in the award documents for every sub-award and subcontract and will require sub-recipients and contractors to certify accordingly: Under Section 231.006 of the Family Code, the vendor or applicant certifies that the individual or business entity named in this contract, bid or application is not ineligible to receive the specified grant, loan, or payment and acknowledges that this contract may be terminated and payment may be withheld if this certification is inaccurate. A bid or an application for a contract, grant, or loan paid from state funds must include the name and social security number of the individual or sole proprietor and each partner, shareholder, or owner with an ownership interest of at least 25 percent of the business entity submitting the bid or application.

Clean Air Act & Federal Water Pollution Control Act- Grantee represents and warrants that it will comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251-1387).

Compliance with Laws, Rules and Requirements- Grantee represents and warrants that it will comply, and assure the compliance of all its sub-recipients and contractors, with all applicable federal and state laws, rules, regulations, and policies in effect or hereafter established. In addition, Grantee represents and warrants that it will comply with all requirements imposed by the awarding agency concerning special requirements of law, program requirements, and other administrative requirements. In instances where multiple requirements apply to Grantee, the more restrictive requirement applies.

Contract Oversight- Grantee represents and warrants that it will maintain oversight to ensure that contractors perform in accordance with the terms, conditions, and specifications of their contracts or purchase orders.

Contract Work Hours & Safety Standards Act- Grantee represents and warrants that it will comply with the requirements of the Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708).

Cyber security Training Program- Grantee represents and warrants its compliance with § 2054.5191 of the Texas Government Code relating to the cyber security training program for local government employees who have access to a local government computer system or

database. If Grantee has access to any state computer system or database, Grantee shall complete cyber security training and verify completion of the training program to the Agency pursuant to and in accordance with § 2054.5192 of the Government Code.

Davis-Bacon Act and the Copeland Act- Grantee represents and warrants that it will comply with the requirements of the Davis-Bacon Act (40 U.S.C. 3141- 3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction") and the Copeland Act (40 U.S.C. §276c and 18 U.S.C. §874).

Debarment and Suspension- Grantee certifies that it and its principals are not suspended or debarred from doing business with the state or federal government as listed on the State of Texas Debarred Vendor List maintained by the Texas Comptroller of Public Accounts and the System for Award Management (SAM) maintained by the General Services Administration.

Debts and Delinquencies- Grantee agrees that any payments due under the contract or grant shall be applied towards any debt or delinquency that is owed to the State of Texas.

Disaster Recovery Plan- Upon request of Agency, Grantee shall provide copies of its most recent business continuity and disaster recovery plans.

Disclosure of Violations of Federal Criminal Law-Grantee represents and warrants its compliance with 2 CFR § 200.113 which requires the disclosure in writing of violations of federal criminal law involving fraud, bribery, and gratuity and the reporting of certain civil, criminal, or administrative proceedings to SAM.

Disclosure Protections for Certain Charitable Organizations, Charitable Trusts & Private Foundations- Grantee represents and warrants that it will comply with Section 2252.906 of the Texas Government Code relating to disclosure protections for certain charitable organizations, charitable trusts, and private foundations.

Dispute Resolution- The dispute resolution process provided in Chapter 2009 of the Texas Government Code is available to the parties to resolve any dispute arising under the agreement.

Excluded Parties- Grantee certifies that it is not listed in the prohibited vendors list authorized by Executive Order No. 13224, "Blocking Property and Prohibiting Transactions with Persons Who Commit, Threaten to Commit, or Support Terrorism", published by the United States Department of the Treasury, Office of Foreign Assets Control.

Executive Head of a State Agency Affirmation- under Section 669.003 of the Texas Government Code, relating to contracting with an executive head of a state agency, Grantee represents that no person who served as an executive of Agency, in the past four (4) years, was involved with or has any interest in the contract or grant. If Grantee employs or has used the services of a former executive of Agency, then Grantee shall provide the following information in the Response: name of the former executive, the name of the state agency, the date of separation from the state agency, the position held with Grantee, and the date of employment with Grantee.

Funding Limitation- Grantee understands that all obligations of Agency under the contract or grant are subject to the availability of grant funds. The contract or grant is subject to termination or cancellation, either in whole or in part, without penalty to Agency if such funds are not appropriated or become unavailable.

Governing Law & Venue- This agreement shall be governed by and construed in accordance with the laws of the State of Texas, without regard to the conflicts of law provisions. The venue of any suit arising under this agreement is fixed in any court of competent jurisdiction of Cameron County, Texas, unless the specific venue is otherwise identified in a statute that directly names or otherwise identifies its applicability to the contracting state agency.

Indemnification-to the extent permitted by law Grantee shall defend, indemnify and hold harmless the state of Texas and agency, and/or their officers, agents, employees, representatives, contractors, assignees, and/or designees from any and all liability, actions, claims, demands, or suits, and all related costs, attorney fees, and expenses arising out of, or resulting from any acts or omissions of Grantee or its agents, employees, subcontractors, order fulfillers, or suppliers of subcontractors in the execution or performance of the contract and any purchase orders issued under the contract. The defense shall be coordinated by Grantee with the office of the Texas Attorney General when Texas state agencies are named defendants in any lawsuit and Grantee may not agree to any settlement without first obtaining the concurrence from the office of the Texas Attorney General. Grantee and agency agree to furnish timely written notice to each other of any such claim.

Law Enforcement Agency Grant Restriction- Grantee on behalf of South Texas Auto Theft Enforcement Task Force is a law enforcement agency regulated by Chapter 1701 of the Texas Occupations Code, Grantee represents and warrants that it will not use appropriated money unless the law enforcement agency is in compliance with all rules adopted by the Texas Commission on Law Enforcement (TCOLE), or TCOLE certifies that it is in the process of achieving compliance with such rules.

Legal Authority- Grantee represents that it possesses legal authority to apply for the grant. A resolution, motion or similar action has been duly adopted or passed as an official act of the Grantee's governing body, authorizing the filing of the Response, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative, or the designee of Grantee to act in connection with the Response and to provide such additional information as may be required.

Lobbying Expenditure Restriction- Grantee represents and warrants that Agency's payments to Grantee and Grantee's receipt of appropriated or other funds under the contract or grant are not prohibited by Sections 403.1067 or 556.0055 of the Texas Government Code which restrict lobbying expenditures

No Conflicts of Interest State- Grantee represents and warrants that performance under the contract or grant will not constitute an actual or potential conflict of interest or reasonably create an appearance of impropriety. Further, Grantee represents and warrants that in the administration of the grant, it will comply with all conflict of interest prohibitions and disclosure requirements required by applicable law, rules, and policies, including Chapter 176 of the Texas

Local Government Code. If circumstances change during the course of the contract or grant, Grantee shall promptly notify Agency.

No Waiver of Sovereign Immunity- The Parties expressly agree that no provision of the grant or contract is in any way intended to constitute a waiver by the Agency or the State of Texas of any immunities from suit or from liability that the Agency or the State of Texas may have by operation of law.

Open Meetings- Grantee represents and warrants its compliance with Chapter 551 of the Texas Government Code which requires all regular, special or called meeting of a governmental body to be open to the public, except as otherwise provided by law.

Texas Public Information Act-Information, documentation, and other material in connection with this Solicitation or any resulting contract or grant may be subject to public disclosure pursuant to Chapter 552 of the Texas Government Code (the "Public Information Act"). In accordance with Section 2252.907 of the Texas Government Code, Grantee is required to make any information created or exchanged with the State pursuant to the contract or grant, and not otherwise excepted from disclosure under the Texas Public Information Act, available in a format that is accessible by the public at no additional charge to the State.

Reporting Compliance-Grantee represents and warrants that it will submit timely, complete, and accurate reports in accordance with the grant and maintain appropriate backup documentation to support the reports.

Records Retention State Grant- Grantee shall maintain and retain all records relating to the performance of the grant including supporting fiscal documents adequate to ensure that claims for grant funds are in accordance with applicable State of Texas requirements. These records will be maintained and retained by Grantee for a period of four (4) years after the grant expiration date or until all audit, claim, and litigation matters are resolved, whichever is later. Agency reserves the right to direct a Grantee to retain documents for a longer period of time or transfer certain records to Agency custody when it is determined the records possesses longer term retention value. Grantee must include the substance of this clause in all sub-awards and subcontracts.

Reporting Suspected fraud and Unlawful Conduct-Grantee represents and warrants that it will comply with Section 321.022 of the Texas Government Code, which requires that suspected fraud and unlawful conduct be reported to the State Auditor's Office.

State Auditor's Right to Audit-The state auditor may conduct an audit or investigation of any entity receiving funds from the state directly under the contract or indirectly through a subcontract under the contract. The acceptance of funds directly under the contract or indirectly through a subcontract under the contract acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. Under the direction of the legislative audit committee, an entity that is the subject of an audit or investigation by the state auditor must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.

Sub-award Monitoring-Grantee represents and warrants that it will monitor the activities of the sub-grantee as necessary to ensure that the sub-award is used for authorized purposes, in compliance with applicable statutes, regulations, and the terms and conditions of the sub-award, and that sub award performance goals are achieved.

XI.

FINANCIAL ADMINISTRATION

In accordance with §783.006 of the Texas Government Code Standard Financial Management Conditions the prescribed are applicable to all grants and agreements executed between affected entities:

Financial reporting- Accurate, current, and complete disclosure of the financial results of grant related activities must be made in accordance with the financial reporting requirements of the grant.

Accounting records- Grantee will maintain records, which adequately identify the source and application of funds, provided for grant related activities. These records will contain information pertaining to grant awards and obligations, unobligated balances, assets, liabilities, outlays or expenditures, and income.

Internal control- Effective control and accountability will be maintained for all grant cash, real and personal property, and other assets. Grantee will safeguard all such property and assure that it is used for authorized grant purposes.

Page Budget control- Actual expenditures will be kept within budgeted amounts for each grant.

Allowable cost- Applicable cost principles, agency program regulations, and the terms of grant agreements shall be followed in determining the reasonableness, allowability, and allocability of costs.

Source documentation- Accounting records must be supported by such source documentation as checks, paid bills, payroll records, receipts, timesheets, travel vouchers, and other records, etc. These source documents must be retained and made available for MVCPA staff when requested.

Cash management- Grantee will establish reasonable procedures to ensure the receipt of reports on cash balances and cash disbursements in sufficient time to enable them to prepare complete and accurate cash transactions reports to the awarding agency.

Reimbursement Grant- All expenditures reported will be based on actual amounts paid and documented. Reporting budgeted amounts or estimated costs as expenditures are not permitted and if used may result in payment suspension and possible termination of the grant.

Costs Incurred outside the Program Period- Grant funds may not be obligated prior to the effective date without written permission of the MVCPA director or subsequent to the termination date of the grant period. All obligations must be consistent with the Statement of Grant Award and used for statutorily authorized purposes.

XII.

COMPLIANCE

Grantee and sub-grantee will comply with state law, program rules and regulations and the Statement of Grant Award. In addition, Grantee and sub-grantee represents and warrants that it will comply with all requirements imposed by the awarding agency concerning special requirements of law, program requirements, and other administrative requirements. Information, guidance and program rules can be found in the Motor Vehicle Crime Prevention Authority Grant Administrative Manual and if not found in the administrative manual then grantee and sub-grantee must follow the Texas Grant Management Standards maintained under the authority of the Texas Comptroller of Public Accounts. These grant management standards are used by the Motor Vehicle Crime Prevention Authority in the administration of the MVCPA grant program.

Sub-grantee Monitoring and Management- The local government must monitor the activities of the sub-grantee as necessary to ensure that sub-award performance goals are achieved and the sub-award is used for authorized purposes, in compliance with state law, rules, and the terms and conditions of the sub-award. Monitoring of the sub-grantee must include:

- (1) Reviewing financial and performance reports required by the local government.
- (2) Following-up and ensuring that the sub-grantee takes timely and appropriate action on all deficiencies pertaining to the sub-award provided to the sub-grantee from the local government detected through audits, on-site reviews, and other means.
- (3) Issuing a management decision for audit findings pertaining to the sub-award provided to the sub-grantee from the local government as required.

XIII.

ENTIRE AGREEMENT

This Agreement supersedes any and all other agreements, either oral or in writing, between the parties hereto with respect to the subject matter hereof, and no other agreement, statement, or promise relating to the subject matter of this Agreement which is not contained herein shall be valid or binding upon all parties.

EXECUTED IN DUPLICATE ORIGINALS, EACH OF WHICH SHALL HAVE THE FULL FORCE AND EFFECT OF AN ORIGINAL, EFFECTIVE SEPTEMBER 1, 2025.

CITY OF BROWNSVILLE, TEXAS

By: _____
John Cowen Jr., Mayor
(On _____, 2025)

ATTEST:

Name: _____

Title: _____

CITY OF HARLINGEN, TEXAS

By: _____
Norma Sepulveda, Mayor
(On _____, 2025)

ATTEST:

Name: _____

Title: _____

CAMERON COUNTY, TEXAS

By: _____
Eddie Trevino, County Judge
(On _____, 2025)

ATTEST:

Name: _____

Title: _____

CITY OF MCALLEN, TEXAS

By: _____
Javier Villalobos, Mayor
(On _____, 2025)

ATTEST:

Name: _____

Title: _____

CITY OF PHARR, TEXAS

By: _____
Ambrosio Hernandez, Mayor
(On _____, 2025)

ATTEST:

Name: _____

Title: _____

CITY OF DONNA, TEXAS

By: _____
David Moreno, Mayor
(On _____, 2025)

ATTEST:

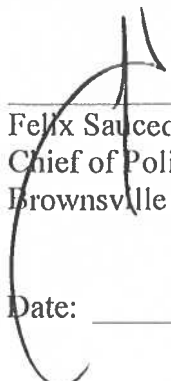
Name: _____

Title: _____

COOPERATIVE WORKING AGREEMENT

This is to certify that the objectives of the **Brownsville Police Department - South Texas Auto Theft Enforcement Task Force** grant application for fiscal year funding by the Texas Motor Vehicle Crime Prevention Authority of the Governor's Office have been reviewed and it is hereby mutually agreed to cooperate to whatever extent is necessary in carrying out the approved work plan.

Additionally, **The Brownsville Police Department** is cognizant of the rules and regulations governing the operation of the grant and hereby agrees to abide by any and all such rules or special conditions relating to the grant.



Felix Saucedo
Chief of Police
Brownsville Police Department

Date: _____

ASSURANCES CERTIFICATION

I certify that the programs proposed in this application meet all the requirements of the Texas Motor Vehicle Crime Prevention Authority Program, that all the information presented is correct, and that the applicant will comply with the provisions of the Texas Motor Vehicle Crime Prevention Authority and all other federal and state laws, regulations, and guidelines. By appropriate language incorporated in each grant, sub-grant, or other document under which funds are to be disbursed, the undersigned shall assure that the applicable conditions above apply to all recipients of assistance.

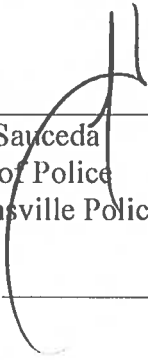
Authorized Official
John Cowen Jr., Mayor
Brownsville, Texas 78520

Date

COOPERATIVE WORKING AGREEMENT

This is to certify that the objectives of the **Brownsville Police Department - South Texas Auto Theft Enforcement Task Force** grant application for fiscal year funding by the Texas Motor Vehicle Crime Prevention Authority of the Governor's Office have been reviewed and it is hereby mutually agreed to cooperate to whatever extent is necessary in carrying out the approved work plan.

Additionally, the **Harlingen Police Department** is cognizant of the rules and regulations governing the operation of the grant and hereby agrees to abide by all such rules or special conditions relating to the grant.



Felix Saucedo
Chief of Police
Brownsville Police Department

Date: _____



Alfredo Alvear
Chief of Police
Harlingen Police Department

Date: 10/1/2025

ASSURANCES CERTIFICATION

I certify that the programs proposed in this application meet all the requirements of the Texas Motor Vehicle Crime Prevention Authority Program, that all the information presented is correct, and that the applicant will comply with the provisions of the Texas Motor Vehicle Crime Prevention Authority and all other federal and state laws, regulations, and guidelines. By appropriate language incorporated in each grant, sub-grant, or other document under which funds are to be disbursed, the undersigned shall assure that the applicable conditions above apply to all recipients of assistance.

Authorized Official
Norma Sepulveda, Mayor
City of Harlingen, Texas 78550

Date

COOPERATIVE WORKING AGREEMENT

This is to certify that the objectives of the **Brownsville Police Department - South Texas Auto Theft Enforcement Task Force** grant application for fiscal year funding by the Texas Motor Vehicle Crime Prevention Authority of the Governor's Office have been reviewed and it is hereby mutually agreed to cooperate to whatever extent is necessary in carrying out the approved work plan.

Additionally, the **Cameron County Sheriff's Office** is cognizant of the rules and regulations governing the operation of the grant and hereby agrees to abide by all such rules or special conditions relating to the grant.



Felix Saucedo
Chief of Police
Brownsville Police Department

Date: _____



Manuel Treviño
Sheriff
Cameron County Sheriff's Office

Date: _____

ASSURANCES CERTIFICATION

I certify that the programs proposed in this application meet all the requirements of the Texas Motor Vehicle Crime Prevention Authority Program, that all the information presented is correct, and that the applicant will comply with the provisions of the Texas Motor Vehicle Crime Prevention Authority and all other federal and state laws, regulations, and guidelines. By appropriate language incorporated in each grant, sub-grant, or other document under which funds are to be disbursed, the undersigned shall assure that the applicable conditions above apply to all recipients of assistance.

Authorized Official

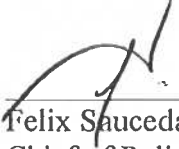
Eddie Treviño, County Judge
Cameron County, Texas 78550

Date

COOPERATIVE WORKING AGREEMENT

This is to certify that the objectives of the **Brownsville Police Department - South Texas Auto Theft Enforcement Task Force** grant application for fiscal year funding by the Motor Vehicle Crime Prevention Authority of the Governor's Office have been reviewed and it is hereby mutually agreed to cooperate to whatever extent is necessary in carrying out the approved work plan.

Additionally, the **McAllen Police Department** is cognizant of the rules and regulations governing the operation of the grant and hereby agrees to abide by any and all such rules or special conditions relating to the grant.



Felix Saucedo
Chief of Police
Brownsville Police Department

Date: _____



Victor Rodriguez
Chief of Police
McAllen Police Department

Date: _____

ASSURANCES CERTIFICATION

I certify that the programs proposed in this application meet all the requirements of the Texas Motor Vehicle Crime Prevention Authority Program, that all the information presented is correct, and that the applicant will comply with the provisions of the Texas Motor Vehicle Crime Prevention Authority and all other federal and state laws, regulations, and guidelines. By appropriate language incorporated in each grant, sub-grant, or other document under which funds are to be disbursed, the undersigned shall assure that the applicable conditions above apply to all recipients of assistance.

Authorized Official
Javier Villalobos, Mayor
City of McAllen, Texas 78501

Date

COOPERATIVE WORKING AGREEMENT

This is to certify that the objectives of the **Brownsville Police Department - South Texas Auto Theft Enforcement Task Force** grant application for fiscal year funding by the Texas Motor Vehicle Crime Prevention Authority of the Governor's Office have been reviewed and it is hereby mutually agreed to cooperate to whatever extent is necessary in carrying out the approved work plan.

Additionally, the **Pharr Police Department** is cognizant of the rules and regulations governing the operation of the grant and hereby agrees to abide by all such rules or special conditions relating to the grant.



Felix Saucedo
Chief of Police
Brownsville Police Department

Date: _____



Juan F. Gonzalez
Chief of Police
Pharr Police Department

Date: _____

ASSURANCES CERTIFICATION

I certify that the programs proposed in this application meet all the requirements of the Texas Motor Vehicle Crime Prevention Authority Program, that all the information presented is correct, and that the applicant will comply with the provisions of the Texas Motor Vehicle Crime Prevention Authority and all other federal and state laws, regulations, and guidelines. By appropriate language incorporated in each grant, sub-grant, or other document under which funds are to be disbursed, the undersigned shall assure that the applicable conditions above apply to all recipients of assistance.

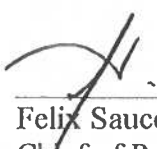
Authorized Official
Ambrosio Hernandez, Mayor
City of Pharr, Texas 78577

Date

COOPERATIVE WORKING AGREEMENT

This is to certify that the objectives of the **Brownsville Police Department - South Texas Auto Theft Enforcement Task Force** grant application for fiscal year funding by the Texas Motor Vehicle Crime Prevention Authority of the Governor's Office have been reviewed and it is hereby mutually agreed to cooperate to whatever extent is necessary in carrying out the approved work plan.

Additionally, the **Donna Police Department** is cognizant of the rules and regulations governing the operation of the grant and hereby agrees to abide by all such rules or special conditions relating to the grant.



Felix Saucedo
Chief of Police
Brownsville Police Department

Date: _____



Gilbert Guerrero
Chief of Police
Donna Police Department

Date: _____

ASSURANCES CERTIFICATION

I certify that the programs proposed in this application meet all the requirements of the Texas Motor Vehicle Crime Prevention Authority Program, that all the information presented is correct, and that the applicant will comply with the provisions of the Texas Motor Vehicle Crime Prevention Authority and all other federal and state laws, regulations, and guidelines. By appropriate language incorporated in each grant, sub-grant, or other document under which funds are to be disbursed, the undersigned shall assure that the applicable conditions above apply to all recipients of assistance.

Authorized Official
David Moreno, Mayor
City of Donna, Texas 78537

Date

Non-Supplanting Certification

I certify that the programs proposed in this application meet all the requirements of the Texas Transportation Code Chapter 1006 and Texas administrative Code Title 43; part 3; Chapter 57, requires that state funds provided by this Act shall not be used to supplant state or local funds. Public Law 98-473 requires that federal funds provided by that Act shall not be used to supplant state or local funds.

I further certify that M.V.C.P.A funds have not been used to replace state or local funds that would have been available in the absence of M.V.C.P.A funds. The certification shall be incorporated in each grantee's report of expenditure and status of funds referred to under TAC Rule §57.3 of this title (relating to Compliance Adoption by Reference).

AUTHORIZED OFFICIAL
Helen Ramirez

DATE _____

City of Brownsville
GRANTEE

**AGENDA ITEM
EXECUTIVE SUMMARY**

7(i)

Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to allow Police Chief Alfredo Alvear to use \$8,123.00 from Federal Justice Forfeiture funds to complete the purchase of four (4) Chevy Colorado Crew Cab trucks from Same's Motor Company for a total cost of \$134,632.00. Attachment (**Police**).

Prepared By (Print Name): **Alfredo Alvear**

Title: **Chief of Police**

Signature: 

Brief Summary:

Chief Alfredo Alvear is requesting to use \$8,123.00 from Federal Justice Forfeiture account funds to complete the purchase of four (4) Chevy Colorado Crew Cab trucks from Same's Motor Company for a total cost of \$134,632.00. Funds allotted are \$126,509.00, so the \$8,123.00 will complete the purchase price. These new trucks will be dispersed throughout the fleet and assigned to various divisions and are to replace the vehicles that are scheduled to be auctioned.

Funding (If applicable):

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

*If no, specify source of funding and amount requested: **Federal Justice Forfeiture Account 130-3010-904-8032 / \$8,123.00**

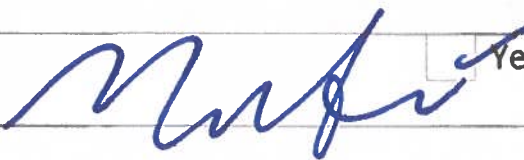
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval.

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

Comments:

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



HARLINGEN POLICE DEPARTMENT

Memorandum

Date: October 6th, 2025

To: Gabriel Gonzalez, City Manager,

From: Alfredo Alvear,
Chief of Police

Re: Purchase of 4 – 2026 Chevy Colorado Trucks for Police Fleet

Mr. Gonzalez,

I am formally notifying you that we will be allocating \$8,123.00 in forfeiture funds to purchase 4 vehicles 2026 Chevrolet Colorado Trucks—to replace vehicles in our fleet that have been set for auction. These vehicles will be dispersed throughout the fleet and assigned to various divisions accordingly, we are selecting a base model work truck. The purchase will be made through a TIPS USA Vendor.

Thank you for your attention to this matter.

QUOTE

THE ULTIMATE FLEET MANAGEMENT SOLUTION PROVIDER



**Government
Fleet Sales**

QUOTE#: SAG1639
DATE: 10/03/2025
EXPIRES: 11/02/2025

QUOTE FROM:
Sames Laredo Chevrolet

OUTSIDE SALES MANAGER: JORGE FUENTES | 956-330-1502 |
JFUENTES@SAMES.NET
EMAIL: QUOTES@SAMES.NET

QUOTE FOR:
City of Harlingen
1018 Fair Park Blvd.
Harlingen, Texas 78550

VEHICLE INFORMATION:

YEAR/MAKE/MODEL	CONTRACT#	COLOR	QUANTITY	PRICE	TOTAL
2026 Chevrolet 2WD Colorado WT Crew Cab 14C43	TIPS 240901	WHITE	4	\$33259.00	\$133,036.00

DESCRIPTION:

Model Year: 2026
Make: Chevrolet
Model: Colorado
14C43-Work Truck / LT Crew Cab
PEG: 2WT - Work Truck 2WD
Primary Color: GAZ - Summit White
Trim: H1T - Jet Black, Cloth
Engine: L3B - Engine: 2.7L TurboMax
Transmission: MFC - Transmission, 8-Speed Automatic

ST0: WT Custom Edition \$1,145.00
VAV: LPO, All-Weather Floor Mats \$240.00

No Cost Options
FE9: Federal Emissions
L3B: Engine: 2.7L TurboMax
MFC: Transmission, 8-Speed Automatic

Other Options

ATG: Remote Keyless Entry
A2V: Seat Adjuster
A2B: Rear Sliding Window
A50: Seats, Front Bucket
B26: Safety Package
B30: Floor Covering, Carpet
C49: Electric Rear Window Defogger
C67: Single-Zone Manual Air Conditioning
DP5: Mirror Caps, Molded with Color
D31: Interior Rearview Tilt Mirror
D72: Exterior Door Handles, Black
D87: Tailgate Handle, Black
EF7: COUNTRY UNITED STATES OF AMERICA (USA)
E63: Pickup Box
GAZ: Summit White
GU6: Rear Axle, 3.42 Ratio
H1T: Jet Black, Cloth
KW7: Alternator, 170 amps
K34: Cruise Control
MAH: Marketing Area: US and Puerto Rico
NE8: EVAPORATIVE SYSTEM LEVEL 3 EMISSIONS
N33: Steering Column, Tilt
PZX: Wheels, 18" X 8.5", Black High Gloss Aluminum
QIA: Tires, 265/60R18 All-Season, Blackwall
RIK: LPO, Black Nameplates
RM7: Spare Wheel, 17 x 8.0 Steel
RWL: Rear Wheel Drive
R9N: CONTROL SALES ITEM NO. 89
SLM: SALES PROCESSING STOCK ORDERS
TCK: Deflector rear tire, air
UE1: OnStar and Chevrolet Connected Services Capable
UE4: Following Distance Indicator
UHY: Automatic Emergency Braking
UK1: Blind Zone Steering Assist
UQ3: Audio System Feature, 6-Speaker System
UVB: HD Rear Vision Camera
U2K: SiriusXM Satellite Radio
VK3: Front License Plate Kit
VV4: Wi-Fi Hotspot Capable
WNO: VIN MODEL YEAR 2026
YM8: LPO Processing Option
ZAO: Tire, Spare 255/65R17 All-Season, Blackwall
ZL3: Convenience Package
1SZ: Option Package Discount
2WT: Work Truck 2WD
719: Seat Belt Color, Black

OPTIONS | UPGRADE

DESCRIPTION	QUANTITY	PRICE	TOTAL
			\$0.00

UPFITTER INFORMATION

QUOTE#	CONTRACT #	QUANTITY	PRICE	TOTAL
				\$0.00

DESCRIPTION:

TRADE-IN INFORMATION

YEAR(MAKE)MODEL	VIN#	TOTAL
-----------------	------	-------

TRANSPORT (250 MILES)	\$1,596.00
GRAND TOTAL	\$134,632.00

TERMS AND CONDITIONS:

BALANCE ON THE VEHICLE IS DUE 30 DAYS AFTER DELIVERY TO THE UPFITTER OR CUSTOMER. \$500 MONTHLY FLOOR PLAN INTEREST WILL BE ADDED TO ANY UNPAID BALANCE BEYOND THE NET 30 TERMS. PRICES PROVIDED IN THIS QUOTE ARE BASED ON CURRENT MARKET CONDITIONS AND ARE SUBJECT TO CHANGE. PRICES MAY BE AFFECTED BY CHANGES IN TARIFFS, TRADE REGULATIONS, AND OTHER FACTORS BEYOND OUR CONTROL. ANY RESULTING PRICE ADJUSTMENTS WILL BE COMMUNICATED PRIOR TO FINAL PURCHASE.

**AGENDA ITEM
EXECUTIVE SUMMARY**

7(j)

Meeting Date: October 20, 2025

Agenda Item:

Consideration and possible action to approve a contract between the City of Harlingen and Dr. Shelly Mitchell, DVM to provide services for the Spay/Neuter Program as needed.

Prepared By (Print Name): Shannon Harvill

Title: Environmental Health Director

Signature: 

Brief Summary:

The City of Harlingen Health Department is requesting approval for a contract with Dr. Shelly Mitchell, DVM to provide services for spay and neuter services as specified in Zoonosis Control Grant. Grant will be available from August 31, 2025 thru August 30, 2026. The length of the contract is for 3 months starting October 1, 2025 thru December 31, 2025. Rates for payment will be paid as listed on contract.

Funding (if applicable):

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

*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

GENERAL SERVICES CONTRACT

Between the City of Harlingen and Dr. Shelly Mitchell, DVM

I. PARTIES

This General Services Contract ("Contract") is entered into by and between the **City of Harlingen, Texas** ("City"), and **Dr. Shelly Mitchell, DVM** ("Veterinarian").

II. PURPOSE

The purpose of this Contract is to provide spay and neuter services for cats and dogs on behalf of the City of Harlingen Animal Shelter and Health Department.

III. SCOPE OF SERVICES

The Veterinarian agrees to provide spay and neuter services at the following rates:

- **Cats**
 - Male: \$88.80
 - Female: \$144.00
 - **Dogs (Neuter – Male)**
 - 0–25 lbs: \$144.00
 - 26–50 lbs: \$164.00
 - 51–75 lbs: \$178.00
 - 76–100 lbs: \$196.00
 - **Dogs (Spay – Female)**
 - 0–25 lbs: \$164.00
 - 26–50 lbs: \$192.00
 - 51–75 lbs: \$208.00
 - 76–100 lbs: \$236.00
-

IV. PAYMENT

1. The City agrees to pay the Veterinarian the rates listed above for services performed.
 2. Payments shall be made upon submission of an invoice, subject to City approval and processing procedures.
-

V. TERM

This Contract shall commence on **October 1, 2025** and shall remain in effect until **December 31, 2025**, unless terminated earlier as provided herein.

VI. TERMINATION

- (1) *City Termination for Convenience.* Under this paragraph, the City may terminate this Contract during its term at any time for the City's own convenience where the Contractor is not in default by giving written notice to Contractor. If the City terminates this Contract under this paragraph, the City will pay the Contractor for all services rendered in accordance with this Contract to the date of termination.
 - (2) *Termination for Default.* Either party to this Contract may terminate this Contract as provided in this paragraph if the other party fails to comply with its terms. The party alleging the default shall give the other party written notice of the default citing the terms of the Contract that have been breached and what action the defaulting party must take to cure the default. If the party in default fails to cure the default as specified in the notice, the party giving the notice of default may terminate this Contract by written notice to the other party, specifying the date of termination. Termination of this Contract under this paragraph does not affect the right of either party to seek remedies for breach of the Contract as allowed by law, including any damages or costs suffered by either party. However, this provision is not intended to and does not act as a waiver of the City's sovereign immunity.
-

VII. INDEPENDENT CONTRACTOR

Independent Contractor. Contractor shall perform the work under this Contract as an independent contractor and not as an employee of the City. The City has no right to supervise, direct, or control the Contractor or Contractor's officers or employees in the means, method, or details of the work to be performed by Contractor under this Contract. The City and Contractor agree that the work performed under this Contract is not inherently dangerous, that Contractor will perform the work in a workmanlike manner, and that Contractor will take proper care and precautions to ensure the safety of Contractor's officers and employees.

