

**CITY COMMISSION
AGENDA
REGULAR MEETING
DECEMBER 3, 2025
@ 5:30 PM
CITY HALL, TOWN HALL MEETING ROOM
2ND FLOOR, 118 E. TYLER AVENUE
HARLINGEN, TEXAS**

Notice is hereby given that the City Commission of the City of Harlingen, Texas will hold a Regular Meeting on **WEDNESDAY, DECEMBER 03, 2025, at 5:30 P.M.** at City Hall, Town Hall Meeting Room, 118 E. Tyler Avenue, Harlingen, Texas and provide the public the ability to view the meeting via internet live-streaming at www.harlingentx.gov and the City of Harlingen YouTube Page.

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

To offer citizen communication or participate in scheduled public hearings, go to www.harlingentx.gov and click on "PUBLIC HEARING AND CITIZEN COMMUNICATION FORM." Fill out the form and indicate the item you wish to address, and submit the form.

Please indicate (1) the agenda item on which you wish to speak, (2) whether you prefer to speak on the item during citizen communication or at the time the agenda item is brought for consideration before the City Commission.

To submit written comments requesting an item for City Secretary, go to www.harlingentx.gov and click on "PUBLIC HEARING AND CITIZEN COMMUNICATION FORM" write your comments (limited to 400 words or less) and submit the form.

[PLEASE SUBMIT WRITTEN COMMENTS BEFORE 3:00 P.M. THE DAY OF THE MEETING.](#)

A recording of the meeting will be made and will be available to the public in accordance with the Texas Open Meetings Act.

City of Harlingen meetings are available to all persons regardless of disability. If you require special assistance, please contact the City Secretary's Office at (956) 216-5001 or write Post Office Box 2207, Harlingen, Texas 78550 at least 48 hours in advance of the meeting.

The Harlingen City Commission reserves the right, pursuant to the Texas Government Code Chapter 551, Subchapter D, to enter into closed executive session on any item posted on the agenda if a matter is raised that is appropriate for closed discussion.

- 1) **Call Meeting to Order:**
 - a) Invocation - Commissioner Daniel N. Lopez
 - 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) Presentation of Recognition — Harlingen High School South "Hawks" Water Polo Team
 - c) Presentation of Proclamation — Sunshine Haven "25th Anniversary Celebration"
 - d) Presentation of Proclamation - Guadalupe (Lupita) Mancillas Armendariz
- 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 August 20, 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 adopt an ordinance on second and final reading approving the Comprehensive Plan, Downtown Plan, and Parks Plan, to serve as the official plans for the City of Harlingen in accordance with Chapter 213 of the Texas Local Government Code. Attachment. **(Planning & Development)**
 - b) Consideration and possible action to approve a resolution approving a retroactive submission for the Housing for Texas Heroes Program from the Texas Veterans Commission. 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 Texas Department of Transportation – Selective Traffic Enforcement Program – Impaired Driving Mobilization Attachment **(Special Projects Department)**.

- d) Consideration and possible action to approve a resolution approving a retroactive submission for the General Assistance Grant Program — Financial Assistance Grant Application from the Texas Veterans Commission. Attachment (**Special Projects Department**)
- e) Review and approval of Investment Reports for the City of Harlingen for the quarter ending September 30, 2025. Attachment (**Finance Department**)
- 8) **Staff Reports and Other Discussion Items:** *Items in this section are not expected to require action by the City Commission and are generally for information only. However, any item listed in this section may become an action item at a future meeting with the request of the Mayor, or after the request of any two Commission members, or the City Manager.*
 - a) City Manager's Report
 - b) Staff Reports
- 9) **Public Hearings:** *At this time, the Mayor will invite members of the public who have filled out the Public Hearing and the Citizen Communication Form to address each item listed in this section. Please limit your comments to the topic of that public hearing. If more than one public hearing is being held, you will be allowed to speak during each topic, provided you have filled out the Public Hearing and Citizen Communication Form for the appropriate topic. If you are signed up for two (2) or more Public Hearings, you will be limited to 5 minutes for all topics.*
 - a) Public hearing for a rezoning request from Office ("O") District to General Retail ("GR") District located at 1616 & 1620 N. Ed Carey Drive, bearing a legal description of Lot 9, Medical Subdivision. Applicant: RGV Plaza, LLC Attachment. (**Planning & Development**)
 - b) Public hearing for a rezoning request from Not Designated ("N") District to General Retail ("GR") District for 13.58 acres of land out of Survey 140, L.L. Adams Subdivision, located south of Wilson Road, approximately 4,800.46 feet east of Bass Boulevard. Applicant: Moore Land Surveying LLC c/o Zarate Home Designs Attachment. (**Planning & Development**)
 - c) Public hearing regarding a request to consider an appeal of the decision of the Planning and Zoning Commission on First Reading of denying the request to amend the previously approved Planned Development ("PD") District to allow a second detached dwelling unit for a property located at 3319 Pebble Beach Drive, bearing a legal description of Lot 8, Blocks 5 & 6, Treasure Hills Country Club Subdivision. Applicant: Fernando Pecina. Attachment (**Planning & Development**)
 - d) Public hearing to amend Chapter 111 Zoning, Sections 111-1, 111-62, 111-275 and 111-280 of the Code of ordinances to authorize model homes/model home sales offices and home identification signs in residential, single-family (R-1) and planned development (PD) zoning districts; providing for a severability clause; and establishing an effective date. 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 rezoning request from Office ("O") District to General Retail ("GR") District located at 1616 & 1620 N. Ed Carey Drive, bearing a legal description of Lot 9, Medical Subdivision. Applicant: RGV Plaza, LLC 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 Retail ("GR") District for 13.58 acres of land out of Survey 140, L.L. Adams Subdivision, located south of Wilson Road, approximately 4,800.46 feet east of Bass Boulevard. Applicant: Moore Land Surveying LLC c/o Zarate Home Designs Attachment. (**Planning & Development**)

- c) Consideration and possible action regarding a request to consider an appeal of the decision of the Planning and Zoning Commission on First Reading of denying the request to amend the previously approved Planned Development ("PD") District to allow a second detached dwelling unit for a property located at 3319 Pebble Beach Drive, bearing a legal description of Lot 8, Blocks 5 & 6, Treasure Hills Country Club Subdivision. Applicant: Fernando Pecina Attachment. **(Planning & Development)**
- d) Consideration and possible action to approve an ordinance on first reading amending Chapter 111 Zoning, Sections 111-1, 111-62, 111-275 and 111-280 of the Code of Ordinances to authorize model homes/model home sales offices and home identification signs in residential, single-family (R-1) and planned development (PD) zoning districts; providing for a severability clause; and establishing an effective date. Attachment **(Planning & Development)**.



- e) Consideration and possible action to approve the purchase of one truck for the Planning and Development Department. Attachment **(Planning & Development)**.
- f) Consideration and possible action to approve the Procurement of a Replacement Vehicle for Downtown Maintenance Operations. Attachment **(Downtown Improvement District)**
- g) Consideration and possible action to approve the purchase of twenty-four (24) solar-powered trail lights for City Lake Park in the amount of \$49,990.00. Attachment **(Parks & Recreation)**
- h) Consideration and possible action to authorize the City Manager to execute a Memorandum of Understanding (MOU) with the Rio Grande Valley Metropolitan Planning Organization (RGVMPO) regarding the distribution and maintenance of bicycle and pedestrian counter equipment. Attachment **(Engineering)**.
- i) Consideration and possible action to authorize the Interim City Manager to execute the Drainage Easement Deed Conveyance from Harlingen Irrigation District No. 1 to the City of Harlingen. Attachment **(Engineering)**
- j) Consideration and possible action to approve a resolution, authorizing the Interim City Manager to execute the Advance Funding Agreement (AFA) for the Arroyo Colorado Phase 4 Project with the Texas Department of Transportation (TxDOT) and to approve payment of the required Direct State Costs to TxDOT. Attachment **(Engineering)**.
- k) Consideration and possible action to approve a resolution accepting the top nominees on the Official Ballot submitted by the Cameron Appraisal District to the City of Harlingen. Attachment **(Interim City Manager)**
- l) Discussion and possible action to appoint a new board member to the Cameron County Emergency Communication District Board position to represent the City of Harlingen. Attachment **(Interim City Manager)**
- m) Consideration and possible action to appoint a new board member to the South Texas Emergency Care Foundation Board of Directors. Attachment **(Interim 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.*

a) Pursuant to Tx. Govt Code Section 551.072 — deliberation regarding the purchase, exchange or lease of real property. **(Interim City Manager)**

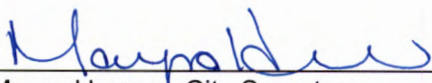
- 13) **Action on Executive Session Items:** *The City Commission will reconvene in open session and may take action on any item listed in the Executive Session Section of this agenda.*

a) Consideration and possible action on item 12(a) as discussed in executive session.

- 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, NOVEMBER 25, 2025 at or before 8:30 (a.m.) p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this **25th** day of **NOVEMBER, 2025**


Mayra Herrera, City Secretary

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

August 20, 2025

A Regular Meeting of the Harlingen City Commission was held August 20, 2025 at 5:32 pm, at City Hall, Town Hall Meeting Room, 118 E. Tyler, Harlingen, Texas and providing the public the ability to view the meeting via internet, live streaming and permitting the public to offer citizen communication or participate in items listed on the agenda via videoconferencing or telephonically via www.harlingentx.gov Those in attendance were:

Mayor and Commissioners

Mayor Norma Sepulveda

Mayor Pro-Tem Ford Kinsley

Daniel N. Lopez, Commissioner District 2

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 council member, or certain members of that person's family, has a qualifying financial interest in an agenda item. Members with a conflict of interest cannot participate in the discussion nor vote on the agenda item. Are there any known conflicts of interest to disclose at this time?"

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

None declared.

3. Announcements –

a) Mayor's Announcements –

Mayor Sepulveda announced that Suicide Prevention Month will be observed in September, with a Suicide Prevention Walk scheduled for September 6, 2025, at Vestal Park. She emphasized the importance of taking time to be present and participate if possible. Additionally, the Mayor will host Coffee with the Mayor on August 25, 2025, at 5:00 p.m. at Stefanos, and she warmly invites the community to attend.

b) City Manager's Announcements-

Mr. Gonzalez introduced Jason Moody as the new Director of Media and Communications. He also announced that non-emergency offices will be closed on Monday, September 1, 2025, in observance of Labor Day. However, he noted that trash pickup will continue as scheduled that day.

c) City Commission Member Announcements –

Mayor Pro-Tem Kinsley thanked everyone who supported or participated in last Saturday's community-wide cleanup.

Commissioner Lopez shared that the Suicide Prevention Walk is scheduled for Saturday, September 6, 2025, from 9:00 a.m. to 12:00 p.m. at Vestal Park, located at 501 Lafayette Avenue, Harlingen, Texas, 78550. He expressed gratitude to Keep Harlingen Beautiful and its advisory board, as well as Commissioners Perez and Kinsley, not only for their participation in the cleanup but also for approving \$60,000 for additional downtown lighting. He explained that nine new lights will be installed at the public parking lot on Van Buren Avenue and West Street, and seven lights will be added along Jackson Street. He also thanked Public Works and the Downtown Office for leading this effort. Commissioner Lopez further recognized the Community Development Advisory Board for supporting additional lighting in the Cano Freshman Campus neighborhood, covering V Street to O Street and West Lozano Street to West Adams Street. This project will add seven new lights in the area.

Commissioner Perez also thanked the volunteers who participated in the cleanup. He noted that while TXDOT cut the grass near the expressway, the contractor did not pick up the trash. He reassured the community that the issue is being addressed, explaining that he has already reached out to a TXDOT commissioner and will be working with Mr. Gonzalez to ensure the matter is resolved. He emphasized that committee members are aware of the situation and are actively working to correct it.

4. Proclamation/Presentation of Awards:

a) Harlingen Animal Shelter – “Pet of the Week”

Shannon Harvill, Director of Health, introduced Jojo, a 4-month-old Chihuahua mix. Anyone interested in adopting Jojo or any other animal may visit the Harlingen Animal Shelter, located at 1106 Markowsky Avenue, Harlingen. The shelter is open Tuesday through Saturday from 1:00 to 6:00 p.m. and can be reached at 956-216-5220. She added that the shelter will host a “Clear the Shelter” event this Saturday, offering half-price adoptions.

Commissioner Perez noted that adopting from the Harlingen Animal Shelter helps reduce local pet overpopulation. Ms. Harvill also emphasized that all pets are spayed or neutered as part of the adoption process, with no additional cost. Commissioner Lopez thanked Ms. Harvill for sharing updates on adoptions and events.

Mayor Sepulveda mentioned that a resident fostering puppies had asked about posting photos to generate adoption interest. The shelter confirmed they are happy to collaborate and assist with that effort.

b) Mayor’s Business of the Month “Creasy’s Bowl”

Brenda Creasy, owner of Creasy’s Bowl at 644 North Ed Cary Drive in Harlingen, shared the history of the family bowling center. Her father-in-law purchased a small center on Highway 77, which later expanded. Brenda and her husband took over in the early 1980s and built the current facility. Creasy’s Bowl offers a family-friendly space with a lounge and snack bar where leagues bowl, families gather, and friendships are made. Brenda expressed pride in the center, saying it feels like “home” and she wants visitors to feel the same. She also thanked Mayor Sepulveda for recognizing and supporting their business.

5. Citizen Communication:

- Raymond Reyes - 706 Nantucket Drive - Management of city
- Joe Martinez - 405 West Van Buren - Downtown Harlingen
- Janelle Martinez - 405 West Van Buren - Repetitive/Ongoing issues with promotional advertising for my Business
- Gregory Scott Kunkle Jr. - 1 Augusta Dr, Laguna Vista, TX

6. Approval of Minutes:

a) Regular Meeting of May 7, 2025

Motion was made by Mayor-Pro Tem Kinsley and seconded by Commissioner Perez to approve minutes for Regular Meeting of May 7, 2025. Motion Carried Unanimously.

7. Consent Agenda:

- a) Consideration and possible action authorizing the City Manager to accept a grant award from the Texas A&M Forest Service and to sign the subrecipient agreement. **Attachment (Special Projects Department)**
- b) Consideration and possible action to approve the installation of speed humps in the following location(s): **(This item was requested by Commissioner Frank Morales and Mayor Pro-Tem Ford Kinsley)**
 1. 3500 Block of Lamb Avenue
 2. 200-300 East Taft
 3. 300 East Buchanan
 4. 1200/1300 South "B" Street
 5. Between S. Belagio Circle and S. Tamm Lane
 6. On Heights S. between Red Oak Ave. and Green Jay Ct.
 7. On Paloma Ln. between Paloma Circle N. and Garcias Lane

Item 7(b) was removed from the consent agenda by Commissioner Lopez.

Motion was made by Commissioner Lopez and seconded by Commissioner Morales to approve item 7(a). Motion carried unanimously.

On Item 7(b), Commissioner Lopez added East Pierce Avenue between 6th Street and 11th Street, and Commissioner Morales added the 700/800 block of Louisiana.

Motion was made by Commissioner Lopez and seconded by Commissioner Perez to approve item 7(b) with amendments. Motion carried unanimously.

8. **Staff Reports and Other Discussion Items:**

- a) City Manager's Report
None.
- b) Staff Reports
None.

9. **Public Hearings:**

Mayor Sepulveda announced that Items 9 (a through f) are public hearings, and anyone wishing to speak for or against these items may do so.

- a) Public hearing on the adoption of the City of Harlingen's Annual Budget for Fiscal Year 2026. **(Finance Dept.)**
 - Item 9(a)-None.
- b) Public hearing on the proposed tax rate for Fiscal Year 2026. **(Finance Dept.)**
 - Item 9(b)-None.
- c) Public hearing for a Special Use Permit (SUP) for a Food Truck Park in a General Retail (GR) District located at 2906 South Expressway 83, bearing a legal description of Lot 1, E & L Subdivision. Applicant: James Kendrick Judkins Attachment **(Planning & Development)**
 - Item 9(c)-None.
- d) Public hearing for a rezoning request from Not Designated ("N") District to Residential, Single Family ("R-1") District for 25.78 acres of land out of Survey 140, L.L. Adams Subdivision, located on the east side of Rodeo Drive, approximately 4,696 feet north of W. Expressway 83. Applicant: Moore Land Surveying, LLC c/o Zarate Management, LLC. Attachment. **(Planning & Development)**
 - Item 9(d)-None.

- 1 e) Public hearing amending the City of Harlingen Comprehensive Plan, One Vision, One Harlingen,
2 Chapter 2, Figure 2.1, Thoroughfare Plan, by removing the proposed extension of New Hampshire
3 Street as a major collector road south of Morris Road to Park Bend. Applicant: City of Harlingen.
4 Attachment. (Planning & Development)

- 5 • Item 9(e)-None.

- 7 f) Public hearing amending the City of Harlingen Code of Ordinances Chapter 28, Licenses, Permits,
8 and Miscellaneous Regulations, Article VI, Limousines, Vans and Other Commercial Passenger
9 Vehicles by amending definitions, supplemental operating permit requirements, fees, and
10 conditions for supplemental vehicles; and by amending Chapter 18, Fees and Charges to Reflect
11 Updated Fees for Limousine Services. Applicant: City of Harlingen. Attachment. (Planning &
12 Development)

- 13 • Item 9(f)-None.

15 There being no comments from the public, Mayor Sepulveda closed the public Hearings.

17 10. Revised Presentation by Schneider Electric on potential energy savings. (Public Works)

19 Public Works Director Christopher Torres introduced Snyder representatives Aaron Garcia and
20 Ryan Wonder have a revised presentation from Snyder Electric addressing deferred maintenance and
21 efficiency needs across city facilities. Snyder's audit identified opportunities to modernize buildings,
22 reduce operational costs, and improve energy and water efficiency, with potential utility savings of 23%,
23 about \$100,000 annually. Option one proposes a \$3 million project focused on LED lighting and building
24 automation controls, expected to be self-funding through savings, while a larger option would include
25 HVAC and roofing replacements, which are critical but have longer payback periods. The process will
26 advance through staged design reviews (30%, 60%, 90%), with a \$57,000 analysis fee that is rolled
27 into the final project cost if the city proceeds.

29 Commissioners emphasized the need for a comprehensive review of all city facilities, not just those
30 currently listed, and raised concerns about prioritization of older buildings such as Casa del Sol and
31 City Lake. Snyder confirmed that sports lighting at four parks would be included and clarified that
32 automation refers to LED upgrades and thermostat-style controls, not full AC replacements. Rising
33 electricity costs were noted as an added incentive to act quickly.

35 Commission agreed to move forward with contract development, with an action item expected in
36 late September. The presentation concluded with consensus to proceed with the analysis phase to
37 ensure a full understanding of facility needs before implementation.

39 11. **Action Items**

40 **Ordinances:**

- 41 a) Consideration and possible action to approve an ordinance on first reading adopting the City of
42 Harlingen's budget for fiscal year 2026 by record vote. Attachment (Finance Dept.)

44 Finance Director Robert Rodriguez reported that the city is proposing revenues of \$119,595,578
45 and expenditures of \$117,534,130, the result of five months of work and five budget workshops.

47 Mayor Sepulveda expressed appreciation to Finance Department and city management for
48 preparing a budget that addresses key priorities, including drainage improvements, equipment and
49 staffing, collective bargaining for police wages, and support for the airport's sustainability.
50 Commissioner Mezmar noted that the budget continues the city's long-standing practice of lowering the
51 property tax rate, marking the 26th consecutive year of reductions.

53 Motion was made by Commissioner Perez and seconded by Mayor-Pro Tem Kinsley to approve
54 an ordinance on first reading adopting the City of Harlingen's budget for fiscal year 2026 by record vote.
55 Record vote: Unanimous. FOR: Mayor Sepulveda, Mayor Pro-Tem Kinsley, Commissioners: Lopez,
56 Mezmar, Morales, Perez. AGAINST: None. ABSTAINED: None (Vote: 6-0-0).

- 1
2 b) Consideration and possible action to approve an ordinance on first reading adopting the Tax Year
3 2025 ad valorem tax rate for maintenance and operations (M&O) together with the interest and
4 sinking (I&S) rate for Fiscal Year 2026 by record vote. Attachment (Finance Dept.)
5

6 Mayor Pro-Tem Kinsley moved that the maintenance and operations tax rate be fixed at 0.458038
7 per \$100 and was seconded by Commissioner Mezmar. Record vote: Approved FOR: Mayor
8 Sepulveda, Mayor Pro-Tem Kinsley, Commissioners: Lopez, Mezmar, Perez. AGAINST:
9 Commissioner Morales ABSTAINED: None (Vote: 5-1-0).

10
11 Mayor Pro-Tem Kinsley moved that the interest in seeking tax rate be fixed at 0.068022 per 100
12 and was seconded by Commissioner Mezmar. Record vote: Unanimous. FOR: Mayor Sepulveda,
13 Mayor Pro-Tem Kinsley, Commissioners: Lopez, Mezmar, Morales, Perez. AGAINST: None.
14 ABSTAINED: None (Vote: 6-0-0).

15
16 Mayor Pro-Tem Kinsley moved that the property tax rate be increased by the adoption of a tax rate
17 of 0.5260 for \$100, which is effectively a 3.33 percent increase in the tax rate and was seconded by
18 Commissioner Mezmar. Record vote: Approved FOR: Mayor Sepulveda, Mayor Pro-Tem Kinsley,
19 Commissioners: Lopez, Mezmar, Perez. AGAINST: Commissioner Morales ABSTAINED: None (Vote:
20 5-1-0).

- 21
22 c) Consideration and possible action to approve an ordinance on first reading for a Special Use Permit
23 (SUP) for a Food Truck Park in a General Retail (GR) District located at 2906 South Expressway
24 83, bearing a legal description of Lot 1, E & L Subdivision. Applicant: James Kendrick Judkins
25 Attachment. (Planning & Development)
26

27 Motion was made by Commissioner Lopez and seconded by Commissioner Perez to approve an
28 ordinance on first reading for a Special Use Permit (SUP) for a Food Truck Park in a General Retail
29 (GR) District located at 2906 South Expressway 83, bearing a legal description of Lot 1, E & L
30 Subdivision. Motion carried unanimously.

- 31
32 d) Consideration and possible action to approve an ordinance on first reading for a rezoning request
33 from Not Designated ("N") District to Residential, Single Family ("R-1") District for 25.78 acres of
34 land out of Survey 140, L.L. Adams Subdivision, located on the east side of Rodeo Drive,
35 approximately 4,696 feet north of W. Expressway 83. Applicant: Moore Land Surveying, LLC c/o
36 Zarate Management, LLC. Attachment. (Planning & Development)
37

38 Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Kinsley to approve
39 an ordinance on first reading for a rezoning request from Not Designated ("N") District to Residential,
40 Single Family ("R-1") District for 25.78 acres of land out of Survey 140, L.L. Adams Subdivision, located
41 on the east side of Rodeo Drive, approximately 4,696 feet north of W. Expressway 83. Motion carried
42 unanimously.

- 43
44 e) Consideration and possible action to approve an ordinance on first reading amending the City of
45 Harlingen Comprehensive Plan, One Vision, One Harlingen, Chapter 2, Figure 2.1, Thoroughfare
46 Plan, by removing the proposed extension of New Hampshire Street as a major collector road south
47 of Morris Road to Park Bend. Applicant: City of Harlingen. Attachment (Planning & Development)
48

49 Motion was made by Commissioner Mezmar and seconded by Commissioner Perez to approve an
50 ordinance on first reading amending the City of Harlingen Comprehensive Plan, One Vision, One
51 Harlingen, Chapter 2, Figure 2.1, Thoroughfare Plan, by removing the proposed extension of New
52 Hampshire Street as a major collector road south of Morris Road to Park Bend. Motion carried
53 unanimously.

- 54
55 f) Consideration and possible action to approve an ordinance amending the City of Harlingen Code
56 of Ordinances Chapter 28, Licenses, Permits, and Miscellaneous Regulations, Article VI.

Limousines, Vans and Other Commercial Passenger Vehicles by amending definitions, supplemental operating permit requirements, fees, and conditions for supplemental vehicles; and by amending Chapter 18, Fees and Charges to Reflect Updated Fees for Limousine Services. Applicant: City of Harlingen. Attachment (Planning & Development)

George Mary, president of Elegant Worldwide Transportation, described how his company was contacted by the Convention and Visitors Bureau to assist a convention group, which led to discovering ordinance barriers to operating legally. Although the convention was relocated, he praised local cooperation and expressed commitment to expanding services in the city. The company requested ordinance changes, including shifting pricing rules from a \$40 maximum to a minimum rate, allowing licensed backup vehicles from other locations.

Motion was made by Commissioner Perez and seconded by Mayor Pro-Tem Kinsley to approve an ordinance amending the City of Harlingen Code of Ordinances Chapter 28, Licenses, Permits, and Miscellaneous Regulations, Article VI, Limousines, Vans and Other Commercial Passenger Vehicles by amending definitions, supplemental operating permit requirements, fees, and conditions for supplemental vehicles; and by amending Chapter 18, Fees and Charges to Reflect Updated Fees for Limousine Services. Motion carries unanimously

g) Consideration and possible action to adopt an ordinance on second and final reading for a rezoning request from Not Designated (N) District to Planned Development (PD) District for Single Family residential use with smaller lot sizes and 32 ft. wide paved streets within 50 feet of right-of-way for a 77.89 acre tract of land being Part of Block 15 and all of Block 16, Harlingen Land and Water Company Subdivision "C," located on the south side of Kroger Avenue between McCullough Street and Chester Park Road. Applicant: Javier Hinojosa, c/o Carlos I. Garza and Jason E. Garza. Attachment. (Planning & Development)

Motion was made by Commissioner Lopez and seconded by Commissioner Mezmar to adopt an ordinance on second and final reading for a rezoning request from Not Designated (N) District to Planned Development (PD) District for Single Family residential use with smaller lot sizes and 32 ft. wide paved streets within 50 feet of right-of-way for a 77.89 acre tract of land being Part of Block 15 and all of Block 16, Harlingen Land and Water Company Subdivision "C," located on the south side of Kroger Avenue between McCullough Street and Chester Park Road with the amendment of 37ft. wide paved streets. Motion carried unanimously.

ORDINANCE NO. 25-45
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM NOT DESIGNATED ("N") DISTRICT TO PLANNED DEVELOPMENT ("PD") DISTRICT FOR SINGLE FAMILY RESIDENTIAL USE WITH SMALLER LOT SIZES AND 37-FOOT-WIDE PAVED STREETS WITHIN 50 FEET OF RIGHT-OFWAY FOR A 77.89 ACRE TRACT OF LAND BEING PART OF BLOCK 15 AND ALL OF BLOCK 16, HARLINGEN LAND AND WATER COMPANY SUBDIVISION "C," LOCATED ON THE SOUTH SIDE OF KROGER AVENUE BETWEEN MCCULLOUGH STREET AND CHESTER PARK ROAD; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

PASSED AND APPROVED on first reading this the 6th day of August 2025.
PASSED AND APPROVED on the second and final reading this the 20th day of August 2025.

ATTEST:
/s/ Mayra Herrera, City Secretary

CITY OF HARLINGEN
/s/Norma Sepulveda, Mayor

- h) Consideration and possible action to approve the preliminary construction plans and final plat with conditions of the proposed Sun Country Estates Phase III Subdivision, bearing a legal description Tract I: 3.626 acres comprised of Lots 4-A, 4-B, and 4-C out of Block 4, Sun Country Subdivision Phase I, Tract II: 3.626 acres comprised of Lots 5-A, 5-B, and 5-C, Block 5, Sun Country Subdivision Phase I and Tract III, and 5.108 acres comprised of Lots 6-A and 6-B out of Block 6, Sun Country Subdivision Phase I, located north of Marco Avenue, approximately 811.63 feet west of Chester Park Road. Applicant: Oscar A. Chavez, P.E., R.P.L.S c/o Marco Antonio Castellanos & Beatriz Castellanos Reiner. **Attachment (Planning & Development)**

Motion was made by Commissioner Perez and seconded by Mayor Pro-Tem Kinsley to approve the preliminary construction plans and final plat with conditions of the proposed Sun Country Estates Phase III Subdivision, bearing a legal description Tract I: 3.626 acres comprised of Lots 4-A, 4-B, and 4-C out of Block 4, Sun Country Subdivision Phase I, Tract II: 3.626 acres comprised of Lots 5-A, 5-B, and 5-C, Block 5, Sun Country Subdivision Phase I and Tract III, and 5.108 acres comprised of Lots 6-A and 6-B out of Block 6, Sun Country Subdivision Phase I, located north of Marco Avenue, approximately 811.63 feet west of Chester Park Road. Motion carried unanimously.

- i) Consideration and possible action to name the Bonito & Duval Park Project in District 2 as "Gayle Butterfly Garden Park" (Parks & Recreation Dept)

Harlingen's first pocket park, designed as a butterfly garden with native plants to attract butterflies. The project is nearing completion, with final pieces ordered and a new bridge already installed. Residents suggested naming it "Gayle Neighborhood Park," but commissioners agreed on "Gayle Butterfly Garden Park" to avoid confusion about access. The park will feature shaded areas, chess tables, and a ribbon-cutting once equipment arrives. Commissioners praised the design, noting its cooler canopy environment and community-friendly features.

Motion was made by Commissioner Lopez and seconded by Commissioner Perez to name the Bonito & Duval Park Project in District 2 as "Gayle Butterfly Garden Park". Motion carried unanimously.

- j) Consideration and possible action to approve a list of priority in-house drainage improvement projects for FY2026–2027 in coordination with Cameron County Drainage Districts and Irrigation Districts, and authorize the City Manager to proceed with implementation. **Attachment (Engineering Dept.)**

City Engineer Roberto Hernandez presented a list of upcoming drainage improvement projects, including Lipscomb Ditch Outfall, Westway Outfall, Spanish Secluded Acres, 13th Street Ditch, North Bass Hill Crossings, Treasure Hills, and the Harlingen Police Detention Pond. The projects are prioritized in phases, with Lipscomb and Westway scheduled first due to quick turnaround, followed by larger efforts at Spanish Secluded Acres and 13th Street involving extensive ditch widening and excavation. Work will be carried out using city labor and equipment only, with no outside monetary participation, and a second crew is expected to be added in October once staff and equipment are secured. Drainage districts will provide necessary pipe infrastructure, while the city handles excavation and installation. Mr. Hernandez clarified that the work would focus on improvements rather than maintenance, and coordination with irrigation districts is underway to manage crossings.

Motion was made by Commissioner Mezmar and seconded by Commissioner Lopez to approve a list of priority in-house drainage improvement projects for FY2026–2027 in coordination with Cameron County Drainage Districts and Irrigation Districts and authorize the City Manager to proceed with implementation.

- k) Consideration and possible action to award a contract to Scheibe Consulting in the amount of \$332,355.25 for professional engineering services for the design and environmental permitting of the Arroyo Colorado Hike and Bike Trail Extension Project Phase III and authorize the City Manager to execute the agreement. **Attachment (Engineering Dept.)**

Motion was made by Commissioner Perez and seconded by Commissioner Lopez to award a contract to Scheibe Consulting in the amount of \$332,355.25 for professional engineering services for the design and environmental permitting of the Arroyo Colorado Hike and Bike Trail Extension Project Phase III and authorize the City Manager to execute the agreement. Motion carried as follows: FOR: Mayor Pro-Tem Kinsley, Commissioners: Lopez, Perez. AGAINST: Commissioner Mezmar, Morales ABSTAINED: None (Vote: 3-2-0).

l) Consideration and possible action to approve a resolution accepting the Harlingen Waterworks System's Budget for Fiscal Year 2025-2026. Attachment (HWW3)

For fiscal year 2026, the city is projecting total revenues of \$27,712,334 and expenses of \$29,017,493. The capital outlay, which covers capital improvement projects, is estimated at \$48,258,179, and \$1,440,000 is planned for debt retirement. Capital asset and equipment purchase total \$2,165,400. The proposed ending fund balance is \$10,157,533, representing approximately 157 days of working capital. The budget also includes additional positions, personnel expense adjustments, and classification changes across personnel, non-personnel, and chemicals.

Major capital improvement projects include the Jefferson Raw Water Line Replacement, which is a critical upgrade to the city's water intake system. Wastewater projects include the Little Creek Interceptor, currently in design and expected to begin construction after May 2026, and the Headworks and Basin expansion to increase wastewater capacity. These projects aim to address issues caused by deteriorating clay pipes and sewage overflows in neighborhoods.

There are also plans to implement a SCADA alarm system for wastewater within the next three years to improve monitoring of lift stations and provide immediate alerts when power is lost. Funding for these projects has been supported by the Water Development Board, with \$10 million initially secured, an additional \$1.7 million for lead service replacement, and roughly \$32 million pending. Another \$11 million low-interest bond is also under consideration. Future items, including TMRS updated service credit and compensation study recommendations, will be brought back to the commission at a later date.

Motion was made by Mayor Pro-Tem Kinsley and seconded by Commissioner Morales to approve an ordinance on first reading adopting the City of Harlingen's budget for fiscal year 2026 by record vote. Motion carried unanimously.

12. Board Appointments:

Mayor Sepulveda reappointed Elain Flores to the Community Development Advisory Board. Commissioner Mezmar removed Eric Zeike and appointed Javier Segura to the EDC Board. Commissioner Perez reappointed Javier Segura to the Veterans Advisory Board.

Motion was made by Commissioner Morales and seconded by Commissioner Perez to approve all the re-appointments and appointments. Motion carried unanimously.

13. Executive Session:

a) Discussion Pursuant to Texas Government Code 551.074 (1)-to deliberate on the employment of the City Manager (i.e. regarding any possible extension and/or modification of the City Manager's Contract).

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

At 7:19 pm. Mayor Sepulveda announced the City Commission would convene into Executive Session to discuss Item 13 (a).

14. Action on Executive Session Items:

1 At 7:50 pm, Mayor Sepulveda announced the City Commission had completed its Executive
2 Session and declared the meeting open to the public.

3
4 a) Consideration and possible action on Item 13(a) as discussed in executive session.

5
6 Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Kinsley on Item 13(a)
7 to Proceed as discussed in executive session. Motion carried unanimously.

8
9 **15. Adjournment:**

10 There being no other business to discuss, Mayor Sepulveda adjourned the meeting.
11
12
13
14

15 City of Harlingen

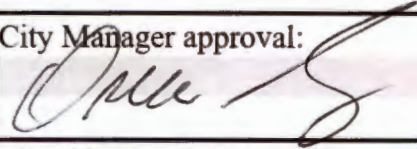
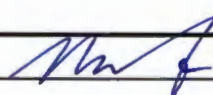
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19 ATTEST:

Norma Sepulveda, Mayor

20
21
22 _____
23 Mayra Herrera, City Secretary
24

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **December 3, 2025**

Agenda Item:	
Consideration and possible action to adopt an ordinance on second and final reading approving the Comprehensive Plan, Downtown Plan, and Parks Plan, to serve as the official plans for the City of Harlingen in accordance with Chapter 213 of the Texas Local Government Code. 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:	

ORDINANCE NO. 2025 - _____

AN ORDINANCE OF THE CITY OF HARLINGEN, TEXAS, CALLING A PUBLIC HEARING TO BE HELD JOINTLY BY THE CITY COMMISSION AND THE PLANNING AND ZONING COMMISSION REGARDING THE ADOPTION OF THE COMPREHENSIVE, DOWNTOWN, AND PARKS PLANS TO BECOME EFFECTIVE UPON THEIR PASSAGE AND APPROVAL.

WHEREAS, the City Commission of the City of Harlingen retained a professional planning consultant to assist in the preparation of a new Comprehensive Plan, Downtown Plan and Parks Plan for the City; and

WHEREAS, the City Commission appointed a Plans Steering Committee (PSC) to guide the recommendations made by the planning consultant for the Comprehensive Plan, Downtown Plan, and Parks Plan; and

WHEREAS, community meetings and online tools were held throughout the planning process to allow for public engagement and feedback on the Plan content; and

WHEREAS, the Planning and Zoning Commission and the Parks and Recreation Advisory Board received briefings on the draft Plans in September 2025; and

WHEREAS, the drafts of the Plans were made public on October 10, 2025, in which the community was provided the opportunity to review and provide comments on the draft plan, and those comments were provided as part of the backup for this meeting; and

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

SECTION 1: That the Comprehensive Plan, the Downtown Plan, and the Parks and Recreation Plan, including all chapters and maps, which are attached hereto and incorporated herein for all purposes, is hereby adopted by the City Commission as a guide and public policy.

SECTION 2: That these Plans are intended to constitute the Comprehensive Plan or Master Plan of the City of Harlingen, Texas, for all matters relating to long-range guidance relative to zoning and land use decisions, land subdivision, thoroughfare construction, park and recreation planning, and growth management as authorized by Chapter 213 of the Texas Local Government Code.

SECTION 3: That it is hereby officially found and determined that the meeting at which this Ordinance is passed was properly noticed and open to the public as required by law.

SECTION 4: That this Ordinance shall become effective on and after its passage and approval.

PASSED and APPROVED on first reading this _____ day of _____, 2025.

PASSED, APPROVED AND ADOPTED on second and final reading this _____ day of _____ 2025.

Norma Sepulveda, Mayor

Mayra Herrera, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **December 3, 2025**

Agenda Item:
A resolution to the City Commission of the City of Harlingen, Texas, to approve a retroactive submission for the Housing for Texas Heroes Program from the Texas Veterans Commission. Attachment (<i>Special Projects Department</i>)
Prepared By: Ana Hernandez, Mobility & Special Projects Director
Brief Summary:
The Texas Veterans' Commission provides grants to nonprofit organizations and local government programs that address the needs of Texas veterans and their families. The Housing for Texas Heroes Grant Program allows eligible entities to provide necessary home modifications, repairs, and weatherization for veterans and surviving spouses who live in Texas. Organizations are encouraged to provide services to multiple counties to reach more beneficiaries.
The City of Harlingen has submitted an application to the Texas Veterans Commission for a grant award of \$400,000 to provide home modifications to residents in both Cameron and Willacy County. The grant cycle will be from September 1st 2026 to August 31st 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 TO THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS, TO APPROVE A RETROACTIVE SUBMISSION FOR THE HOUSING FOR TEXAS HEROES PROGRAM FROM THE TEXAS VETERANS COMMISSION .