VIII. LIABILITY & INSURANCE

Liability and Indemnity. Contractor shall indemnify, hold harmless and defend the City, its officers, agents, and employees from and against any and all suits, actions, legal proceedings, claims, demands, damages, costs, expenses, attorneys' fees and any and all other costs or fees (whether resulting in constitutional law, tort, contract, or property law, or raised pursuant to local, state or federal statutory provision), arising out of the performance of the Contract and/or arising out of a willful or negligent act or omission of the Contractor, its officers, agents, and employees. It is understood and agreed that the Contractor and any employee or subcontractor of the Contractor shall not be considered an employee of the City. The Contractor shall not be within the protection or coverage of the City's workers' compensation insurance, health insurance, liability insurance or any other insurance that the City from time to time may have in force and effect. The City specifically reserves the right

to reject any and all of Contractor's employees, representatives or subcontractors and/or their employees for any cause, should the presence of any such person on City property or their interaction with City employees be found not to be in the best interest of the City, be found to be harassing to any City employee or third person, or is found to interfere with the effective and efficient operation of the City or the City's workplace.

IX. GOVERNING LAW

This Contract shall be governed by and construed in accordance with the laws of the State of Texas. Venue shall lie in Cameron County, Texas.

X. ENTIRE AGREEMENT

This Contract and the provisions of the Exhibits represent the entire Contract between the City and the Contractor and supersedes all prior negotiations, representations, or contracts, either written or oral. This Contract may be amended only by written instrument signed by both parties.

XI. AUTHORIZATION

City of Harlingen

By: _____

Name: _____

Title: _____

Date: _____

Veterinarian

By: _____

Dr. Shelly Mitchell, DVM

Date: _____

**AGENDA ITEM
EXECUTIVE SUMMARY**

8(c)

Meeting Date: **October 20, 2025**

Agenda Item:

Present and discuss the FY 2025 Annual Work Plan Final Report of the Harlingen Economic Development Corporation.

Prepared By (Print Name): Orlando Campos
Title: Chief Executive Officer

Signature: 

Brief Summary:

The CEO of the Harlingen Economic Development Corporation will present the final report of the FY 2025 Annual Work Plan. This report includes key performance indicators and milestones achieved in the past fiscal year.

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.

City Manager's approval:



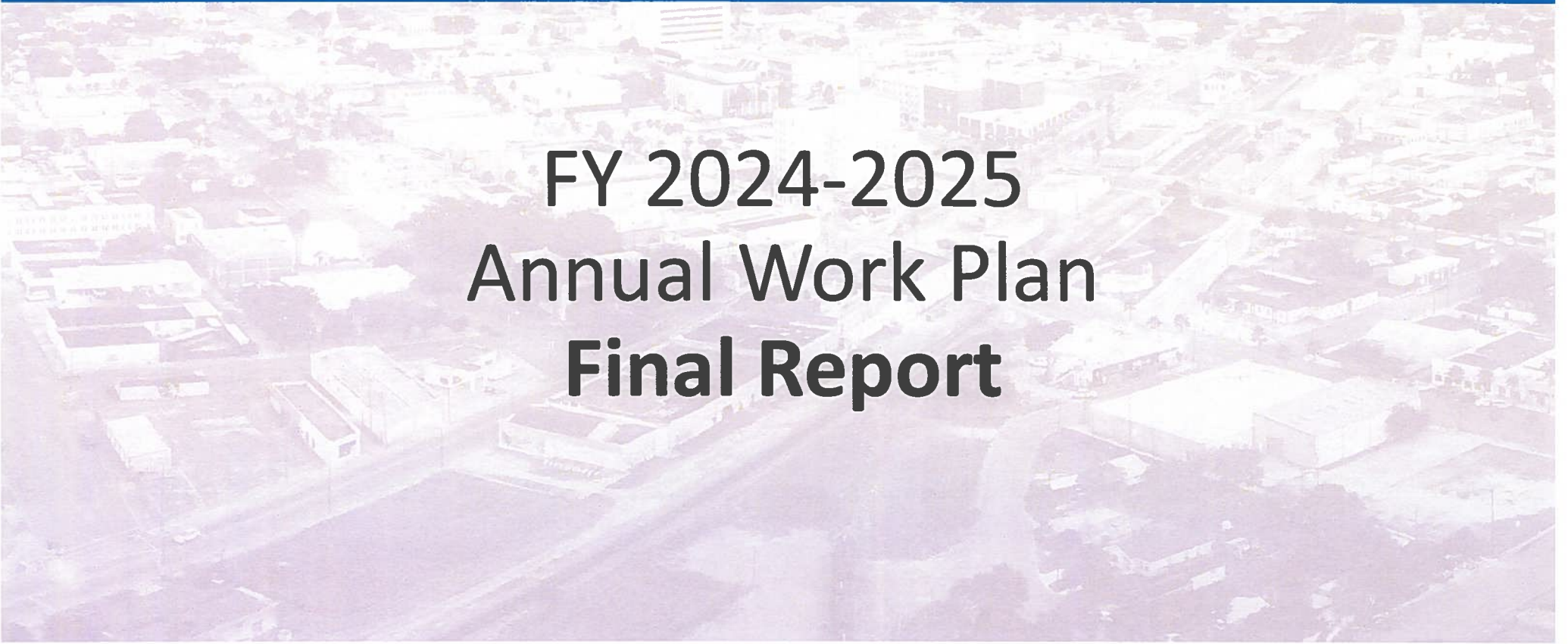
☐ Yes ☐ No ☒ N/A

Comments:

City Attorney's approval:



☒ Yes ☐ No ☐ N/A

The background of the lower two-thirds of the page is an aerial photograph of Harlingen, Texas. The image shows a dense urban area with various buildings, streets, and green spaces. The photograph is overlaid with a semi-transparent purple filter, which allows the text to be clearly visible while adding a cohesive design element.

FY 2024-2025 Annual Work Plan Final Report

Mission

The Mission of the Harlingen Economic Development Corporation is to improve the quality of life of the citizens of Harlingen through the creation of wealth, jobs, and investment.



FY 2024-2025 Board of Directors



Tre Peacock
President



Saarang Jay Rama
Vice President



Dr. Linda T. Burke
Treasurer



Lizzy de la Garza Putegnat
Secretary



Rudy Martinez
Board Member



Javier De Leon
Board Member



Javier Segura
New Board Member



Eric Ziehe
Outgoing Board Member



FY 2024-2025 Staff



Orlando Campos
CEO



Beverly Loftus
COO



Jane Lozano
BRE Manager



MaryAnn Villarreal
Office Manager



Brandie Martinez
Marketing Coordinator



Maria Escobar
Startup Specialist



Tania Hernandez
ED Coordinator



Goal 1: Develop an Aggressive Business Attraction and Retention Strategy

- Attended **12** tradeshows in the US and Mexico to promote Harlingen.
- Conducted **145 tradeshow** follow-ups.
- Submitted **30** corporate relocation proposals to Governor's Office.
- Promoted Harlingen in Mexico through collaborations with Mexican Consulate, World Trade Center in Monterrey, COSTEP, CODEM, State of Texas Office in Monterrey, and Select USA in Mexico City.
- Conducted **88 local company visits** collectively **employing 6,992 people**.
- Supported **8 local businesses** with \$38,000 through **Revitalize Harlingen Grant Program**. Businesses invested over **\$451,000 in façade improvements**.
- *Equip Harlingen Grant Program* awarded **\$6,000** in support of **2** small businesses for equipment purchases to grow their business.
- *Harlingen Strong Grant Program* supported **107 small businesses** impacted by the March 2025 floods with **\$312,000** in funding.



Goal 1: Develop an Aggressive Business Attraction and Retention Strategy

- Hosted **six roundtables** for major employers, restaurants, manufacturing, small businesses, workforce partners, and financial industries.
- Since inception, PeopleFund has deployed **\$491,475** in **capital**, supporting **11 businesses** and creating/retaining **105 new jobs**.
- Hosted **two “Let’s Get Down to Business” Events**.
- Distributed over **200 Rio Fest passes** to all local manufacturers.
- Celebrated **Manufacturing Week** by providing all local manufacturers with pan dulce for employees.
- Closed **ten projects** generating **453 new and retained jobs** with a capital investment of over **\$15 million** and projected local sales tax revenue of **\$1.3 million**.
- **12 active projects** underway with capital investment projected at **\$5.9 Billion**.



Goal 2: Foster a Highly Skilled Local Workforce

- Provided TSTC **\$100,000** for Goal Line Assistance Program and Signing Day Scholarships targeting Harlingen Residents.
- Provided **\$50,000 training grant** to Valley Initiative for Development and Advancement (VIDA) to support 10 at-risk Harlingen residents with training.
- Provided Workforce Cameron with **\$50,000 local match grant** for in-demand, high-paying workforce training programs.
- Coordinated **seven job fairs** for jobseekers and local employers.
- Coordinated **three** local industry roundtables to promote TSTC Skills for Success training grant funding available.
- Approved **\$76,500 matching grant** funding to TSC to train **34 Harlingen residents** for high-demand Patient Care Technician jobs.



Goal 3: Create an Entrepreneurship/Innovation Hub

- **Board subcommittee established** to develop strategy for Innovation Hub and entrepreneurial support programs.
- **Sponsored ten locally owned small businesses** for Kauffman Foundation FastTrac Program.
- **Sponsored ten locally owned small businesses** for UTRGV Accelerator Program.
- **\$65,000 in cash grants** awarded to **three businesses** at First Annual RISE Up Harlingen Pitch Competition.



Goal 4: Support Infrastructure for Local Industry.

- **Detention pond** at Industrial Park at Roosevelt begun and nearly complete.
- Funding approved for **roadway infrastructure** at Industrial Park at Roosevelt. Platting process underway.
- Participated in Washington DC trip with RGV Partnership to support **local infrastructure needs**.
- Participated in **Texas-Mexico Border Transportation Master Plan** update.
- Collaboration underway with Cameron County to increase commercial traffic at **Los Indios International Bridge**.
- Coordinated meeting with AEP to learn about future **power demands** and how AEP is helping to address issue in Harlingen.
- Approved **\$54,000 in grant funding** to support infrastructure expansion for a local developments.
- Supported a project evaluating Harlingen and helped advance discussions on infrastructure needs.



Goal 5: Develop and Execute a Unified Marketing Program to Elevate Harlingen Local, Nationally, and Internationally.

- New **digital marketing ads** created.
- Ad **placement strategy** launched.
- New social media advertising **campaign launched in Monterrey, Mexico.**
- Initiated collaborative promotional efforts with Cameron County and Brownsville to **promote Cameron County region.**
- Social media followers increased by **1,600 followers.**
- Participated in over **10** TV, radio, and newspaper **interviews.**



Goal 6: Elevate Organizational Structure to be a Model for Economic Development

- All **board and staff members compliant** with required state economic development state training requirements.
- Small Business & Startup Specialist **hired**.
- Ongoing economic development **staff training**.
- New **Board Member Orientation**.
- **Association memberships renewed:**
 - TEDC: Attended annual conference.
 - IEDC: Attended annual conference.
 - IAMC: Attended conference.
- **Outside board appointments:**
 - LRGVDC, Economic Development Advisory Committee.
 - Workforce Cameron Tri-Agency Committee.





Questions?

9(2)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **October 20, 2025**

Agenda Item:
Public hearing for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 323 W. Jackson Avenue, Suite A, bearing a legal description of Lots 1-5, Block 61, Harlingen Original Townsite. Applicant: Jane Mary Martinez. Attachment (<i>Planning & Development</i>)
Prepared By: Ana Hernandez, Mobility & Special Projects Director
Brief Summary:
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: 

PLANNING AND ZONING COMMISSION

October 14, 2025

4. Public hearing and take action to consider a request for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 323 W. Jackson Avenue, Suite A, bearing a legal description of Lots 1-5, Block 61, Harlingen Original Townsite. Applicant: Jane Mary Martinez

City Planner Rodrigo Sanchez presented the following information related to the request for a Special Use Permit (SUP), as follows:

- Mr. Sanchez stated that as per Ordinance, a bar/lounge in a general retail district requires the approval of a Special Use Permit by the City Commission.
- The Legal Notice Map for the Subject Property was presented.
- An Aerial View of the Subject Property was presented. Surrounding Properties as zoned General Retail (GR) and some of the surrounding land uses include El Jardin Bar, St. Anthony's Thrift Store, Roman's Interiors, some vacant commercial buildings and Centennial Park.
- The Floor Plan was presented.
 - The current suite has been the location of The Spot Lounge. The applicant is requesting a Special Use Permit to continue operating a bar/lounge at this location, 323 W. Jackson Avenue Suite A.
- The Street View from "C" Street was presented.
 - The proposed bar will operate under the name of Space Cowboy Beer Garden. The Suite A floor consists of an indoor bar and an outdoor beer garden. A Street View from N. West Street showing the proposed area for the beer garden was presented.
- The Street View from Jackson and "C" Street was presented.
 - The Subject Property is part of a four (4) suite plaza.
 - It is in the Downtown Improvement District.
 - The other business in the plaza consist of a roasted corn sales location, a recording studio, and the office for Leaux Leaux Paranormal Investigations.
 - There were no requirements for off-street parking in the Downtown Improvement District. That is for new uses that occupy existing buildings.
 - The proposed hours of operation will be seven (7) days a week, from seven (7:00) p.m. to two (2:00) a.m.
 - The applicant intends to have some musical performances occasionally.
- The City of Harlingen Downtown Improvement District, Building Inspections, Fire Prevention Bureau, Health, and Police Departments reviewed the Special Use Permit application and did not report [any] objections to this proposed request.
- At present, Staff has not received any phone calls, no letters, [and] any emails with any kinds of concerns regarding the business. Staff did send out fifteen (15) legal notices to the surrounding property owners.
- Staff does recommend approval of the request subject to compliance with some of the conditions, such as:

- The Special Use Permit is limited to one (1) year. Subsequent approvals have to come before the Board and be granted approval for continuation of the business;
- Also obtaining and maintaining any proper and required state and city permits;
- Providing video surveillance with a minimum thirty (30) day retention period; and
- Also complying with the requirements administered by the Downtown Improvement District, Planning and Zoning Ordinance, Building Inspections, Fire Prevention [Bureau], Health, and Police Departments;
- The other condition is that the Hours of Operation, as requested, will be seven (7:00) p.m. to two (2:00) a.m., seven (7) days a week.
- Mr. Sanchez reiterated once again that Staff recommends approval.
- Mr. Sanchez stated that the applicant was present this evening.

Chairman Consiglio thanked Mr. Sanchez. He asked if there were any questions for Staff.

Cmr. Sanchez indicated he had a question. He said that in previous Special Use Permit Requests, the term for the SUP has been longer than a year or maybe even continuous. He asked if there was a reason this one (1) was limited to one (1) year. Mr. Sanchez said that he believed that in the first time around, adding that the Director could correct him, that you would go with one (1) year to see how it goes and just to make sure there [are] no concerns for the new business. Cmr. Sanchez acknowledged the response. He said that he recalled from the past, he questioned if it was worth that investment for a period of one (1) year. He said he was going to suggest maybe at least increasing it to two (2) years, if that was something that the Board would entertain. Mr. Sanchez said he thought the applicant would conceivably apply for a longer period of time. He said he thought it was a good idea for the first year, standard with any business just to make sure that the public and Staff have a chance to review the activity for the very first year. Cmr. Sanchez said that was fine as long as we are consistent moving forward. Assistant Director, Mr. Olivo, added that the Downtown Overlay District requires that it be one (1) year for the first year. Cmr. Sanchez acknowledged the response.

Cmr. Cruz-Velázquez indicated she had a subsequent question. She questioned that it was currently a bar and asked for confirmation on that. She was told yes. Before she could finish her question, Mr. Olivo indicated that because it was a different applicant, the Code of Ordinance requires that the new applicant has to apply for a Special Use Permit. Cmr. Cruz-Velázquez acknowledged this answer.

Chairman Consiglio asked if there were any other questions for Staff, acknowledging that this had been a very good question. Upon hearing none, the Chairman indicated there was a Public Hearing on this and indicated he would proceed. He confirmed the applicant's presence and said they could ask them questions after the Public Hearing if there were any questions for them.

The Public Hearing was opened. The Chairman asked anyone wanting to speak on this item to please come to the podium.

Jane Mary Martinez, applicant

Mrs. Martinez identified herself as the applicant. The Chairman welcomed her to the podium. The applicant started by thanking the Commissioners and Staff. The Chairman confirmed that she was Mrs. Martinez. Mrs. Martinez introduced herself and her husband, Joe Martinez.

Mrs. Martinez began by confirming that it was an operating bar. She said she had been managing it for two (2) years now and decided to go ahead and take over. She said it has been very well and that she has a lot of good customers. She said that she was going to close it down but that they [the customers] were all coming back so she decided to go ahead and invest. She expressed her thanks. She said that the two hundred eight five (\$285) that she paid for the SUP, she would love for two (2) years instead of paying for one (1) and then the next.

Mrs. Martinez said the reason she was here today is, first of all, to get it approved, and that there was a time frame that she needs to meet. She said that right now she has the Comptroller who signed, and that she also had the Cameron County signed, but only needed this one from the City Secretary to sign and approve so that TABC can grant her license. She said she would meet her deadline if she can get this stamp approval for this one (1) event. She said the event had already been booked, pre-booked since April and she stressed that she had a lot of tourists coming to this one event. Mr. Martinez added that they have over two hundred (200) rooms already reserved for this event. He said that people were coming in from all over and mentioned that they had [the event] before. He said they provided a lot of restaurants [with] a lot of business and repeated that there were two hundred rooms.

At this point Chairman Consiglio interrupted and stated that he thought we were unfortunately off topic regarding the SUP. The Chairman asked what they were asking for from the City. Mrs. Martinez said she was trying. Mr. Martinez said that his wife came in, and they did all the paperwork. He said they have another bar in Brownsville. Mrs. Martinez said she had come back in September. Mr. Martinez said that here in Harlingen it takes forever. The Chairman asked them to hold on because they were talking over each other. Mr. Martinez continued talking about how long it took, comparing it to the process in Brownsville for a bar that is twenty-five (25) feet from a Catholic Church in downtown Brownsville. He said that here they met the deadline but that here, they just sat on it. He said that here he was thinking he had already gotten everything. He said it was an existing bar and that he didn't think it was going to be so much. Mrs. Martinez said it had been six (6) weeks. Mr. Martinez said that people just sat around [saying] they would do it "mañana" or next month. He said that honestly, now it was costing their pocketbook because they are going to be renting this building, and they will be paying months of rent with no alcohol license. Mrs. Martinez said that after she gets the approval, it should take them thirty to forty (30-40) days, and she won't meet the deadline for her event. Mr. Martinez said that what he wanted was that maybe, if they have a special meeting on the other one, to see if they get approved. If not, he said he will need to cancel, and those two hundred (200) rooms will probably be cancelled too. Mr. Martinez said they didn't do anything wrong and that it was just that the City sat on it and didn't want to approve it. Mrs. Martinez said that somewhere along they fell through the cracks. Mr. Martinez added that they [the City] had forgotten about them.

Cmr. Cruz-Velázquez asked what that had to do with what they were requesting of the Board. Mrs. Martinez said that this is what she was trying to tell them. Mrs. Martinez said she got all her paperwork done – that the State Comptroller had approved it and sealed and so did Cameron County. She said that it has just been harder for the City to sign and approve and that it had been

longer than what she had anticipated, and this is where she was having the conflict. She said that if she doesn't give it to them next week, the show is going to have to be cancelled and others and then she will not have her license until December 30th. She said that by that time, all the holidays will be over and then asked what the purpose was having a place where she can only sell Coke [or] Sprite.

Chairman Consiglio said that unfortunately the item before them is just the SUP to allow [it to operate as a bar]. Mrs. Martinez questioned that since it was a pre-existing bar, shouldn't it have [not needed it]. Chairman Consiglio said no and said that he imagined Staff was following City Ordinances and what not. He said that what this item was, and that in the public interest for transparency, only has to do with the SUP for your continuous operation moving forward. Regarding the special event, the Chairman said that maybe that was something that she could get with Staff and see what Staff can do working with our elected officials to see what they can do on that end. The Chairman said that other than that, the time before them is just...he said they need to stick to the item before them. He said he hoped their event was very successful and hoped it went well. The Chairman reiterated that they need to stick to what is before them.

The Chairman stated that he did believe that they followed the timeline from them submitting the application. The Chairman confirmed that the application was submitted on the eighteenth (18th) because that is what he was seeing. He said it has to be posted to the public and we have to send those newspaper notices out. He said that the thought, based on the eighteenth (18th) submission, this was the soonest Commission Meeting available to her for the P&Z to have this hearing on their SUP. Mrs. Martinez confirmed that after this one it was two (2) more. The Chairman said that was correct but that it was by City Ordinance and everything else. He again said that maybe there were other avenues for that but that before them, it was about the SUP. The Chairman confirmed with Mr. Olivo that there was an overlay regarding the one (1) year from the District. Mr. Olivo confirmed it. The Chairman said that the special overlay has their restrictions as well. Mrs. Martinez asked if next year, if approved, she would have to do it again. Mr. Martinez said they had signed a two (2) year lease agreement. The Chairman said yes and told her that if she runs the operation as stated, he thought they should be good. He said that they have done this before, and people either continue running or they decide not to. The Chairman regrouped and asked if there was anything else. Mrs. Martinez thanked the Board. Cmr. Flores indicated he had a question for Staff. The Chairman asked if there was anyone else that would like to speak on this item. Upon seeing and hearing none, the Public Hearing was closed. The Chairman deferred to Cmr. Flores.

Cmr. Flores asked if, because this place was existing, that it will meet all the requirements by the Building [Inspections] like exits, lighted exits, ADA handicap fixtures in the bathrooms. Director Hernandez stated that they will, as required, if approved, to comply with all those codes. She said that was one of the conditions. The Cmr. asked for clarification. The Director said they are required to comply with the Building codes and other requirements prescribed by City Ordinance. Cmr. Flores questioned that it had been said that it had been approved by the Building Department building inspector. Director Hernandez clarified that it is an original round of reviews where basically there is a letter transmitted to the departments for comments in case they see something that might be a red flag or anything that needs to be addressed. She said that according to the review, potentially, there might not be any details that need to be addressed.

Cmr. Flores also noted that he didn't know how many people there would be at the bar but that the size of the bar does not handle two hundred (200). He said they need to post a load sign like the one in the back of the room; to say exactly how many people can be allowed in there without breaking any laws. Director Hernandez said that this could be brought up to the Building Official and that it was something that could be studied when they do the Certificate of Occupancy. Cmr. Flores acknowledged the response.

Chairman Consiglio asked if there were any question for Staff and then if there were any other questions for the applicant. Upon hearing none, he asked if there was a motion. Cmr. Cruz-Velázquez 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.

The Chairman addressed the applicants. He thanked them and stated that they had approval. The Chairman asked about the event and when it would be. Mrs. Martinez said it was going to be in November. Mr. Martinez said it would be in the middle, on the 19th. Mrs. Martinez said it was a Wednesday. Mr. Martinez started to talk about the event. The Chairman asked if it was a comic book thing. The response was inaudible. Mr. Martinez said they have two (2) other bars in Brownsville and were thinking about moving it to Brownville but would like to work it out to be here. The Chairman said that he hoped it worked out well for them. He again thanked them.

9(6)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **October 20, 2025**

Agenda Item:
Public hearing for a rezoning request from Not Designated ("N") District to General ("GR") District for 6.08 acres, more or less, out of the South Part of Block 5, Highland Subdivision, located south of South Expressway 77, approximately 845.39 feet east of Maggie Lane. Applicant: Jack L. Brown, c/o Dr. Ameer Hassan. Attachment (<i>Planning & Development</i>)
Prepared By: Ana Hernandez, Mobility & Special Projects Director
Brief Summary:
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: 

PLANNING AND ZONING COMMISSION
October 14, 2025

5. Public hearing and take action to consider a request to rezone from Not Designated (“N”) District to General (“GR”) District for 6.08 acres, more or less, out of the South Part of Block 5, Highland Subdivision, located south of South Expressway 77, approximately 845.39 feet east of Maggie Lane. Applicant: Jack L. Brown, c/o Dr. Ameer Hassan

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

- The Legal Notice Map for the Subject Property was presented.
 - Mr. Olivo presented the request and explained that it was to allow for a climate controlled and regular storage unit development.
 - Mr. Olivo identified the Subject Property on the map. It is on the south side of the Expressway 77, east of Maggie Lane.
- The Aerial View of the Subject Property was presented.
 - The property is currently vacant. It is a part of a larger tract owned by the same property owner.
 - This tract has approximately four hundred and sixty-seven (467) feet along Maggie Lane and a depth of about five hundred seventy (570) feet at its longest point.
 - If the tracts are combined, the track to the north also has four hundred sixty-five (465) of frontage on the Expressway and a combined depth of one thousand eight hundred and ninety (1890) feet.
 - The Surrounding Land Use has Martha’s Play School to the west, there is also an auto sales business, there is an RV Park to the west, to the south you have some single-family residential use and of course, some vacant land and agricultural use to the south, east and to the east side of the property.
 - Mr. Olivo shared that the northern part of the tract was zoned General Retail (GR) district back in June of 1981.
- The Survey of the property was presented. The whole property is twenty (20) acres.
- A Street View of the property looking from the southeast of Maggie Lane was presented. Maggie Lane is a paved road but of course when it gets to the Subject Property, it is not an improved road.
- A Street View from the north on Expressway 77 was presented. The Subject Property can be seen to be vacant.
- The Future Land Use Map was presented. Future Land Use shows this area as an employment center designation, so it is generally consistent with the Future Land Use Plan and consistent with the Surrounding commercial that you have to the west and to the north and adjacent to the east.
- Property owners within a two hundred (200) foot radius were notified. Four (4) property owners received notification. Staff didn’t receive any objection. Mr. Olivo reported that they did get one (1) property owner who had some inquiries regarding the property.

- Staff is recommending approval of the request.
- Mr. Olivo stated he would take any questions on the item.

Chairman Consiglio asked about the use of new term – Employment [Center] zone. Mr. Olivo said it was an employment designation, similar to commercial. It is an employment generator for office use, commercial use, lodging or retail type use. The Chairman said he supposed it was just a new term to capture all of that. The Chairman asked if there were any questions for [Staff].

Cmr. Flores asked to go back [to the Aerial View]. He asked what RV Park was being referred to. Mr. Olivo said he wasn't sure of the name but that he knew there was an RV Park to the west. [Someone from the audience can be heard saying Ted & Mac (RV Park & Apartments)]. Cmr. asked about its location, asking questions for clarification such as if this was the one selling RV stuff. Cmr. Flores said it was not a park. Mr. Olivo said they have some RVs there. Cmr. Flores agreed that they had a bunch of them there. Cmr. Flores asked if they could require these people to put in landscaping, [and] to put concrete or asphalt parking for the stuff. He said this guy just came in and started pushing a lot of trailers to the back. Cmr. Flores referred to a rain event back in 2002, saying it was a five hundred (500) year flood. He said that there were two (2) houses that floated off the foundation into the Arroyo. He questioned why he [the owner] couldn't improve the condition of that parking, normal like everyone else complete with landscaping and paved or concrete drives. He said the [owner] had grass and dirt for parking.

Cmr. Cruz-Velázquez asked if it was the same owner [as being discussed]. Cmr. Flores said he didn't know who the owner was. Mr. Olivo told him that new parks would have to comply with the requirements. There was some continued discussion about the RV Park Cmr. Flores was referring to. It was established that it was a long-standing RV Park with apartments as well. Mr. Olivo clarified that because it was existing, we [City Staff] cannot require to put landscaping or additional parking. He said that of course, new ones would have to comply with City requirements but that [this RV] had been existing for years. Chairman Consiglio addressed the Commissioner telling him they were off topic. The Cmr said that maybe he got the wrong spot. After some further description, the Chairman told Cmr. Flores he might be referring to the consignment shop. Again, the Chairman redirected to the item at hand – the red square being the subject property and the item being a rezone from Not Designated (N) to General Retail (GR). The Chairman said that GR allows for a lot of activity but that in this case the applicant has shared their plan. He asked for confirmation. Mr. Olivo said that they are planning on subdividing the property although this was just the rezoning process. Mr. Olivo said they are proposing a climate-controlled and regular storage unit developed on the rear of the property and that they may sell the front portion of the property once it is subdivided.

Chairman Consiglio asked where the City Limit was. Mr. Olivo identified the line. [Someone from the audience indicated it was the drainage ditch; the green line.] The Chairman acknowledged this information.

Chairman Consiglio asked if there were any other questions for Staff. The Chairman clarified that this was a six point zero-eight (6.08) tract of land more or less. Again Mr. Olivo reiterated that the northern fourteen (14) acres were zoned back in 1981 to General Retail, indicating this land was right above it.

The Chairman again asked if there were any other questions for Staff. Cmr. Flores indicated he would like to remove his statement since he had confused the site with another site. He said he didn't know if it was right for him to say but he asked that someone from the Planning Department take a look at that property that he was talking about.

The Chairman indicated that there was Public Hearing on the item and proceeded to open it. He asked anyone wanting to discuss the item to please approach the podium, [and] state their name for the record. He said they would give everybody an opportunity to get their thoughts out completely.

Mark Dittman, 5000 S. Expressway 83

Mr. Dittman introduced himself before the Board. He said he has the property that touches the back of the one with the red lines and that between that red line property and theirs is Maggie Lane. He said that at that point, Maggie Lane is a dirt road. He said it was a City street, but that it was a dirt road. He started to ask about the easement. The Chairman asked to go back a few slides. Mr. Dittman described that it was the one in the sesame plants and that the dirt road is the City street called Maggie Lane. He said it was a County Road establish in 1908.

Mr. Dittman said that the problem they have, also adding the Garza family lives between them and the [Subject] Property and that the Garza family couldn't make it tonight, is that it floods. He said all the water that runs from all this property runs into the V Line via the frontage road and that the frontage road has an outlet there in front of the trailer park. He said that when there is moderate rain it will be the entire frontage road that kills cars. He said that the problem with the V Line is that hundreds of acres of farmland and the dog track all the way to the Expressway that goes in the Vline. He said that when there is moderate rain, it fills up with nowhere to go and so the water on the frontage just sit there. He said that Maggie Lane was a thirty-foot wide County Road easement, now a City Limit City Street. He said the City guys come out to maintain it. He said he had asked them if they could fix the road and they said no. He said they patch it and another hole forms. He said it was put in badly and was not prepared. He said he was told it has to be started over again. Mr. Dittman stressed that it was a one (1) lane road for six (6) houses that live on that road. He invited the Board to come out and look at that thing.

Mr. Dittman stated that this project could be legit but that their problem is access to it and that if there going to be a bunch of people coming at all hours of the night to go to the storage buildings on a one (1) lane road that they have to share, he said they would like to see the drainage and the access to the particular place establish to their satisfaction. Mr. Dittman stated that it was not his place to say he didn't want [the development] there. He said that his concern about the feasibility of it is because they don't have ingress and egress as of now and it floods. He said that taking farmland and covering it with asphalt and cement is going to flood worse on the frontage road and it is going to kill more cares. Mr. Dittman thanked the Board for their time.

Chairman Consiglio stated that the Public Hearing was still open and asked if anyone would like to speak on this item to please approach the podium. Upon hearing and seeing none, the Public Hearing was closed.

Chairman Consiglio asked about the drainage district. Mr. Dittman stated it was Irrigation District Six (6). He said it was six (6) or five (5) and said it was San Benito. The Chairman questioned if it wasn't three (3). It was District Three (3). The Chairman asked about San Benito and the item. He then indicated that maybe they would address it at construction.

Mr. Dittman stated that the Highway Department doesn't want water dumped on the highway. The Chairman asked him to approach the podium once again. Mr. Dittman continued saying he was talking to them years back and again repeated that the Highway Department does not want water to dump onto the Expressway. He explained that when Home Depot applied for their permit, they were refused until they bought an extra acre of land to the rear of the property, back where the winery is going to go. He said the extra acre was so that they could dig a hole to take the surge of water so it could feed more slowly onto the frontage road drainage. He said that for the building permit to be issued, they had to have a retention pond because of this very issue. He repeated that his concern was that it wasn't good now and it's going to get worse if they have many hundreds of people coming and going at all hours of the night to go to their storage buildings and then it rains and they can't get out because of the flooded street. Mr. Dittman again invited the Board to come out and please look at Maggie Lane. He also shared that the garbage truck has to hand load the trash because the City trucks cannot turn around on that road. He said it was not an ideal thing and that their concern is any additional traffic and business and asphalt is just going to make a bad thing worse. Mr. Dittman stated they had his number and know where he lives. He again thanked the Board and appreciated the time to speak to them. The Chairman thanked him as well.

Chairman Consiglio called about Robert Hernandez, City Engineer. He asked him if or what the plan was. Mr. Hernandez explained that here they haven't submitted any building permits but that the same requirements would be applicable. He said they would have to do on-site detention for a fifty (50) year storm and then a release of pre-existing conditions, ten (10), so they wouldn't be allowed to overcharge what is already being generated. In terms of pavement, Mr. Hernandez said that one (1) of the requirements he would be looking for is for them to repair at least the area fronting Maggie Lane. He said that as part of the development, maybe they could work out a deal to have fully paved access from the main road to their property but that this would be a discussion with the applicant. Mr. Hernandez indicated this was all he could answer in terms of payment and drainage. He asked if there were any specific questions from the Board.