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

WHEREAS, the Housing for Texas Heroes Grant Program provides necessary home modifications, repairs, and weatherization for veterans and surviving spouses who live in Texas; organizations are encouraged to provide services to multiple counties to reach more beneficiaries; and,

WHEREAS, the Harlingen City Commission finds it in the best interest of the residents of Harlingen, Texas, to apply a grant award of \$400,000 from the Texas Veterans' Commission to provide housing assistance to eligible low-income households, and to provide these services to eligible beneficiaries in both Cameron and Willacy County.

NOW, THEREFORE, BE IT RESOLVED that the Harlingen City Commission approves the retroactive submission of the Texas Veterans Commission FY 2027 Housing for Texas Heroes Program.

CONSIDERED and **ADOPTED** this 3rd day of December 2025 at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present, and which was held in accordance with Government Code Chapter 551, as amended.

CITY OF HARLINGEN

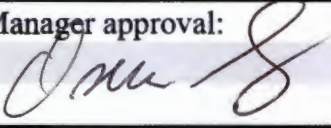
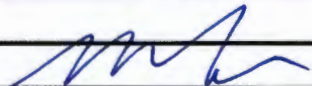
Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **December 3, 2025**

Agenda Item:
Consideration and possible action to approve a resolution authorizing the Special Projects Director to accept a grant award from the Texas Department of Transportation – Selective Traffic Enforcement Program – Impaired Driving Mobilization Attachment (<i>Special Projects Department</i>).
Prepared By: Ana Hernandez, Mobility & Special Projects Director
Brief Summary:
The Harlingen Police Department has been awarded \$12,000.00 to fund personnel overtime costs for providing additional personnel to enhance and improve community and highway safety.
Funding Breakdown: TxDOT Award: \$12,000.00 Matching Funds (20%): \$3,002.74 Total: \$15,002.74
The grant cycle is from December 9 th 2025, to September 7 th 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: 
Comments:
City Attorney's approval: 

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) IMPAIRED DRIVING MOBILIZATION (IDM)

WHEREAS, the goal of the STEP IDM grant is to reduce the number of DWI-related crashes, injuries, and fatalities;

WHEREAS, the Harlingen City Commission finds it in the best interest of the residents of Harlingen, Texas, to accept a grant award of \$12,000 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 – Impaired Driving Mobilization

CONSIDERED AND ADOPTED this 3rd day of December 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(d)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **December 3, 2025**

Agenda Item:

A resolution to the City Commission of the City of Harlingen, Texas, to approve a retroactive submission for the General Assistance Grant Program — Financial Assistance Grant Application from the Texas Veterans Commission. Attachment (*Special Projects Department*)

Prepared By: Ana Hernandez, Mobility & Special Projects Director

Brief Summary:

The Texas Veterans' Commission provides grants to nonprofit organizations and local government programs that address the needs of Texas veterans and their families. The General Assistance (GA) Grant Program includes service categories, such as Financial Assistance, that collectively support veterans, dependents, and surviving spouses who live in Texas. Organizations are encouraged to provide services to multiple counties to reach more beneficiaries.

The City of Harlingen has submitted an application to the Texas Veterans Commission for a grant award of \$400,000 to provide financial assistance services to eligible beneficiaries in both Cameron and Willacy County, and to hire one, full-time, staff member to focus on the grant programs. The grant cycle will be from September 1st 2026 to August 31st 2027.

Funding (if applicable):

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

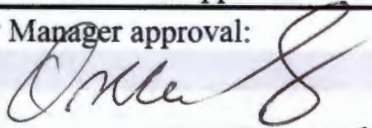
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Finance Director's approval (Yes/No/NA):

Staff Recommendation:

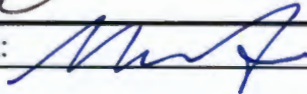
Staff recommends approval of this resolution.

City Manager approval:



Comments:

City Attorney's approval:



RESOLUTION NO. 2025 - ____

A RESOLUTION TO THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS, TO APPROVE A RETROACTIVE SUBMISSION FOR THE GENERAL ASSISTANCE GRANT PROGRAM – FINANCIAL ASSISTANCE GRANT APPLICATION FROM THE TEXAS VETERANS COMMISSION

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

WHEREAS, the General Assistance (GA) Grant Program includes service categories, such as Financial Assistance, that collectively support veterans, dependents, and surviving spouses who live in Texas; organizations are encouraged to provide services to multiple counties to reach more beneficiaries; and

WHEREAS, the Harlingen City Commission finds it in the best interest of the residents of Harlingen, Texas, to apply for a grant with a maximum of \$400,000 from the Texas Veterans' Commission to provide financial assistance to eligible beneficiaries who can demonstrate financial need, to use a portion of the grant funding to hire one, full-time, staff member, and to provide these services to eligible beneficiaries in Cameron and Willacy County.

NOW, THEREFORE, BE IT RESOLVED that the Harlingen City Commission approves the retroactive submission of the Texas Veterans Commission FY 2027 General Assistance Grant Program.

CONSIDERED and **ADOPTED** this 3rd day of December 2025 at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present, and which was held in accordance with Government Code Chapter 551, as amended.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

AGENDA ITEM
EXECUTIVE SUMMARY

7(e)

Meeting Date: December 3, 2025

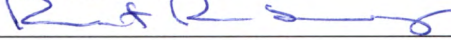
Agenda Item:

Investment Report for the City of Harlingen for *the quarter* ending September 30, 2025, and for *year* ending September 30, 2025.

Prepared By (Print Name): Robert Rodriguez

Title: Finance Director

Signature:



Brief Summary:

The investment report shows the total amount of cash and investments in summary and detail. The report includes types of investments, interest rates, maturity dates and portfolio composition.

Highlights:

\$69,136,768 Total Book Value of all City funds at September 30, 2025
\$ 773,101 Interest earned during *quarter*
\$ 3,369,932 Interest earned during *year*
\$ 12,027 Net Amortization/Accretion during *quarter*
\$ 120,090 Net Amortization/Accretion during *year*
\$ 403 Realized Gain/(Loss) on call redemption
4.229% Weighted Average

The graphical summary of the City's portfolio is displayed on pages 5 - 9. The City of Harlingen manages and invests funds with three objectives, listed in order of priority: Preservation and Safety of Principal, Liquidity, and Yield. All investments comply with the Public Funds Investments Act (PIFA).

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

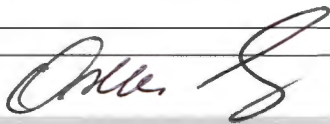
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N/A

Staff Recommendation:

Staff recommends approval.

City Manager's approval:

☐

Yes

☐

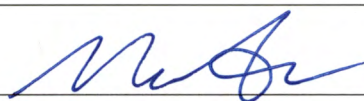
No

☐

N/A

Comments:

City Attorney's approval:

☐

Yes

☐

No

☐

N/A

INVESTMENT REPORT

FOR THE QUARTER AND YEAR
OCTOBER 1, 2024 TO SEPTEMBER 30, 2025

December 3, 2025



Portfolio Overview

Portfolio Summary

	Prior 30 Sep-24	Current 30 Sep-25
Par Value	74,118,883.63	69,136,768.44
Original Cost	73,716,930.51	69,080,518.44
Book Value	74,037,226.91	69,118,855.50
Market Value	74,043,883.63	69,140,674.64
Accrued Interest	29,508.20	102,173.91
Book Value Plus Accrued	74,066,735.10	69,221,029.42
Market Value Plus Accrued	74,073,391.83	69,242,848.55
Net Unrealized Gain/(Loss)	6,656.72	21,819.14

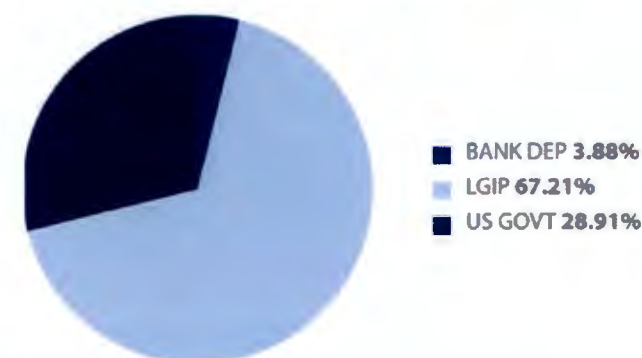
Income Summary

Current Period	1 Oct-24 to 30 Sep-25
Interest Income	3,369,931.97
Net Amortization/Accretion	120,090.38
Realized Gain/(Loss)	403.40
Net Income	3,490,425.75
Fiscal Year-to-Date	1 Oct-24 to 30 Sep-25
Net Income	3,490,425.75

Portfolio Characteristics

	Prior 30 Sep-24	Current 30 Sep-25
Yield to Maturity	5.134%	4.229%
Yield to Worst	5.134%	4.229%
Days to Final Maturity	11	41
Days to Effective Maturity	11	41
Duration	0.21	0.37

Asset Allocation

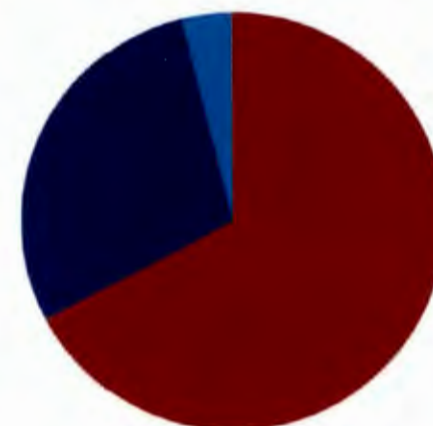


Credit Rating Summary

Rating Distribution

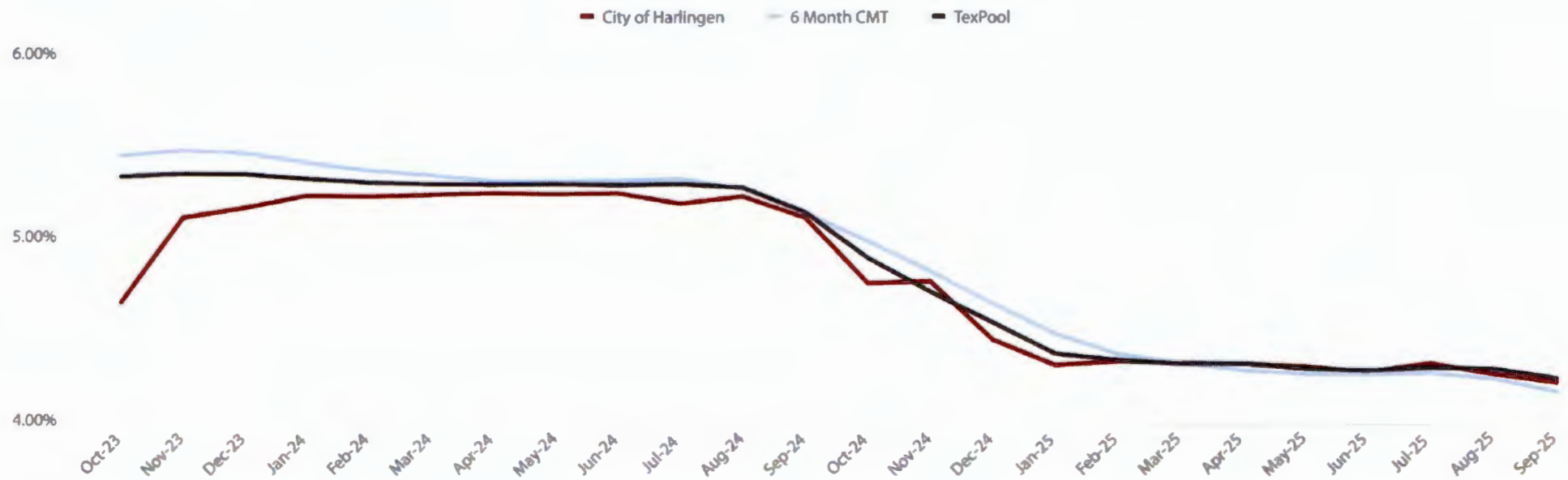
	Book Value	Portfolio Allocation
Secured Deposits (Insured or Collateralized)		
Demand Deposits	2,679,603.01	3.88%
Total Secured Deposits	2,679,603.01	3.88%
Local Government Investment Pools & Money Market Funds		
AAA	46,457,165.43	67.21%
Total Local Government Investment Pools & Money Market Funds	46,457,165.43	67.21%
Long Term Rating Distribution		
AA+	19,982,087.06	28.91%
Total Long Term Rating Distribution	19,982,087.06	28.91%
Portfolio Total	69,118,855.50	100.00%

Allocation by Rating



■ AAA 67.21%
 ■ AA+ 28.91%
 ■ SD 3.88%

Benchmark Comparison



Yield Overview

	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24	Jan-25	Feb-25	Mar-25	Apr-25	May-25	Jun-25	Jul-25	Aug-25	Sep-25
City of Harlingen	4.67	5.13	5.19	5.25	5.25	5.26	5.27	5.26	5.27	5.21	5.25	5.13	4.78	4.79	4.47	4.33	4.35	4.34	4.34	4.32	4.29	4.34	4.28	4.23
6 Month CMT	5.47	5.50	5.48	5.43	5.39	5.36	5.33	5.33	5.34	5.34	5.29	5.16	5.00	4.84	4.66	4.50	4.39	4.34	4.30	4.28	4.27	4.28	4.25	4.18
TexPool	5.36	5.37	5.37	5.35	5.33	5.32	5.31	5.32	5.31	5.32	5.30	5.16	4.91	4.73	4.56	4.39	4.36	4.33	4.34	4.31	4.30	4.31	4.31	4.25

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(2)

Meeting Date: **December 3, 2025**

Agenda Item:

Public hearing for a rezoning request from Office ("O") District to General Retail ("GR") District located at 1616 & 1620 N. Ed Carey Drive, bearing a legal description of Lot 9, Medical Subdivision. Applicant: RGV Plaza, LLC

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

Signature: *Ana Hernandez*

Brief Summary:

Project Timeline

- September 28, 2025 – Application for rezoning submitted to the City. **(ATTACHMENT I)**
- October 29, 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.
- November 01, 2025 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- November 18, 2025 - Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z).
- December 03, 2025 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- December 17, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- The applicant is requesting to rezone the subject property from Office ("O") District to General Retail ("GR") District to allow for retail sales. **(ATTACHMENT I, III).**
- The subject property is located along the east side of N. Ed Carey Drive; 179.13 ft. north of Business 77 (Sunshine Strip). There is an existing 3,988.31 sq. ft. building on the property and is the site for Maluhia Hospice Care and Harlingen Pharmacy. The property has 82.46 feet of frontage on N. Ed Carey Drive and a depth of 139.49 feet at its deepest point. **(ATTACHMENT II, III, IV).**
- Adjacent zoning is Office ("O") District to the north, and General Retail ("GR") District in all other directions. **(ATTACHMENT III)** Surrounding land uses include CVS Pharmacy, Walgreen's, Valley Baptist Hospital, and various professional and medical offices. **(ATTACHMENT IV)**
- The Future Land Use Plan component of the City of Harlingen's Vision 2020 Comprehensive Plan shows this area as Retail/Commercial/Office. The request is consistent with the land use plan designation for the area. **(ATTACHMENT V).**

- At the time of this writing, Staff has not received any phone calls, letters, or e-mails in opposition to the rezoning request, furthermore, Staff mailed out eight notices to surrounding property owners.

Funding (if applicable):

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

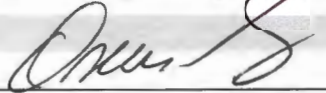
*If no, specify source of funding and amount requested:

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

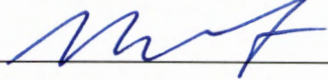
Staff Recommendation:

Staff recommends approval of the rezoning request since it is consistent with the rezoning and development trends of the area.

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



Comments:

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

PLANNING AND ZONING COMMISSION
November 18, 2025

ACTION ITEMS/PUBLIC HEARINGS

- 1. Public hearing and take action to consider a request to rezone from Office (“O”) District to General Retail (“GR”) District located at 1616 & 1620 N. Ed Carey Drive, bearing a legal description of Lot 9, Medical Subdivision. Applicant: RGV Plaza, LLC**

City Planner Rodrigo Sanchez presented the following information related to the request to rezone, as follows:

- The Legal Notice Map was presented for the item.
- Mr. Sanchez said that the reason for the rezoning was to be able to allow retail sales.
- The property is located along the east side of north Ed Carey Drive, just north of Sunshine Strip. Mr. Sanchez pointed out the street.
- He said that there was a building on the property and indicated that it was the site for Maluhia Hospice Care and Harlingen Pharmacy.
- Adjacent zoning is Office (O) to the north, General Retail (GR) in all the other directions.
- An Aerial View of the Subject Property was presented.
- Some of the surrounding land uses include Walgreens, CVS pharmacy, the Valley Baptist hospital and a variety of professional and medical offices.
- The Land Use designation for this particular property, as well as some of the surrounding areas, is Retail/Commercial/Office so this request is consistent with the designation for the area.
- Mr. Sanchez reported that at this time, Staff had not received any phone calls, any letters, [and] any emails in opposition to the rezoning request, or even for inquiries. He stated Staff did mail out eight (8) notices to surrounding property owners.
- Staff is recommending approval of this rezoning request since it is consistent with the existing zoning pattern and the development trends that have taken place in the area. Staff recommends approval.

Chairman Consiglio thanked Mr. Sanchez for his nice presentation. He asked if there were any questions for Staff. Upon hearing none, he said he proceeded to the Public Hearing.

The Public Hearing was opened. The Chairman asked if anyone would like to speak on this item, for or against, to please approach the podium. Some of the audience members indicated the applicant was on their way. The Chairman indicated he would need to proceed and the Public Hearing was closed.

The Chairman asked if there was a motion. Cmr. Cantu 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.

The Chairman acknowledged that the applicant had just made it to the meeting and said he hoped they had driven safely.

**AGENDA ITEM
EXECUTIVE SUMMARY**

96

Meeting Date: **December 3, 2025**

Agenda Item:

Public hearing for a rezoning request from Not Designated ("N") District to General Retail ("GR") District for 13.58 acres of land out of Survey 140, L.L. Adams Subdivision, located south of Wilson Road, approximately 4,800.46 feet east of Bass Boulevard. Applicant: Moore Land Surveying LLC c/o Zarate Home Designs. 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

- October 21, 2025 – Application for rezoning submitted **(ATTACHMENT I)**.
- October 29, 2025 – In accordance with State and local law, notice of the required public hearing was mailed to all property owners within a 200 foot radius of subject tract.
- November 1, 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
- November 18, 2025 – Public hearing and consideration of requested rezoning by the Planning and Zoning Commission (P&Z).
- December 3, 2025 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- December 17, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Mr. Emiliano Rosel, the applicant, is requesting to rezone the subject property on behalf of his client, from Not Designated ("N") District to General Retail ("GR") District to allow for a commercial development on the subject property.
- The subject property is currently vacant and undergoing subdivision. It has approximately 1,022.91 feet of frontage along Wilson Road and a maximum depth of 310.12 feet. Wilson Road west of Stuart Place Road is a two-lane 40-foot-wide paved street without curb and gutter. **(ATTACHMENT II-V)**.
- The surrounding properties are zoned Residential, Single Family to the north, south, and east, and to the north and west is County. **(ATTACHMENT II)**. Surrounding land use consists of vacant land in agriculture use to the south, east, and west, single-family residential developments to the north, east, and west, and Rodriguez Elementary School to the north. **(ATTACHMENT VI)**.
- The Future Land Use Plan component of the City of Harlingen Comprehensive Plan One Vision, One Harlingen shows this area as Low Density Residential. The

request is not generally consistent with the Future Land Use Plan. However, Wilson Road functions as a State Highway and is currently experiencing a period of transition. Therefore, a commercial development at this location could support and further enhance this transitional corridor, contributing to the area's evolving land use pattern. There is existing institutional use across from the subject property, with General Retail ("GR") zoning and land use located further east of the site. (ATTACHMENT VII).

- To the present, the Planning and Development Department has not received any calls for the requested rezoning from surrounding property owners. Staff mailed twelve notices to surrounding property owners.

Funding (if applicable):

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

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

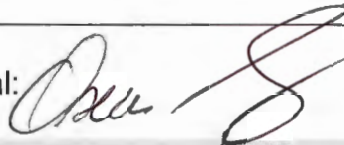
Finance Director's approval:

☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval.

City Manager's approval:



☐ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:



☒ Yes ☐ No ☐ N/A

PLANNING AND ZONING COMMISSION

November 18, 2025

ACTION ITEMS/PUBLIC HEARINGS

- 2. Public hearing and take action to consider a request to rezone from Not Designated (“N”) District to General Retail (“GR”) District for 13.58 acres of land out of Survey 140, L.L. Adams Subdivision, located south of Wilson Road, approximately 4,800.46 feet east of Bass Boulevard. Applicant: Moore Land Surveying LLC c/o Zarate Home Designs**

City Planner Soledad Núñez presented the following information related to the request to rezone, as follows:

- The Legal Notice Map for the Subject Property was presented.
- Ms. Núñez explained that the request to rezone was to allow for a commercial development.
- She said that the property was currently being subdivided as we speak.
- The Subject Property has approximately one thousand twenty-two point ninety-one (1022.91) feet of frontage along Wilson Road and a maximum depth of three hundred and ten point twelve (310.12) feet at its longest point.
- Wilson Road [to the] west of Stuart Place Road is a two (2) lane, forty (40) foot wide paved street without curb and gutter.
- Surrounding properties are zoned residential single family to the north and to the east. Ms. Núñez pointed the areas out on the map. To the north and West is county. Ms. Núñez explained that the red line is a city limit line so [the property] is right at the city limit line.
- Surrounding land use consists of vacant land and agricultural use to the south, east and west, single-family residential developments to the north, east and west, and Rodriguez Elementary School to the north. Ms. Núñez pointed to the location of Rodriguez [Elementary] on the map.
- An Aerial View of the Subject Property was presented. Ms. Núñez again pointed out Rodriguez Elementary as well as a residential subdivision.
- The Future Land Use Map for the Subject Property was presented.
- The Future Land Use component of the City of Harlingen 's Comprehensive Plan shows this area as low density residential. Ms. Núñez stated that while it's not consistent with the Future Land Use Plan, this corridor is going through a period of transition. Wilson Road is a state highway and also there is commercial use to the east, and then to the north is Rodriguez Elementary which is institutional use.
- Staff did not receive any phone calls for the rezoning from any of the notices that were sent out. Ms. Núñez reported that Staff mailed about 12 notices to surrounding property owners.
- A Survey of the Subject Property was presented.
- A Street View showing current agricultural use was presented.
- The Future Land Use Map was presented. Ms. Núñez said that the Future Land Use Plan shows this area as low density residential.
- Staff recommended approval of the rezoning request.

Chairman Consiglio thanked Ms. Núñez and proceeded with a question. He asked if the current property has two (2) cut outs or just one (1) cut out. Or he is it was just the one (1) green square [indicated on the Future Land Use Map]. Ms. Núñez explained that it was the whole property. She said it was two (2) properties and then three (3), indicating that there is a small home there. She explained that the developer is looking to buy that home and demolish it, and that they are currently subdividing into three (3) commercial lots. The Chairman asked about the possibility of the homeowner not selling and whether that home would remain Not Designated. Ms. Núñez said that was correct but said that she believed the property owner was going to sell and that they were currently in process of working out that contract.

Chairman Consiglio asked about another area of vegetation. He asked if it was another home. Mr. Cruz-Velázquez indicated it could be seen on the Aerial View. Ms. Núñez said they were going to buy both of those. She explained that [the applicant] currently owns one of the properties and is going to demo what is there and was looking to buy [the other].

Chairman Consiglio asked about Wilson Road, pointing out that it really tappers off coming in from Wilson [Road] once you cross Stuart Place Road. He said that it thought that it came to just two (2) lanes. He asked what plans the City had on that. Ms. Núñez explained that they will have to connect some of the roads and will have to do ten (10) feet of additional pavement with curb and gutter or pay the escrows for that. Director Hernandez added that the City Engineer was present. Ms. Núñez said that they also had the Engineer of Record for the project present.

Ms. Núñez indicated that she needed to backtrack on the ten (10) feet of additional payment. She said that was only for residential [use] and said to scratch that. The Chairman acknowledged the update.

Roberto Hernandez, City Engineer

Mr. Hernandez explained that this [area] is part of a whole master plan community. He said it was not only the commercial properties, but also part of the south. He said that one (1) of the things they are requiring and that they are doing is the Traffic Impact Analysis. He said they will be able to determine if they are going to be warranted to install signals as part of all the development being generated. He said that this is being worked on as this development proceeds.

Chairman Consiglio if the school district queue lines for pick-up and drop off were done when the school was built. Ms. Núñez stated that Rodriguez Elementary was in the county. The Chairman expressed surprise. She said it was outside City Limits, so she was not sure what regulations or what they were required to do by the county. Mr. Hernandez added that any improvement off Wilson [Road] would be planned through TxDOT. He said they have their own rotation, and the way they improve and widen roads. The Chairman noted that it was a growing area and again addressed the traffic at the school. He said he didn't think the school district has been a good partner in traffic and so he just wanted to put that on the radar as something we need to think about those things too. He said that development was great but that we also have to get people moving around safely.

The Chairman asked if there were any other questions for Staff.

Cmr. Flores asked if this was going to be Residential (R-1) or General Retail (GR). Ms. Núñez said they are proposing General Retail (GR). Cmr. Flores asked if then it would be a mixture of Residential (R) and General Retail (GR). Ms. Núñez said it was a planned, phased development. She said they are proposing residential to the south and that the top portion, they are looking to make it commercial. Cmr. Flores acknowledged this information.

Cmr. Cruz-Velázquez asked what the plans were for what they will have there. Ms. Núñez said that they didn't know at this time. She again stated that the Engineer working with the developer was present and said that he may be able to shed more light on what exactly is being planned.

Emiliano Rosel, Engineer of Record

Mr. Rosel said that they did not know exactly what the developer was going to do at this time. He explained that the developer's plan is to sell these to whoever wanted to build on them. He again reiterated that they didn't know what was going to go in there and that the plan was to have General Retail (GR) for now since it is fronting the Wilson Road TxDOT road, which is a wide road. He also confirmed that as Staff had mentioned, everything south of it would be residential.

The Chairman had Mr. Rosel state his name at this point and confirmed that he was with Moore Land Surveying. Mr. Rosel said yes and that he was an Engineer with them. The Chairman said it was nice to meet him.

Cmr. Cruz-Velázquez stated that she thought it was a great piece of land to building commercial but said she was thinking about the school being right across from it and the impact on the traffic. She said that she knows people speed on that road, sharing that she lives around the corner from there. She said that she thought that considerations about making the speed limit less should be there in the future. Mr. Rosel said that ultimately, as Mr. Hernandez has mentioned, TxDOT would probably look into that when they apply for their TxDOT entrance permits and whether they need to revise the speed limit. He commented that there was obviously a speed limit because there is a school fronting along the road but that anything as far as changing the dynamics of the roadway, that would fall within TxDOT's jurisdiction. Cmr. Cruz-Velázquez acknowledged that this would have to be dealt with differently. The Chairman said that they just wanted to put it on the radar. The Chairman indicated he would proceed with the Public Hearing.

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

Chairman Consiglio asked if there were any further question for Staff or if there was a motion. Cmr. Perez made the motion to approve. Cmr. Cruz-Velázquez indicated that she would second that motion. The Chairman asked if there was any further discussion and upon hearing none, moved the motion to a vote. The motion passed unanimously.

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(c)

Meeting Date: **December 3, 2025**

Agenda Item:

Public hearing regarding a request to consider an appeal of the decision of the Planning and Zoning Commission on First Reading of denying the request to amend the previously approved Planned Development ("PD") District to allow a second detached dwelling unit for a property located at 3319 Pebble Beach Drive, bearing a legal description of Lot 8, Blocks 5 & 6, Treasure Hills Country Club Subdivision. Applicant: Fernando Pecina. 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

- October 27, 2025 – Application for a rezoning submitted to the City. (**ATTACHMENT I**)
- October 29, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- November 1, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- November 18, 2025 - Public hearing and consideration of requested rezoning by the Planning and Zoning Commission ("P&Z").
- December 3, 2025 – Public hearing and consideration of the requested rezoning via 1st Ordinance reading scheduled before the City Commission.
- December 17, 2025 – Pending approval of 1st Ordinance reading, consideration of approval of 2nd Ordinance reading scheduled before the City Commission.

Summary

- The applicant is requesting to amend the previously approved Planned Development site plan to allow for a second detached dwelling unit on the subject property. (**ATTACHMENT IV**).
- There is currently an existing 1,575 square-foot single-family home on the subject property. The property has 105.00 feet of frontage on Pebble Beach Drive and a depth of 127.11 feet at its longest point.
- The original Planned Development site plan for the property was approved on October 20, 1982, for single family homes, town homes, patio homes, and condominiums. The site plan was subsequently amended on November 16, 1983, and again on November 21, 1984. (**ATTACHMENTS V, VI, & VII**)
- According to the site plan submitted by the applicant, the proposal includes a 1,015-square-foot detached dwelling unit. The proposed setbacks are 20 feet in the front, 5 feet on each side, and 10 feet in the rear.
- The properties to the north, south, east, and west are all zoned as Planned Development ("PD") District. The surrounding land use consists of single-family residential homes to the north, south, east, and west. (**ATTACHMENTS II & IV**).

- The Future Land Use Plan component of the City of Harlingen Comprehensive Plan, named One Vision One Harlingen, shows this area as low density residential. The detached secondary dwelling unit on the property is not consistent with the surrounding land use in the area. **(ATTACHMENT IX).**
- Staff received two phone calls of inquiry to the Planned Development request, but no calls in opposition. Staff sent out 19 notices to the surrounding property owners within a 200-foot radius.
- The City of Harlingen Engineering, Building Inspections, and Fire Prevention Departments reviewed the proposed Planned Development site plan. The Fire Prevention Bureau, Engineering Department, and Building Inspections department have recommended approval, subject to compliance with all applicable codes and regulations. **(ATTACHMENT X, XI, XII).**

Funding (if applicable):

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

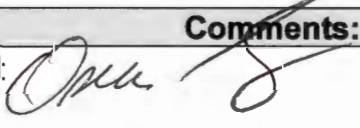
*If no, specify source of funding and amount requested:

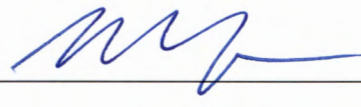
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends denial of the request.

Comments:

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

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

PLANNING AND ZONING COMMISSION
November 18, 2025

ACTION ITEMS/PUBLIC HEARINGS

- 3. [Public hearing and take action to consider a] Request to amend the previously approved Planned Development ("PD") District to allow a detached second dwelling located at 3319 Pebble Beach Drive, bearing a legal description of Lot 8, Treasure Hills Country Club Subdivision Blocks 5 & 6. Applicant: Fernando Pecina**

City Planner Soledad Núñez presented the following information related to the request to rezone, as follows:

- The Legal Notice Map with the Subject Property highlighted was presented.
- There is currently an existing one thousand, five hundred and seventy-five (1575) square foot single-family home on the subject property. The property has one hundred and five (105) feet of frontage on Pebble Beach Drive and a depth of one hundred and twenty-seven point eleven (127.11) feet at its longest point.
- An Aerial View of the Subject Property was presented.
 - The original Planned Development Site Plan for Treasure Hills Country Club got approved on October 20, 1982, for single-family homes, town homes, patio homes and condominiums.
 - The Site Plan was subsequently amended twice. Once on November 16, 1983, and the second time on November 21, 1984.
- The proposed Site Plan with the second dwelling that the applicant is proposing was presented.
 - The applicant is proposing to build a one thousand fifteen square foot detached dwelling unit.
 - The proposed setbacks are twenty (20) feet in the front, five (5) feet on the sides and ten (10) feet in the rear.
 - Properties on the north, south, east and west are all zoned Planned Development all the Surrounding Land Uses consist of single-family residences.
- A Street View of the property was presented. Ms. Núñez identified the existing home as well as the area for the proposed second dwelling.
- The Future Land Use Map for the Subject Property was presented. The area is shown as low-density residential. Ms. Núñez stated that the detached secondary dwelling unit on the property is not consistent with the land uses in the area.
- Ms. Núñez reported that Staff did receive two (2) phone calls of inquiry as to what the request was about but no objections.
- The request was reviewed by Engineering, the Fire Department and the Buildings Division and all recommended approval of the Planned Development amendment however Staff is recommending denial of the request.

Chairman Consiglio asked if there were any questions for Staff.

Cmr. Perez what the main reason for denial was. Ms. Núñez stated that the land use is not consistent with the surrounding area. Cmr. Perez said that it looks like it was going to be a rental property. Ms. Núñez said that was correct.

Cmr. Flores asked if [the applicant] was planning to attach it to the main structure. Ms. Núñez said no, that they were proposing it to be detached.

Chairman Consiglio asked if there were any questions for Staff, stating that there was a Public Hearing on this.

Cmr. Cruz-Velázquez asked about the options for the owner if this was denied. She asked if it was just to attach/connect it to the main [home]. Ms. Núñez said the applicant can appeal to City Commission within ten (10) days of this being disapproved. She said then said that if City Commission denies it, [the applicant] will have to wait a whole other six (6) months before they can reapply. Cmr. Cruz-Velázquez commented that it he was not consistent, then it will probably [be denied]. Ms. Núñez said yes. Mr. Joel Olivo, Assistant Planning and Development Director, added that another option would be that he could replat the lot and build on the separate lot. Cmr. Cruz-Velázquez agreed and said that this is what she was thinking. Mr. Olivo said that the lot is large enough to make it into two (2) lots. Ms. Núñez summarized that the applicant could replat the property into two (2) lots.

Chairman Consiglio asked if this was really a rezone. Both Ms. Núñez and Cmr. Cruz-Velázquez commented stated it was an amendment to the previously approved Planned Development.

Director Hernandez added that for the record, Staff did work with the applicant and gave him options. She said they even considered a variance route to allow the second unit but said the problem is the size of the second unit. She said that it was essentially building like a second house on [the lot]. She said that she thought that was definitely what was not compliant with the intent of the zoning ordinance. Director Hernandez reiterated that replating would be the only viable option at this point. She said it would be an expensive and lengthy process.

Cmr. Flores asked how big the lot was that they wanted to put the house on. Ms. Núñez said it was one hundred- and five (105) by one hundred- and twenty-seven-point eleven (127.11) [feet]. Ms. Núñez went back to the Site Plan slide on the presentation. Cmr. Flores commented that this is what he wanted to see. Director Hernandez added that it was a large lot but that it was irregularly shaped and that this was the issue. She added that there was also a transmission line running across. Cmr. Flores said he was just going to ask about that. He shared an instance of a man that would not understand until CP&L came out and explained to him that you can't build there and you got to move away from the power line. Cmr. Flores said that either that house is too big for the lot of if he can't make it smaller, he is going to have a problem with the easement.

Chairman Consiglio reasoned that [the applicant] would still be in the same situation with the easement even if he subdivides and replat. The Chairman questioned if the lot would still be usable. Ms. Núñez said that it is usable. The Chairman said it could be for a pool and a ramp. Ms. Núñez said that it was an AEP easement so you wouldn't want to put a pool over there. She said continued and said he could replat it, build a second home and have a really gigantic

backyard not with no accessory structures or anything in the back. Director Hernandez asked the Chairman if his question was about the rear or the side of the property, where the current location of the second unit is going to be located. The Chairman asked for clarification. Director Hernandez repeated her question. She asked if he was asking if the rear would be unusable and the current location of the second [home]. The Chairman said he was asking about the general usability of someone's land and to replat it and have them go through a step that doesn't really... The Chairman asked what difference it made and whether there was a distinction without a difference [in the situation]. He said that he could replat it, but he would still be in the same position with an easement but that he supposed that he could build this new home, or the additional dwelling rather. Mr. Olivo said that the applicant could build a house on the property, but it would just need to be a smaller house.

Cmr. Flores added a comment about Homeowner's Associations even though he noted the City would have no control over their decisions. He said that when the area was platted, he knows that there is a minimum size of house that can be put by the developer. He said that putting in a smaller home compared to the existing home as well as surrounding homes would be denied by the Homeowner's Association because it would devalue the property next to it or the one in front or whatever.

Chairman Consiglio asked if there were any other questions for Staff. The Chairman indicated that there was Public Hearing on the item and proceeded to open it. He asked if there was anyone who would like to speak on this item, for or against, to please approach the podium. Upon hearing and seeing none, he closed the Public Hearing.

The Chairman asked if there were any other questions or if there was a motion. Cmr. Perez made the motion for denial of the request. Cmr. Flores seconded the motion. Before proceeding, the Chairman addressed the Staff and said that he appreciated City Staff working with and trying to find a solution for the landowner. He remarked that sometimes you buy something that isn't going to work. The Chairman asked if there was any further discussion and upon hearing none, moved the motion to a vote. The motion passed unanimously.

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(d)

Meeting Date: **December 3, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading amending Chapter 111 Zoning, Sections 111-1, 111-62, 111-275 and 111-280 of the Code of Ordinances to authorize model homes/model home sales offices and home identification signs in residential, single-family (R-1) and planned development (PD) zoning districts; providing for a severability clause; and establishing an effective date. Attachment *(Planning & Development)*.

Prepared By (Print Name): Ana Hernandez, AICP, CNU-A
Title: Planning and Development Director/
Special Projects Director

Signature: *Ana Hernandez*

Brief Summary:

The purpose of this proposed amendment is to allow a monument-style sign not greater than 12.5 square feet for model homes located within Residential, Single-Family (R-1) and Planned District (PD) Zoning Districts. The amendment provides clear standards governing the size, location, height, illumination, and duration of such signs to ensure they remain compatible with the residential character while supporting the marketing of new subdivisions.