Cmr. Sanchez asked if there was adequate right-of-way for Maggie Lane. Mr. Hernandez stated that right now, it shows it as thirty (30) feet right-of-way and that typically, the way they see those driveway widths are twenty-four feet wide minimum that allows for two (2) vehicle access. He clarified that this was as of right now. He said that any improvements they do within their site would also be that width. Cmr. Sanchez asked if the improvements would only apply to the portion that is funding the development. Mr. Hernandez said that was correct. He said that this was usually the only thing they could require and that they can't have them do off-site improvements that are not correlated to them.

Chairman Consiglio asked about the length and curve of Maggie Lane. Mr. Dittman confirmed that it was that entire road he was thinking. The Chairman asked if it does like a "u" and comes back up. Mr. Hernandez stated that right now we don't know where the primary access will be

and how they are going to be getting there. The Chairman got the clarification on the road he needed. Mr. Hernandez confirmed that the land to the north belonged to the same property owner. Upon doing so he said that he thought once they created plans, they would know more and added that they might even do a driveway from that connection. Mr. Hernandez said he hasn't seen plans at the moment and that right now they were just looking at zoning to do the improvements. The Chairman agreed it was a zoning issue.

Chairman Consiglio asked what they were allowed to do with the current Not-Designated (N) zoning. Mr. Olivo said it was just agriculture.

Cmr. Sanchez asked if the applicant was present. He was told no. Mr. Olivo added that the applicant was proposing to improve the road to the east of it where there was thirty (30) feet of right-of-way, to improve it for access to the storage development. Cmr. Sanchez asked what road it was. Mr. Olivo said it was thirty (30) foot currently unnamed that has a thirty (30) foot right-of-way that they are proposing to improve to a two (2) lane road. Chairman Consiglio asked if the applicant was saying that would be the primary access to that and not Maggie Lane. Mr. Olivo said that was correct. Cmr. Cruz-Velázquez asked if it was 77. Mr. Olivo said it was off the Expressway and wasn't sure what the name of it was. Mr. Olivo referred to the survey in the packet. Mr. Hernandez said it was Expressway 77 and said that this would make more sense to provide most of their access right off the Expressway for a commercial property and not necessarily residential streets. The Chairman and Cmr. Cruz-Velázquez agreed.

Chairman Consiglio stated that we were still a long way from that and [the zoning to] General Retail (GR) is allowing them to move further the plans. He said it was a long way and other meetings to happen between now and then for those things to be reviewed and looked at as well.

The Chairman asked if there were any other questions for Staff. Upon hearing none, he asked if there was a motion.

Cmr. Perez stated he did have a concern on the access just looking at that but that like the Chairman had mentioned, we were still a long from that. He said this was a rezoning and would make a motion to approve the rezone to General Retail (GR). Cmr. Cruz-Velázquez seconded the motion. The Chairman asked if there was a need for discussion.

Cmr. Sanchez said it would be his recommendation that an access plan be presented before approving the rezoning just so that there are assurances. He said he knows that they can't put a condition to the zoning request but that if there was a plan that was going to secure proper access, then he'd feel more comfortable. Mr. Hernandez told him that Fire and Engineering would still have to review the plans and that it was not a blanket approval. He said they still have to review the plans to ensure they comply with drainage and access policy. Cmr. Sanchez said that they didn't have control of the roadway, meaning that from that portion property to the north. Mr. Sanchez said Mr. Hernandez had said there was a thirty (30) foot easement but that in order for the City to accept a road improvement, they would have to build to City standards. Mr. Hernandez said that was correct and for unpaved roads like those, it's typically twenty-four to twenty-eight (24-28) feet wide asphalt roads. Cmr. Sanchez asked what the distance was from frontage road to the red square. Mr. Hernandez said that was a good question.

Cmr. Cruz-Velázquez presented a point of order. She told the Chairman there was a motion on the table and that shouldn't they proceed. Cmr. Sanchez said he was just making a comment. Director Hernandez took this opportunity to confirm that the Public Hearing was closed. She was told yes.

Chairman Consiglio recognized Cmr. Cruz-Velázquez' point of order. He said that on the item it does bring up Maggie Lane. Mr. Olivo clarified that the property owner owns the property to the north of it, so he owns the whole tract which has frontage on the Expressway. Cmr. Sanchez said that he [the owner] could dedicate additional right-of-way if that was the case, if needed.

Chairman Consiglio regrouped and stated that there was a motion and a second. He asked if there was any other discussion. Upon hearing none, he moved the motion to a vote. There were two votes in favor and two opposing from Cmr. Sanchez and Cmr. Flores. Chairman Consiglio indicated he would break the tie. He said he would vote yea and stated the motion passes.

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(c)

Meeting Date: **October 20, 2025**

Agenda Item:

Public hearing for the voluntary annexation, and to establish the initial zoning to Light Industry ("LI") District upon annexation for 4.50 acres of land out of Lot 5, Block 1, Harlingen Industrial Park Subdivision No. 4, located north of Millenium Drive, approximately 688.85 feet east of FM 509. Applicant: Emiliano Rosel c/o Whiting Investments Ltd. Attachment (***Planning & Development***)

Prepared By: Ana Hernandez, AICP, CNU-A, CPM

Title: Planning and Development Director/
Special Projects Director

Signature: *Ana Hernandez*

Brief Summary:

Project Timeline

- September 27, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- October 13th, 2025 – Public hearing to recommend the annexation and the rezoning by the Planning and Zoning Commission.
- October 20th, 2025 – Public hearing and consideration of annexation and rezoning by the City Commission via First Ordinance Reading.
- November 5th, 2025 – Consideration of rezoning request by the City Commission via Second and final reading.
- November 5th, 2025 – Public hearing and consideration of annexation ordinance by the City Commission via Second and final reading.

Summary

- Whiting Investments Ltd. & HHCA Investments LLC have requested the voluntary annexation of 4.50 acres of land. The property has frontage and is contiguous to the City limits via Millenium Drive.
- Upon annexation, the property will be zoned to Light Industry ("LI") District. The property owner is proposing an industrial warehouse on the property.
- 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 and rezoning 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):

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

Finance Director's approval:

☐

Yes

☐

No

☐

N/A

Staff Recommendation:

Staff recommends approval of the annexation and rezoning requests.

City Manager's approval:

GG

☒

Yes

☐

No

☐

N/A

Comments:

City Attorney's approval:

Na

☒

Yes

☐

No

☐

N/A

PLANNING AND ZONING COMMISSION
October 14, 2025

- 3. Public hearing and take action to consider a request for the voluntary annexation, and to establish the initial zoning to Light Industry ("LI") District upon annexation for 4.50 acres of land out of Lot 5, Block 1, Harlingen Industrial Park Subdivision No. 4, located north of Millennium Drive, approximately 688.85 feet east of FM 509. Applicant: Emiliano Rosel c/o Whiting Investments Ltd.**

City Planner Soledad Núñez presented the following information related to the request for voluntary annexation and to establish initial rezoning to Light Industry (LI), as follows:

- An Aerial View of the Subject Property was presented.
- Ms. Núñez described that the property is contiguous to the City Limits via Millennium Drive. She identified Millennium Drive on the map and indicated that the parcel highlighted in yellow was the property.
- Ms. Núñez stated that the property owner is proposing an industrial warehouse.
- The Survey of the property was presented.
- The Metes and Bounds Description was presented.
- Ms. Núñez explained that the annexation will require three (3) public hearings and two (2) readings of the Ordinance. She indicated the timeline was delineated in the meeting packet.
- A Street View of the Property from Millennium Drive was presented.
- The Zoning Map for the area was presented. Ms. Núñez identified the highlighted property on the map and explained that the red is the City Limit line. She said that everything that was colored already has its zoning and that everything in that area is [zoned] Light Industry (LI).
- Ms. Núñez reported that in 2025, the City has annexed five hundred and eighty point eighty-seven (580.87) acres of land. She said there was a timeline of how many acres per year [have been added] up to 2021.
- The Legal Notice Map was sent out surrounding property owners was presented.
- The Annexation Map, 1965-Present was presented.
- The Future Land Use Map was presented, showing this area as Industrial. Ms. Núñez stated that the proposed rezoning was in line with the Future Land Use Plan.
- Staff is recommending approval of the rezoning and annexation request.

Chairman Consiglio thanked Ms. Núñez. He asked if there were any questions for Staff. Upon hearing none, he said he would proceed to the Public Hearing.

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

Cmr. Perez made the motion to approve. Cmr. Cruz-Velázquez seconded the motion. The Chairman asked if there was any further discussion. Upon hearing none, the motion was moved to a vote. The motion passed unanimously.

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(a)

Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading for a Special Use Permit ("SUP") to allow a bar/lounge in a General Retail ("GR") District located at 323 W. Jackson Avenue, Suite A, bearing a legal description of Lots 1-5, Block 61, Harlingen Original Townsite. Applicant: Jane Mary Martinez. Attachment (**Planning & Development**)

Prepared By: Ana Hernandez, AICP, CNU-A, CPM

Title: Planning and Development Director/
Special Projects Director

Signature: *Ana Hernandez*

Brief Summary:

Project Timeline

- September 18, 2025 – Application for Special Use Permit ("SUP") submitted to the city. (**ATTACHMENT I**)
- September 27, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- September 30, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- October 14, 2025 - Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission (P&Z).
- October 20, 2025 – Public hearing and consideration of requested SUP via 1st ordinance reading scheduled before the City Commission.
- November 5, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Pursuant to Section 111-62 of the City of Harlingen Code of Ordinances, a bar/lounge in a General Retail ("GR") District requires the approval of a Special Use Permit by the City Commission.
- The current suite has been the location of The Spot Lounge. The applicant is requesting a Special Use Permit to continue to operate a bar/lounge as the business owner at 323 W. Jackson Avenue, Suite A. The proposed bar will operate under the name, "Space Cowboy Beer Garden". The Suite A floor area consists of an indoor bar and an outdoor beer garden. The subject property is part of a four-suite plaza and is in the Downtown Improvement District. The other suites that comprise this plaza are occupied by businesses conducting roasted corn sales, a recording studio, and the office for Leaux Leaux Paranormal Investigations. There is no requirement for off-street parking in the Downtown Improvement District for new uses which occupy existing buildings. The proposed hours of operation will be seven days a week from 7 PM to 2 AM. The applicant intends to have musical performances only occasionally. (**ATTACHMENT II**).
- Surrounding properties are zoned General Retail ("GR") District in all directions.

Surrounding land uses include El Jardin Bar, St. Anthony Thrift Store, Romans Interiors, vacant commercial buildings and Centennial Park. **(ATTACHMENTS III)**

- The City of Harlingen Downtown Improvement District office, Building Inspections Division, Fire Prevention Bureau, Health and Police Departments reviewed the SUP application. The departments reported no objection to the proposed request subject to adhering to the Harlingen Code of Ordinances and procedures administered by each department **(ATTACHMENTS IV-VIII)**.
- The applicant must obtain and maintain the proper State and City permits.
- At present, staff have not received any phone calls, letters or e-mails with concerns regarding this business. Staff had sent out fifteen (15) legal notices to surrounding property owners.
- In accordance with the zoning ordinance, the P&Z and City Commission may impose requirements and conditions of approval as are 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 ☐ Yes ☐ No*

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

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

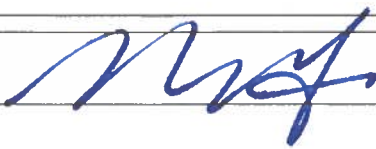
Staff Recommendation:

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

1. The Special Use Permit, if approved, will be limited to one year. Subsequent approval is required to continue operation of the establishment.
2. Obtaining and maintaining the proper State and City permits; and,
3. Providing video surveillance with a minimum 30-day retention; and,
4. Complying with the requirements administered by Downtown Improvement District, Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments.
5. Hours of operation are 7 p.m. to 2 a.m. seven days a week.

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 323 W JACKSON ST. Nearest Intersection C St. and VAN BUREN AV.
(Proposed) Subdivision Name HARLINGEN ORIGINAL TOWN SITE Lots 1 Block _____
Existing Zoning Designation _____ Future Land Use Plan Designation _____
PROPERTY ID # 64572

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent JANE MARY MARTINEZ Phone (956) 371-0730 FAX (956) 425 140
Email Address (for project correspondence only): copierjmartinez@gmail.com
Mailing Address 405 W VAN BUREN City HARLINGEN State TX Zip 78350
Property Owner Raymond Reyes Phone 956- FAX _____
Email Address (for project correspondence only): _____
Mailing Address 706 NANTUCKET DR. City Harlingen State TX Zip 78350-3564

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: It is currently an operating establishment bwn.

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: [Signature] Date: 7/17/25
Property Owner(s) Signature: [Signature] Date: 9/18/25
Accepted by: _____ Date: _____

Attachment I

PLANNED DEVELOPMENT DISTRICT (PDD) REQUEST SPECIFIC USE PERMIT (SUP) REQUEST SUBMITTAL CHECKLIST

Please submit the following items along with the completed master application and appropriate fees. The project cannot be scheduled for consideration unless all items are marked complete. Citations come from the Zoning Ordinance.

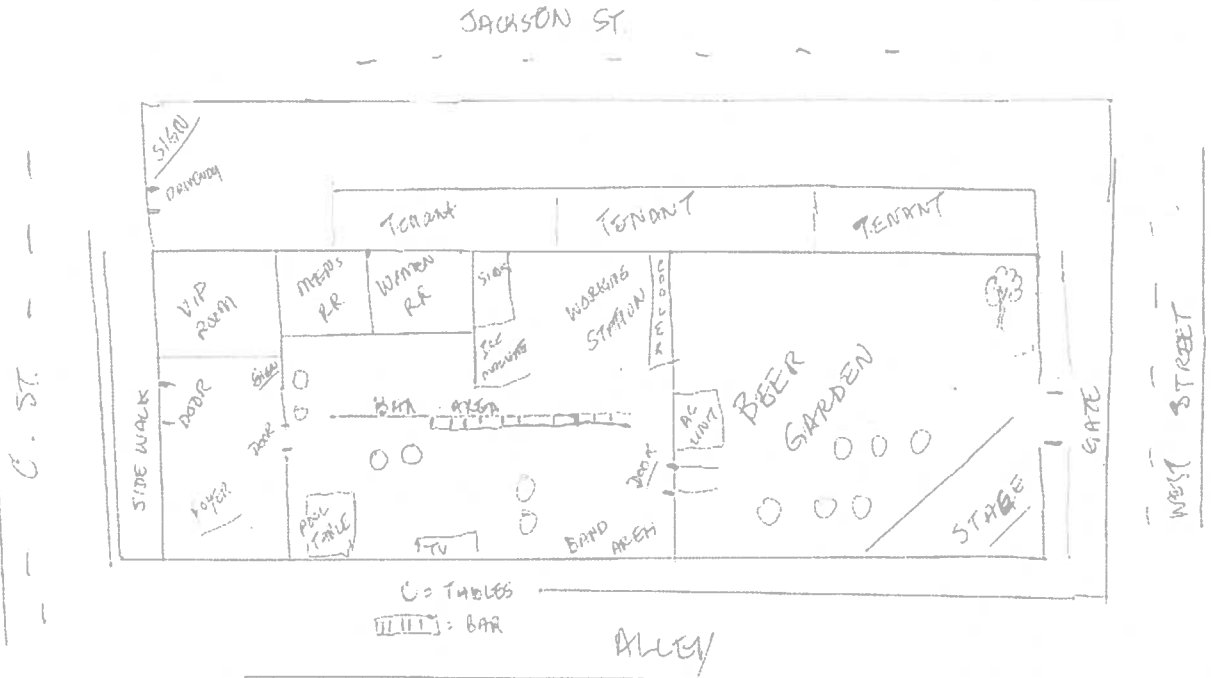
Complete

- ☐ One (1) copy of a comprehensive site plan showing the proposed development of the property. The site plan shall consist of the following items, as applicable:
 - o Existing/proposed building footprints and building heights (or buildable areas for single and two-family residential); and
 - o Locations of proposed uses; and
 - o Ingress and egress to/from property;
 - o Existing/proposed streets in compliance with the City of Harlingen Long Range Thoroughfare Plan; and
 - o Existing/proposed sidewalks; and
 - o Existing/proposed utilities; and
 - o Existing/proposed drainage; and
 - o Existing/proposed parking spaces.
 - ☐ A written statement describing the proposed use(s) of the subject property.
 - ☐ Any other information (elevation drawings, pictures, etc.) in support of the subject request.
-
- I understand that I am requesting an amendment to the City's Zoning Ordinance and it will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
 - I understand that in accordance State law and the Zoning Ordinance, no later than ten (10) days prior to consideration by the Planning and Zoning Commission:
 - o A notice will be published in the Valley Morning Star describing the request and the date, time, and location of the public hearing; and
 - o Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.
 - I understand that while all requirements for the submittal of a PDD or SUP request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.
 - I understand that the purpose of a PDD or SUP is to allow for development not otherwise authorized in the Zoning Ordinance. Hence, the Planning and Zoning Commission and/or City Commission may impose development standards important to the health, safety, welfare, and protection of the proposed development and the adjacent property and its occupants.

Owner: Raymond Reyes Date: 9/18/25
Owner Address: 323 W. JACKSON Harlingen TX 78552
Phone/Fax: 956 484 0917
Signature: [Signature]

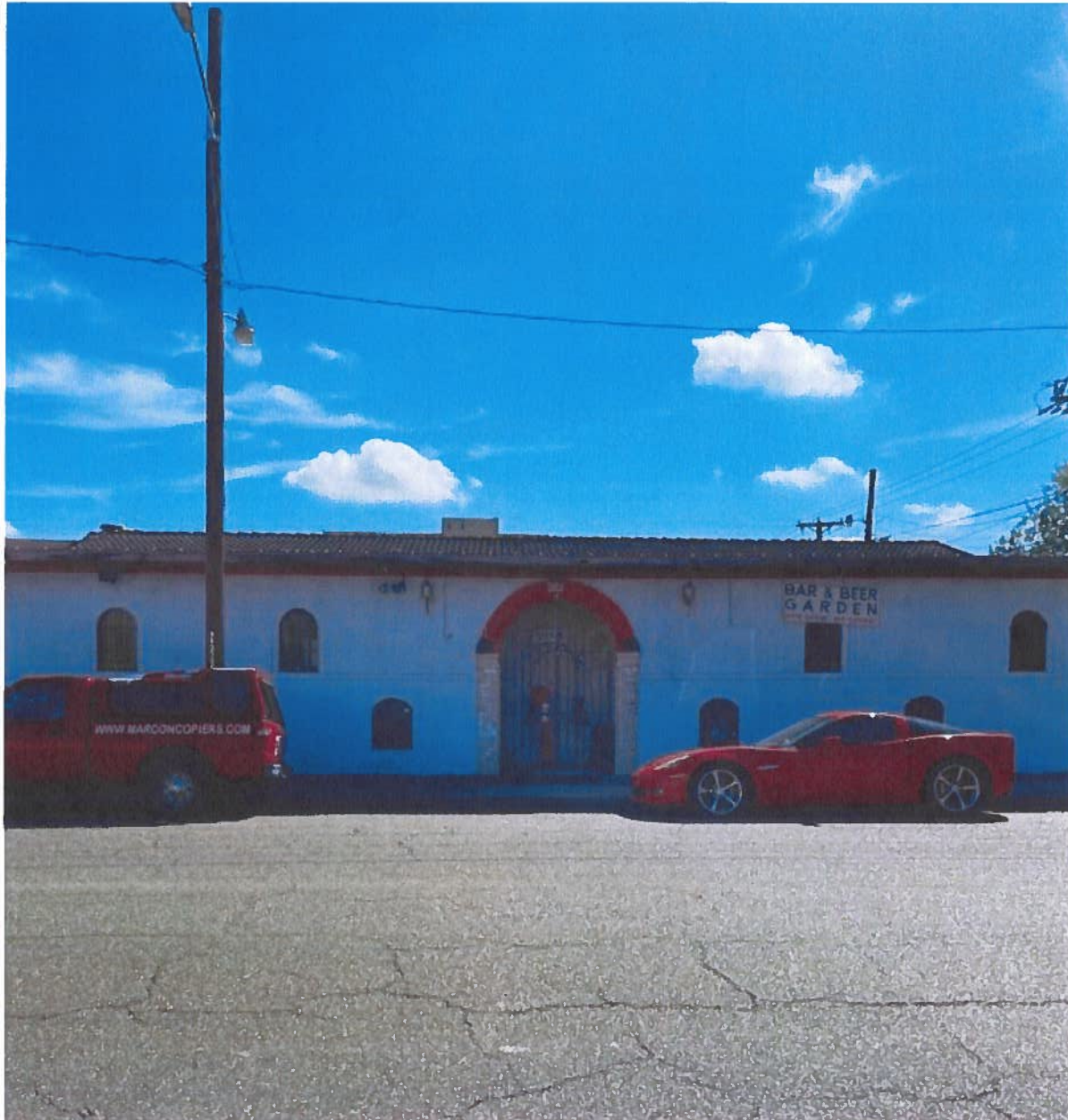
Attachment II

THE FLOOR PLAN for SPACE COWBOY
BEER GARDEN



Attachment II

Street View from "C" Street



Attachment II

Street View from North West Street



Attachment II

Jackson and "C" Street

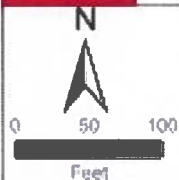
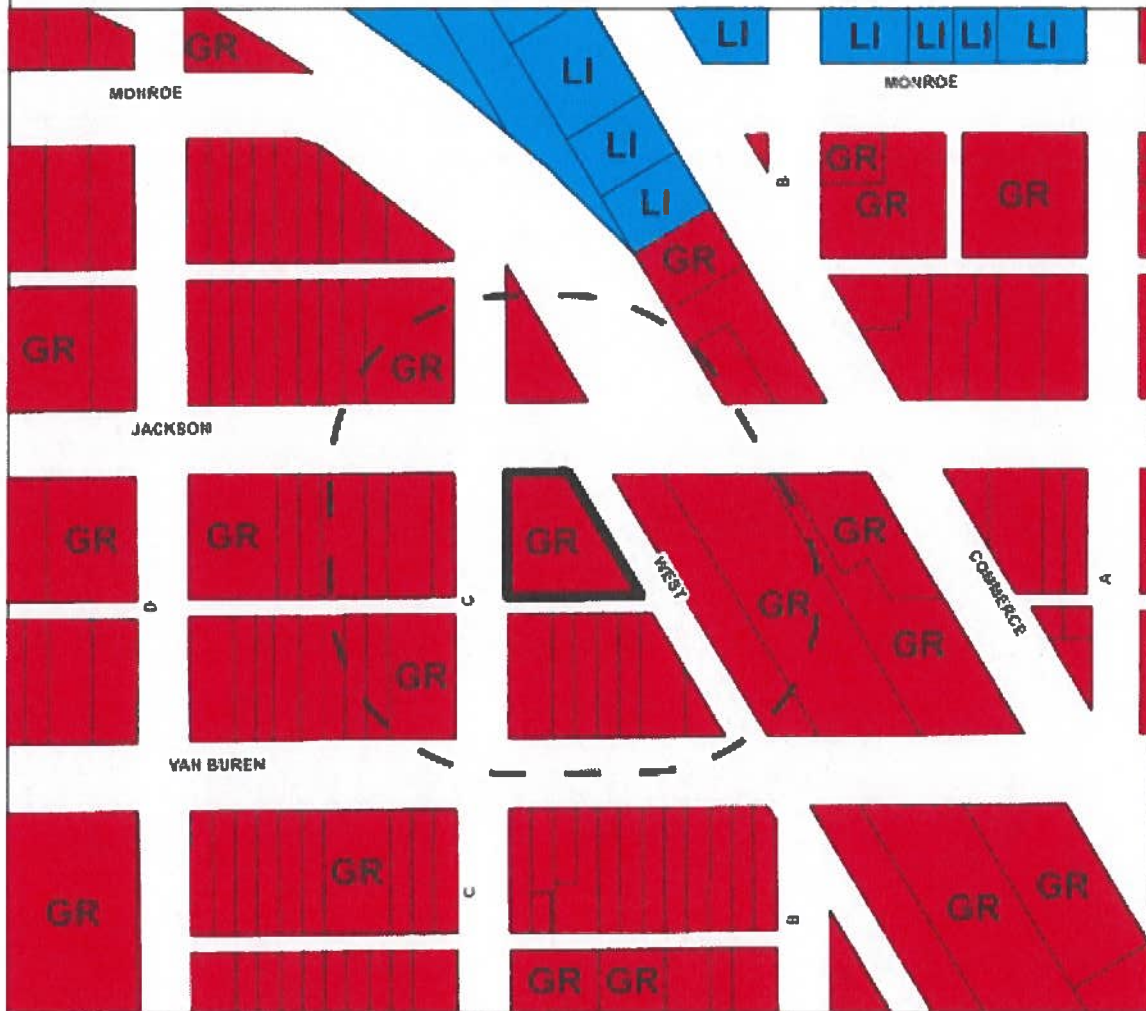
View from Jackson



Attachment III



Request for a Special Use Permit (SUP) to allow an adult business (bar) in a General Retail ("GR") District located at 323 W. Jackson Avenue, Suite A, bearing a legal description of Lots 1-5, Block 61, Harlingen Original Townsite Subdivision. Applicant: Jane Mary Martinez



Boundary lines

- Harlingen City limits slip
- 700' Notification Boundary
- Subject Property

Zoning Designations

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

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 09/24/2025

Attachment III



Attachment IV



Specific Use Permit ("SUP") Routing Slip

Applicant: Jane Mary Martinez

Phone No.: (956) 371-0730

Location: 323 W Jackson Avenue Suite A

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (bar) in a General Retail ("GR") District located at 323 W Jackson Avenue, bearing a legal description of Lot 1-5, Block 61, Harlingen Original Townsite Subdivision

Department: Fire Prevention Bureau

Approval: X YES NO

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

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr.

Date: September 24, 2025

Attachment V



Special Use Permit ("SUP") Routing Slip

Applicant: Jane Mary Martinez

Phone No.: (956) 371-0730

Location: 323 West Jackson Avenue

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (bar) in a General Retail ("GR") District located at 323 W. Jackson Avenue, bearing a legal description of Lots 1-5, Block 61, Harlingen Original Townsite Subdivision.

Department: Building Permits and Inspections Department

Approval: ☐ YES ☐ NO ☒ 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

09/25/2025
Date

Attachment VI



Special Use Permit ("SUP") Routing Slip

Applicant: Jane Mary Martinez

Phone No.: (956) 371-0730

Location: 323 West Jackson Avenue

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (bar) in a General Retail ("GR") District located at 323 W. Jackson Avenue, bearing a legal description of Lots 1-5, Block 61, Harlingen Original Townsite.

Department: HARLINGEN POLICE DEPT.

Approval: / YES NO

Comments:

A handwritten signature in blue ink, appearing to be 'AA'.

Alfredo Alvear, BSCJ, CPM
Chief of Police

10/2/25
Date

Attachment VII



Special Use Permit ("SUP") Routing Slip

Applicant: Jane Mary Martinez

Phone No.: (956) 371-0730

Location: 323 West Jackson Avenue

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (bar) in a General Retail ("GR") District located at 323 W. Jackson Avenue, bearing a legal description of Lots 1-5, Block 61, Harlingen Original Townsite Subdivision.

Department: Health

Approval: ☒ YES ☐ NO

Comments: This location has an active annual health permit, "The Spot & Jackson Street Beer Garden".


Signature

9-23-25
Date

Attachment VIII



Special Use Permit ("SUP") Routing Slip

Applicant: Jane Mary Martinez

Phone No.: (956) 371-0730

Location: 323 West Jackson Avenue, Suite A

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (bar) in a General Retail ("GR") District located at 323 W. Jackson Avenue, bearing a legal description of Lots 1-5, Block 61, Harlingen Original Townsite Subdivision.

Department: Downtown Improvement District

Approval: ☒ YES ☐ NO

Comments: N/A

Alexis Rojas
Signature

09/23/2025

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 JANE MARY MARTINEZ TO ALLOW A BAR/LOUNGE IN A GENERAL RETAIL ("GR") DISTRICT LOCATED AT 323 WEST JACKSON AVENUE, SUITE A, BEARING A LEGAL DESCRIPTION OF LOTS 1-5, BLOCK 61, HARLINGEN ORIGINAL TOWNSITE.

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 in Exhibit "A".

Special Use Permit (SUP) to Jane Mary Martinez to allow a bar/lounge in a General Retail ("GR") District located at Located at 323 West Jackson Avenue, Suite A, bearing a legal description of Lots 1-5, Block 61, Harlingen Original Townsite.

A copy of the Zoning Map constituting a part and parcel of the Code of Ordinances, as filed with the Chief Building Official 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 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 Special Use Permit is made contingent upon construction being complied in accordance with the site plan, a true and correct copy of which is attached hereto and

incorporated herein by reference as Exhibits "A" and "B" and shall comply with the conditions as listed below:

1. The Special Use Permit, if approved, will be limited to one year. Subsequent approval is required to continue operation of the establishment.
2. Obtaining and maintaining the proper State and City permits; and,
3. Providing video surveillance with a minimum 30-day retention; and,
4. Complying with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health, Downtown Improvement District, and Police Departments.
5. Hours of operation are 7 p.m. to 2 a.m. seven days a week.

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"



THE FLOOR PLAN for SPACE cowboy
BEER GARDEN

A hand-drawn floor plan of a restaurant layout. The plan is rectangular with a 'SIDE WALK' on the left and 'WEST STREET' on the right. The layout includes:

- Entrance:** A 'SIGN' and 'DRIVEWAY' at the top left.
- Rooms:** 'VIP ROOM', 'MEN'S RR', 'WOMEN RR', 'SICK', 'TOILET', 'WORKING STATION', and 'COOLER'.
- Bar Area:** 'BAR' and 'BAND AREA'.
- Seating:** 'POOL TABLE', 'TV', and 'C = TABLES'.
- Outdoor Area:** 'BEER GARDEN' and 'STAGE'.
- Other Features:** 'AC UNIT', 'GATE', and 'SIGN'.

Legend:

- C = TABLES
- ||||| = BAR

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(b)

Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading for a rezoning request from Not Designated ("N") District to General ("GR") District for 6.08 acres, more or less, out of the South Part of Block 5, Highland Subdivision, located south of South Expressway 77, approximately 845.39 feet east of Maggie Lane. Applicant: Jack L. Brown, c/o Dr. Ameer Hassan. Attachment (**Planning & Development**)

Prepared By: Ana Hernandez, AICP, CNU-A, CPM

Title: Planning and Development Director/
Special Projects Director

Signature: *Ana Hernandez*

Brief Summary:

Project Timeline

- September 15, 2025 – Application for rezoning submitted (**ATTACHMENT I**).
- September 26, 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.
- September 27, 2025 – In accordance with Statute and local law, notice of required public hearings published in the Valley Morning Star and mailed to all property owners within 200 feet of subject tract
- October 14, 2025 – Public hearing and consideration of requested rezoning by the Planning and Zoning Commission (P&Z).
- October 20, 2025 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- November 5, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Dr. Ameer Hassan, the applicant and property owner, is requesting to rezone the subject property from Not Designated ("N") District to General Retail ("GR") District to allow for a climate controlled and regular storage unit development on the subject property.
- The subject property is currently vacant and is part of a larger tract owned by the same property owner. The property has 467 feet of frontage on Maggie Lane and a depth of 570 feet at its longest point. With the adjacent tract to the north, the property has 465.60 feet of frontage on Expressway 77 and a combined depth of 1,890 feet at its longest point. Expressway 77 is a State Highway and Maggie Lane is 20 ft. wide paved street; however, along the subject property is an unimproved dirt road. (**ATTACHMENT II-V**).
- The northern tract located along Expressway 77 was zoned to General Retail ("GR") District on June 3, 1981.

- The surrounding properties are zoned General Retail ("GR") District to the north and east, and Not Designated to the south and west. (**ATTACHMENT II**). Surrounding land use consists of vacant land in agriculture use to the north, south and east, and vacant land in agriculture use and Martha's Playschool and a recreational vehicle park to the west. (**ATTACHMENT VI**).
- The Future Land Use Plan component of the City of Harlingen Comprehensive Plan One Vision, One Harlingen shows this area as employment center. The request is generally consistent with the Future Land Use Plan and consistent with the General Retail ("GR") zoning to the north and west, and the surrounding land use. (**ATTACHMENT VII**).
- To the present, the Planning and Development Department has not received any calls in opposition to the requested rezoning from surrounding property owners.

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: *LG* ☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval: *Marq.* ☒ 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 Ed Carey Dr.
(Proposed) Subdivision Name Yousef's Space + Storage Solutions I Block 1
Existing Zoning Designation _____ Future Land Use Plan Designation GR

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Jack L Brown Phone 408-4014 FAX _____
Email Address (for project correspondence only): khedegard@schibeconsulting.com
Mailing Address 1231 E. Tyler City Han State TX Zip 78550
Property Owner Dr. Ameer Hassan Phone 408-4014 FAX _____
Email Address (for project correspondence only): Same as above
Mailing Address Same as above 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: a 20 acre lot to be developed for storage unit both climate controlled and regular units. (See attached)

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 Khedegard Date: 9-15-2025

Property Owner(s) Signature _____ Date _____

Accepted by _____ Date _____

Attachment I—Application

RE-ZONING REQUEST SUBMITTAL CHECKLIST

Please submit the following items along with the completed master application and appropriate fees. The project cannot be scheduled for consideration unless all items are marked complete. Citations come from the Zoning Ordinance.

Complete

- ☒ A map and bounds description or survey plat of the tract(s) in which the re-zoning is requested.
- ☒ A written statement describing the proposed use(s) of the subject property (can be provided on Master Application).
- ☒ Any other information (elevation drawings, pictures, etc.) in support of the subject request. Survey
- ☐ I understand that I am requesting an amendment to the City's Zoning Ordinance and it will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
- ☐ I understand that in accordance State law and the Zoning Ordinance, no later than ten (10) days prior to consideration by the Planning and Zoning Commission:
 - ☐ A notice will be published in the Valley Morning Star describing the request and the date, time, and location of the public hearing, and
 - ☐ Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.
- ☐ I understand that while all requirements for the submittal of a re-zoning request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.

Owner: Ameer Hassan Date: 9-15-2025
Owner Address: 1221 E 14th
Phone/Fax: 956-928-4014
Signature: Ramiro Garcia, project manager

Attachment I—Application

I, Ameer E. Hassan, authorized agent for Lot #5, Highway Subdivision, Block 186, San Benito Land and Water Co. hereby authorize Jack L. Brown, with Scheibe Consulting LLC and/or their representatives to act on my behalf in any dealings and/or negotiations with reference to the property for the proposed YOUSEF'S SPACE AND STORAGE SOLUTIONS.



Ameer E. Hassan

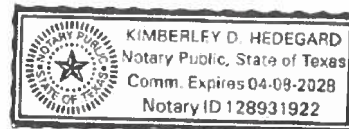
3/27/2025

Date

Subscribed and sworn before me on this 27th day of March, 2025.



Signature of Notary

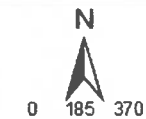
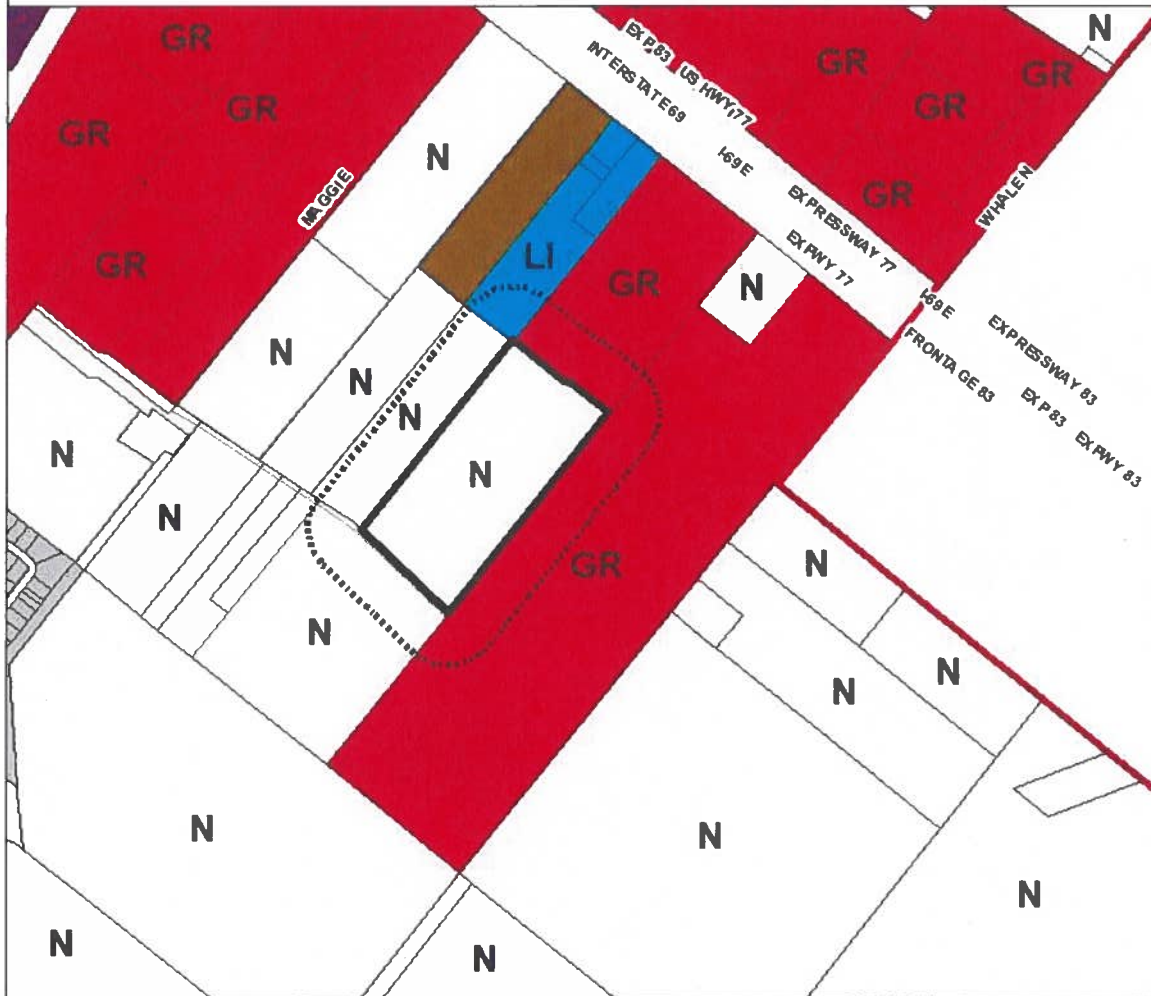


My Commission Expires 04-08-2028

Attachment II—Legal Notice



Request to rezone from Not Designated ("N") District to General Retail ("GR") District for 6.08 acres of land more or less out of the South Part of Block 5, Highway Subdivision, located south of South Expressway 77, approximately 845.39 feet east of Maggie Lane. Applicant: Jack L. Brown c/o Dr. Ameer Hassan



Boundary lines

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

Zone Map

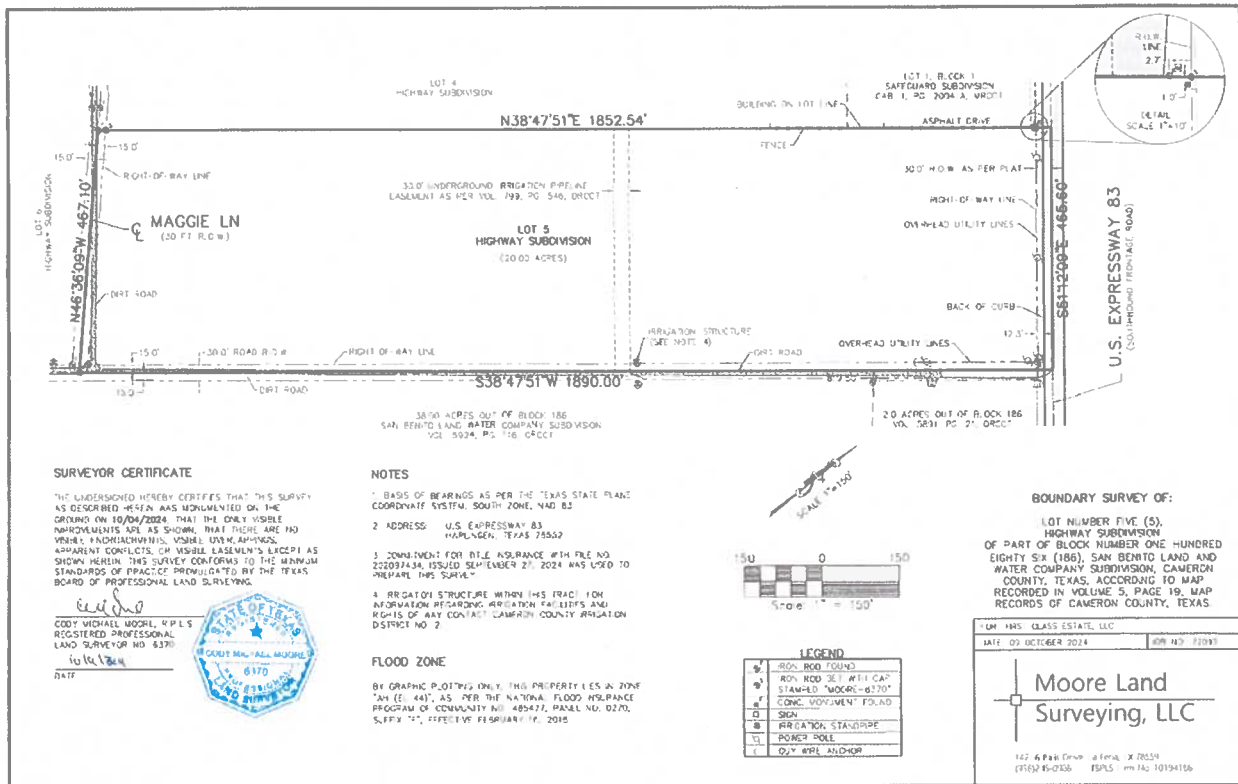
- General Retail (GR)
- Heavy Industry (HI)
- Light Industry (LI)
- 3/4 Plex Residential (M1)

Zoning Designations

- Multi Family Residential (M2)
- Mobile Home Residential (MH)
- Not-Designated (N)
- Neighborhood Services (NS)
- Office (O)
- Planned Development (PD)
- Single Family Residential (R1)
- 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 09.26.2025

Attachment III—Survey



Attachment IV

View from north on
Expressway 77



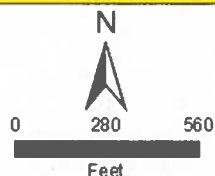
View from the Southeast on
Maggie Lane



Attachment VI-Aerial



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.

ORDINANCE NO. 25-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM NOT DESIGNATED ("N") DISTRICT TO GENERAL RETAIL ("GR") DISTRICT FOR 6.08 ACRES, MORE OR LESS, OUT OF THE SOUTH PART OF BLOCK 5, HIGHLAND SUBDIVISION, LOCATED SOUTH OF SOUTH EXPRESSWAY 77, APPROXIMATELY 845.39 FEET EAST OF MAGGIE LANE.

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 General Retail ("GR") District for 6.08 acres, more or less, out of the South Part of Block 5, Highland Subdivision, located south of South Expressway 77, approximately 845.39 feet east of Maggie Lane, 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.

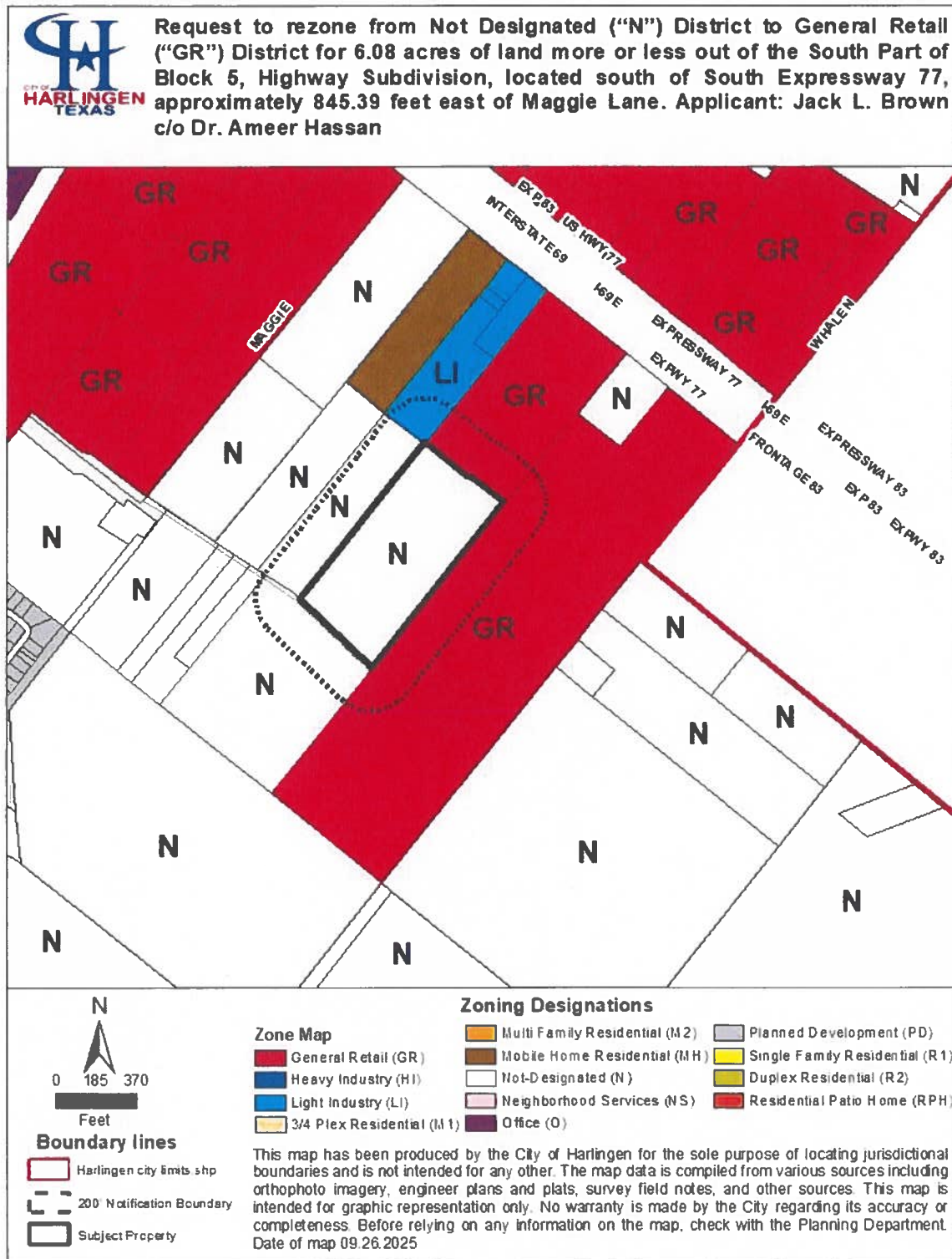
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

EXHIBIT "A"



**AGENDA ITEM
EXECUTIVE SUMMARY**

10(C)

Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading for the voluntary annexation, and to establish the initial zoning to Light Industry ("LI") District upon annexation for 4.50 acres of land out of Lot 5, Block 1, Harlingen Industrial Park Subdivision No. 4, located north of Millenium Drive, approximately 688.85 feet east of FM 509. Applicant: Emiliano Rosel c/o Whiting Investments Ltd. Attachment (**Planning & Development**)

Prepared By: Ana Hernandez, AICP, CNU-A, CPM

Title: Planning and Development Director/
Special Projects Director

Signature: *Ana Hernandez*

Brief Summary:

Project Timeline

- September 27, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- October 13th, 2025 – Public hearing to recommend the annexation and the rezoning by the Planning and Zoning Commission.
- October 20th, 2025 – Public hearing and consideration of annexation and rezoning by the City Commission via First Ordinance Reading.
- November 5th, 2025 – Consideration of rezoning request by the City Commission via Second and final reading.
- November 5th, 2025 – Public hearing and consideration of annexation ordinance by the City Commission via Second and final reading.

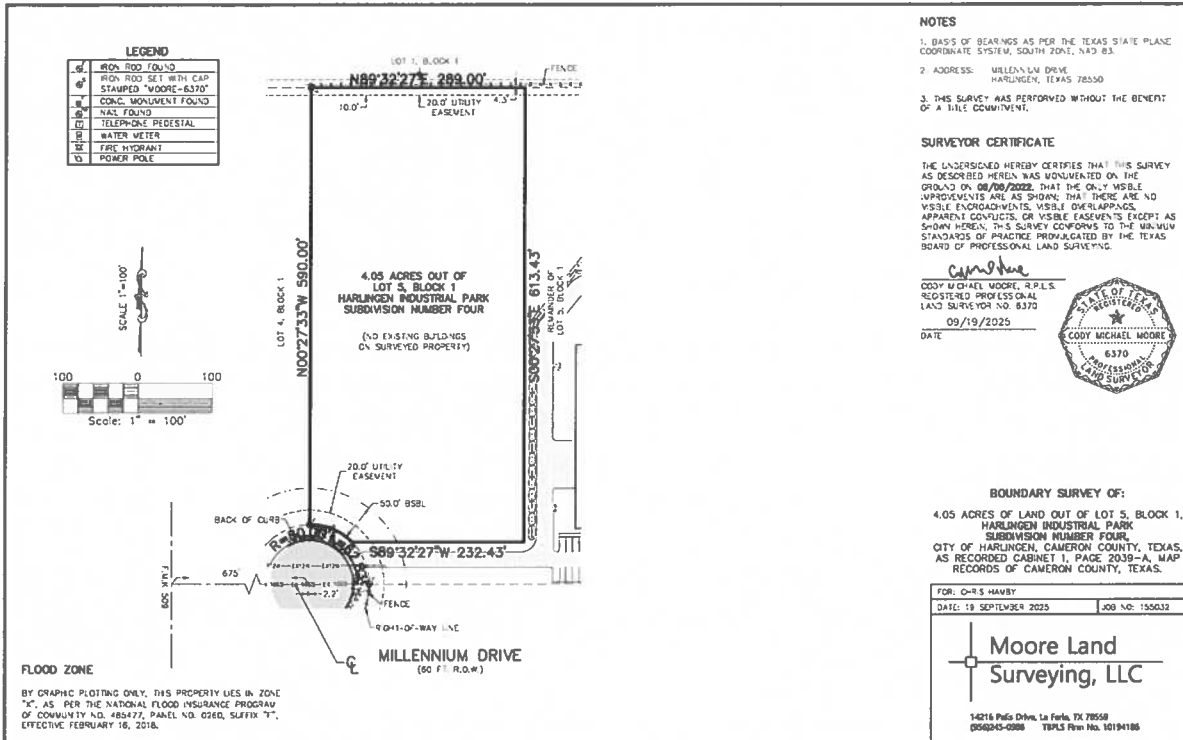
Summary

- Whiting Investments Ltd. & HHCA Investments LLC have requested the voluntary annexation of 4.50 acres of land. The property has frontage and is contiguous to the City limits via Millenium Drive.
- Upon annexation, the property will be zoned to Light Industry ("LI") District. The property owner is proposing an industrial warehouse on the property.
- 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 and rezoning 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):

*If no, specify source of funding and amount requested:			
Finance Director's approval:	☐	Yes	☐ No ☐ N/A
Staff Recommendation:			
Staff recommends approval of the annexation and rezoning requests.			
City Manager's approval:		☒ Yes	☐ No ☐ N/A
Comments:			
City Attorney's approval:		☒ Yes	☐ No ☐ N/A

Attachment I- Property Survey



Attachment II- Metes & Bounds Description

Moore Land Surveying, LLC

14216 Palis Drive, La Feria, TX 78559

(956)245-0988

TBPLS Firm No. 10194186

September 19, 2025

METES AND BOUNDS 4.05 ACRES OF LAND

BEING 4.05 ACRES OF LAND, out of Lot 5, Block 1, Harlingen Industrial Park Subdivision Number Four, City of Harlingen, Cameron County, Texas, as recorded in Cabinet 1, Page 2039-A, Map Records of Cameron County, Texas; said 4.05 acres of land being more particularly described by metes and bounds as follows:

Commencing at an iron rod found for the Southwest corner of Lot 5, Block 1, for the Southwest corner and **POINT OF BEGINNING** of the tract herein described;

- 1) **THENCE NORTH 00 DEG. 27 MIN. 33 SEC. WEST** a distance of **590.00 FEET** to an iron rod found, for the Northwest corner of the tract herein described;
- 2) **THENCE NORTH 89 DEG. 32 MIN. 27 SEC. EAST** a distance of **289.00 FEET** to a point, for the Northeast corner of the tract herein described;
- 3) **THENCE SOUTH 00 DEG. 27 MIN. 33 SEC. EAST** a distance of **613.43 FEET** to a point, for the Southeast corner of the tract herein described;
- 4) **THENCE SOUTH 89 DEG. 32 MIN. 27 SEC. WEST** a distance of **232.43 FEET** to the point of curvature of a curve to the left, for a corner of the tract herein described;
- 5) **THENCE** along said curve to the left, with a radius of **80.00 FEET**, an arc length of **62.83 FEET**, and a central angle of **45 DEG. 00 MIN. 00 SEC.**, with a chord bearing of North 67 Deg. 57 Min. 33 Sec. West a distance of 61.23 feet to the **POINT OF BEGINNING**; Containing 4.05 acres of land within these metes and bounds.

Basis of bearings are as per the Texas State Plane Coordinate System, South Zone, NAD 83.


Cody Michael Moore, R.P.L.S.
Registered Professional Land Surveyor No. 6370

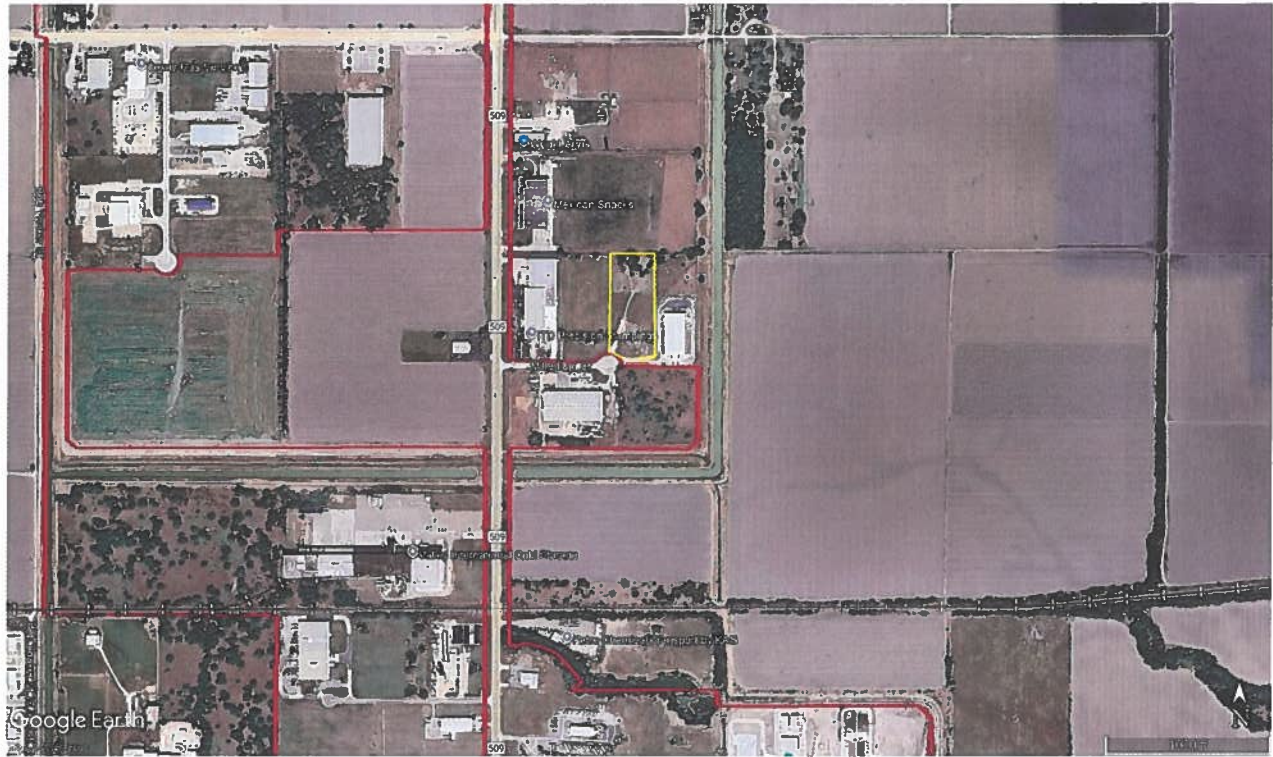


9/19/25
Date

Attachment III- Street View



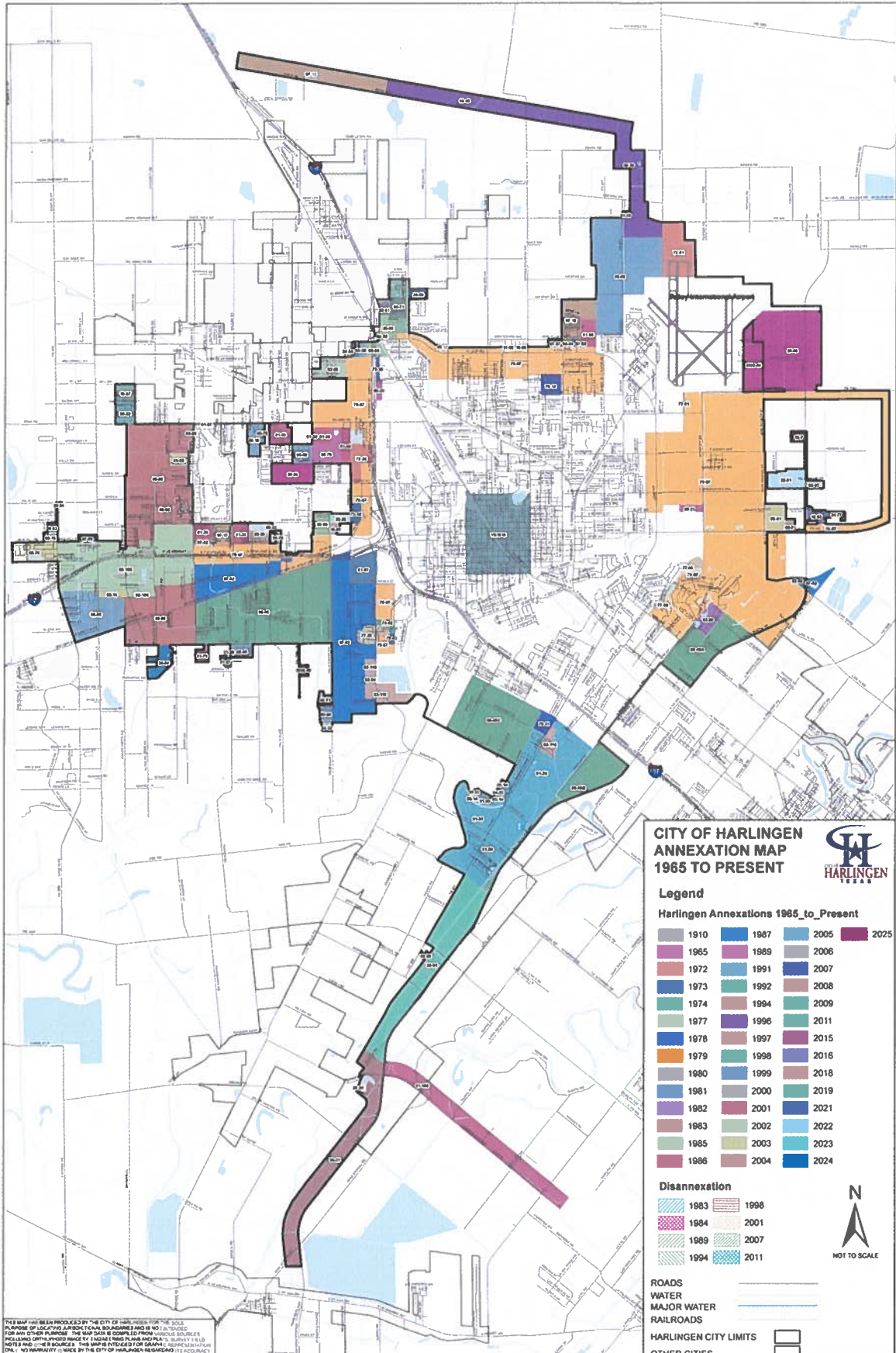
Attachment IV- Aerial with Existing City Limits Line



Attachment V- Zoning Map



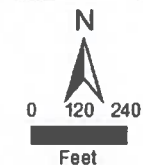
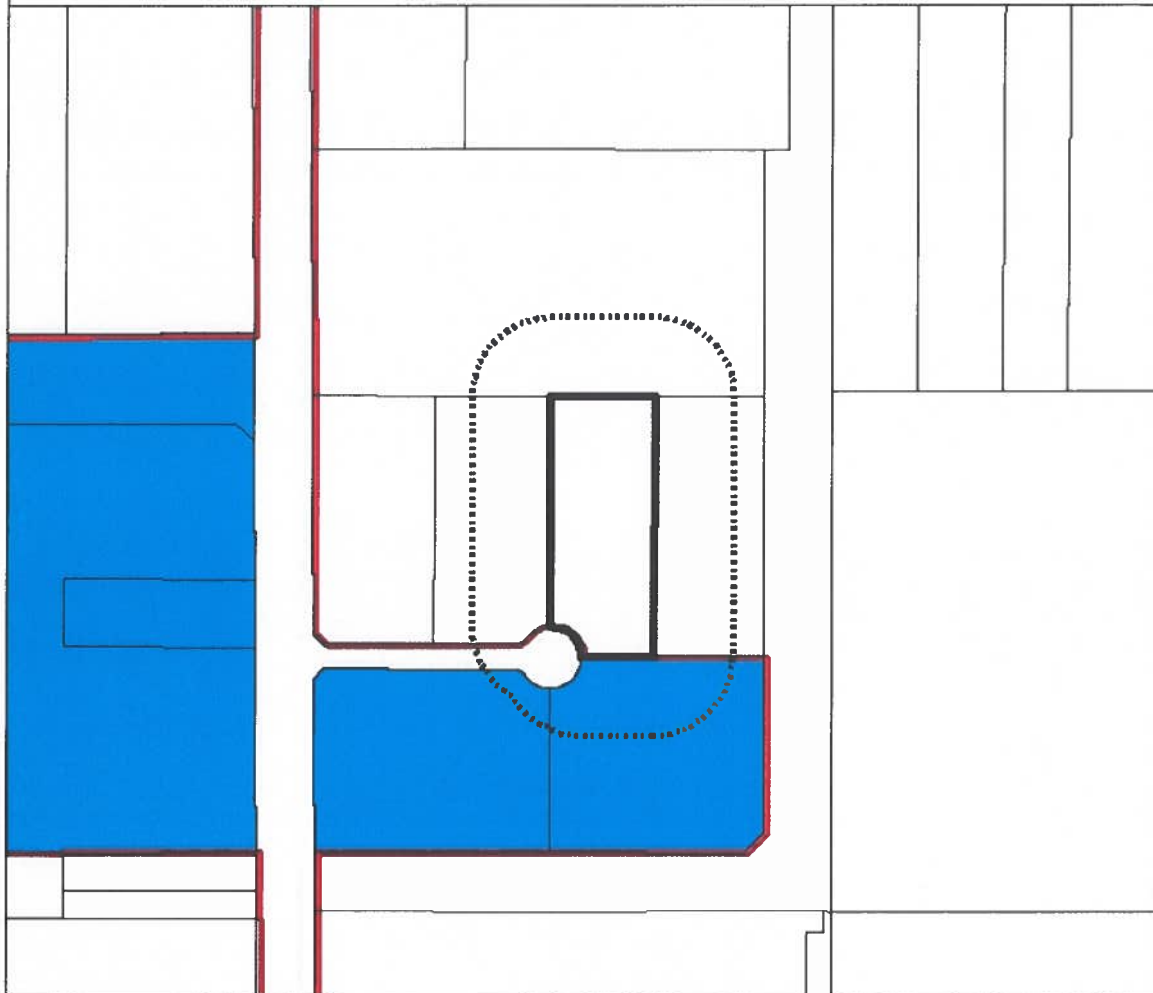
Attachment VI- Annexation Map



Attachment VII- Zone Map



Request for the voluntary annexation, and to establish the initial zoning to Light Industry ("LI") District for of 4.50 acres of land out of Lot 5, Block 1, Harlingen Industrial Park Subdivision No. 4, located north of Millenium Drive, approximately 688.85 feet east of FM 509. Applicant: Emiliano Rosel c/o Whiting Investments Ltd.