Currently, the City's Sign Regulations do not authorize permanent or semi-permanent signage for model homes or sales offices in residential zoning districts. The proposed amendment clarifies that a platted lot lawfully used as a model home may display one on-premise monument-style sign, subject to defined restrictions, including:

1. The sign shall not exceed 12.5 square feet and five (5) feet in height, inclusive of its base.
2. Must be set back 10 feet from property lines and outside of visibility triangles (§111-581).
3. Only external, constant, and fully shielded to prevent glare onto adjacent properties or public rights-of-way. It shall be turned off no later than 10:00 p.m., or one hour after the model home closes, whichever occurs first. Internal, digital, LED-lit acrylic, or animated lighting is prohibited.
4. The sign and all associated foundations or structures shall be removed within ten (10) days after the dwelling ceases to be used as a model home for sales or promotional purposes or is occupied for residential purposes. The site shall be restored to its original condition, including any disturbed landscaping or grading.
5. If a model home remains active for more than 6 months after initial sign permit issuance, the permit shall expire unless the Planning and Development Director may approve a time extension not to exceed six (6) months for good cause shown. If a time extension is denied by the Planning and Development Director, the applicant must follow the appeal process in accordance with §111-443 (a)(3).
6. A sign permit shall be required prior to installation and shall be issued by the Planning and Development Department.

Funding (if applicable):

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

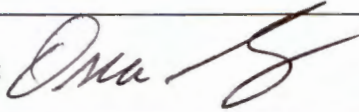
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

Staff recommends approval of this ordinance amendment.

City Manager's approval:

☒

Yes

☐

No

☐

N/A

Comments:

City Attorney's approval:

☒

Yes

☐

No

☐

N/A

PLANNING AND ZONING COMMISSION
November 18, 2025

ACTION ITEMS/PUBLIC HEARINGS

4. Public hearing and take action to consider a request to consider an ordinance amending the City of Harlingen Code of Ordinances Chapter 111 Zoning, Sections 111-1, 111-62, 111-275, and 111-280 of the Code of Ordinances to authorize Model Homes/Model Home Sales Offices and Home Identification Signs in Residential, Single-Family (“R-1”) Zoning Districts. Applicant: City of Harlingen

Director Ana Hernandez presented the following information related to the ordinance amendment, as follows:

- Ms. Hernandez explained that this was a list of minor amendments that came at the request of [City] Commissioner Perez. She said that we had a request from a company that she believes is called Hakes Brothers that is trying to market a single-family subdivision in town and that they have specific branding guidelines for their development. Ms. Hernandez said that they were hoping to put a monument sign at one (1) of their locations where they have model homes but that unfortunately this was not allowed according to our regulations. Ms. Hernandez said she wanted to go over the changes made to the zoning ordinance so that this is allowed subject to restrictions.
- Ms. Hernandez went over the changes made to the amendment.
 - Create a definition for *model homes* and a *model home sales office*.
 - Definition - dwelling unit within an approved residential subdivision that is temporarily used for the display of building design construction quality or furnishings and as an onsite temporary office for the sale of marketing of homes or lots within the same subdivision or development.
 - Amend the Use Chart by Zoning.
 - Ms. Hernandez explained that technically, model home sales or model homes in general are not allowed in residential districts.
 - Amendment was to allow this type of use in R-1 (Single-Family Residential) and PD (Planned Development) districts. These would be the only two (2) districts.
 - Create a definition for *model home sign*.
 - Ms. Hernandez said it is a monument type sign and that it would only be specifically monument type signs that are going to be allowed to be located on a lot containing a model home/model home sales office within an approved residential subdivision.
 - Create a permitting process.
 - Ms. Hernandez specified that they would not be allowed everywhere so there will be a process for a permitting requirement for these types of signs. It is proposed that only one (1) monument style sign is going to be allowed on a platted lot. A definition was added for that to make sure it is clear.

- [Model Home] Sign requirements.
 - The sign needs to be located entirely on the same platted lot as the dwelling.
 - It needs to be at least ten (10) feet from the property line.
 - They are not to exceed twelve point five (12.5) square feet and five (feet) in height. (A picture was shown in a later slide.)
 - It needs to be constructed of durable weather resistant materials intended for outdoor use.
 - The applicant must comply with the construction and maintenance requirements of Section 11-279.
 - If illumination is provided, it must be external, constant and fully shielded to prevent glare. It must also be turned off no later than ten (10) p.m. or one (1) hour after the model home closes.
 - It must be maintained in good repair and free from deterioration, fading, or structural instability.
 - If the model home is closed or ceases to be used as a model home, the expectation is that the sign needs to be removed ten (10) days after that.
 - [Upon removal,] the site must be restored to its original condition, including any disturbed landscaping or grading.
 - Another restriction being added or imposed is that no more than one (1) model home sign can be displayed within the same subdivision at any time, even if it is in multiple phases. It is just one for the entire subdivision.
 - If a model home remains active for more than 6 months after initial sign permit issuance, the permit shall expire. A 6-month extension is available for good cause, and it will be subject to the Planning and Development Director's approval.
 - Another restriction being added is to prohibit model signs to function as a subdivision entrance sign.

At this point, a monument style sign in the proposed dimensions was shown for reference.

Cmr. Flores asked if a motorhome was like a trailer or something like that. Ms. Hernandez explained that sometimes within a single-family residential development, they will usually pick one of the corner lots to showcase for people and that is where they want to add that. Cmr. Flores acknowledged this response. Ms. Hernandez stated that Staff was trying to be very conservative and noted that it was actually a very small sign size but that this was, out of concern. She said that she wants to work with the applicant and potentially any other requests that we might get but reminded the Board that we want to maintain the residential character of the subdivision.

Ms. Hernandez stated Staff was recommending approval. She made herself available to answer any questions from the Board.

Cmr. Cruz-Velázquez asked whether in formatting the new amendment, Staff had followed a model from other cities or from other places that... Ms. Hernandez said that technically the sizing is not uncommon. She described that it was a little bigger than a typical residential sign in other cities, but it is not quite commercial either and it is kind of an in-between type of size. As

far as the way our ordinance works, Ms. Hernandez said it is very different and unique and so she had to go to different sections to make sure this was allowed. Cmr. Cruz-Velázquez told Ms. Hernandez that it seemed like she did a very good job and that is why she was asking and thanked her. Ms. Hernandez thanked her for the compliment.

Chairman Consiglio said the [amendments] seemed pretty straightforward but said that he thought the dimensions were pretty small. Ms. Hernandez said this was for comment for the Board. She asked if they thought it should be increased. She added that one caveat is that they can't regulate taste. The Chairman said this was true and started musing about the average size of a real estate sign and then noted that from the roadway it was pretty, pretty, small. The Chairman commented that it would be big inside at a home and then at that point, the Board looked at the projection screen for comparison. The Chairman suggested using the language "up to" and to give people the option. The Chairman noted that putting up a monument requires a slab. Ms. Hernandez confirmed that it would be required. Cmr. Cruz-Velázquez indicated that she would agree to increase it to eighty (80). The Chairman said it could be up to eighty square feet. Again, the Board looked at the projection screen for comparison. Chief Building Official George Martinez added that a plywood is four (4) by eight (8). The Chairman acknowledged this as the size of political signs and said that it was a good standard size, noting that it would be an up to limit. Ms. Hernandez acknowledged the recommendation but stated that this is going to be on a residential lot. The Chairman then suggested half to double what was proposed but get a little more space. Cmr. Cruz-Velázquez argued that we want them to sell the homes and the sooner they sell the home, the sooner the sign comes down. Ms. Hernandez summarized that agreement to twenty-four (24). The Chairman continued discussing size variations. Cmr. Cantu said that it would attract other people when they see it. She said she was sure the builder would ensure the sign is "pretty" because it is going to be a representation of their house. She said that she personally thought that it wouldn't shy away anyone or feel like it is not residential. If anything, she said that she thought it would attract more people because you don't see that very often here, comparing it to other cities.

Chairman Consiglio asked to go back to beginning of the list of the [permitting] requirements. The Chairman noted that there was an "up to" limit there. The Chairman said that he liked where the ordinance was going as written and said Staff started getting feedback, the Board could always address the size. He confirmed if this was correct and that this wasn't set in stone. Ms. Hernandez confirmed that this was for discussion. The Chairman acknowledged this and then said that they would see what this does and if it works or is getting feedback that it is too small. He said that half a sheet of plywood was noted. He asked the Board is there were any questions or if they were ready to move on. The Chairman proceeded reviewing the requirements.

The Chairman confirmed that backlighting and no panels would be allowed. Ms. Hernandez confirmed this.

The Chairman then focused on the timeline that they can have the model. He noted that developments can take a while, citing two to three (2-3) years. Ms. Hernandez said this was another item that Staff had gone back and forth. She said she had twelve (12) months originally but then thought that maybe they needed to err on the side of caution and just say six (6) months and then extend it for another six (6) months. Ms. Hernandez said she did not know what a realistic time frame was for a builder. The Chairman noted earlier discussion on four hundred and eighteen (418) lots. He said he promised that a home would not be sold in a year. Ms.

Hernandez said we could potentially do twelve (12) months and then do an extension of six (6) more months so eighteen (18). The Chairman brought up the removal timeline. Cmr. Cruz-Velázquez confirmed that this was a different thing and then suggested going with the twelve (12) months and then six (6) months at a time, up to three (3) [times]. The Chairman asked if there was an application for this sign that will have to be filled out. Ms. Hernandez stated that they would submit the existing sign application. The Chairman asked to move to the next slide.

Ms. Hernandez circled back to the ten (10) day [removal timeline]. She asked if he was okay with that. The Chairman said he was fine with that.

Chairman Consiglio asked about the requirement stating that the permit shall expire six (6) months after initial issuance. Cmr. Cruz-Velázquez explained that this is when the original permit expires. Ms. Hernandez reiterated that it would expire six (6) months unless they come in and say that they would like an extension and then Staff can grant another six (6) months. Ms. Hernandez indicated that this is what she was coming back to and asked if the Board wanted to issue the permit for twelve (12) months. Cmr. Cruz-Velázquez said that she was going to suggest twelve (12) months initially because it takes at least a year for them and then do six (6) months at a time. Ms. Hernandez acknowledged this recommendation. Cmr. Cruz-Velázquez added “to a period of three (3) years”. The Chairman suggested “up to” and then Cmr. Cruz-Velázquez suggested “no more” than three (3) years. Cmr. Cruz-Velázquez said that this was her recommendation because as the Chairman had said, it takes a long time to sell homes. She then added that as long as they take it down fast after they are done. She said she thought this was the most important thing and said that she thought the ten (10) days was a reasonable time. Cmr. Cruz-Velázquez asked whether it would be business workdays or ten (10) calendar days. The Cmr. said she recommended ten (10) business days that way they have two (2) weeks. The Chairman indicated that was fair and normal.

The Chairman asked if that was the end of the requirements. He was told that it was. Ms. Hernandez then asked about the size of the sign and whether she should double. The Chairman reflected that if this is going to be up for five (5) or three (3) years then he would say keep it as is. The Chairman said to keep it at twelve and a half (12.5) and then get market feedback. He said that if there was pushback, the item could always be brought back. He said he thought it was easier to increase than to decrease, likening it to being able to cut more hair.

Chairman Consiglio indicated that there was something else. Cmr. Cruz-Velázquez confirmed that we aren't going to allow banners at all. Ms. Hernandez said no. She explained that this company wants to do the monument sign, a flagpole and add feather flags and just makes sure they market the heck out of it. Cmr. Cruz-Velázquez said that to their reasoning, it makes sense that you use feather flags at first to call attention but that with this, it would not be allowed at all. Ms. Hernandez said no. Cmr. Cruz-Velázquez said that this goes against what we already have in the city. She said that they can have flags for thirty (30) days at a time. Ms. Hernandez clarified that feather flags were not allowed in residential [districts] and are only allowed for commercial or like businesses for a number of days. Cmr. Cruz-Velázquez then asked if this wouldn't be considered commercial for a little bit. She noted that it was a model home. Ms. Hernandez said that this is why they Staff had to amend the Land Use Chart because technically it is not commercial and they are still in a single-family residential development. The Chairman stated that he was fine with all of that too. Ms. Hernandez asked if they would like this to be removed. She said this was a restriction and so that could be taken away. Cmr. Cruz-Velázquez

said she thought this was too restrictive and that this was just her opinion. The Chairman said he liked the restriction. The Chairman then suggested that maybe it could be put in that they get a permit or something. He said the idea was to keep the integrity of the residential. He said we would be allowing them or that we would be accommodating them. He then said that we also didn't want to add work to Code Enforcement when resources are so stretched. He said that if it is not allowed, then it is not allowed and it is easy. He said it was a residential area and that this was his opinion. Cmr. Cantu said she understood both of their points about the flags. She suggested that if there was going to be a restriction about no banners or riders, then to have that flexibility with the size of the sign to be a little bigger. She said this made sense if there was going to be all those restrictions. She said this was just her opinion. Cmr. Cruz-Velázquez said she was proposing to remove the restriction of the banner or flag. Cmr. Cruz-Velázquez started to say this was her opinion and then shared her experience living in Florida and all the cookie cutter homes. She said it was not unusual to have that and the flags at the beginning, noting that they wouldn't have the flags for three (3) years or for six (6) months even. She said that if you want to call attention to selling lots and home, it is not unusual but said she understood if that is something we don't want in our community. Chairman Consiglio said that this was the first at bat and that maybe they could make some adjustments or maybe look at it in the first three (3) months. He said it would be an opportunity for excess signage or excess awareness mechanism and so that could be looked at again. He remarked that this was their first time looking at this and that they were trying to understand. He said there was the intent of it but then what can you get away with, with city resources, with Code Enforcement, and then maintaining the integrity of a residential area and that we were trying to put all of this in a nice package that [the applicant] can have their model home, their monument sign, and do well in the city. The Chairman told Ms. Hernandez that maybe an increased monument with the option to apply for some extra banners and things like that for a period of time might be something to look at.

The Chairman asked if this was something they needed to approve tonight and asked what she wanted from the Board. Ms. Hernandez said she was hoping that they would recommend it, saying she still needs to take it to City Commission but that they could table it if they want for the adjustments made and that it would be up to them. Chairman Consiglio said that he thought their motion could include an "up to" limit of maybe like twenty (20) square feet so that it gives you a four (4) by five (5) and then try that out and that they could always revisit this six (6) months from now and then some type of allocation for some banner flags and things like that for a period of time. Ms. Hernandez said that maybe for the first three (3) months or within the first three (3) or six (6) months of opening. The Chairman suggested just a thirty (30) period whenever they decided and offered the suggestion of it being used during tax season versus if they open in January. He said that we may want to allow [the applicant] that decision of when they want to pop a thirty (30) day.

Cmr. Cruz-Velázquez asked if it was one model and not different ones. Ms. Hernandez indicated that they hadn't specified but that again, she that [we are] trying to be very careful with allowing something like this on a single-family lot. She said it was more of a restriction just thinking ahead, if they want to start doing it by phases and then they're going to have three (3) model homes at the same time. Ms. Hernandez questions why they would need this but did acknowledge that they were different. Again Cmr. Cruz-Velázquez shared about her experience buying a house in Florida.

Cmr. Flores asked Staff if they ever got any complaints for sign builders about all these flags all over the place. Ms. Hernandez said she knew they could be polarizing, with some people loving them and others hating them, especially because they can become raggedy and they are not maintained, or they are kept longer than they should. She said it creates additional enforcement issues for Code Enforcement. She stated that she had not received any sort of direct complaints. The Chairman said that the flag and all that stuff went back to 2010 when the City Commission at the time was really to... He said they had a lot of arrow signs at the time with the broken light bulbs and broken legs and leaning and said they had done a lot of clean up. He said the flags and banners and all that stuff was really being abused and where just everywhere, broken and frayed, etc. He said that this was something that has been addressed for a while. Cmr. Flores said this was what he had to deal with as well and shared about the frequent complaints and how they didn't really have regulations on them back then. Cmr. Flores said he really didn't care if they put up banners or flags and said he was just curious if there were any complaints.

Cmr. Cruz-Velázquez stated that she thought we needed to think about removing campaign signs and that this was really the problem in the City right now. She said that with the feather flag, if it gets really ugly, someone will complain and we can tell them to replace it but that these signs stay for months and sometimes they are never removed.

The Chairman noted that the Public Hearing had not been had. The Public Hearing was opened. He asked if there was anyone. Upon seeing none, the Public Hearing was closed.

Chairman Consiglio asked if there was a motion. Cmr. Cruz-Velázquez made the motion to recommend the ordinance amendments with the recommendations mentioned. Cmr. Cantu seconded the motion. The Chairman asked if there was any further discussion and upon hearing and seeing none moved the motion to a vote. The motion passed unanimously. The Chairman thanked everyone, acknowledging a great job done.

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(2)

Meeting Date: **December 3, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading for a rezoning request from Office ("O") District to General Retail ("GR") District located at 1616 & 1620 N. Ed Carey Drive, bearing a legal description of Lot 9, Medical Subdivision. Applicant: RGV Plaza, LLC. 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

- September 28, 2025 – Application for rezoning submitted to the City. **(ATTACHMENT I)**
- October 29, 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.
- November 01, 2025 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- November 18, 2025 - Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z).
- December 03, 2025 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- December 17, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- The applicant is requesting to rezone the subject property from Office ("O") District to General Retail ("GR") District to allow for retail sales. **(ATTACHMENT I, III).**
- The subject property is located along the east side of N. Ed Carey Drive; 179.13 ft. north of Business 77 (Sunshine Strip). There is an existing 3,988.31 sq. ft. building on the property and is the site for Maluhia Hospice Care and Harlingen Pharmacy. The property has 82.46 feet of frontage on N. Ed Carey Drive and a depth of 139.49 feet at its deepest point. **(ATTACHMENT II, III, IV).**
- Adjacent zoning is Office ("O") District to the north, and General Retail ("GR") District in all other directions. **(ATTACHMENT III)** Surrounding land uses include CVS Pharmacy, Walgreen's, Valley Baptist Hospital, and various professional and medical offices. **(ATTACHMENT IV)**
- The Future Land Use Plan component of the City of Harlingen's Vision 2020 Comprehensive Plan shows this area as Retail/Commercial/Office. The request is consistent with the land use plan designation for the area. **(ATTACHMENT V).**

- At the time of this writing, Staff has not received any phone calls, letters, or e-mails in opposition to the rezoning request, furthermore, Staff mailed out eight notices to surrounding property owners.