Boundary lines

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

Zone Map

- General Retail (GR)
- Heavy Industry (HI)
- Light Industry (LI)
- 3/4 Plex Residential (M1)

Zoning Designations

- Multi Family Residential (M2)
- Mobile Home Residential (MH)
- Not-Designated (N)
- Neighborhood Services (NS)
- Office (O)
- Planned Development (PD)
- Single Family Residential (R1)
- 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 09.26.2025

ORDINANCE NO. 25-_____

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HARLINGEN BY ANNEXING, FOR FULL PURPOSE, A 4.50 ACRE TRACT OF LAND OUT OF LOT 5, BLOCK 1, HARLINGEN INDUSTRIAL PARK NO. 4, LOCATED NORTH OF MILLENIUM DRIVE, APPROXIMATELY 688.85 FEET EAST OF FM 509 AND TO ESTABLISH THE INITIAL ZONING OF LIGHT INDUSTRY ("LI") DISTRICT; 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 4.50 acres of land out of Lot 5, Block 1, Harlingen Industrial Park No. 4 and to establish the initial zoning of Light Industry ("LI") District 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, in accordance with Texas Local Government Code, Chapter 43, Subchapter C-3, Section 43.0672, the City has negotiated and entered into a written agreement with the owner of the Property regarding the provision of services to the Property upon annexation, of which the applicable annexation services agreement and schedule is attached hereto and incorporated herein as Exhibit "B," and

WHEREAS, the City Commission provided public notice and held public hearings on October 14, October 20, and November 5, 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 20th day of October 2025

APPROVED, PASSED, AND ADOPTED ON SECOND AND FINAL READING on this 5th
day of November 2025

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

EXHIBIT "A"

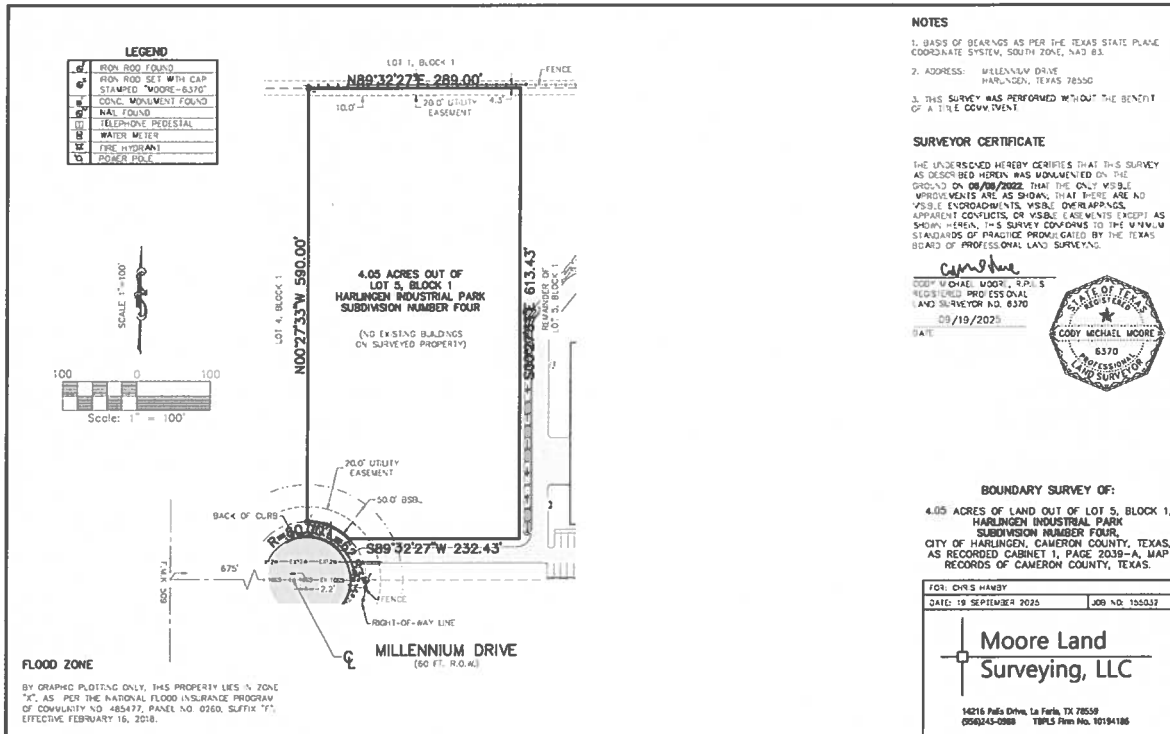


EXHIBIT "A"

Moore Land Surveying, LLC

14216 Palis Drive, La Feria, TX 78559

(956)245-0988

TBPLS Firm No. 10194186

September 19, 2025

METES AND BOUNDS 4.05 ACRES OF LAND

BEING 4.05 ACRES OF LAND, out of Lot 5, Block 1, Harlingen Industrial Park Subdivision Number Four, City of Harlingen, Cameron County, Texas, as recorded in Cabinet 1, Page 2039-A, Map Records of Cameron County, Texas; said 4.05 acres of land being more particularly described by metes and bounds as follows:

Commencing at an iron rod found for the Southwest corner of Lot 5, Block 1, for the Southwest corner and **POINT OF BEGINNING** of the tract herein described;

- 1) **THENCE NORTH 00 DEG. 27 MIN. 33 SEC. WEST** a distance of **590.00 FEET** to an iron rod found, for the Northwest corner of the tract herein described;
- 2) **THENCE NORTH 89 DEG. 32 MIN. 27 SEC. EAST** a distance of **289.00 FEET** to a point, for the Northeast corner of the tract herein described;
- 3) **THENCE SOUTH 00 DEG. 27 MIN. 33 SEC. EAST** a distance of **613.43 FEET** to a point, for the Southeast corner of the tract herein described;
- 4) **THENCE SOUTH 89 DEG. 32 MIN. 27 SEC. WEST** a distance of **232.43 FEET** to the point of curvature of a curve to the left, for a corner of the tract herein described;
- 5) **THENCE** along said curve to the left, with a radius of **80.00 FEET**, an arc length of **62.83 FEET**, and a central angle of **45 DEG. 00 MIN. 00 SEC.**, with a chord bearing of North 67 Deg. 57 Min. 33 Sec. West a distance of 61.23 feet to the **POINT OF BEGINNING**; Containing 4.05 acres of land within these metes and bounds.

Basis of bearings are as per the Texas State Plane Coordinate System, South Zone, NAD 83.


Cody Michael Moore, R.P.L.S.
Registered Professional Land Surveyor No. 6370




Date

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 4.50 acres of land out of Lot 5, Block 1, Harlingen Industrial Park Subdivision No. 4, 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.

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(d)

Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to approve a variance to the City of Harlingen Code of Ordinances to allow one instead of two required entrances for the proposed Horseshoe Pointe Subdivision, located in the 3.5-mile ETJ, on the south side of Morris Road, approximately 2,095.97 feet southwest of S. Ed Carey Drive. Applicant: Melden & Hunt, Inc. c/o Leonard P. Simmons III & Mary Beth Simmons. Attachment (**Planning & Development**)

Prepared By: Ana Hernandez, AICP, CNU-A
Title: Planning and Development Director/
Special Projects Director
Signature: *Ana Hernandez*

Brief Summary:

Project Timeline

- June 26, 2025 – Original preliminary and final plat application and subdivision application submitted to the City.
- July 17, 2025 – Letter sent to applicant outlining deficiencies; application deemed incomplete.
- July 25, 2025 – Original preliminary and final plat application and subdivision application submitted to the City.
- July 29, 2025 – Letter sent to applicant outlining deficiencies; application deemed incomplete.
- August 4, 2025 – Original preliminary and final plat application and subdivision application submitted to the City.
- August 11, 2025 – Letter sent to applicant outlining deficiencies; application deemed incomplete.
- August 8, 2025 – Original preliminary and final plat application and subdivision application submitted to the City. (**Submittal was cancelled due to insufficient information being submitted**)
- August 15, 2025 – Original preliminary and final plat application and subdivision application submitted to the City.
- August 26, 2022 – Letter sent to applicant outlining deficiencies; application deemed incomplete.
- September 8, 2025 – Variance application submitted to the City. (**ATTACHMENT I**)
- September 23, 2025 – Consideration of variance request by the Planning and Zoning Commission.
- October 6, 2025 – Consideration of variance request by the City Commission. Item was tabled.
- October 20, 2025 - Consideration of variance request by the City Commission.

Summary:

- The developer is requesting a variance from City of Harlingen Code of Ordinances Section 109-124(c)(9) regarding the required access points for a residential subdivision. The ordinance requires that any subdivision with 30 or more lots must provide a minimum of two entrances, and shall be placed a distance apart equal to not less than one half the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses. Due to site constraints, the developer is proposing two access points, but is unable to meet the distance requirements.
- According to the Master Plan submitted for the proposed Horseshoe Pointe Subdivision, the subdivision will consist of 390 single family residential lots and common areas consisting of parks and open spaces to be developed in 4 phases. The proposed subdivision will have two access points along Morris Road, 160 feet apart, and future stub outs to the west and south of the property for future connections. In addition, the developer is proposing a wider street at the intersection of the two access points to improve traffic circulation within the subdivision.
- The land to the south and east is developed with single-family homes, and the property to the west is Horseshoe Lake, which will serve as regional detention.

- The variance request was reviewed by both the Engineering Department and the Fire Prevention Bureau. The Engineering Department recommends approval of the request, while the Fire Prevention Bureau recommends denial.
- In accordance with Section 109-27(c) of the Harlingen Code of Ordinances, no variance shall be recommended unless the Planning and Zoning Commission finds:
 - There are special circumstances or conditions affecting the land involved such that a strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land; and
 - The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
 - The granting of the variance will not be detrimental to the public health, safety, or welfare, or injurious to other property owners in the area; and
 - The granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with this chapter.
 - In addition, Section 109-27(d), states "Financial hardship to the subdivider, standing alone, shall not be deemed to constitute undue hardship."
 - A majority vote of the City Commission shall be required to override a recommendation for/against the variance from P&Z Commission.

Staff Recommendation:

Staff recommends approval of the variance as:

1. The request complies with the finding outlined in Section 109-27(c) of the Harlingen Code of Ordinances;
2. The subject property is an irregular shaped tract of land surrounded by developed property to the south and with limited frontage on a perimeter street to accommodate the required distance between the two access points proposed in the subdivision;
3. The developer is proposing a stub out connection to the north and west where there is undeveloped land for future connections; and
4. The City Engineer is recommending approval of the variance request.

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

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 DEVELOPMENT DEPARTMENT MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address TBD Nearest Intersection Morris Road & W. New Hampshire Road
(Proposed) Subdivision Name Horseshoe Pointe Subdivision Lot _____ Block 65,66 & 72
Existing Zoning Designation _____ Future Land Use Plan Designation Residential

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Melden & Hunt, Inc. Phone (956) 381-0981 FAX _____
Email Address (for project correspondence only): mario@meldenandhunt.com
Mailing Address 115 W. McIntyre Street City Edinburg State TX Zip 78541
Property Owner Leonard & Mary Beth Simmons Phone c/o (956) 381-0981 FAX _____
Email Address (for project correspondence only): c/o mario@meldenandhunt.com
Mailing Address 19573 Simmons Road City San Benito State TX Zip 78586

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

- | | |
|---|---|
| ☐ Annexation Request..... <u>No Fee</u> | ☐ Preliminary Construction Plans and Final Plat..... <u>\$150.00</u> |
| ☐ Administrative Appeal (ZBA)..... <u>\$125.00</u> | ☐ Minor Plat..... <u>\$100.00</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>\$250.00</u> |
| ☐ SUP Request/Renewal..... <u>\$250.00</u> | ☐ Development Plat..... <u>\$50.00</u> |
| ☐ Zoning Variance Request (ZBA)..... <u>\$250.00</u> | ☒ Subdivision Variance Request..... <u>\$25.00 (each)</u> |
| ☐ PDD Request..... <u>\$250.00</u> | ☐ Right-of-Way / Utility Easement Abandonment..... <u>No Fee</u> |
| ☐ License to Encroach..... <u>\$250.00</u> | |

Please provide a basic description of the proposed project: _____

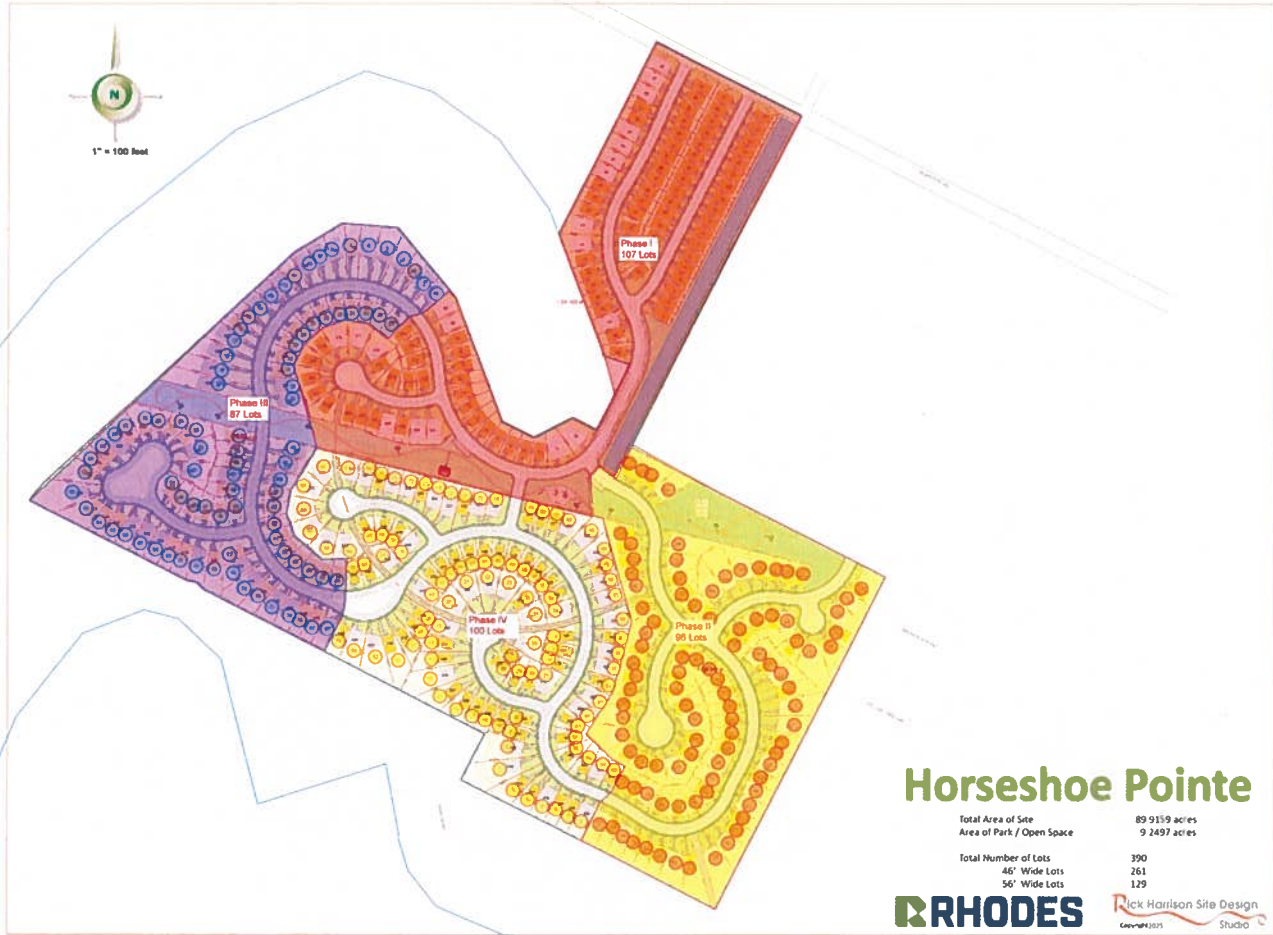
I hereby certify that I am the owner and/or duly authorized agent of the owner for the purposes of this application. I further certify that I have read and examined this application and know the same to be true and correct. If any of the information provided on this application is incorrect the permit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

Applicant's Signature: _____ Date: 9-5-25

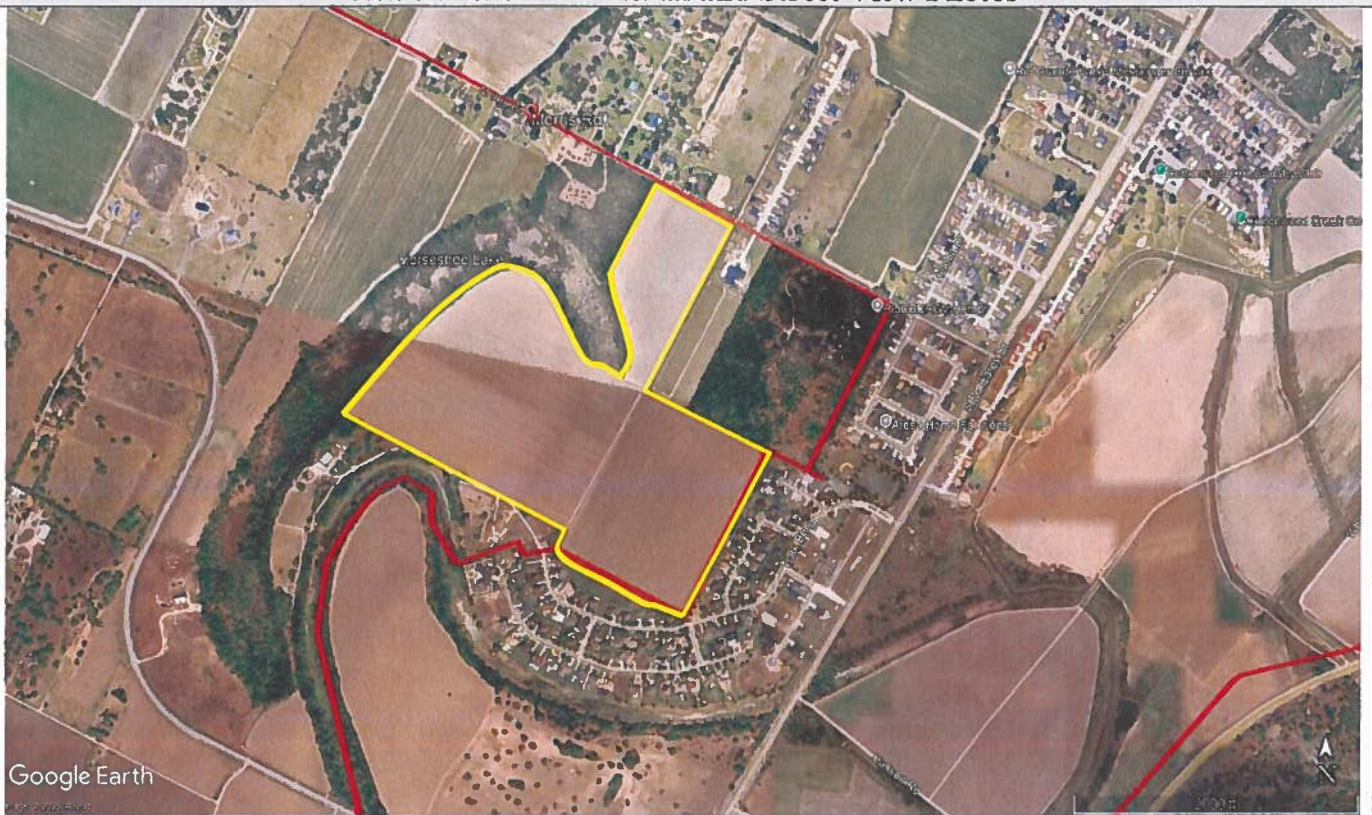
Property Owner(s) Signature: _____ Date: _____

Accepted by: _____ Date: _____

Attachment II —Final Plat



Attachment III — Aerial and Street View Photos



Attachment IV — Variance Request Letter



TBPELS Firm # F-1435
TBPELS # 10096900

MELDEN & HUNT INC.

CONSULTANTS • ENGINEERS • SURVEYORS

MARIO A. REYNA • ALLAN F. BOOE • ROBERTO N. TAMEZ • RUBEN JAMES DE JESUS • MICHAEL HERNANDEZ

August 29, 2025

Ana Hernandez, Director of Planning
City of Harlingen
502 E. Tyler Ave.
Harlingen, Texas 78550

Re: Horseshoe Pointe Planned Development

Dear Ms. Hernandez:

As engineers of record for the Horseshoe Pointe Subdivision, we hereby submit the Master Plan and rezoning for said subdivision. The development is proposed as a 390 single family home subdivision developed over four phases.

As part of the Planned Development zoning, and in accordance with our Master Plan submittal, we respectfully request variances from the following City of Harlingen Subdivision and Zoning ordinances:

- 1) Sec 111-118 (2) Minimum lot frontage of 50 ft. for R-1
- 2) Sec109-124 (c) (9) 2 Access points for developments with more than 30 lots
- 3) Sec 111-118 (1) 6,000 sq. ft. minimum lot size in R-1
- 4) Sec 111-118 (3) 100 ft. minimum lot depth in R-1
- 5) Sec 109-124(c)(11) Maximum block length of 1,320 ft.
- 6) Sec109-124(c)(8) Maximum cul-de-sac street length of 1,300 ft.

We are committed to creating a high-quality development and would very much appreciate the opportunity for a master approval of our development. Do not hesitate to reach out if you have any questions.

Sincerely,

Mario Reyna, P.E. President
Melden & Hunt, Inc.
(956) 381-0981



Subdivision Variance Request Routing Slip

Applicant: Melden and Hunt

Phone No.: (956) 381-0981

Location: South of Morris Road, approximately 2,095.97 feet southwest of S. Ed Carey.

Variance Request: Consideration and possible action to recommend to the City Commission a variance to the City of Harlingen Code of Ordinances to allow one instead of two required entrances for the proposed Horseshoe Pointe Subdivision, located in the 3.5-mile ETJ, on the south side of Morris Road, approximately 2,095.97 feet southwest of S. Ed Carey Drive.

Applicant: Melden & Hunt, Inc. c/o Leonard P. Simmons III & Mary Beth Simmons.

Department: Fire Prevention Bureau

Approval: YES X NO

Comments: As per Sec. 109-124(c)(9) access points, any residential subdivision with 30 or more lots must have a minimum of two points of access entrances. Where two are entrances are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr.

Date: September 17, 2025



SUBDIVISION VARIANCE REQUEST ROUTING SLIP

Applicant: Melden and Hunt

Phone No.: 956-381-0981

Variance Request: Consideration and possible action to recommend to the City Commission a variance to the City of Harlingen Code of Ordinances to allow one instead of two required entrances for the proposed Horseshoe Pointe Subdivision, located in the 3.5-mile ETJ, on the south side of Morris Road, approximately 2,095.97 feet southwest of S. Ed Carey Drive.
Applicant: Melden & Hunt, Inc. c/o Leonard P. Simmons III & Mary Beth Simmons

Location: South of Morris Road, approximately 2,095.97 feet southwest of S. Ed Carey

Department: ENGINEERING DEPT

Approval: ☒ YES ☐ NO

Comments: This development is providing future stub out connections to the west and north in areas where there is undeveloped land. We did not request for street connection south or east due to already existing homes.

Signature

Roberto Hernandez

Date

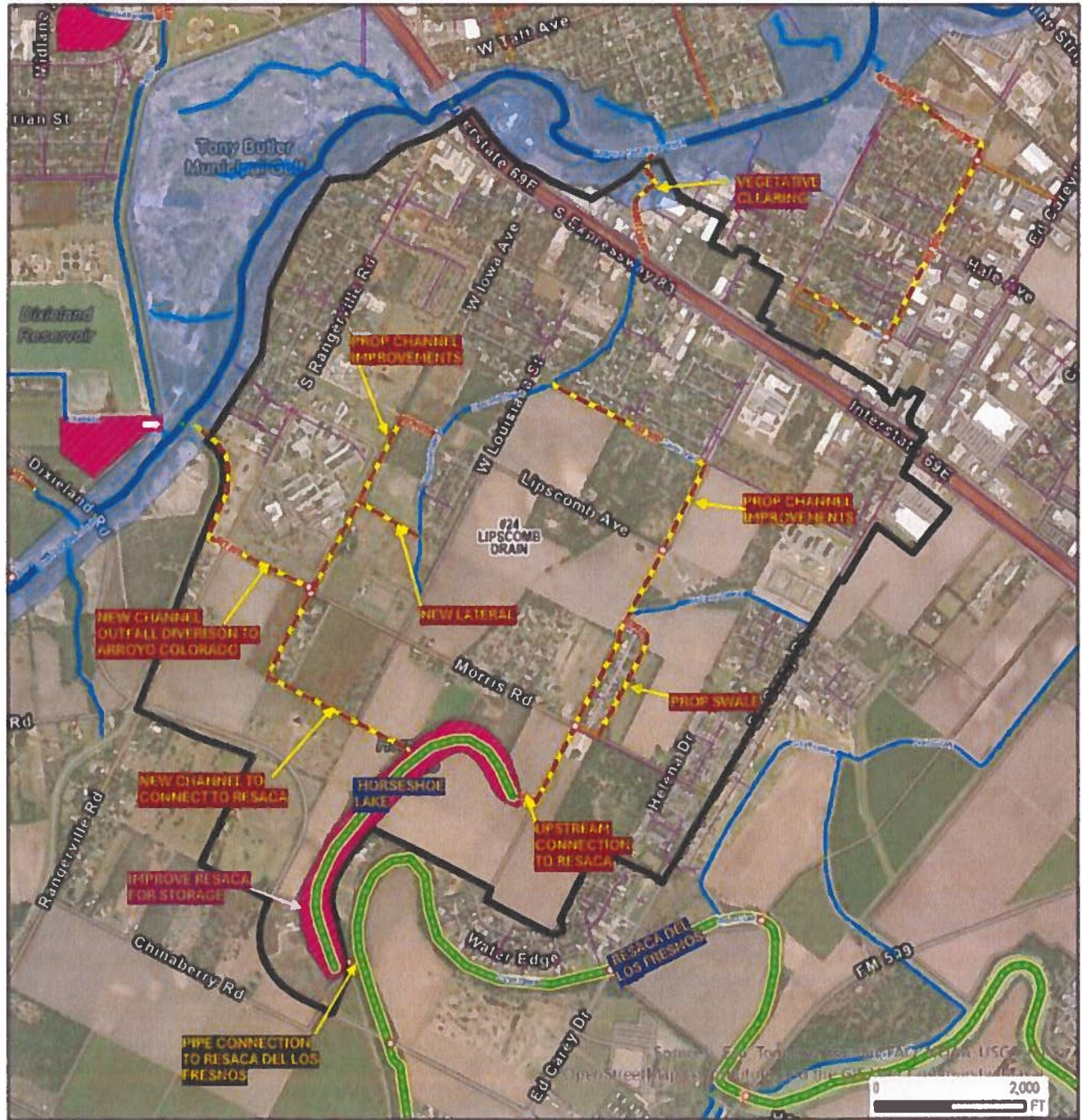
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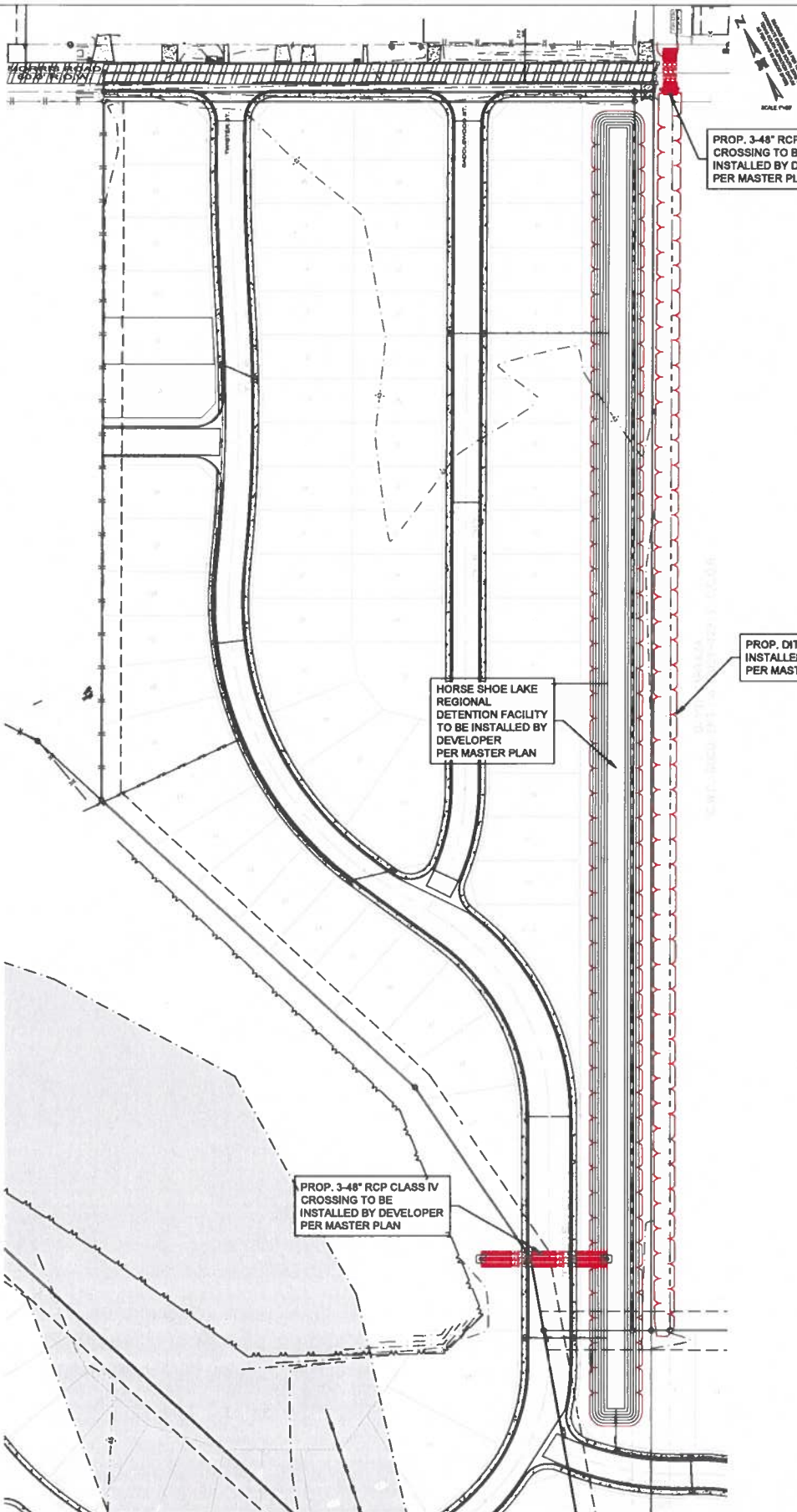
Horseshoe Pointe

List of Exhibits:

1. Drainage Improvements Service Area
2. Storm System Developer Improvements
3. Lift Station Service Area
4. Traffic Impact Analysis (TIA) Summary
5. Morris Road Roadway Developer Improvements
6. Future Roadway Connectivity
7. Horseshoe Pointe Local Road Detail
8. Community Brochure
9. Floor Plans
10. City Tax Revenue

DRAINAGE IMPROVEMENTS SERVICE AREA





PROP. 3-48" RCP CLASS IV
CROSSING TO BE
INSTALLED BY DEVELOPER
PER MASTER PLAN

PROP. DITCH CHANNEL
INSTALLED BY DEVELOPER
PER MASTER PLAN

HORSE SHOE LAKE
REGIONAL
DETENTION FACILITY
TO BE INSTALLED BY
DEVELOPER
PER MASTER PLAN

PROP. 3-48" RCP CLASS IV
CROSSING TO BE
INSTALLED BY DEVELOPER
PER MASTER PLAN



LIFT STATION SERVICE AREA
approx. 311.54 Acres



Horseshoe Subdivision
City of Harlingen
Cameron County, Texas

Lift Station
Service Area Map

M **MELDEN & HUNT INC.**
CONSULTANTS • ENGINEERS • SURVEYORS
115 W. MORTYRE
EDINBURG, TX 78541
TEL: (361) 341-4461
FAX: (361) 341-1438
ESTABLISHED 1947
www.meldenandhunt.com
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Summary and Recommendations

Traffic Signals:

A traffic signal is not warranted at the intersections of Morris Road & Rangerville Road nor Morris Road & S Ed Carey Drive as indicated by the Warrant 2 (Four-Hour Volume) and Warrant 3 (Peak Hour Volume) studies under 2028 full buildout projected traffic conditions (background traffic plus site generated traffic from 390 single-family residential lots).

Recommendation:

No traffic signal infrastructure should be installed for any intersection.

Driveway Spacing:

Table 2-2 of the TxDOT Access Management Manual recommends a minimum spacing of 200 feet for driveways along roadways with a 30-mph posted speed limit. Both proposed Horseshoe Pointe driveways along Morris Road provide greater than 200 feet of separation, satisfying minimum connection spacing criteria.

(See "Reference Tables – TxDOT Access Management Manual" on next page.)

Recommendation:

Approve both driveways as proposed.

Deceleration Lanes:

Per Table 2-3 of the TxDOT Access Management Manual, a dedicated right-turn deceleration lane is not warranted due to projected turning volumes being less than 60 vph per driveway.

(See "Reference Tables – TxDOT Access Management Manual" on next page.)

Recommendation:

Do not construct deceleration lanes, as projected volumes do not meet the recommended TxDOT thresholds.

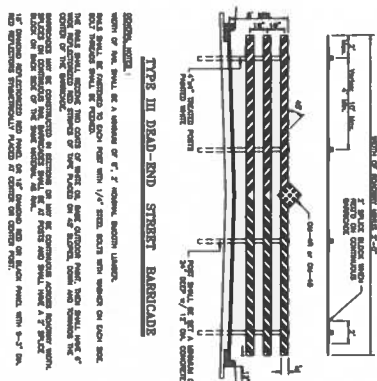
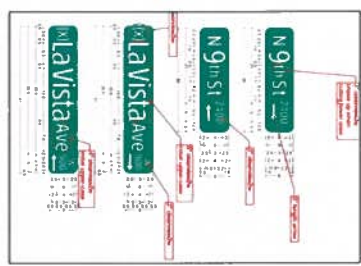
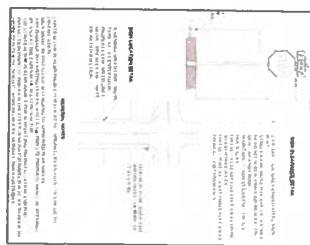
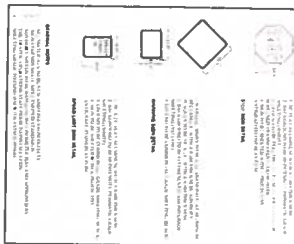
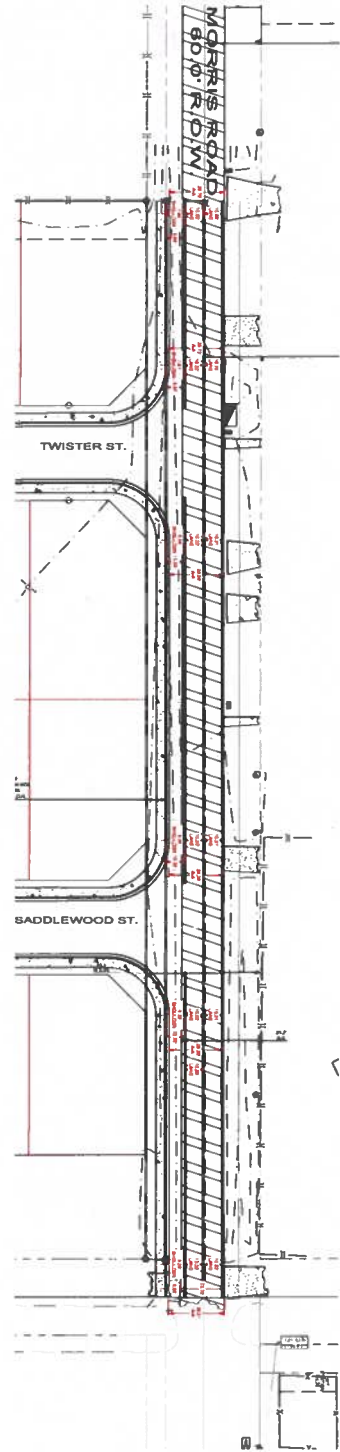
Acceleration Lanes:

Acceleration lanes are only recommended when outbound right-turn volumes exceed 200 vph, per TxDOT Access Management Manual guidance. Projected right-turn egress volumes from the site remain well below this threshold.

(See "Reference Tables – TxDOT Access Management Manual" on next page.)

Recommendation:

Do not construct acceleration lanes, as projected outbound right-turn volumes do not meet the TxDOT thresholds.



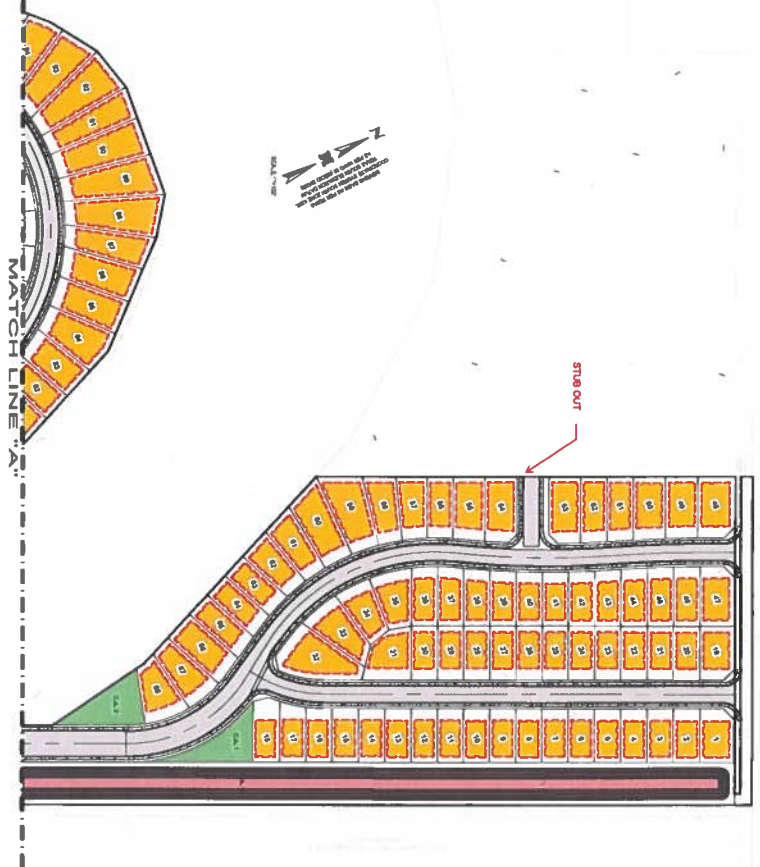
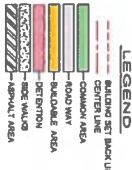
MORRIS ROAD EXPANSION EXHIBIT

HORSESHOE COVES
PHASE I SUBDIVISION
MCALLEN, TEXAS

THIS DOCUMENT IS RELEASED
FOR THE PURPOSE OF PROVIDING
INFORMATION TO THE PUBLIC.
IT IS NOT TO BE USED FOR CONSTRUCTION,
BIDDING OR PERMIT PURPOSES.

ENG. TECH. JUAN G.
PROJECT ENG. MARIO REYNA
1-BOOK
1. RELEASE DATE.
2. RELEASE DATE.
3. RELEASE DATE.
SCALE

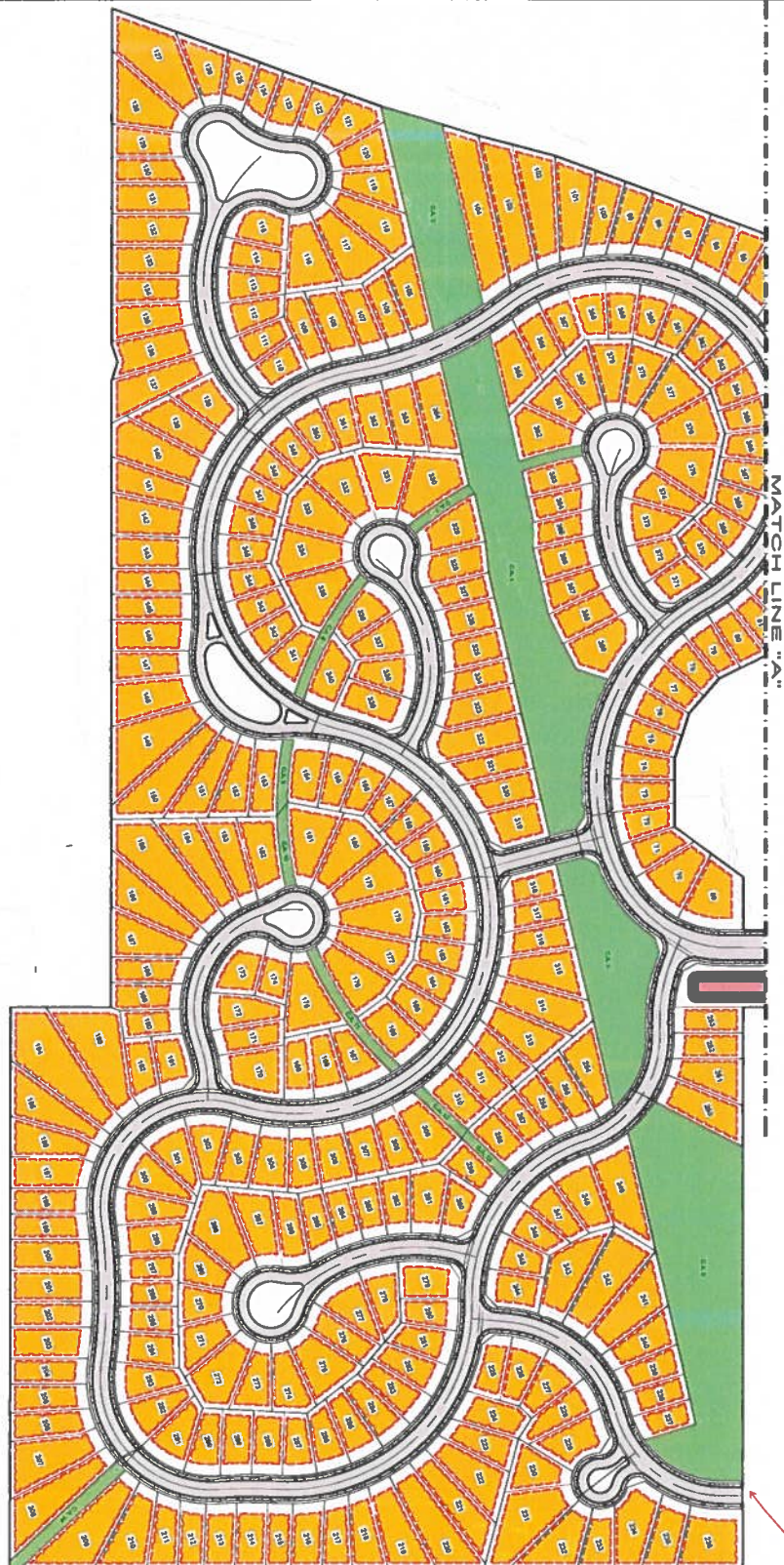
110 W. AUSTIN, CORPUS CHRISTI, TEXAS 78401
PH: (361) 381-0001 - FAX: (361) 381-1839
ESTABLISHED 1947 - www.meldenandhunt.com



GENERAL NOTES:

1. THIS SUBDIVISION IS LOCATED IN A FLOOD ZONE "X" (UNDESIGNED) AND FLOOD ZONE "V" (DESIGNED) AS SHOWN ON THE FLOOD HAZARD MAP. THE FLOOD HAZARD MAP IS A PUBLIC DOCUMENT AND IS AVAILABLE FOR VIEWING AT THE TARRANT COUNTY CLERK'S OFFICE, 1000 WEST 10TH STREET, FORT WORTH, TEXAS 76102. THE FLOOD HAZARD MAP IS DATED FEBRUARY 10, 2011.
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Lot Area Table	Lot Area Table	Lot Area Table	Lot Area Table	Lot Area Table	Lot Area Table
1. 100.00	2. 100.00	3. 100.00	4. 100.00	5. 100.00	6. 100.00
7. 100.00	8. 100.00	9. 100.00	10. 100.00	11. 100.00	12. 100.00
13. 100.00	14. 100.00	15. 100.00	16. 100.00	17. 100.00	18. 100.00
19. 100.00	20. 100.00	21. 100.00	22. 100.00	23. 100.00	24. 100.00
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91. 100.00	92. 100.00	93. 100.00	94. 100.00	95. 100.00	96. 100.00
97. 100.00	98. 100.00	99. 100.00	100. 100.00		



STUB OUT



LEGEND

	BUILDING SET BACK LINE
	CENTER LINE
	COMMON AREA
	ROAD WAY
	BUILDABLE AREA
	DETENTION
	BOGE WALLS
	ASPHALT AREA

[illegible]

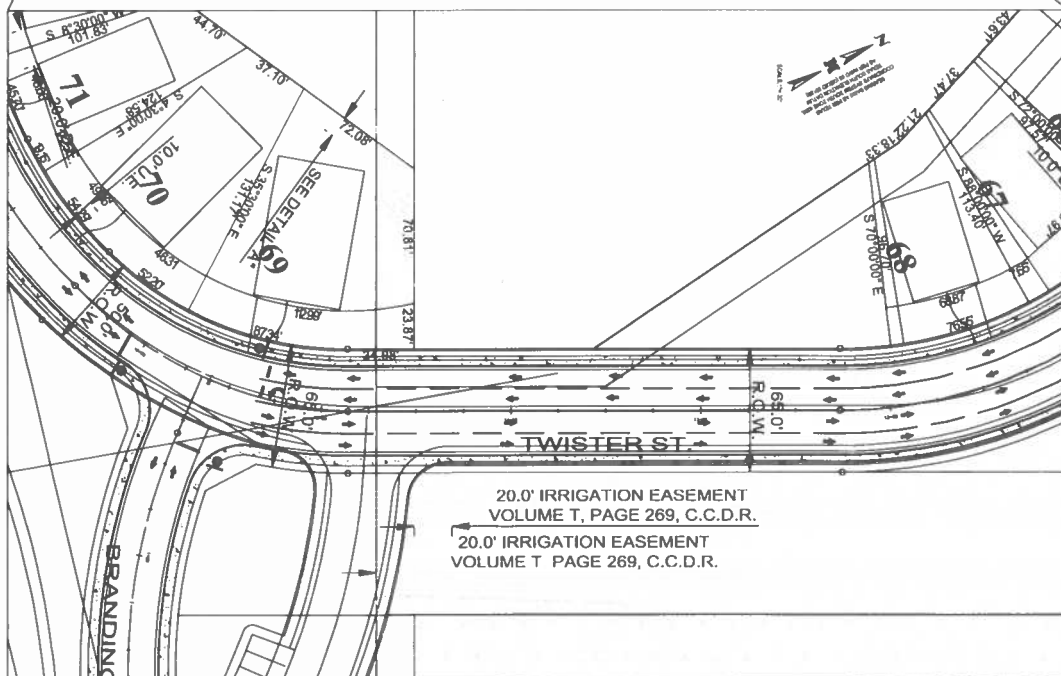
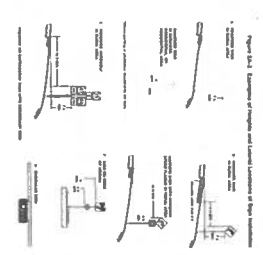
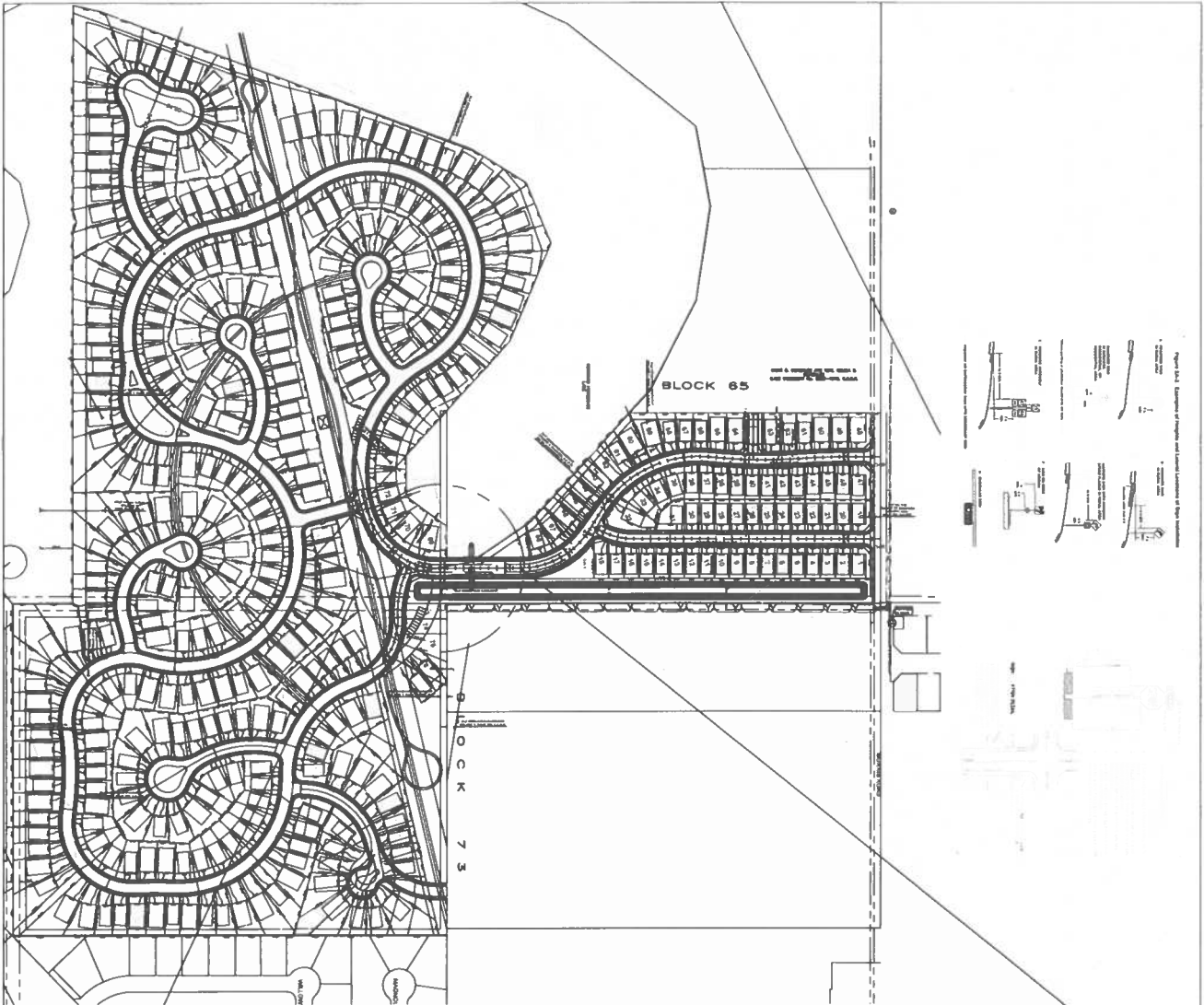
PDD LAYOUT

HORSESHOE POINTE
MASTER SUBDIVISION
HARLINGEN, TEXAS

THIS DOCUMENT IS RELEASED
FOR THE PURPOSE OF FITTING
REVIEW UNDER THE AUTHORITY
OF BARBARA A. REYNOLDS, P.E. 11730
ON APRIL 28, 2025, IT IS NOT
TO BE USED FOR CONSTRUCTION
DRAWING OR PERMIT PURPOSES

ENG. TECH	JUAN G.
PROJECT ENG	MARCO REYNALDO
T-BOOK	
1. RELEASE DATE	
2. RELEASE DATE	
3. RELEASE DATE	
SCALE	

M
McIntyre • Fox • Hunt





Horseshoe Pointe

Harlingen, Texas

HORSESHOE POINTE

Discover the perfect blend of comfort, convenience, and community at Horseshoe Pointe, coming soon to Harlingen, Texas. Located off Ed Carey Dr. on Morris Rd. and W. New Hampshire, this vibrant new community will feature 390 homesites designed for families and outdoor enthusiasts alike.

Horseshoe Pointe offers a lifestyle that's second to none. The community will include an on-site playground, dog park, basketball court, as well as green spaces and walking trails to enjoy the great outdoors.

It is perfectly situated for easy access to everything you need. It is close to Interstate Highway 69 E and just minutes from Valley Baptist Medical Center, grocery stores, restaurants, and retail. The community is also zoned to Harlingen Consolidated Independent School District (HCISD), making it an excellent choice for families.

For those who love the outdoors, Horseshoe Pointe is surrounded by natural beauty and recreational opportunities. It is located next to Horseshoe Lake, perfect for fishing, and near the Arroyo Colorado Trail for hiking and biking. City parks and green spaces are also nearby, offering even more ways to enjoy the Rio Grande Valley lifestyle.

Recognized as one of the top 100 home builders in the United States by Builder Magazine, Esperanza Homes is dedicated to bringing beautifully designed new homes that are energy-efficient, equipped with smart home technology, and built to deliver real value for families in South Texas.

Don't miss out on this exciting new community!

- Single-Family Homes
- 390 Homesites
- Community Park
- Basketball Court
- Dog Park
- Smart Home Technology
- Award-Winning Construction
- Energy Efficient
- Walking Trails
- Fiber to the Home
- Harlingen CISD
- Green Spaces



Esperanza



NEARBY AMENITIES



Valley Baptist Medical Center



Shopping & Entertainment



Arroyo Colorado Hike & Bike Trail



Restaurants & Grocery Stores



CONTACT US :

Nick Rhodes

President & CEO

nick@rhodes.com

Mike Rhodes

Co-Founder, Board of Directors

mike@rhodes.com

Brad Frisby

Vice President of Land Development

bfrisby@rhodes.com



rhodes.com

Call or Text 956-275-8069 or
Visit our Sales Office Monday - Sunday for more info!



Horseshoe Pointe
Available Floor Plans



Indigo
From \$234,990
1,234 sqft • 3 bedrooms • 2 baths
1.0 story • 2 car garage



San Luis
From \$242,990
1,443 sqft • 3 bedrooms • 2 baths
1.0 story • 2 car garage



Marigold
From \$246,990
1,483 sqft • 3 bedrooms • 2 baths
1.0 story • 2 car garage



Bahia
From \$247,990
1,485 sqft • 3 bedrooms • 2 baths
1.0 story • 2 car garage



Paloma
From \$256,990
1,496 sqft • 3 bedrooms • 2 baths
1.0 story • 2 car garage



Encino
From \$263,990
1,740 sqft • 3 - 4 bedrooms • 2 - 3 baths
1.0 story • 2 car garage



Iris
From \$271,990
1,821 sqft • 3 - 4 bedrooms • 2.5 baths
2.0 stories • 2 car garage



Jasmine
From \$274,990
1,784 sqft • 3 - 4 bedrooms • 2.5 baths
2.0 stories • 2 car garage



Juniper
From \$301,990
2,328 sqft • 3 - 5 bedrooms • 2.5 - 4 baths
2.0 stories • 2 car garage



Hickory
From \$305,990
1,797 sqft • 3 - 4 bedrooms • 2.5 - 3 baths
1.0 story • 2 car garage



Pecan
From \$312,990
1,933 sqft • 3 - 4 bedrooms • 2 - 3.5 baths
1.0 story • 2 car garage



Mulberry
From \$322,990
2,049 sqft • 3 - 4 bedrooms • 2.5 - 3 baths
2.0 stories • 2 car garage



Esperanzahomes.com

All terms, prices, and conditions are subject to change without notice. All sizes of homes are approximate. We reserve the right to alter designs, specifications, and finish materials without notice. (v102801).





Horseshoe Pointe Available Floor Plans



Oak
From \$331,990
2,254 sqft • 3 - 4 bedrooms • 2 - 3.5 baths
1.0 story • 2 car garage



Luna
From \$334,990
2,279 sqft • 3 - 4 bedrooms • 2.5 - 3 baths
1.0 story • 2 car garage



Magnolia
From \$342,990
3,037 sqft • 5 - 6 bedrooms • 3.5 baths
2.0 stories • 2 car garage



Hackberry
From \$342,990
2,331 sqft • 3 - 5 bedrooms • 2.5 - 3 baths
2.0 stories • 2 car garage



Francisco I
From \$344,990
2,208 sqft • 3 - 4 bedrooms • 2 - 3 baths
1.0 story • 2 car garage



Elm
From \$361,990
2,571 sqft • 4 - 5 bedrooms • 2.5 - 3 baths
2.0 stories • 2 car garage



Francisco II
From \$389,990
3,044 sqft • 3 - 6 bedrooms • 2.5 - 3 baths
2.0 stories • 2 car garage



Fresno
From \$400,990
3,317 sqft • 4 bedrooms • 3.5 baths
2.0 stories • 2 car garage



Esperanzahomes.com

All terms, prices, and conditions are subject to change without notice. All sizes of homes are approximate. We reserve the right to alter designs, specifications, and finish materials without notice. (v102801).



Harlingen Tax Revenues

Tax Rate \$ 0.52752

Year	Revenues
2025	\$ -
2026	\$ -
2027	\$ 66,354.27
2028	\$ 140,457.00
2029	\$ 253,128.26
2030	\$ 333,906.62
2031	\$ 451,409.94
2032	\$ 539,212.85
2033	\$ 670,522.40
2034	\$ 765,890.05
2035	\$ 812,974.46
2036	\$ 829,233.95
2037	\$ 845,818.63
2038	\$ 862,735.00
2039	\$ 879,989.70
2040	\$ 897,589.50
2041	\$ 915,541.29
2042	\$ 933,852.11
2043	\$ 952,529.15
2044	\$ 971,579.74
2045	\$ 991,011.33
2046	\$ 1,010,831.56
2047	\$ 1,031,048.19
2048	\$ 1,051,669.15
2049	\$ 1,072,702.54
2050	\$ 1,094,156.59
2051	\$ 1,116,039.72
2052	\$ 1,138,360.51
2053	\$ 1,161,127.72
2054	\$ 1,184,350.28
2055	\$ 1,208,037.28
TOTAL	\$ 24,182,059.79



Honorable Mayor and Commissioners,

On behalf of Rhodes Development, the developer of the proposed Horseshoe Pointe community located on the south side of Morris Road, west of Ed Carey Drive, we appreciate the opportunity to provide additional context regarding our project and to address several concerns raised during the October 6th City Commission meeting.

Project Overview

The Horseshoe Pointe Master Plan envisions a thoughtfully designed, four-phase, 389-lot single-family residential community. Originally located within the County, the property is being voluntarily annexed into the City of Harlingen—a decision made by Rhodes Development to align with the City's long-term growth objectives and to contribute to its continued housing diversity.

From the outset, our design priorities have centered on safety, efficient drainage, and reliable access. Each component of the plan was developed around these priorities, while also accommodating site-specific constraints such as the property's unique shape, adjacency to existing neighborhoods, and proximity to Horseshoe Lake, which limits the placement of certain features like entrances and internal streets.

We understand that questions were raised concerning drainage, traffic, and entrance spacing along Morris Road. The following sections provide additional clarification on each item.

Drainage and Infrastructure

All developments within the City of Harlingen are required to prepare and submit a drainage report for review and approval by the City Engineer. Our approved drainage report (attached) confirms that the Horseshoe Pointe project will enhance surrounding properties.

Additionally, the planned improvements to Horseshoe Lake will provide regional drainage benefits, increasing storage and outfall efficiency beyond the limits of our subdivision. These enhancements represent a long-term investment in local infrastructure that will improve conditions for neighboring developments as well.

Traffic and Accessibility

An independent Traffic Impact Analysis (TIA), prepared by KCI Engineering, evaluated projected traffic volumes and circulation patterns associated with Horseshoe Pointe.



The study concluded that:

1. The subdivision will not significantly impact surrounding roadways;
 2. Both proposed driveways function safely and efficiently as designed; and
 3. No additional traffic signals or turn lanes are required, even at full build-out (anticipated by 2035).
- A copy of the full TIA is attached for your reference.

Entrances and Emergency Access

We recognize and respect the City's standards regarding entrance spacing and connectivity. However, the site's geometry and surrounding context present unique challenges.

- To the east and southeast, existing subdivisions limit opportunities for direct access.
- To the southwest, Horseshoe Lake forms a natural boundary.
- To the west, undeveloped tracts remain without established connections.

When Water's Edge was constructed, no stub-outs were provided for future roadway linkages, further constraining options for direct connectivity.

Rhodes Development has taken proactive steps to enhance safety and long-term access:

1. A stub-out to the west will be constructed during Phase I to allow future interconnection when the adjacent tract develops.
2. A stub-out to the northeast is also planned, connecting to a parcel with potential for future residential development.
3. Along the property's Morris Road frontage, we are dedicating 60 feet of total right-of-way and widening the pavement to 47 feet, exceeding City standards to ensure safe emergency vehicle access. A cross-section exhibit is attached.

Community and Economic Impact

Rhodes Development has executed an Annexation Agreement with the City, approved on September 17th. At full build-out, Horseshoe Pointe will represent an estimated \$125 million investment in Harlingen's housing market and local tax base, with homes projected to average approximately \$325,000.

Once horizontal construction is complete, homebuilding is projected to begin in the first quarter of 2027. We anticipate completing approximately 20 homes during 2027, followed by 50 homes per year thereafter until the subdivision reaches full build-out. This measured pace of development not only aligns with projected market demand but also allows sufficient time for potential future roadway connections to be established through the planned stub-outs, further improving overall connectivity and emergency access within the area as adjoining tracts develop.



Further, in partnership with the Harlingen Water Works System, we will construct a regional sewer lift station along Morris Road to expand system capacity and support additional future growth throughout this corridor.

Closing Statement

Safety and community quality remain our foremost priorities through every phase of design, engineering, and construction. We take seriously our responsibility to deliver neighborhoods that are attractive, functional, and enduring—places that strengthen Harlingen's long-term growth and livability.

We respectfully request your favorable consideration of the variance currently before you and look forward to presenting our Planned Development proposal in the coming weeks.

Sincerely,

Brad Frisby
Vice President, Land Development
Rhodes Development
(956) 451-1447



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Further, in partnership with the Harlingen Water Works System, we will construct a regional sewer lift station along Morris Road to expand system capacity and support additional future growth throughout this corridor.

Closing Statement

Safety and community quality remain our foremost priorities through every phase of design, engineering, and construction. We take seriously our responsibility to deliver neighborhoods that are attractive, functional, and enduring—places that strengthen Harlingen's long-term growth and livability.

We respectfully request your favorable consideration of the variance currently before you and look forward to presenting our Planned Development proposal in the coming weeks.

Sincerely,

Brad Frisby
Vice President, Land Development
Rhodes Development
(956) 451-1447

MEMORANDUM

From: Ana Hernandez, AICP, CNU-A, Planning and Development Director/Special Projects Director

To: Mayor and City Commissioners

Re: Horseshoe Pointe Variance Request Background and Findings

This memo provides an updated staff analysis and recommendation regarding the variance request by Melden and Hunt, Inc. for the Horseshoe Pointe Subdivision. The variance was previously presented to the City Commission on October 6, 2025, at which time the item was tabled to allow additional review and clarification of the Fire Marshal's professional opinion concerning public safety. Staff reaffirms that the variance request satisfies the five required findings under Section 109-27 of the Subdivision Ordinance and recommends approval, subject to the conditions outlined in the Recommendation section.

Background

Melden and Hunt, Inc. (the applicant) has requested a variance from **Article V, Section 109-124(c)(9)** of the City's Subdivision Ordinance, which requires for residential subdivisions of 30 or more lots to provide two access points located a minimum distance apart equal to one-half of the subdivision's maximum overall diagonal. The language found in the subdivision ordinance for calculating the distance between two access points comes straight from the International Fire Code (IFC), Appendix D107.1. The IFC requires two separate access roads for larger residential developments (30 lots or more) to ensure that emergency responders always have redundant and unobstructed access in the event one entrance becomes blocked or impassable.

The length diagonal for the Horseshoe Pointe Subdivision (subject property) is approximately 2,988 ft, meaning that the required distance between the two entrances must be at least approximately 1,494 ft. Based on the conceptual design presented by the applicant, the proposed subdivision provides two entrances (access points) along Morris Road, but they do not meet the minimum spacing requirement of 1,494 ft. Originally, the applicant submitted a conceptual design showing the two entrances approximately 160 feet apart. This information was presented to the Planning and Zoning Commission at the September 23, 2025, regular meeting as well as to the City Commission on October 6, 2025. Since then, the applicant has submitted a revised conceptual plan showing the two entrances 200 feet apart.

The subject property is irregularly shaped and severely constrained by existing physical and surrounding development conditions. The primary constraint is **the limited frontage along Morris Road**, a perimeter street classified as a local road (50-60' ROW), which makes it unfeasible to meet the distance requirement between the two access points regardless of how far apart these entrances are located. To the east and south, the subject property is bounded by existing single-family dwellings and private parks maintained by homeowners' associations. The western boundary is largely limited by Horseshoe Lake, with only a 10-acre parcel providing potential frontage. This 10-acre parcel is located to the west of the subject property and facing Morris Road. However, even if this parcel were acquired by the applicant and was used to add one of the entrances at the furthest corner (approximately 1,265 feet), the distance requirement could still not be met.

Given that there are limited alternatives available to the applicant, the applicant is proposing various mitigating measures to curb unintended effects of not meeting the distance requirements including:

1. Widening of the proposed Twister Street (65' ROW) to prevent a choke point where the two internal streets converge. The proposed right-of-way exceeds the minimum local street standard (50-60' ROW).
2. A future stub-out connection on the east boundary to eventually connect to Morris Road if adjacent land is ever developed. This entrance would be located approximately 1,400 ft away from the furthest proposed entrance.
3. A future street connection on the west boundary is to be extended when the adjacent undeveloped parcel fronting Morris Road develops in the future.