Funding (if applicable):

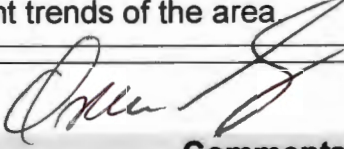
Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

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

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

Staff Recommendation:

Staff recommends approval of the rezoning request since it is consistent with the rezoning and development trends of the area

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 <u>1616 N ED CAREY DR</u>	Nearest Intersection <u>N 60 CAREY DR & S77 SUNSHINE STRIP</u>
(Proposed) Subdivision Name _____	Lot _____ Block _____
Existing Zoning Designation <u>OFFICE</u>	Future Land Use Plan Designation <u>RETAIL</u>
OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)	
Applicant/Authorized Agent _____	Phone _____ FAX _____
Email Address (for project correspondence only): _____	
Mailing Address _____	City _____ State _____ Zip _____
Property Owner <u>ALV Plaza LLC</u>	Phone <u>845-441-0320</u> FAX _____
Email Address (for project correspondence only): <u>haidigam@alv.com</u>	
Mailing Address <u>1205 Central Blvd</u>	City <u>Brownsville</u> State <u>TX</u> Zip <u>78520</u>
Select appropriate process for which approval is sought. Attach completed checklists with this application.	
☐ Annexation Request..... <u>No Fee</u> ☐ Administrative Appeal (ZBA)..... <u>\$125.00</u> ☐ Comp. Plan Amendment Request..... <u>\$250.00</u> ☒ Relicensing Request <u>\$250.00</u> ☐ SUP Request/Renewal..... <u>\$250.00</u> ☐ Zoning Variance Request (ZBA)..... <u>\$250.00</u> ☐ PDD Request..... <u>\$250.00</u> ☐ License to Encroach..... <u>\$250.00</u>	☐ Preliminary Construction Plans and Final Plat..... <u>\$150.00</u> ☐ Minor Plat..... <u>\$100.00</u> ☐ Re-Plat..... <u>\$250.00</u> ☐ Vacating Plat..... <u>\$250.00</u> ☐ Development Plat..... <u>\$50.00</u> ☐ Subdivision Variance Request..... <u>\$25.00 (each)</u> ☐ Right-of-Way / Utility Easement Abandonment..... <u>No Fee</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: _____
Property Owner(s) Signature: <u>[Signature]</u>	Date: <u>9/25/2005</u>
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 metes 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.
-
- 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: RGR Plaza LLC Date: 9/25/2025
Owner Address: 1205 Central Blvd Brownsville, TX 78520
Phone/Fax: 845-494-0320
Signature: [Signature]

15 33

22/11/2019

1. In the United States, the Federal Bureau of Investigation (FBI) is the primary law enforcement agency responsible for investigating and preventing terrorism. The FBI has a long history of working with the Department of Justice to combat terrorism, and it continues to be a key player in the fight against this threat.

2. The FBI has a number of programs and initiatives in place to help it identify and prevent terrorist attacks. These include the Terrorism Risk Insurance Act, the Terrorism Prevention Act, and the Terrorism Risk Management Act. The FBI also has a number of specialized units, such as the Counterterrorism Division, that are dedicated to the fight against terrorism.

3. The FBI has a number of partnerships with other law enforcement agencies, both domestically and internationally. These partnerships help the FBI to share information and resources, and to coordinate its efforts to combat terrorism. The FBI also has a number of partnerships with the private sector, which helps it to identify and prevent potential threats.

4. The FBI has a number of challenges in the fight against terrorism. These include the need to identify and prevent potential threats, the need to coordinate with other law enforcement agencies, and the need to share information and resources. The FBI is working to address these challenges and to continue to be a key player in the fight against terrorism.

approx April 17th 1864
approx March 18th 1864

2012年12月

Submitted and sworn to before me at Dallas, on a certain 10th day of January, 1964.

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State of Mass. 2-2-

2. All things, Civil, Religious and Domestic, Were Erased
the 26th. the 28th. 1793. I have preserved and Subscribed upon the
ground a curious list, the first out of the number, and of which I
have been able to find and trace the origin in the Churches, in
the Town Hall, and in the various other places, where they were
collected. It is a list of the names of the persons who were
killed, the date of the execution, and the place where they were
buried. The names are given in alphabetical order, and the
dates are given in chronological order. The places are given in
alphabetical order. The list is a very curious and interesting
one, and it is a very valuable addition to the history of the
Revolution.

SEARCHED INDEXED
SERIALIZED FILED
APR 11 1968
FBI - NEW YORK

Approved For Release 9/26/2013 : CIA-RDP80-01060A000100010001-9

and Pholent

Approved by Planning and Zoning Board, City of Madison, March

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Report — — — — —

Speed — 25

Approved by the City Engineer of the City of Madison, Fla.

Approved For Release 2001/08/01 : CIA-RDP80-01060A000100010001-9

Approved by the City Commissioners of the City of Chicago, Ill.

John A. Mackay

Added to Record No. 23 day of April 1907 at 10:30 o'clock
P.M. in the Court House of Cameron County, Texas
and duly recorded at 9:30 o'clock P.M. April 29, 1907
in Vol. 18 Page 53 of the map Records of
Cameron County, Texas.

M.D. 31460
County Road, Gordon County, FL 3274

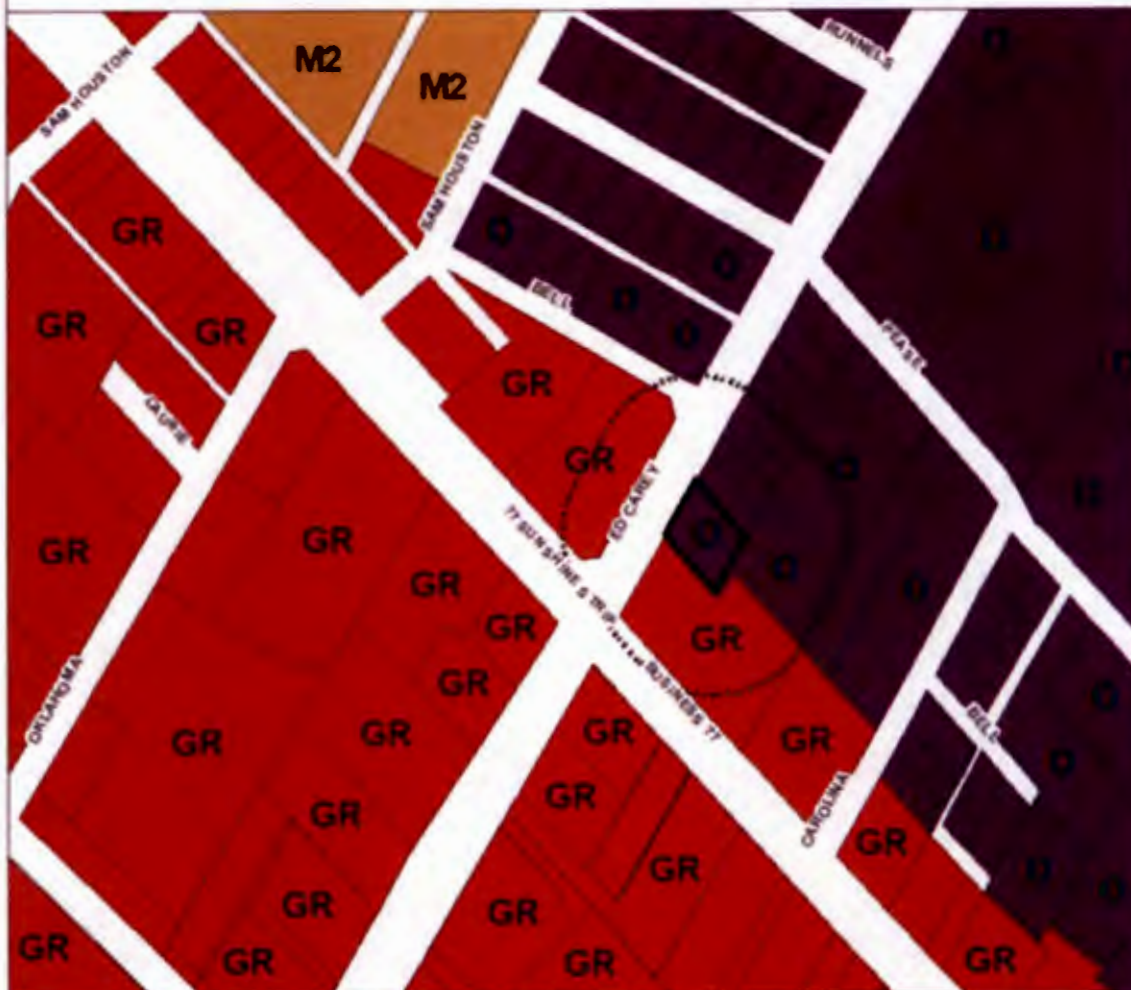
By S. S. S. S. S. 2007



ATTACHMENT III – Legal Notice Map



Request to rezone from Office ("O") District to General Retail ("GR") District located at 1616 & 1620 N. Ed Carey Drive, bearing a legal description of Lot 9, Medical Subdivision. Applicant: RGV Plaza, LLC



Boundary lines

- Harlingen city limits ship
- 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 Pate 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 10.27.2025

ATTACHMENT IV – Aerial

This aerial map shows the area surrounding Valley Baptist Hospital. Key features include:

- Streets:** N. Ed Carey Drive, Bell St, Pease St, South Carolina St, and S. 77 Sunshine Strip.
- Medical Facilities:** Valley Baptist Hospital, Medical Offices, Rio Grande Oral-Maxillofacial, and Paws & Claws Veterinary Clinic.
- Commercial/Other:** Wells Fargo Bank, Walgreens Drug store, CVS Drug store, Texas Regional Bank, and Ronald L Shimotsu CPA PLLC.
- Subject Property:** A red box highlights a property located between Bell St and S. 77 Sunshine Strip, near Harlingen Pharmacy.



ATTACHMENT V – Future Land Use Map

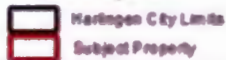


Future Land Use Map

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



Boundary Lines



Future Land Use

Agricultural/Rural Residential	Institutional	Recreation/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 ORTHOPHO TO IMAGERY, ENGINEERING PLANS AND PLATS, SURVEY FIELD NOTES AND OTHER SOURCES. THIS MAP IS INTENDED FOR GRAPHIC REPRESENTATION ONLY. NO WARRANTY IS MADE BY THE CITY OF HARLINGEN REGARDING ITS ACCURACY OR COMPLETENESS. BEFORE RELYING ON ANY INFORMATION ON THE MAP, CHECK WITH THE PLANNING DEPARTMENT.

ATTACHMENT VI – Street View

View from CVS parking lot



ORDINANCE NO. 25-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM OFFICE ("O") DISTRICT TO GENERAL RETAIL ("GR") DISTRICT, LOCATED AT 1616 & 1620 N. ED CAREY DRIVE, BEARING A LEGAL DESCRIPTION OF LOT 9, MEDICAL SUBDIVISION.

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 Office ("O") District to General Retail ("GR") District located at 1616 & 1620 N. Ed Carey Drive, bearing a legal description of Lot 9, Medical Subdivision "as shown on 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"

- 15 23 -

7231
MAP
OF
MEDICAL SUBDIVISION
BEING 260 ACRES OUT OF THE
SOUTHWEST PART OF BLOCK 100
SAN BENITO LAND & WATER CO. TRACT
CITYSHIP OF CARLOSITO GRANT
CAMARON COUNTY TEXAS
SCALE: 1"=36' MARCH 15 1944
A. S. HARRON CE
SAN BENITO, TEXAS

State of Texas }
County of Tarrant } ss.

[illegible]

agent Alfred M. Smith
agent Frank H. Smith

State of Texas
County of Tarrant } ss.

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Copyright © 1980, by the University of Chicago Press*

45

State of Texas }
County of Cameron } ss.

[illegible]

Witness my hand and seal this 10th day of March 1969

 Signed A. T. Mason
 Civil Expansive & Inexpansive

Approved Tax Assessor of Calhoun, Calhoun County

Signed *P. H. Holcomb*
P. H. HOLCOMB

Approved by Planning and Zoning Board, City of Arlington, Texas

signed

Signed = - - - - - *number*

Signed _____

Approved by the City Engineer of the City of Burlington, Texas:

Signed *F.R. Brown*
City Engineer

Approved by the City Commissioners of the City of Burlington, N.Y.

signed Omer A. Hartman
Hartman

Filed for Record May 23 day of April 1924 at 12.30 o'clock
P.M. in the Court House at Cameron County, Texas
and duly recorded at 9.20 o'clock P.M. April 24, 1924
in Vol. 15 Page 43 of the Map Records of
Cameron County, Texas.

H.D. SER60

By Spencer

53

10(b)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **December 3, 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 Retail ("GR") District for 13.58 acres of land out of Survey 140, L.L. Adams Subdivision, located south of Wilson Road, approximately 4,800.46 feet east of Bass Boulevard. Applicant: Moore Land Surveying LLC c/o Zarate Home Designs. 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

- October 21, 2025 – Application for rezoning submitted (**ATTACHMENT I**).
- October 29, 2025 – In accordance with State and local law, notice of the required public hearing was mailed to all property owners within a 200 foot radius of subject tract.
- November 1, 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
- November 18, 2025 – Public hearing and consideration of requested rezoning by the Planning and Zoning Commission (P&Z).
- December 3, 2025 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- December 17, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Mr. Emiliano Rosel, the applicant, is requesting to rezone the subject property on behalf of his client, from Not Designated ("N") District to General Retail ("GR") District to allow for a commercial development on the subject property.
- The subject property is currently vacant and undergoing subdivision. It has approximately 1,022.91 feet of frontage along Wilson Road and a maximum depth of 310.12 feet. Wilson Road west of Stuart Place Road is a two-lane 40-foot-wide paved street without curb and gutter. (**ATTACHMENT II-V**).
- The surrounding properties are zoned Residential, Single Family to the north, south, and east, and to the north and west is County. (**ATTACHMENT II**). Surrounding land use consists of vacant land in agriculture use to the south, east, and west, single-family residential developments to the north, east, and west, and Rodriguez Elementary School to the north. (**ATTACHMENT VI**).
- The Future Land Use Plan component of the City of Harlingen Comprehensive Plan One Vision, One Harlingen shows this area as Low Density Residential. The

request is not generally consistent with the Future Land Use Plan. However, Wilson Road functions as a State Highway and is currently experiencing a period of transition. Therefore, a commercial development at this location could support and further enhance this transitional corridor, contributing to the area's evolving land use pattern. There is existing institutional use across from the subject property, with General Retail ("GR") zoning and land use located further east of the site. (ATTACHMENT VII).

- To the present, the Planning and Development Department has not received any calls for the requested rezoning from surrounding property owners. Staff mailed twelve notices to 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:



☐ 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 WILSON RD. Nearest Intersection RICHMOND CT. & WILSON RD.
(Proposed) Subdivision Name ALTAS PALMAS COMMERCIAL Lot 3 Block 1
Existing Zoning Designation NOT ZONED Future Land Use Plan Designation COMMERCIAL

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent EMILIANO ROSEL Phone 956-929-1615 FAX _____
Email Address (for project correspondence only): EROSL.MLS@GMAIL.COM
Mailing Address 14216 PALIS DR. City LA FERIA State TX Zip 78559
Property Owner ALTAS PALMAS 2, LLC Phone 956-561-9587 FAX _____
Email Address (for project correspondence only): oscar@zaratehomedesigns.com
Mailing Address 1992 DATE PALM DR. City MERCEDES State TX Zip 78570

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

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

Please provide a basic description of the proposed project: PROPOSED 3 LOT COMMERCIAL SUBDIVISION.

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: 10/28/25

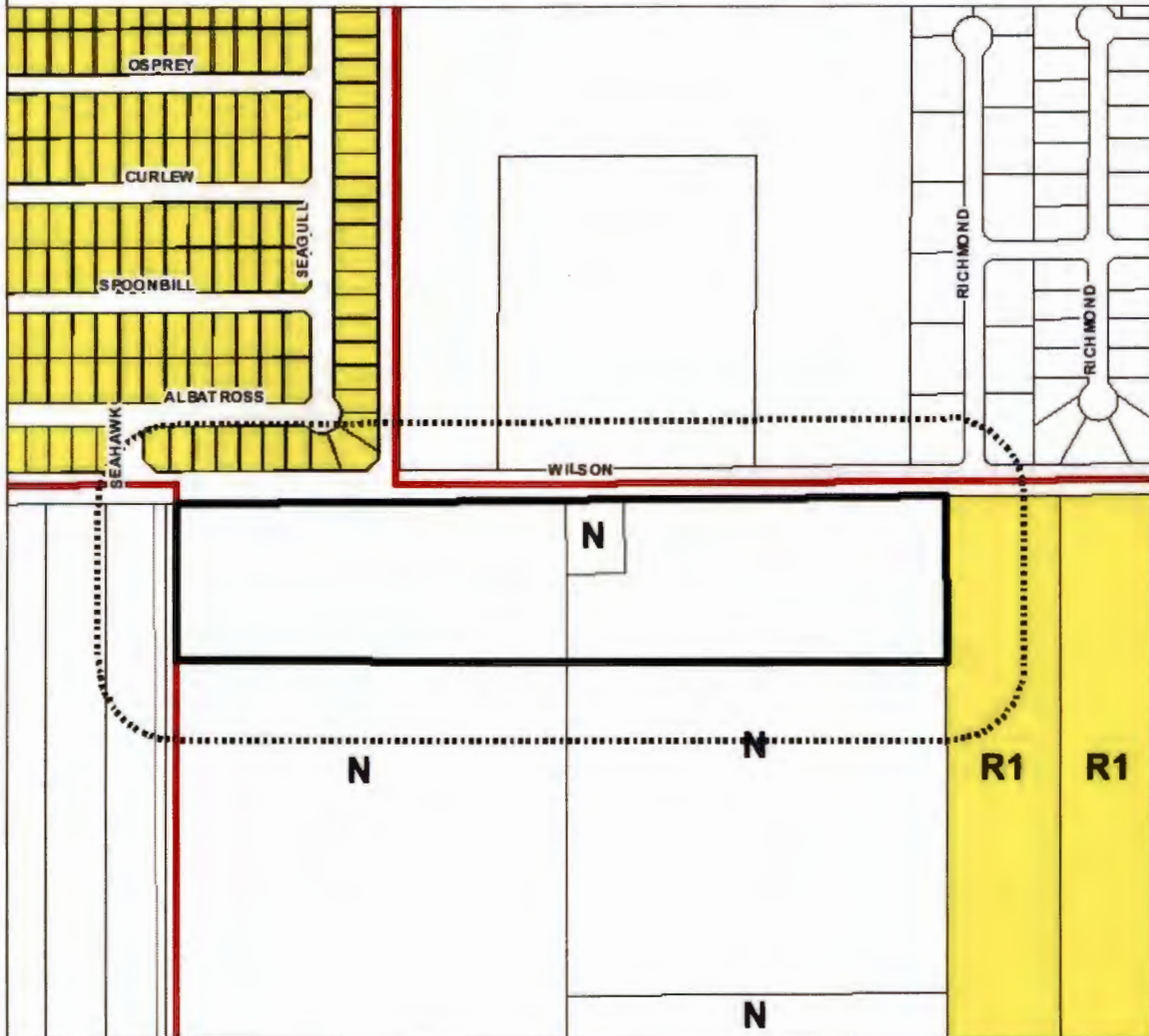
Property Owner(s) Signature: _____ Date: _____

Accepted by: _____ Date: _____

Attachment II—Legal Notice



Request to rezone from Residential, Not Designated ("N") District to General Retail ("GR") District for 13.58 acres of land out of Survey 140, L.L. Adams. Applicant: Moore Land Surveying, LLC c/o Zarate Home Designs