Article, II, Variances, Section 109-27 of the subdivision ordinance states that the planning and zoning commission may recommend to the city commission a variance from the subdivision ordinance when, in its opinion, undue hardship will result from requiring strict compliance. It further states that variances may be recommended only when in harmony with the general purpose and intent of the subdivision ordinance so that public health, safety and welfare may be secured and substantial justice done. Financial hardship for the subdivider, standing alone, shall not be deemed to constitute undue hardship. Moreover, the ordinance states that no variance shall be recommended unless the planning and zoning commission considers five (5) required findings (See Table 1).

Prior to the planning and zoning commission meeting, the variance was routed to the Fire Prevention Bureau and Engineering Departments for review and comment. The Engineering Department reviewed and approved the variance.

The Fire Prevention Bureau initially recommended denial of the variance in writing. However, during the September 23, 2025, Planning and Zoning Commission meeting, Planning and Zoning Commissioner Cruz-Velasquez asked Fire Marshal Saucedo if he felt this was enough (referring to the wider street and the future stub-out) to mitigate their concerns about access [during] an emergency, to which Fire Marshal Saucedo responded yes. He also clarified that when he denied the variance, it was not because he was against the project, and that under the Planned Development, they could capture any and all requirements for the project to meet the intent of the code. The Planning and Zoning Commission minutes reflect this clarification.

Based on staff review and the Planning and Zoning Commission's recommendation to approve the variance, the following analysis is offered for the record:

Table 1. Required Findings for Considering Variances Pursuant to Sec. 109-27 (d) (1) through (5)

Required Findings:	Analysis:
(1) There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive	The property's limited frontage along Morris Road creates a unique physical constraint affecting compliance with the spacing requirement. The site is further constrained by Horseshoe Lake to the west and existing

the applicant of the reasonable use of the land	residential development in most directions. These site conditions are not self-created by the applicant but result from the parcels' limited existing frontage and surrounding development constraints. Even if able to acquire the undeveloped 10-acre parcel to the west, compliance with the spacing requirement remains infeasible.
(2) The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant.	The requested variance allows for reasonable subdivision design consistent with surrounding residential development patterns. The subject property is irregularly shaped, which prevents compliance with the distance requirements. If only the tract fronting Morris Road was to be developed to shorten the diagonal length, this would render the rear tracts landlocked and unusable.
(3) The granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area.	The proposed widened internal street, street connection to the west, and future stub-out connection to the east will provide access consistent with the intent of the Subdivision Ordinance. If the variance was to be approved, the Fire Marshal must review and approve the final fire access design prior to plat approval.
(4) The granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the [Subdivision Ordinance].	The variance will not adversely affect the development potential of adjacent properties or nearby properties. Most surrounding properties are already developed.
(5) The granting of the variance will not have the effect of allowing subdivision of land that is inconsistent with chapter 48 of this code pertaining to utility extension policy or with the city's comprehensive plan or master plans for water and sewer infrastructure.	The variance will not have the effect of allowing subdivision of land inconsistent with chapter 48 – Utilities. The developer will pay all required impact fees. The developer plans to install a lift station and complete all required water and sewer infrastructure consistent with Harlingen Water Works water and wastewater master plan.

Recommendation

Staff recommends that the City Commission **approve the variance** from Section 109-124(c)(9), **subject to the following conditions**, which are intended to ensure equivalent levels of fire access and public safety:

1. Fire Marshal Review: Final design shall be reviewed and approved by the Fire Marshal prior to plat approval for all phases.
2. Widened Internal Street: The internal roadway where the two entrances merge shall maintain the minimum width and load capacity required for fire apparatus access.
3. Future Stub-Out: The eastern stub-out shall remain reserved and recorded as a dedicated access easement for future connectivity.
4. Street connection (West): The conceptual master plan, preliminary, and final plats shall show a future street connection along the western boundary, at a minimum.
5. Supplemental measures: The applicant shall implement traffic control, signage, or other safety measures as determined necessary by City staff to ensure safe ingress, egress, and internal circulation for each development phase.

Conclusion

Approval of this variance supports the intent of the Subdivision Ordinance by maintaining public safety while accommodating the unique physical limitations of the site. The variance, as conditioned, preserves substantial justice and ensures safe, functional, and orderly development. The record contains substantial evidence supporting the findings and conditions contained within this memorandum.

Enclosure(s)

Figure 1: Latest Conceptual Layout

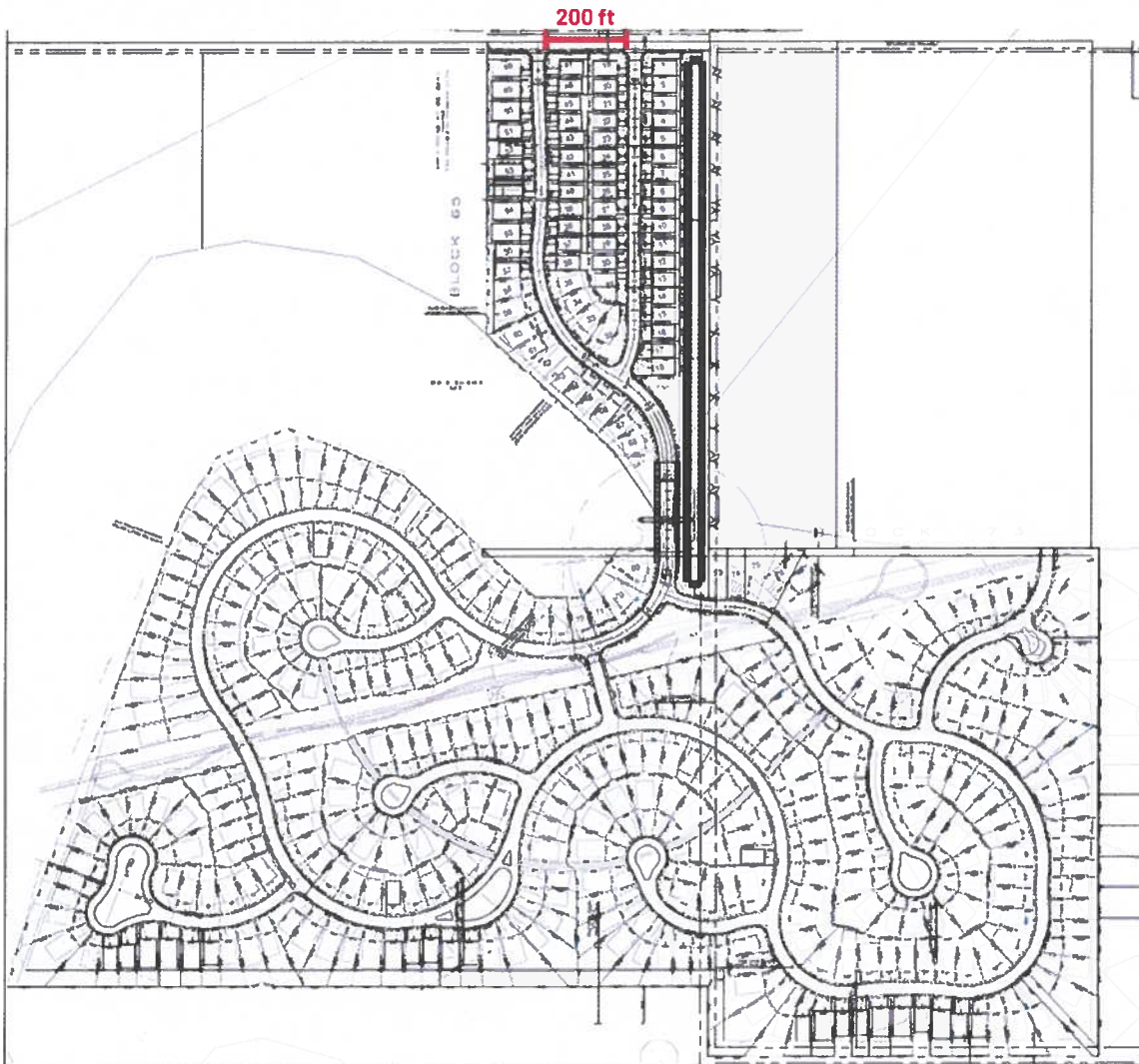


Figure 2: Existing Land Uses

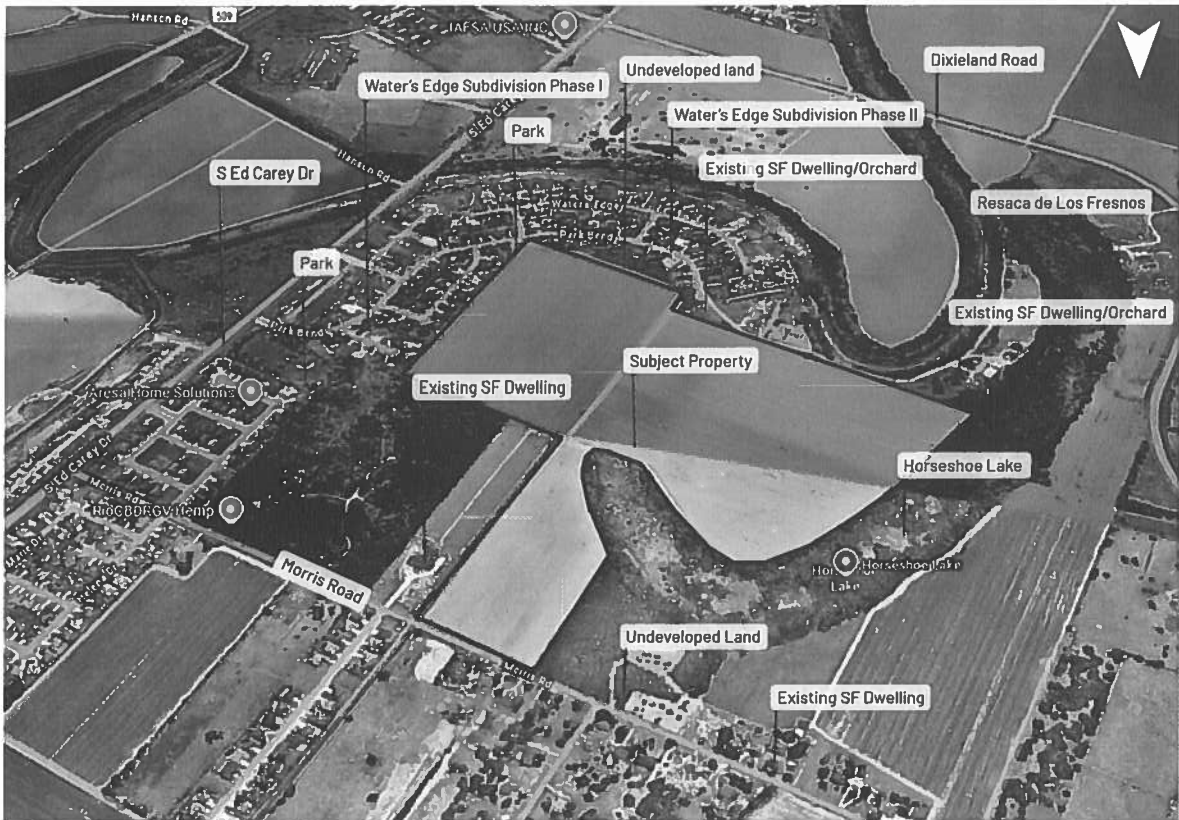


Figure 3: Diagonal Length



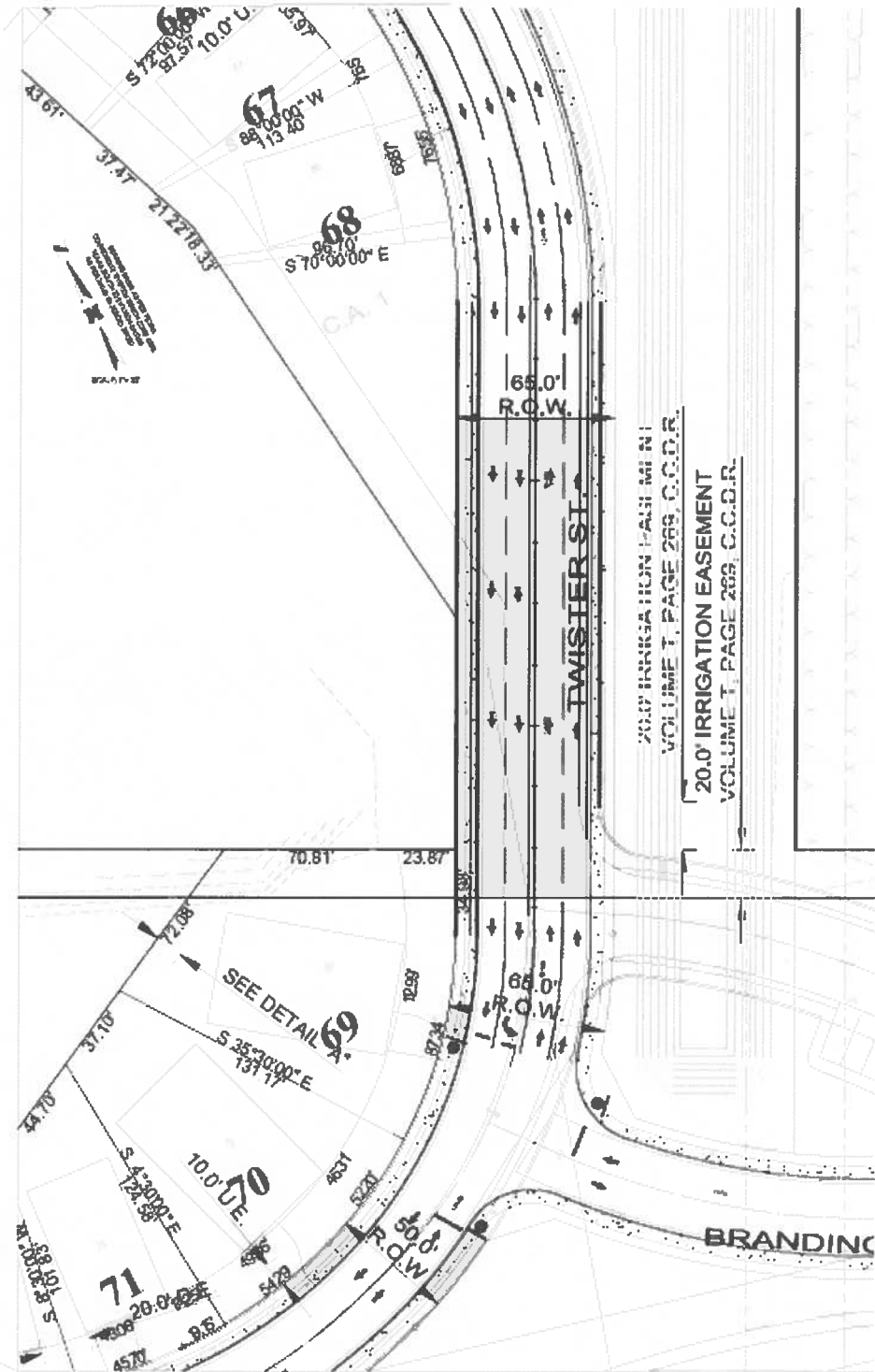
Figure 4: Distance from Proposed Entrance to the 10-acre property to the West



Figure 5: Distance from Proposed Entrance to the property to the East (stub out eventual connection)



Figure 6: Proposed Wider Internal Road (Twister Street)



200 ft

OMAR B. GONZALES AND WIFE CELINA G. GONZALES
GND DOCUMENT No. 2023-4348, C.C.O.R.

BLOCK 65

20.0' IRIGATION EASEMENT
VOLUME 7 PAGE 296, C.C.O.R.

RESERVED HORSESHOE LAKE

20.0' IRIGATION EASEMENT
VOLUME 7 PAGE 296, C.C.O.R.
TO BE MANAGED BY PLAT

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HARLINGEN FIRE DEPARTMENT

Rafael Balderas, Fire Chief
Ruben Balboa, Asst. Chief
Darrell Loftus II, Asst. Chief
Juan Saucedo, Deputy Chief
Samuel J. Albritton, Deputy Chief

From: Rafael Balderas, Fire Chief

To: Mayor and City Commissioners

Date: October 14, 2025

Re: Horseshoe Pointe Variance Request

This memo provides a fire response analysis and recommendation regarding the variance request by Melden and Hunt, Inc. for the Horseshoe Pointe Subdivision. The variance was previously presented to the City Commission on October 6, 2025, at which time the item was tabled to allow additional review and clarification of the Fire Marshal's/ Fire Department's professional opinion concerning public safety.

What is in question is Sec. 109-124(c)(9) access points, any residential subdivision with 30 or more lots must have a minimum of two points of access entrances. Where two entrances are required, they shall be placed a distance apart equal to not less than one half of the length of the maximum overall diagonal dimension of the lot or area to be served, measured in a straight line between accesses.

The IFC requires two separate access roads for larger residential developments to ensure that emergency responders always have redundant and unobstructed access in the event one entrance becomes blocked or impassable. There have been other residential developments in the City of Harlingen that have run into the same issue and have been allowed to be varied because they meet the intent of the code.

In reviewing the totality of these developers' actions, they have gone above and beyond to conform with any safety concerns the Fire Department has regarding fire response to this future development. The widening of the street to 65', clearing the brushland (Pond), infrastructure of sewer and water (Hydrants), and stub outs for future development. This clearly shows the intent of the code on their part.

The Harlingen Fire Department is confident this development will have safe fire protection for future citizens and recommends approval of this variance.

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(e)

Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to approve a contract with the Boy's and Girl's Club of Harlingen for Fiscal Year 2026 in the amount of \$145,757.00 for Teen Service Programs and authorize the City Manager to sign the contract. Attachment (***Parks & Recreation***)

Prepared By (Print Name): Daniel Diaz

Title: Director of Parks and Recreation

Signature:

Brief Summary:

Summary:

The funds have been appropriated in the Parks and Recreation 2026 Fiscal Years budget to help support the Boy's and Girl's Club's Teen Service Programs that includes the teen offender program, teen mentoring program, and other recreational and social activities. These funds help pay the salary and benefits of the unit directors and youth development workers who lead and direct a variety of recreational and education programs for teens between the ages of 12 through 18. These funds specifically support the satellite units located within or adjacent to three public housing developments: LeMoyne Gardens, Bonita Park, and Los Vecinos. This attached exhibits outline the services to be provided and sets a pay schedule for the course of the fiscal year.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount ☒ Yes ☐ No*
for this purpose? **Acct. 001-6020-803-39-01**

*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:  ☒ Yes ☐ No ☐ N/A

Comments:

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

PUBLIC SERVICES CONTRACT

This Agreement made and entered into on this the 20th day of October, 2025, by and between the City of Harlingen, a political subdivision of the State of Texas, hereinafter referred to as "**CITY**", and the Boys and Girls Club of Harlingen, hereinafter referred to as "**CLUB**".

WITNESSETH

WHEREAS, **CITY** desires to promote and continue programs which directly benefit the health and well-being of the public, including those which provide a healthy educational and recreational environment to its youth;

WHEREAS, **CITY** finds that the activities described in the attached **Exhibit "A"** directly promote and advance the **CITY'S** public purposes in providing such educational and recreational opportunities to its youth;

WHEREAS, **CLUB** desires to carry out eligible activities as described in the attached **Exhibit "A"** "Statement of Work", of this Agreement.

WHEREAS, **CITY** proposes to contract with **CLUB** in order that the eligible activities described in **Exhibit "A"** can be carried out for the benefit of residents in the **CITY's** jurisdiction.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements herein set forth and other good and valuable consideration, **CITY** and **CLUB** do mutually agree as follows:

SECTION I

Rules and Regulations

CLUB agrees to cooperate with the **CITY** in respect to the implementation of Teen activities to be carried out by **CLUB**.

SECTION II

Statement of Work

CLUB agrees to perform the services and administer the programs as outlined in **Exhibit "A," "Statement of Work,"** for and in consideration of payment in the amount of **One Hundred and Forty Five Thousand Seven Hundred and Fifty Seven Dollars (\$145,757.00)**, and as delineated in **"B," "Payment Schedule."**

CLUB agrees to notify **CITY**, in writing, of any proposed changes to its Statement of Work, or Payment Schedule. **CLUB** shall obtain approval, in writing, from **CITY** prior to commencing work on any changes made to the Statement of Work or Payment Schedule.

CITY shall not be liable for costs incurred or performances rendered by **CLUB** before commencement of this Agreement, after termination of this Agreement, or when changes have been applied but not approved by **CITY**.

SECTION III

Records and Reports

CLUB agrees to establish and maintain records and reports as outlined in **Exhibit "C,"** "Records and Reports," and agree to make those records and reports available to the **CITY**.

SECTION IV

Monitoring Visits

CLUB agrees that **CITY** shall conduct on-site monitoring visits to assure compliance with applicable local requirements and this Agreement, and that the performance goals as delineated herein are being achieved. After each monitoring visit, **CITY** shall provide **CLUB** with a written report of the monitor's findings. If the monitoring reports note deficiencies in **CLUB**'s performance under the terms of this Agreement, the monitoring report shall include requirements for the timely correction of such deficiencies by **CLUB**. Failure by **CLUB** to take action specified in the monitoring report may be cause for suspension or termination of this Agreement, as provided in Section IX of this Agreement. In addition, **CLUB** shall give the Comptroller General of the United States, **CITY**, and any of their duly authorized representatives, unobstructed and full access to and the right to examine all books, accounts, records, reports, files, and other papers, things, or property belonging to or in use by **CLUB** pertaining to this Agreement.

SECTION V

Payment Requests and Program Income

CLUB agrees to follow administrative directions from the **CITY** regarding documenting and processing payment requests as defined in **Exhibit "D"** "Requests for Payments" of this Agreement.

CLUB shall submit final reimbursement request to **CITY** within fifteen (15) days of the Agreement end date.

CLUB and **CITY** agree that if applicable, program income generated from the use of funds shall be retained by the **CLUB**. **CLUB** is to provide to the **CITY** by the third Wednesday of each month an accounting of program income through financial records outlined in **Exhibit "D"**.

CLUB and **CITY** agree that all unused funds will be returned to **CITY** at the end or termination of this agreement for either reallocation or to be reprogrammed by **CITY**.

SECTION VI

Religious Activities

CLUB and **CITY** both agree that none of the funds expended or activities undertaken shall be used in support of any sectarian or religious activity, nor shall any building or structure funded under this Agreement be used for sectarian or religious activities.

SECTION VII

Uniform Administrative Requirements

Entities, **except entities that are governmental entities**, shall comply with the requirements and standards of OMB Circular No. A-122, "Cost Principles for Non-profit Organizations", or OMB Circular No. A-21, "Cost Principles for Educational Institutions", as applicable, and OMB Circular A-133, "Audits of Institutions of Higher Education and Other

Nonprofit Institutions” (as set forth in 24 CFR part 45). Audits shall be conducted annually. Such CLUB shall also comply with the provisions of the Uniform Administrative requirements of OMB Circular A-110 (implemented at 24 CFR part 84, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations”).

SECTION VIII

Audit Requirements

CLUB agrees to comply with the applicable requirements and standards as set forth in OMB Circular A-133, Audits of States, Local Governments and Non-Profit organizations.

CLUB agrees to furnish **CITY** a Financial Management letter covering the period of this Agreement that includes detailed receipts and disbursement of payments to **CLUB** hereunder. However, if **CLUB** obtains an audit as per OMB Circular A-133, **CLUB** shall submit said audit to **CITY** within fifteen (15) days. Further, **CLUB** agrees to cooperate with **CITY** relating to any inquires regarding the audit. **CLUB** acknowledges that a Financial Audit shall be provided to **CITY** at the expense of the **CLUB**. Audit shall be available to **CITY** staff.

SECTION IX

Suspension and Termination

CLUB understands that this Agreement may be suspended or terminated, if **CLUB** materially fails to comply with the provisions of this Agreement or the provisions so listed in Exhibits “A” through “D”.

If **CLUB** fails to fulfill in a timely and proper manner its obligations under this Agreement, or **CLUB** violates any of the Agreements or stipulations of this Agreement, then the **CITY** shall provide **CLUB** written notification of such non-performance. Such non-performance may be the basis for immediate termination of this Agreement. Should any breach of contract (Agreement) relate to a violation of federal law or regulation that results in from the **CLUB** or its successor, the **CITY** will terminate Agreement and seek reimbursement of all funds from **CLUB**. **CLUB** shall not be relieved of the liability to the **CITY** for damages sustained by the **CITY** by virtue of any breach of this contract (Agreement) by **CLUB** and **CITY** may withhold any payments to **CLUB** for violations of federal regulations. Should the **CITY** become aware of any activity by **CLUB**, which would jeopardize public accountability of funds, then the **CITY** may take appropriate action including injunctive relief against **CLUB** to prevent the transaction as aforesaid. The failure of the **CITY** to exercise any right shall in no way constitute a waiver by the **CITY** to otherwise demand payment or seek any other relief in law or in equity to which it may be justly entitled.

It is expressly agreed that this Agreement may not be amended except upon the joint action of both the **CITY** and **CLUB**.

SECTION X

Assets

CLUB shall not purchase any asset unless so permitted by the **CITY** and such procurement shall be done in the form and manner so prescribed by the **CITY**.

SECTION XI

Indemnity Clause

CLUB agrees to hold **CITY** harmless from, and indemnify **CITY** from and defend **CITY** against any and all claims brought against **CITY** by employees or officers of **CLUB** or brought by any third person arising in any manner directly or indirectly from **CLUB** programs, activities or events conducted pursuant to this Agreement.

CLUB shall acquire, maintain and furnish to **CITY** a Certificate of Insurance as proof that it has secured and paid for policies of public liability and automobile insurance to cover all operations and services under this contract agreement with General Aggregate limits of not less than Two Million Dollars (\$2,000,000.00) for Commercial General Liability and One Million Dollars (\$1,000,000.00) per occurrence, and FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) for Commercial Automobile Liability, covering all risks incident to or in connection with the execution, performance, attempted performance or non-performance of this Agreement. Policies must be endorsed to Waive Subrogation Rights, name the City as an "Additional Insured" and the cancellation provisions extended to thirty (30) days in writing. This requirement shall be to meet **CLUB'S** duty of indemnification under this paragraph.

SECTION XII

Procurement

CLUB agrees to follow the rules of the **CITY** on the procurement of services, supplies or non-real property in relation to **CITY**-funded projects. The legal standards that will apply include the Procurement Standards of the City of Harlingen. In such case as **CLUB** has developed procurement standards governing its operation, such standards shall be reviewed by **CITY** to ensure compliance with the standards implemented by **CITY**.

SECTION XIII

Conflict of Interest

CLUB covenants that neither members of its organization or staff members who exercise influence on the decision-making process presently has or will have any interest, direct or indirect, with any person, corporation, company or association that is hired to carry out any of the activities so listed in **Exhibit "A"**.

CLUB agrees that no person who is an elected official, officer, director, employee, consultant, or agent of the **CLUB's** organization or the **CITY's** organization shall gain any interest in any corporation, company, or association that is hired to carry out any of the activities so listed in **Exhibit "A"** during their tenure.

CLUB are responsible for repayment of funds associated with any conflict of interest that may occur either knowingly or unknowingly.

No **CITY** employee, elected official, consultant and/or agent shall solicit nor accept gratuities, favors, or anything of monetary value from any person, corporation, company, or association that has been hired or expects to be hired to perform any of the activities so described on **Exhibit "A"**.

SECTION XIV
Legal Action and Venue

CLUB agrees to notify the **CITY** when a problem arises that may lead to legal action or claim against the **CLUB**. The **CLUB** agrees to furnish to the **CITY** any information with respect to such action or claim. The **CLUB** agrees not to take any action with respect to any legal action or claim sought against the **CLUB** without the advice and consent of the **CITY**.

Venue and jurisdiction of any suit, right or cause of action arising under or in connection with this Agreement shall lie exclusively in Cameron County.

SECTION XV
Miscellaneous Provisions

Conflict with Applicable Law. Nothing in this Agreement shall be construed so as to require the commission of any act contrary to law, and whenever there is any conflict between any provision of this Agreement and any present or future law, ordinance or administrative, executive or judicial regulation, order or decree, or amendment thereof, contrary to which the parties have no legal right to contract, the latter shall prevail, but in such event the affected provision or provisions of this Agreement shall be modified only to the extent necessary to bring them within the legal requirements and only during the time such conflict exists.

No Waiver. No waiver by **CITY** of any breach of any provision of this Agreement shall be deemed to be a waiver of any preceding or succeeding breach of the same or any other provision hereof.

Entire Agreement. This Agreement contains the entire contract between the parties hereto, and each party acknowledges that neither has made (either directly or through any agent or representative) any representations or agreements in connection with this Agreement not specifically set forth herein. This Agreement may be modified or amended only by agreement in writing executed by **CITY** and **CLUB**, and not otherwise.

Texas Law to Apply. This Agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Cameron County, Texas. The parties hereby consent to personal jurisdiction in Cameron County, Texas.

Notice. Except as may be otherwise specifically provided in this Agreement, all notices, demands, requests or communications required or permitted hereunder shall be in writing and shall either be (i) personally delivered against a written receipt, or (ii) sent by electronic mail, or (iii) sent by registered or certified mail, return receipt requested, postage prepaid and addressed to the parties at the addresses set forth below, or (iv) sent by facsimile or at such other addresses as may have been theretofore specified by written notice delivered in accordance herewith:

If to CITY:

City of Harlingen
City Manager's Office
118 E. Tyler
Harlingen, Texas 78550
Email ggonzalez@myharlingen.us
Phone # (956) 216-5001
Fax # (956) 216-8035

If to CLUB:

CLUB and Girls Club of Harlingen
P.O. Box 1982
Harlingen, Texas 78551
bclub@rgv.rr.com
Phone # (956) 428-4183
Fax # (956) 428-2544

Each notice, demand, request or communication which shall be delivered or mailed in the manner described above shall be deemed sufficiently given for all purposes at such time as it is personally delivered to the addressee or, if mailed, at such time as it is deposited in the United States mail.

Additional Documents. The parties hereto covenant and agree that they will execute such other and further instruments and documents as are or may become necessary or convenient to effectuate and carry out the terms of this Agreement.

Successors. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors, and assigns where permitted by this Agreement.

Assignment. This Agreement shall not be assignable by **CLUB**. **CITY** may assign this Agreement without the consent of **CLUB**.

Headings. The headings and captions contained in this Agreement are solely for convenient reference and shall not be deemed to affect the meaning or interpretation of any provision or paragraph hereof.

Gender and Number. All pronouns used in this Agreement shall include the other gender, whether used in the masculine, feminine or neuter gender, and the singular shall include the plural whenever and as often as may be appropriate.

Authority to Execute. The execution and performance of this Agreement by **CITY** and **CLUB** have been duly authorized by all necessary laws, resolutions or corporate action, and this Agreement constitutes the valid and enforceable obligations of **CITY** and **CLUB** in accordance with its terms.

SECTION XVI

Effective Date

The effective date of this agreement shall be the 1st day of October, 2025, which follows the approved budget by the City Commission, and shall terminate on the 30th day of September, 2026.

Approved and signed this ____ day of October, 2025.

City of Harlingen

Gabriel Gonzalez, CPM, City Manager

Attested by

Mayra Herrera, City Secretary

Boys and Girls Club of Harlingen

Gerald Gathright, Executive Director

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(F)

Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to approve a contract with the Boy's and Girl's Club of Harlingen for Fiscal Year 2026 in the amount of \$140,104.00 for Youth Service Programs and authorize the City Manager to sign the contract. Attachment (***Parks & Recreation***)

Prepared By (Print Name): Daniel Diaz

Title: Director of Parks and Recreation

Signature:

Brief Summary:

Summary:

The funds have been appropriated in the 2026 Fiscal Years budget to help support the Boy's and Girl's Club's Youth Service Program. These funds help pay the salary and benefits of the unit directors and youth development workers who lead and direct a variety of recreational and education programs for youth between the ages of 6 through 11. These funds specifically support the satellite units located within or adjacent to three public housing developments: LeMoyne Gardens, Bonita Park, and Los Vecinos. The attached exhibits outline the services to be provided and sets a pay schedule for the course of the fiscal year.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount ☒ Yes ☐ No*
for this purpose? Acct. 001-1399-413.39-33

*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:



☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:



☒ Yes ☐ No ☐ N/A

PUBLIC SERVICES CONTRACT

This Agreement made and entered into on this the 20th day of October, 2025, by and between the City of Harlingen, a political subdivision of the State of Texas, hereinafter referred to as "**CITY**", and the Boys and Girls Club of Harlingen, hereinafter referred to as "**CLUB**".

WITNESSETH

WHEREAS, **CITY** desires to promote and continue programs which directly benefit the health and well-being of the public, including those which provide a healthy educational and recreational environment to its youth;

WHEREAS, **CITY** finds that the activities described in the attached **Exhibit "A"** directly promote and advance the **CITY'S** public purposes in providing such educational and recreational opportunities to its youth;

WHEREAS, **CLUB** desires to carry out eligible activities as described in the attached **Exhibit "A"** "Statement of Work", of this Agreement.