Boundary lines

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

Zone Map

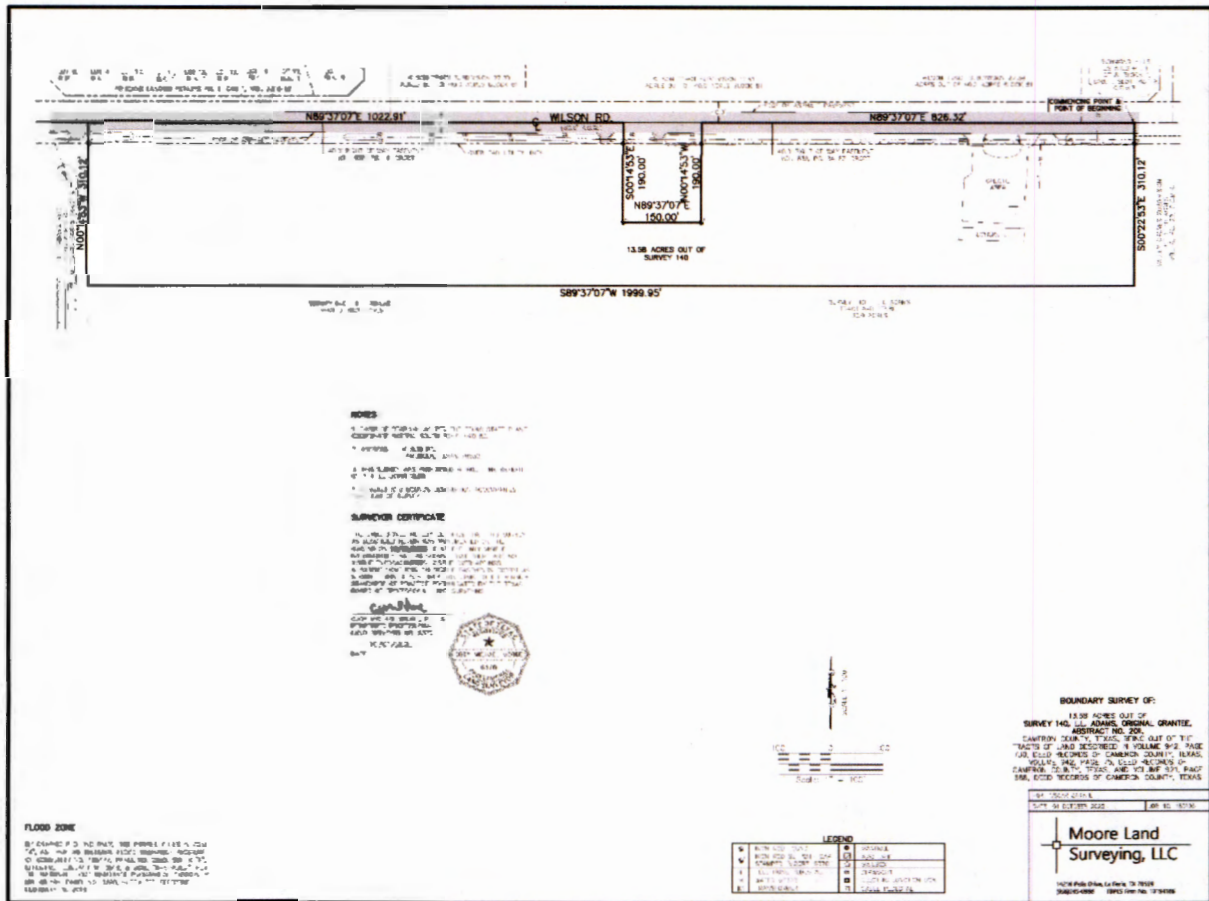
- General Retail (GR)
- Heavy Industry (HI)
- Light Industry (LI)
- 3/4 Plex Residential (M1)

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 10.23.2025

Attachment III—Survey



Attachment IV

View from Wilson Road



Attachment V-Aerial



Attachment VI—Future Land Use Map

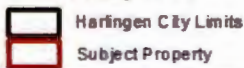


Future Land Use Map

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



Boundary Lines



Future Land Use

Agriculture/Rural Residential	Institutional	Recreation/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 13.58 ACRES OF LAND OUT OF SURVEY 140, L.L ADAMS SUBDIVISION LOCATED SOUTH OF WILSON ROAD, APPROXIMATELY 4,800.46 FEET EAST OF BASS BOULEVARD.

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 13.58 acres of land out of Survey 140, L.L. Adams, located south of Wilson Road, approximately 4,800.46 feet east of Bass Boulevard, 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.

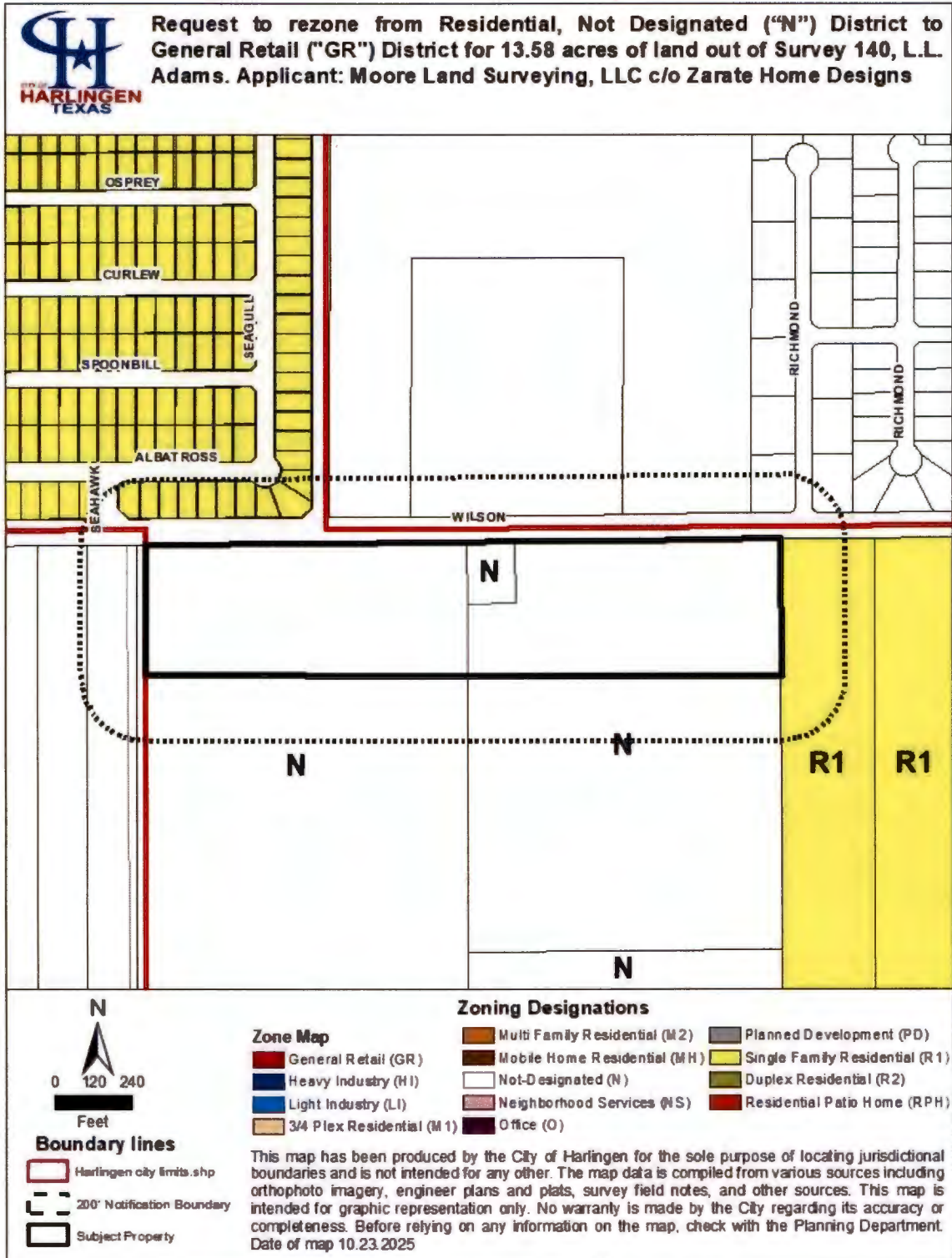
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

EXHIBIT "A"



**AGENDA ITEM
EXECUTIVE SUMMARY**

10(c)

Meeting Date: **December 3, 2025**

Agenda Item:

Consideration and possible action regarding a request to consider an appeal of the decision of the Planning and Zoning Commission on First Reading of denying the request to amend the previously approved Planned Development ("PD") District to allow a second detached dwelling unit for a property located at 3319 Pebble Beach Drive, bearing a legal description of Lot 8, Blocks 5 & 6, Treasure Hills Country Club Subdivision. Applicant: Fernando Pecina. 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

- October 27, 2025 – Application for a rezoning submitted to the City. (**ATTACHMENT I**)
- October 29, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- November 1, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- November 18, 2025 - Public hearing and consideration of requested rezoning by the Planning and Zoning Commission ("P&Z").
- December 3, 2025 – Public hearing and consideration of the requested rezoning via 1st Ordinance reading scheduled before the City Commission.
- December 17, 2025 – Pending approval of 1st Ordinance reading, consideration of approval of 2nd Ordinance reading scheduled before the City Commission.

Summary

- The applicant is requesting to amend the previously approved Planned Development site plan to allow for a second detached dwelling unit on the subject property. (**ATTACHMENT IV**).
- There is currently an existing 1,575 square-foot single-family home on the subject property. The property has 105.00 feet of frontage on Pebble Beach Drive and a depth of 127.11 feet at its longest point.
- The original Planned Development site plan for the property was approved on October 20, 1982, for single family homes, town homes, patio homes, and condominiums. The site plan was subsequently amended on November 16, 1983, and again on November 21, 1984. (**ATTACHMENTS V, VI, & VII**)
- According to the site plan submitted by the applicant, the proposal includes a 1,015-square-foot detached dwelling unit. The proposed setbacks are 20 feet in the front, 5 feet on each side, and 10 feet in the rear.
- The properties to the north, south, east, and west are all zoned as Planned Development ("PD") District. The surrounding land use consists of single-family

residential homes to the north, south, east, and west. **(ATTACHMENTS II & IV).**

- The Future Land Use Plan component of the City of Harlingen Comprehensive Plan, named One Vision One Harlingen, shows this area as low density residential. The detached secondary dwelling unit on the property is not consistent with the surrounding land use in the area. **(ATTACHMENT IX).**
- Staff received two phone calls of inquiry to the Planned Development request, but no calls in opposition. Staff sent out 19 notices to the surrounding property owners within a 200-foot radius.
- The City of Harlingen Engineering, Building Inspections, and Fire Prevention Departments reviewed the proposed Planned Development site plan. The Fire Prevention Bureau, Engineering Department, and Building Inspections department have recommended approval, subject to compliance with all applicable codes and regulations. **(ATTACHMENT X, XI, XII).**

Funding (if applicable):

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

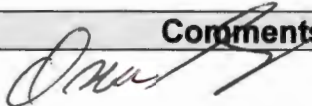
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

Staff recommends denial of the request.

Comments:

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

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) Account # 2456460060008000
Project Address 3319 Pebble Beach Nearest Intersection Treasure Hills Blvd.
(Proposed) Subdivision Name Treasure Hills Country Club Sub. Lot 98 Block 6
Existing Zoning Designation PD Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)
Applicant/Authorized Agent Fernando Pecina Phone 956-2642249 FAX _____
Email Address (for project correspondence only): f.pecina@aol.com
Mailing Address 3319 Pebble Beach City Harlingen State TX Zip 78550
Property Owner Same Phone Same FAX _____
Email Address (for project correspondence only): _____
Mailing Address _____ City _____ State _____ Zip _____

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

- | | |
|--|---|
| ☐ Annexation Request..... <u>No Fee</u> | ☐ Preliminary Construction Plans/Final Plat..... <u>\$150.00</u> |
| ☐ Administrative Appeal (ZBA)..... <u>\$125.00</u> | ☐ Subdivision Variance Request..... <u>\$25.00 (each)</u> |
| ☐ Comp. Plan Amendment Request... <u>\$250.00</u> | ☐ Re-plat..... <u>\$250.00</u> |
| ☐ Re-zoning Request..... <u>\$250.00</u> | ☐ Vacating Plat..... <u>\$50.00</u> |
| ☒ SUP Request/Renewal..... <u>\$250.00</u> | ☐ License to Encroach..... <u>\$250.00</u> |
| ☐ Zoning Variance Request (ZBA)..... <u>\$250.00</u> | ☐ Right-of-Way/Utility Easement Abandonment... <u>No Fee</u> |
| ☒ PDD Request..... <u>\$250.00</u>
<u>MOF 19-79348107</u> | |

PAID
10/27/25

Please provide a basic description of the proposed project: 2nd independent Dwelling
Amend PD

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: 10/27/25

Property Owner(s) Signature: Same Date: _____

Accepted by: _____ Date: _____

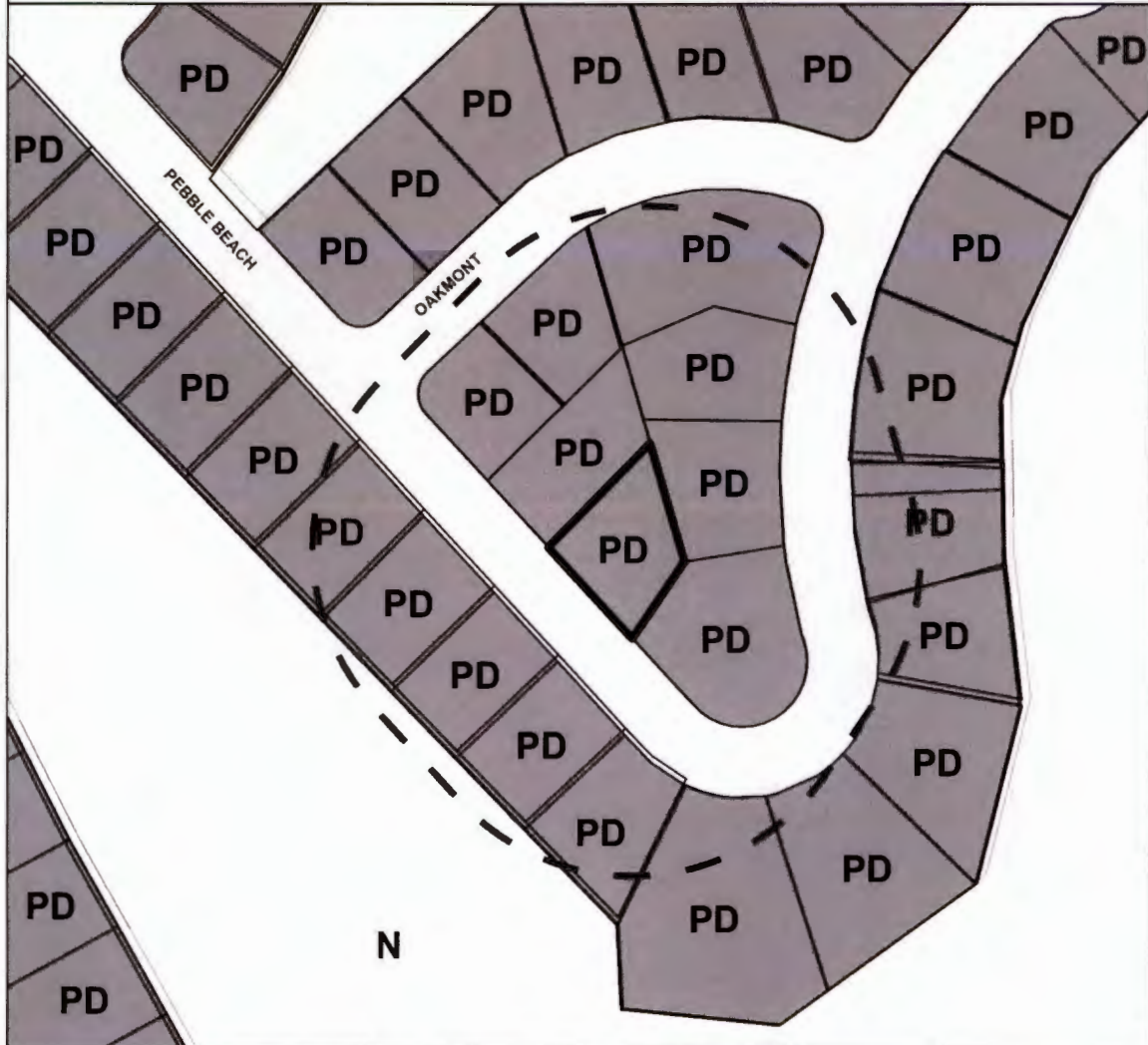
Revised 09/13/2024

RECEIVED
10/27/25
810

Attachment II



Request to amend the previously approved Planned Development ("PD") District to allow a detached second dwelling unit located at 3319 Pebble Beach Drive, bearing a legal description of Lot 8, Blocks 5 & 6, Treasure Hills Country Club Subdivision. Applicant: Fernando Pecina



Boundary lines

- Harlingen city limits.shp
- 200' 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) | Duplex Residential (R2) |
| Light Industry (LI) | Not-Designated (N) | Planned Development (PD) | Residential Patio Home (RPH) |
| 3/4 Plex Residential (M1) | | | |

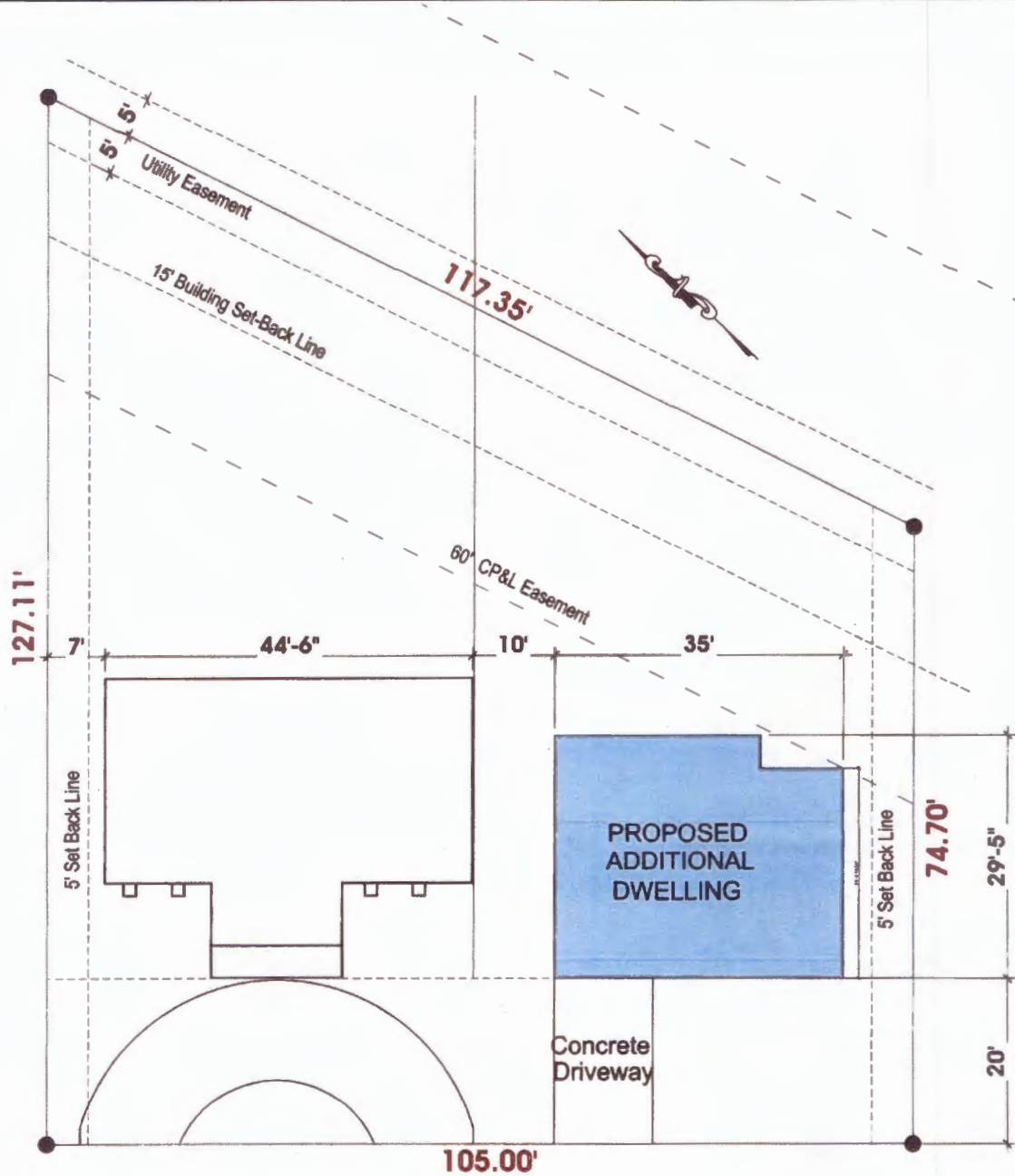
This map has been produced by the City of Harlingen for the sole purpose of locating jurisdictional boundaries and is not intended for any other. The map data is compiled from various sources including orthophoto imagery, engineer plans and plats, survey field notes, and other sources. This map is intended 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 10.28.2025

Attachment III – Street View

View from Pebble Beach Drive



Attachment IV – Proposed Layout



PEBBLE BEACH DR.