WHEREAS, **CITY** proposes to contract with **CLUB** in order that the eligible activities described in **Exhibit "A"** can be carried out for the benefit of residents in the **CITY's** jurisdiction.

NOW, THEREFORE, for and in consideration of the mutual covenants and agreements herein set forth and other good and valuable consideration, **CITY** and **CLUB** do mutually agree as follows:

SECTION I Rules and Regulations

CLUB agrees to cooperate with the **CITY** in respect to the implementation of Youth activities to be carried out by **CLUB**.

SECTION II Statement of Work

CLUB agrees to perform the services and administer the programs as outlined in **Exhibit "A,"** "Statement of Work," for and in consideration of payment in the amount of **One Hundred and Forty Thousand One Hundred and Four Dollars (\$140,104.00)**, and as delineated in "**B,**" "Payment Schedule."

CLUB agrees to notify **CITY**, in writing, of any proposed changes to its Statement of Work, or Payment Schedule. **CLUB** shall obtain approval, in writing, from **CITY** prior to commencing work on any changes made to the Statement of Work or Payment Schedule.

CITY shall not be liable for costs incurred or performances rendered by **CLUB** before commencement of this Agreement, after termination of this Agreement, or when changes have been applied but not approved by **CITY**.

SECTION III

Records and Reports

CLUB agrees to establish and maintain records and reports as outlined in **Exhibit “C,”** “Records and Reports,” and agree to make those records and reports available to the **CITY**.

SECTION IV

Monitoring Visits

CLUB agrees that **CITY** shall conduct on-site monitoring visits to assure compliance with applicable local requirements and this Agreement, and that the performance goals as delineated herein are being achieved. After each monitoring visit, **CITY** shall provide **CLUB** with a written report of the monitor’s findings. If the monitoring reports note deficiencies in **CLUB**’s performance under the terms of this Agreement, the monitoring report shall include requirements for the timely correction of such deficiencies by **CLUB**. Failure by **CLUB** to take action specified in the monitoring report may be cause for suspension or termination of this Agreement, as provided in Section IX of this Agreement. In addition, **CLUB** shall give the Comptroller General of the United States, **CITY**, and any of their duly authorized representatives, unobstructed and full access to and the right to examine all books, accounts, records, reports, files, and other papers, things, or property belonging to or in use by **CLUB** pertaining to this Agreement.

SECTION V

Payment Requests and Program Income

CLUB agrees to follow administrative directions from the **CITY** regarding documenting and processing payment requests as defined in **Exhibit “D”** “Requests for Payments” of this Agreement.

CLUB shall submit final reimbursement request to **CITY** within fifteen (15) days of the Agreement end date.

CLUB and **CITY** agree that if applicable, program income generated from the use of funds shall be retained by the **CLUB**. **CLUB** is to provide to the **CITY** by the third Wednesday of each month an accounting of program income through financial records outlined in **Exhibit “D”**.

CLUB and **CITY** agree that all unused funds will be returned to **CITY** at the end or termination of this agreement for either reallocation or to be reprogrammed by **CITY**.

SECTION VI

Religious Activities

CLUB and **CITY** both agree that none of the funds expended or activities undertaken shall be used in support of any sectarian or religious activity, nor shall any building or structure funded under this Agreement be used for sectarian or religious activities.

SECTION VII

Uniform Administrative Requirements

Entities, **except entities that are governmental entities**, shall comply with the requirements and standards of OMB Circular No. A-122, “Cost Principles for Non-profit Organizations”, or OMB Circular No. A-21, “Cost Principles for Educational Institutions”, as applicable, and OMB Circular A-133, “Audits of Institutions of Higher Education and Other

Nonprofit Institutions” (as set forth in 24 CFR part 45). Audits shall be conducted annually. Such CLUB shall also comply with the provisions of the Uniform Administrative requirements of OMB Circular A-110 (implemented at 24 CFR part 84, “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals and Other Non-Profit Organizations”).

SECTION VIII

Audit Requirements

CLUB agrees to comply with the applicable requirements and standards as set forth in OMB Circular A-133, Audits of States, Local Governments and Non-Profit organizations.

CLUB agrees to furnish **CITY** a Financial Management letter covering the period of this Agreement that includes detailed receipts and disbursement of payments to **CLUB** hereunder. However, if **CLUB** obtains an audit as per OMB Circular A-133, **CLUB** shall submit said audit to **CITY** within fifteen (15) days. Further, **CLUB** agrees to cooperate with **CITY** relating to any inquires regarding the audit. **CLUB** acknowledges that a Financial Audit shall be provided to **CITY** at the expense of the **CLUB**. Audit shall be available to **CITY** staff.

SECTION IX

Suspension and Termination

CLUB understands that this Agreement may be suspended or terminated, if **CLUB** materially fails to comply with the provisions of this Agreement or the provisions so listed in Exhibits “A” through “D”.

If **CLUB** fails to fulfill in a timely and proper manner its obligations under this Agreement, or **CLUB** violates any of the Agreements or stipulations of this Agreement, then the **CITY** shall provide **CLUB** written notification of such non-performance. Such non-performance may be the basis for immediate termination of this Agreement. Should any breach of contract (Agreement) relate to a violation of federal law or regulation that results in from the **CLUB** or its successor, the **CITY** will terminate Agreement and seek reimbursement of all funds from **CLUB**. **CLUB** shall not be relieved of the liability to the **CITY** for damages sustained by the **CITY** by virtue of any breach of this contract (Agreement) by **CLUB** and **CITY** may withhold any payments to **CLUB** for violations of federal regulations. Should the **CITY** become aware of any activity by **CLUB**, which would jeopardize public accountability of funds, then the **CITY** may take appropriate action including injunctive relief against **CLUB** to prevent the transaction as aforesaid. The failure of the **CITY** to exercise any right shall in no way constitute a waiver by the **CITY** to otherwise demand payment or seek any other relief in law or in equity to which it may be justly entitled.

It is expressly agreed that this Agreement may not be amended except upon the joint action of both the **CITY** and **CLUB**.

SECTION X

Assets

CLUB shall not purchase any asset unless so permitted by the **CITY** and such procurement shall be done in the form and manner so prescribed by the **CITY**.

SECTION XI

Indemnity Clause

CLUB agrees to hold **CITY** harmless from, and indemnify **CITY** from and defend **CITY** against any and all claims brought against **CITY** by employees or officers of **CLUB** or brought by any third person arising in any manner directly or indirectly from **CLUB** programs, activities or events conducted pursuant to this Agreement.

CLUB shall acquire, maintain and furnish to **CITY** a Certificate of Insurance as proof that it has secured and paid for policies of public liability and automobile insurance to cover all operations and services under this contract agreement with General Aggregate limits of not less than Two Million Dollars (\$2,000,000.00) for Commercial General Liability and One Million Dollars (\$1,000,000.00) per occurrence, and FIVE HUNDRED THOUSAND DOLLARS (\$500,000.00) for Commercial Automobile Liability, covering all risks incident to or in connection with the execution, performance, attempted performance or non-performance of this Agreement. Policies must be endorsed to Waive Subrogation Rights, name the City as an "Additional Insured" and the cancellation provisions extended to thirty (30) days in writing. This requirement shall be to meet **CLUB'S** duty of indemnification under this paragraph.

SECTION XII

Procurement

CLUB agrees to follow the rules of the **CITY** on the procurement of services, supplies or non-real property in relation to **CITY**-funded projects. The legal standards that will apply include the Procurement Standards of the City of Harlingen. In such case as **CLUB** has developed procurement standards governing its operation, such standards shall be reviewed by **CITY** to ensure compliance with the standards implemented by **CITY**.

SECTION XIII

Conflict of Interest

CLUB covenants that neither members of its organization or staff members who exercise influence on the decision-making process presently has or will have any interest, direct or indirect, with any person, corporation, company or association that is hired to carry out any of the activities so listed in **Exhibit "A"**.

CLUB agrees that no person who is an elected official, officer, director, employee, consultant, or agent of the **CLUB's** organization or the **CITY's** organization shall gain any interest in any corporation, company, or association that is hired to carry out any of the activities so listed in **Exhibit "A"** during their tenure.

CLUB are responsible for repayment of funds associated with any conflict of interest that may occur either knowingly or unknowingly.

No **CITY** employee, elected official, consultant and/or agent shall solicit nor accept gratuities, favors, or anything of monetary value from any person, corporation, company, or association that has been hired or expects to be hired to perform any of the activities so described on **Exhibit "A"**.

SECTION XIV
Legal Action and Venue

CLUB agrees to notify the **CITY** when a problem arises that may lead to legal action or claim against the **CLUB**. The **CLUB** agrees to furnish to the **CITY** any information with respect to such action or claim. The **CLUB** agrees not to take any action with respect to any legal action or claim sought against the **CLUB** without the advice and consent of the **CITY**.

Venue and jurisdiction of any suit, right or cause of action arising under or in connection with this Agreement shall lie exclusively in Cameron County.

SECTION XV
Miscellaneous Provisions

Conflict with Applicable Law. Nothing in this Agreement shall be construed so as to require the commission of any act contrary to law, and whenever there is any conflict between any provision of this Agreement and any present or future law, ordinance or administrative, executive or judicial regulation, order or decree, or amendment thereof, contrary to which the parties have no legal right to contract, the latter shall prevail, but in such event the affected provision or provisions of this Agreement shall be modified only to the extent necessary to bring them within the legal requirements and only during the time such conflict exists.

No Waiver. No waiver by **CITY** of any breach of any provision of this Agreement shall be deemed to be a waiver of any preceding or succeeding breach of the same or any other provision hereof.

Entire Agreement. This Agreement contains the entire contract between the parties hereto, and each party acknowledges that neither has made (either directly or through any agent or representative) any representations or agreements in connection with this Agreement not specifically set forth herein. This Agreement may be modified or amended only by agreement in writing executed by **CITY** and **CLUB**, and not otherwise.

Texas Law to Apply. This Agreement shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created hereunder are performable in Cameron County, Texas. The parties hereby consent to personal jurisdiction in Cameron County, Texas.

Notice. Except as may be otherwise specifically provided in this Agreement, all notices, demands, requests or communications required or permitted hereunder shall be in writing and shall either be (i) personally delivered against a written receipt, or (ii) sent by electronic mail, or (iii) sent by registered or certified mail, return receipt requested, postage prepaid and addressed to the parties at the addresses set forth below, or (iv) sent by facsimile or at such other addresses as may have been theretofore specified by written notice delivered in accordance herewith:

If to **CITY**:

City of Harlingen
City Manager's Office
118 E. Tyler
Harlingen, Texas 78550
Email ggonzalez@myharlingen.us
Phone # (956) 216-5001
Fax # (956) 216-8035

If to **CLUB**:

CLUB and Girls Club of Harlingen
P.O. Box 1982
Harlingen, Texas 78551
bclub@rgv.rr.com
Phone # (956) 428-4183
Fax # (956) 428-2544

Each notice, demand, request or communication which shall be delivered or mailed in the manner described above shall be deemed sufficiently given for all purposes at such time as it is personally delivered to the addressee or, if mailed, at such time as it is deposited in the United States mail.

Additional Documents. The parties hereto covenant and agree that they will execute such other and further instruments and documents as are or may become necessary or convenient to effectuate and carry out the terms of this Agreement.

Successors. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors, and assigns where permitted by this Agreement.

Assignment. This Agreement shall not be assignable by **CLUB**. **CITY** may assign this Agreement without the consent of **CLUB**.

Headings. The headings and captions contained in this Agreement are solely for convenient reference and shall not be deemed to affect the meaning or interpretation of any provision or paragraph hereof.

Gender and Number. All pronouns used in this Agreement shall include the other gender, whether used in the masculine, feminine or neuter gender, and the singular shall include the plural whenever and as often as may be appropriate

Authority to Execute. The execution and performance of this Agreement by **CITY** and **CLUB** have been duly authorized by all necessary laws, resolutions or corporate action, and this Agreement constitutes the valid and enforceable obligations of **CITY** and **CLUB** in accordance with its terms.

SECTION XVI

Effective Date

The effective date of this agreement shall be the 1st day of October, 2025, which follows the approved budget by the City Commission, and shall terminate on the 30th day of September, 2026.

Approved and signed this ____ day of October 2025.

City of Harlingen

Gabriel Gonzalez, CPM, City Manager

Attested by

Mayra Herrera, City Secretary

Boys and Girls Club of Harlingen

Gerald Gathright, Executive Director

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(g)

Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to approve the proposed list of streets for the 2026 Streets Improvement Program Project. Attachment (**Engineering**)

Prepared By (Print Name): Roberto Hernandez, PE, CFM, MS

Title: City Engineer

Signature: *Roberto Hernandez*

Brief Summary:

- 1) In accordance with the Code of Ordinances Chapter 40, Article VII, the City of Harlingen administers a Street Improvement Program (SIP), which is a plan to provide inspection, maintenance, repairs, and reconstruction of the City's streets. The improvements typically consist of milling, overlaying or reconstructing streets and repairing existing curb and gutter.
- 2) The proposed streets to be repaved in 2026 were selected based on a street assessment performed by iWorQ in 2022 in which streets were assigned a score. A score of 0 to 20 was assigned to each street, which indicates the remaining service life (RSL) of the street, with 0 being zero years of life left and 20 being twenty years left.
- 3) Citizen requests to the Public Works and Engineering Departments were also considered in the street selection.
- 4) Staff recommend approval of the 2026 SIP list of streets, which will be designed after Commission approval and start construction in early 2026.
- 5) After the design is completed, Engineering will present bids to City Commission for approval. Bids will consist of material prices for asphalt, concrete and other materials for the construction of the project.
- 6) The construction will be done by Public Works and Engineering staff will conduct the construction inspection and testing.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval for 2026 Streets Improvement Program Project Candidate lists.

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

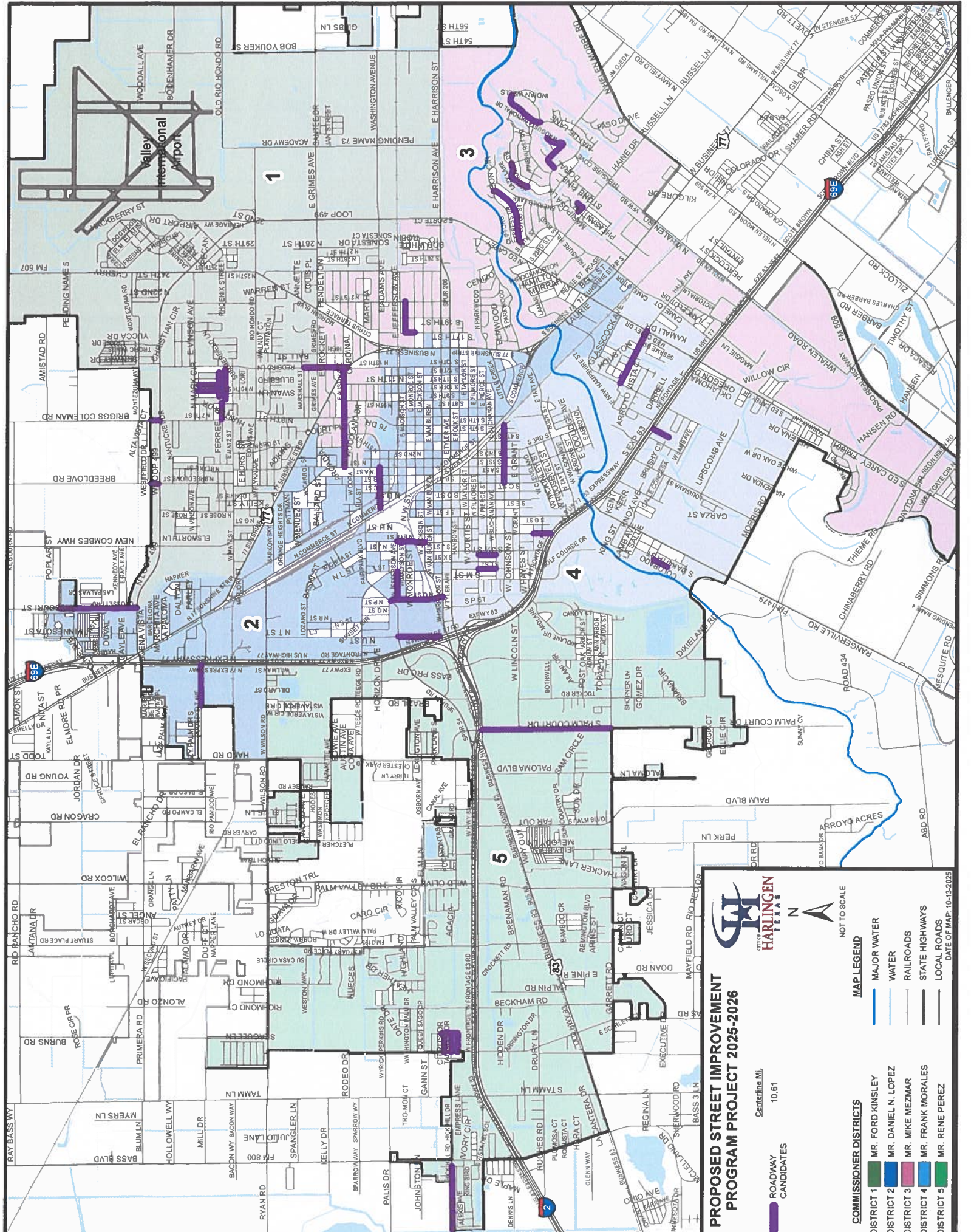
Comments:

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

STREET IMPROVEMENT PROGRAM 2025-2026

ROADWAY CANDIDATES

iWorQ						LENGTH	WIDTH
#	Score	District	STREET NAME	PROJECT LIMITS		Feet	Feet
District 1							
1	2	1	CROSSET ROAD	LOOP 499	NORTH CITY LIMIT	3,920	16
2	0	1	BREEDLOVE RD	LOOP 499	NORTH TO CITY LIMITS	462	37
3	0-2	1	BRIGGS COLEMAN RD	LOOP 499	NORTH TO CITY LIMITS	425	37
4	4	1	NORTH 13TH STREET	MARSHALL AVENUE	GRIMES AVENUE	716	50
5	4	1	TUMBLEWEED DRIVE	NORTH 7TH STREET	HUNTER DRIVE	688	33
6	2	1	JEFF STREET	NORTH MARK CIRCLE	SOUTH MARK CIRCLE	892	32
7	2	1	SOUTH MARK CIRCLE	WEST MARK CIRCLE	EAST MARK CIRCLE	1,074	32
8	4	1	EAST LEGGET ROAD	CUL-SE-SAC	CUL-SE-SAC	1,330	32
9	4	1	LOUANN STREET	WEST MARK CIRCLE	CUL-SE-SAC	1105	32
						Total	10,612 L.F.
						2.01 MILES	
District 2							
10	0	2	NORTH EYE STREET	WEST JACKSON AVENUE	WEST JEFFERSON AVENUE	1,150	38
11	0	2	WEST JEFFERSON AVENUE	NORTH L STREET	NORTH O STREET	1,167	32
12	6	2	NORTH O STREET	WEST HARRISON AVENUE	FAIR PARK BLVD	2,230	32
13	0	2	T STREET	FRONTAGE ROAD	FAIR PARK BLVD	1,630	32
14	8	2	WASHINGTON AVENUE	COMMERCE STREET	NORTH 1ST STREET	1,780	32
15	6	2	WEST ROOSEVELT ROAD	I-69E	WEST CITY LIMIT	1,750	34
						Total	9,707 L.F.
						1.84 MILES	
District 3							
16	6-8	3	AUSTIN AVENUE	77 SUNSHINE STRIP	NORTH 1ST STREET	4,100	32
17	8	3	CYPRESS DRIVE	CLIFFORD STREET	CLIFFORD STREET	2,630	34
18	6	3	EAST MADISON AVENUE	NORTH 17TH STREET	NORTH 21ST STREET	1,375	34
19	4-6	3	LAZY LAKE DRIVE	WILLOWICKIE STREET	BANYAN DRIVE	1,425	36
20	6	3	NORTH AUGUSTA NATIONAL DRIVE	CYPRESS GARDENS	END	1,952	40
21	8	3	NORTH 13TH STREET	GRIMES AVENUE	77 SUNSHINE STRIP	1,224	50
22	6	3	NORTH 17TH STREET	EAST MADISON AVENUE	EAST MONROE AVENUE	375	32
23	4-6	3	PEBBLE BEACH DRIVE	TREASURE HILLS BLVD.	END	2,190	34
24	8	3	RAVENWOOD LANE	MARIPOSA LANE	CUL-DE-SAC	573	34
						Total	15,844 L.F.
						3.00 MILES	
District 4							
25	4	4	COLORADO STREET	WEST LIBERTY AVENUE	MONTANA DRIVE	690	20
26	6	4	HALE AVENUE	NORTH ED CAREY DRIVE	EAST NEW HAMPSHIRE STREET	2,480	40
27	0	4	SOUTH H STREET	I-2 FRONTAGE ROAD	GARFIELD AVENUE	677	33
28	0	4	SOUTH J 1/2 STREET	WEST FILMORE AVENUE	WEST BUCHANAN STREET	700	27
29	6	4	SOUTHGATE DRIVE	FRONTAGE ROAD	SOUTH LIMIT	775	36
30	4	4	EAST/WEST LINCOLN AVENUE	SOUTH B STREET	SOUTH WEST STREET	2,440	32
31	6	4	SOUTH L STREET	WEST FILMORE AVENUE	WEST BUCHANAN STREET	750	32
						Total	8,512 L.F.
						1.61 MILES	
District 5							
32	8	5	CITRUS DRIVE	ALTAS PALMAS ROAD	ORANGE DRIVE	782	26
33	6-8	5	HICK HILL ROAD	GREEN JAY COURT	WEST CITY LIMIT	2,770	18
34	6	5	ORANGE DRIVE	ALTAS PALMAS ROAD	END OF ROAD (GATE)	1,474	26
35	6-8	5	SOUTH PALM COURT DRIVE	GARRET ROAD	EXPRESSWAY 83	5,544	46
36	8	5	TANGELO DRIVE	ALTAS PALMAS ROAD	ORANGE DRIVE	782	26
						Total	11,352 L.F.
						2.15 MILES	
					Sum Total	56,027 L.F.	
						10.61 MILES	





**PROPOSED STREET IMPROVEMENT
PROGRAM PROJECT 2025-2026**

Centerline Mi.
10.61

ROADWAY
CANDIDATES

NOT TO SCALE

MAP LEGEND

- MAJOR WATER
- WATER
- RAILROADS
- STATE HIGHWAYS
- LOCAL ROADS

COMMISSIONER DISTRICTS

- DISTRICT 1 MR. FORD KINSLEY
- DISTRICT 2 MR. DANIEL N. LOPEZ
- DISTRICT 3 MR. MIKE MEZMAR
- DISTRICT 4 MR. FRANK MORALES
- DISTRICT 5 MR. RENE PEREZ

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(h)

Meeting Date: **October 20, 2025**

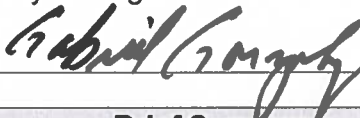
Agenda Item:

Consideration and possible action to approve a resolution providing the name of the nominee from the City of Harlingen for the Appraisal District Directors for Cameron Appraisal District Board of Directors.

Prepared By (Print Name): Gabriel Gonzalez

Title: City Manager

Signature:



Brief Summary:

The Cameron Appraisal District is asking the City of Harlingen as a taxing unit for the City Commission to nominate by resolution two (2) candidates for the voting entitlement.

Funding (if applicable):

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

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

Finance Director's approval:

☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the resolution.

City Manager's approval:



☒ Yes ☐ No ☐ N/A

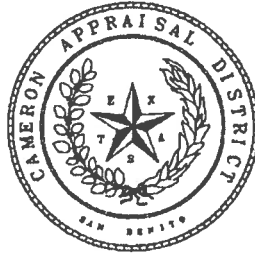
Comments:

City Attorney's approval:



☒ Yes ☐ No ☐ N/A

CAMERON APPRAISAL DISTRICT



October 7, 2025

Ms. Norma Sepulveda, Mayor
City of Harlingen
P.O. Box 2207
Harlingen, TX 78551

Dear Ms. Sepulveda:

The initial step for the **Two (2)** members appointed by the participating entities will be for the taxing unit to nominate, by resolution, candidate(s) for the voting entitlement. Each taxing unit that is entitled to vote may nominate one candidate for each position to be filled on the board of directors. The governing body for each eligible taxing unit must submit the adopted resolution with the candidate(s) name(s) and their contact information to the Chief Appraiser **before October 15**. Once you have adopted your resolution, please forward it to the Chief Appraiser as soon as possible. For your convenience, I have attached a sample resolution which you may use, or you may submit one prepared by your office.

The "Official Ballot" will be prepared and forwarded to all taxing units entitled to vote **before October 30**, when the voting will commence. The governing body shall then determine its vote and submit such vote by an adopted resolution to the Chief Appraiser **before December 15**. The number of votes you will be authorized to cast in the voting entitlement election is **98**.

Before **December 31**, the Chief Appraiser shall count all timely submitted votes, declare the Two (2) candidates that received the most votes elected, and submit the results to the candidates and the governing bodies of each taxing unit in the district.

Should you have any questions, please do not hesitate to contact me.

Sincerely,

Richard Molina, RPA
Chief Appraiser

CC: Mr. Gabriel Gonzalez, CPM
City Manager
Attachment (Sample Resolution)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL FOR
THE CITY COMMISSION OF THE CITY OF HARLINGEN
EXPRESSING ITS NOMINATION FOR APPRAISAL DISTRICT
DIRECTORS FOR THE CAMERON APPRAISAL DISTRICT
BOARD OF DIRECTORS:

WHEREAS, the City Commission for the City of Harlingen is authorized to make nominations for each position to be filled in the Cameron Appraisal District Board of Directors; and

WHEREAS, these directors shall serve a term beginning January 1, 2026, and that all taxing entities associated with the Cameron Appraisal District are authorized to nominate up to Two (2) individuals for said Board; and

WHEREAS, the City Commission for the City of Harlingen must submit the names of the nominees by written resolution to the Chief Appraiser before October 15, 2025.

NOW, THEREFORE, BE RESOLVED BY THE CITY COUNCIL FOR THE CITY OF HARLINGEN, TEXAS, the name(s) of:

(Name(s) of Nominee(s))

is/are hereby nominated by the City Commission for the City of Harlingen to the Cameron Appraisal District Board of Directors.

FURTHERMORE, the City Commission for the City of Harlingen directs the Chief Appraiser to submit nomination(s) for consideration by all taxing entities within the Cameron Appraisal District in the upcoming district appointments.

PASSED AND APPROVED this _____ day of _____, 2025.

City of Harlingen

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(i)

Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to approve a resolution for the City of Harlingen to deny the increased rates from the Texas Gas Service Company and to have the City's reasonable rate case expenses reimbursed. Attachment (City Manager)

Prepared By (Print Name): Gabriel Gonzalez
Title: City Manager

Signature:



Brief Summary:

In June the Cities Served by Texas Gas Service Company (TGS Cities) engaged the services of consultants to review the Company's filing. The consultants identified numerous unreasonable expenses and proposed significant reductions to the Company's request. Accordingly, TGS Cities' attorney recommends that all TGS Cities members adopt the resolution denying the rate change. Once the resolution is adopted, TGS will have 30 days to appeal the decision to the Railroad Commission where the appeal will be consolidated with TGS' filing for the environs and those cities that have relinquished their jurisdiction currently pending at the Railroad Commission.

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 resolution.

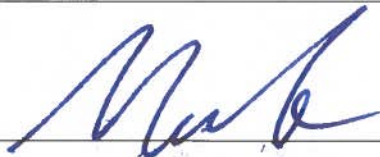
City Manager's approval:



☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:



☒ Yes ☐ No ☐ N/A

MODEL STAFF REPORT REGARDING TEXAS GAS SERVICE COMPANY'S STATEMENT OF INTENT FILING

*****FINAL ACTION MUST BE TAKEN TO DENY THE REQUESTED RATE CHANGE
BY NOVEMBER 17, 2025*****

Overview

On June 30, 2025, Texas Gas Service Company (TGS or Company) filed a Statement of Intent to Increase Rates application with each of the cities in their Central-Gulf, West North, and Rio Grande Valley service areas. In the filing, the Company asserted that it is entitled to a \$41.1 million increase or a 9.83% increase over current adjusted revenues, excluding gas costs.

In June, the Cities Served by Texas Gas Service Company (TGS Cities) engaged the services of consultants to review the Company's filing. The consultants identified numerous unreasonable expenses and proposed significant reductions to the Company's request. Accordingly, TGS Cities' attorney recommends that all TGS Cities members adopt the Resolution denying the rate change. Once the Resolution is adopted, TGS will have 30 days to appeal the decision to the Railroad Commission where the appeal will be consolidated with TGS' filing for the environs and those cities that have relinquished their jurisdiction (i.e. Gas Utility Docket 28202) currently pending at the Railroad Commission.

Under the law, cities with original jurisdiction over this matter have 125 days from the initial filing to take final action on the application. By the agreement of the parties, this deadline was suspended until November 17, 2025. As such, all cities with original jurisdiction will need to adopt the resolution no later than November 17.

Accordingly, the purpose of the Resolution is to deny the rate application proposed by TGS.

Explanation of "Be It Resolved" Paragraphs:

1. This paragraph finds that the Company's application is unreasonable and should be denied.
2. This section states that the Company's current rates shall not be changed.
3. The Company will reimburse Cities for their reasonable rate case expenses. Legal counsel and consultants, approved by the TGS Cities will submit monthly invoices that will be forwarded to TGS for reimbursement.
4. This section merely recites that the Resolution was passed at a meeting that was open to the public and that the consideration of the Resolution was properly noticed.
5. This section provides TGS and counsel for the cities will be notified of the City's action by sending a copy of the approved and signed resolution to counsel.

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY OF HARLINGEN, TEXAS
FINDING THAT TEXAS GAS SERVICE COMPANY'S, A
DIVISION OF ONE GAS, INC., STATEMENT OF INTENT
TO INCREASE RATES FILING WITHIN THE CITY
SHOULD BE DENIED; FINDING THAT THE CITY'S
REASONABLE RATE CASE EXPENSES SHALL BE
REIMBURSED BY THE COMPANY; 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, the City of Harlingen, Texas ("City") is a gas utility customer of Texas Gas Service Company, a Division of ONE Gas, Inc., ("TGS" or "Company") within the unincorporated areas of the Central-Gulf, West North, and Rio Grande Valley Service Area, and a regulatory authority with an interest in the rates and charges of TGS; and

WHEREAS, the City is a member of Cities Served by Texas Gas Service Company (such participating cities are referred to herein as "TGS Cities"), a coalition of similarly situated cities served by TGS that have joined together to efficiently and cost effectively review and respond to natural gas issues affecting rates charged in TGS' Central-Gulf, West North, and Rio Grande Valley Service Area; and

WHEREAS, on or about June 30, 2025, TGS filed with the City a Statement of Intent to Increase Rates seeking to increase natural gas revenues by \$41.1 million annually and to all customers residing in the City; and

WHEREAS, TGS Cities has coordinated its review of TGS' Statement of Intent filing and designated attorneys and consultants to resolve issues in the Company's filing; and

WHEREAS, through review of the application, TGS Cities' consultants determined that TGS' proposed rates are excessive; and

WHEREAS, TGS Cities' members and attorneys recommend that TGS Cities members deny the Statement of Intent; and

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

Section 1. That the rates proposed by TGS to be recovered through its gas rates charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Section 2. That the Company shall continue to charge its existing rates to customers within the City.

Section 3. That the City's reasonable rate case expenses shall be reimbursed in full by TGS within 30 days of the adoption of this Resolution.

Section 4. 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 5. That 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

ATTEST:

City Secretary

APPROVED AS TO FORM:

City Attorney

10(1)

**AGENDA ITEM
EXECUTIVE SUMMARY**

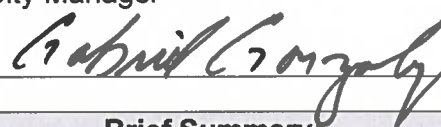
Meeting Date: **October 20, 2025**

Agenda Item:

Consideration and possible action to cancel the City Commission meetings of November 19th and December 17th, 2025.

Prepared By (Print Name): Gabriel Gonzalez

Title: City Manager

Signature: 

Brief Summary:

The Thanksgiving and Christmas holidays are approaching and most of the members of the City Commission will be out of town, including most of the staff personnel and leaving us without a quorum. I am therefore recommending that we cancel the meetings of November 19, 2025, and December 17, 2025. If needed, we can schedule a Special Meeting to address any issues that may require action by the Commission for a subsequent day.

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 resolution.

City Manager's approval: 

☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:

 ☒ Yes ☐ No ☐ N/A