Plot Plan Scale: 1"=10'-0"
 Lot #8, Block #6
 Treasure Hills Country Club Subd.
 Blocks 5 & 6
 Harlingen, Texas
 Cameron County



Distinctive Designs. Unrivaled Expertise.
 Est. 1993

1022 E. Tyler Suite #3 Office: (956) 425-6604
 Harlingen, Texas 78550 E-mail: jandd@jandd.net

Javier Martinez 345-5151
 Ignacio Martinez 945-7106

Attachment V – Previously Approved Ordinance (1982)

ORDINANCE NO. 82-81

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF HARLINGEN: REZONING BLOCK 144, 174 AND THE WEST HALF OF BLOCK 139; LOTS 3 THROUGH 5, BLOCK 145 LAND AND WATER COMPANY SUBDIVISION FROM N CLASSIFICATION TO PLANNED DEVELOPMENT DISTRICT. (LOCATION: WHALEN ROAD VICINITY AND MAYFIELD ROAD VICINITY)

WHEREAS, the Planning Zoning Commission of the City of Harlingen pursuant to the 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 to amend the official zoning map of the City of Harlingen in accordance with said recommendations of the Planning and Zoning Commission of the City, being recommendations as hereinafter set forth; and public notice of such proposed rezoning have been fully made and complied with as required by said Zoning Ordinance and applicable laws of the State of Texas; and 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 to be the best interest of the City of Harlingen that said Zoning Ordinance be amended as indicated; now, therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN

That the Zoning Ordinance of the City of Harlingen (Ordinance # 74-36) be and the same is herewith amended by the following described real property being changed for permissive zone use as indicated:

Rezoning Block 144, 174, and the west half of Block 139; lots 3 through 5, Block 145; San Benito Land and Water Company Subdivision from N Classification to Planned Development District. (Location: Whalen Road vicinity and Mayfield Road vicinity.

The above property is hereby changed from its present N Classification to Planned Development District.

A copy of the Zoning Map constituting a part and parcel of the Zoning Ordinance, as filed with the Building 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 Director of Public Works being herewith

Attachment V – Previously Approved Ordinance (1982)

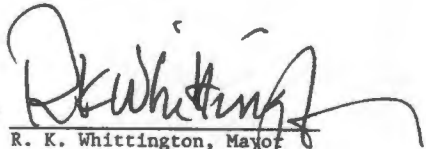
instructed and authorized and instructed to document such Zoning Map changes and revisions.

The provisions prohibiting the violation of the Zoning Ordinance shall continue in full force and effect and apply to the within amendments.

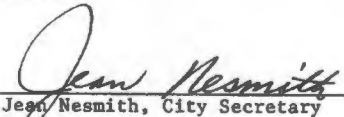
The provisions of the this ordinance shall become effective from and after the final and lawful passage hereof and publication of the caption hereof as provided for and required in the Zoning Ordinance and applicable state statutes.

FINALLY ENACTED THIS 20th DAY OF October, 1982.

CITY OF HARLINGEN

BY 
R. K. Whittington, Mayor

ATTEST:


Jean Nesmith, City Secretary

Attachment V - 1st Amendment to Ordinance (1983)

ORDINANCE NO. 83- 100

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF HARLINGEN, TEXAS BY ADOPTING A SITE PLAN FOR A PLANNED DEVELOPMENT DISTRICT FOR THE WEST ONE-HALF OF BLOCK 139, 1.53 ACRES OUT OF BLOCK 140, LOTS 3 THRU 5 AND 9 THRU 16 OUT OF BLOCK 145, LOTS 11 THRU 14 OUT OF BLOCK 146, AND ALL OF 174, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, KNOWN AS THE PROPOSED TREASURE HILLS COUNTRY CLUB; PROVIDING FOR PUBLICATION; AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

WHEREAS, on the 20th day of October, 1983 the Elective Commission of the City of Harlingen, Texas finally enacted Ordinance No. 82-81 establishing Planned Development District Zoning for the hereinafter described real property; and

WHEREAS, the Zoning Ordinance of the City of Harlingen, Texas requires the approval of a site plan in connection with Planned Development District Zoning; and

WHEREAS, a proposed site plan for the hereinafter described real property has been reviewed and approved by the Planning and Zoning Commission of the City of Harlingen, Texas.

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

SECTION I: That the site plan for the owners of the west $\frac{1}{2}$ of Block 139, 1.53 acres out of Block 140, Lots 3 thru 5 and 9 thru 16, out of Block 145, Lots 11 thru 14 out of Block 146, and all of Block 174, San Benito Land and Water Company Subdivision, attached hereto and incorporated herein by reference for all purposes is hereby adopted and approved.

SECTION II: That the Zoning Ordinance of the City of Harlingen, Texas is hereby amended to incorporate the site plan attached hereto as Exhibit "A" and the development of the hereinabove described real property shall be in accordance with said site plan.

SECTION III: That in accordance with the provisions of the Zoning Ordinance of the City of Harlingen, Texas the Planned Development District Zoning for the hereinabove described real property is made contingent upon development in accordance with said site plan.

SECTION IV: That the City Secretary of the City of Harlingen, Texas is hereby authorized and directed to cause a true and correct copy of the caption

Attachment V – 1st Amendment to Ordinance (1983)

of this ordinance to be published in a newspaper having general circulation in the City of Harlingen, Cameron County, Texas.

SECTION V: That if any phrase, portion or section of this Ordinance is declared by a Court of competent jurisdiction to be unlawful or unconstitutional, such declaration shall not affect the remaining portions hereof and, to such extent, the provisions of this ordinance are hereby declared to be severable.

FINALLY ENACTED THIS 16 day of November, 1983 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was in accordance with TEX. REV. CIV. STAT. ANN., Art. 6252-17, as amended.

CITY OF HARLINGEN

BY: Samuel C. Lozano
SAMUEL C. LOZANO, MAYOR

ATTEST:

Jean Nesmith
JEAN NESMITH, CITY SECRETARY

Attachment V - 1st Amendment to Ordinance (1983)

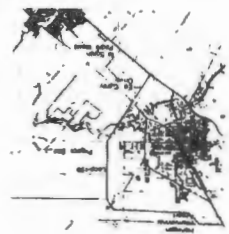


Scale
 1. 1 inch = 100 feet
 2. 1 inch = 200 feet
 3. 1 inch = 400 feet
 4. 1 inch = 800 feet
 5. 1 inch = 1600 feet

Project Summary

Legend

- 1. 1 inch = 100 feet
- 2. 1 inch = 200 feet
- 3. 1 inch = 400 feet
- 4. 1 inch = 800 feet
- 5. 1 inch = 1600 feet



Attachment V - 2nd Amendment to Ordinance (1984)

ORDINANCE NO. 84- 72

AN ORDINANCE AMENDING ORDINANCE NO. 83-100, FINALLY ENACTED NOVEMBER 16, 1983 BY AMENDING THE SITE PLAN ATTACHED THERETO FOR A PLANNED DEVELOPMENT DISTRICT FOR A 426.017 ACRE TRACT OF LAND OUT OF BLOCKS 139, 140, 144, 145, 146, 174, 175, AND 178 SAN BENITO LAND AND WATER COMPANY SUBDIVISION LOCATED APPROXIMATELY IN THE 2900 TO 3400 BLOCK OF TREASURE HILLS BOULEVARD; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

WHEREAS, on the 20th day of October, 1983 the Elective Commission of the City of Harlingen, finally enacted Ordinance No. 82-81 establishing Planned Development District Zoning for the hereinafter described real property;

WHEREAS, Zoning Ordinance of the City of Harlingen, Texas requires the approval of a site plan in connection with Planned Development District Zoning; and

WHEREAS, the Elective Commission of the City of Harlingen, Texas adopted a site plan for the hereinafter described real property through the enactment of Ordinance No. 83-100 on November 16, 1983; and

WHEREAS, the developers of said real property have requested an amendment to the site plan previously adopted by Ordinance No. 83-100 now, therefore

BE IT ORDAINED BY THE CITY OF HARLINGEN:

SECTION I: That ordinance no. 83-100, enacted on the 16th day of November, 1983 is hereby amended by substituting the site plan attached hereto as Exhibit "A" for the site plan adopted with said Ordinance. No. 83-100.

SECTION II: That the Zoning Ordinance of the City of Harlingen, Texas is hereby amended to incorporate the site plan attached hereto as Exhibit "A". The development of the hereinafter described real property shall be in accordance with said site plan.

Attachment V – 2nd Amendment to Ordinance (1984)

SECTION III: That in accordance with the provisions the Zoning Ordinance of the City of Harlingen, Texas the Planned Development District Zoning for the hereinafter described real property is made contingent upon development in accordance with the site plan attached hereto as Exhibit "A".

SECTION IV: That the site plan approved hereby shall pertain to development of the 426.017 acre tract of land out of Blocks 139, 140, 144, 145, 146, 174, 175, and 178 San Benito Land & Water Company Subdivision located approximately in the 2900 to 3400 block of Treasure Hills Boulevard in the City of Harlingen, Texas.

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

FINALLY ENACTED THIS 21st day of November, 1984 at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and held in accordance with TEX. REV. CIV. STAT. ANN. Art. 6252-17, as amended.

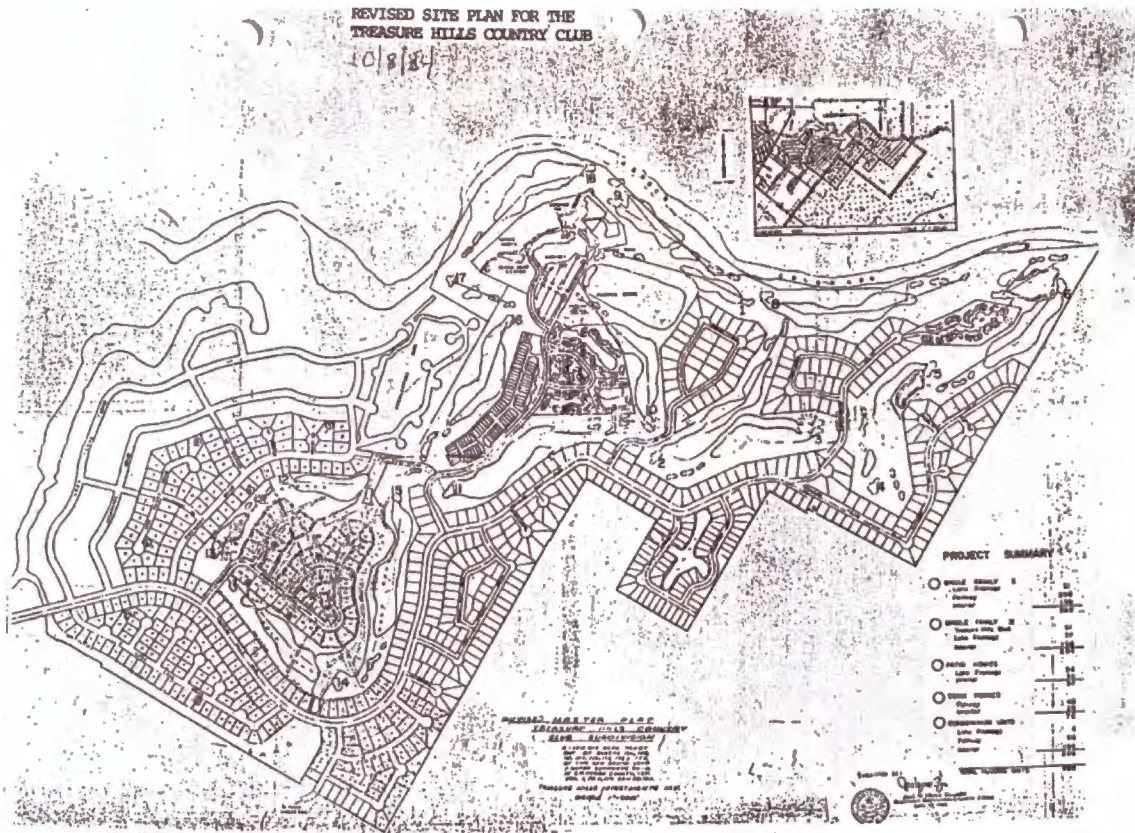
CITY OF HARLINGEN

BY: Samuel C. Lozano
SAMUEL C. LOZANO, MAYOR

ATTEST:

Jean Mesmith
JEAN MESMITH, CITY SECRETARY

Attachment V - 2nd Amendment to Ordinance (1984)



Attachment VIII – Aerial View

AERIAL

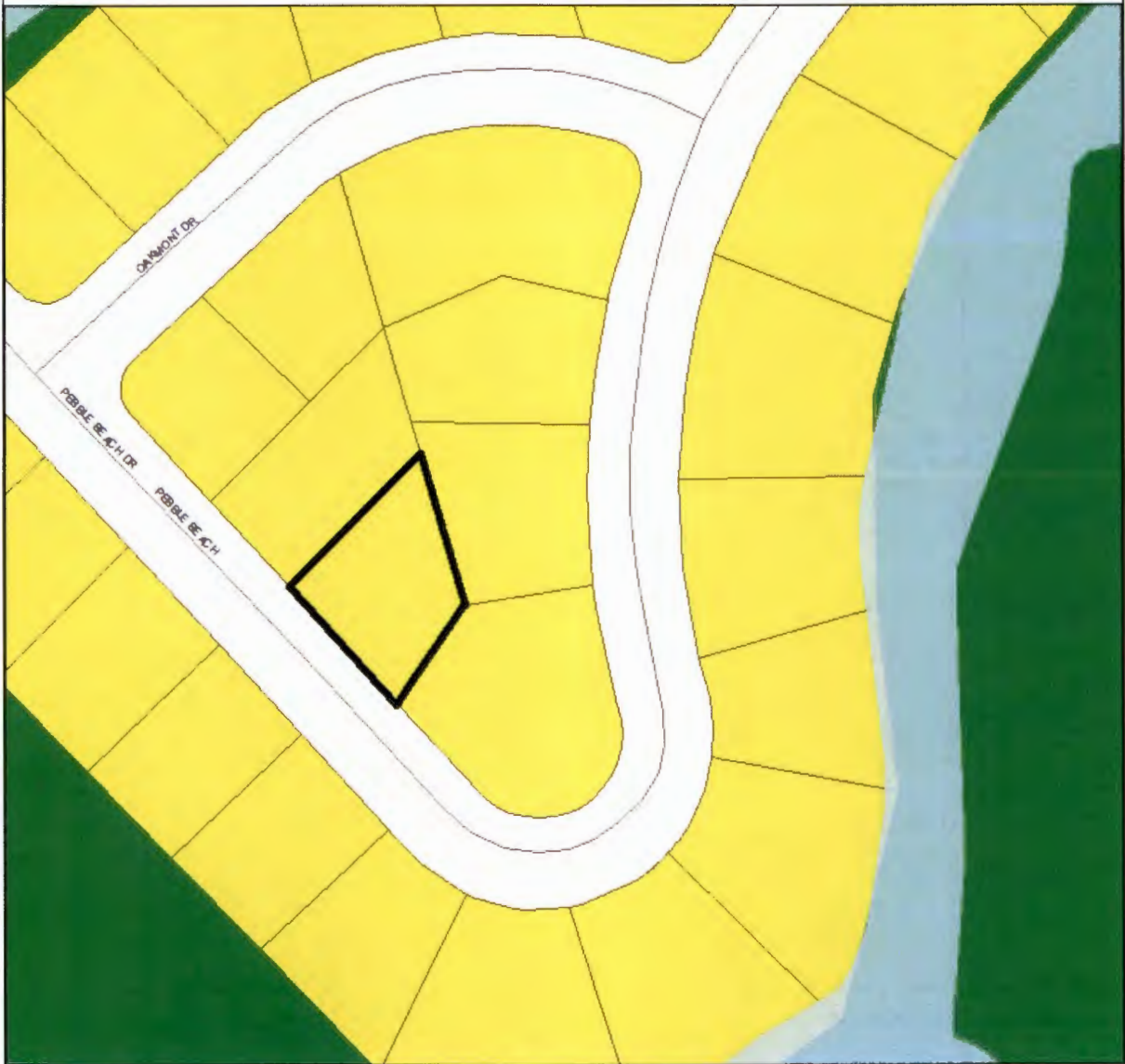


Attachment IX – Future Land Use Map



Future Land Use Map

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



Boundary Lines
Harlingen City Limits
Subject Property

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

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

Attachment X – Fire Prevention



Planned Development (PD) Request Routing Slip

Applicant: Fernando Pecina

Phone No.: (956) 264-2249

Location: Located north of Pebble Beach Drive, approximately 660.96 feet west of Treasure Hills Boulevard

Project Description: Request to amend the previously approved Planned Development ("PD") District to allow a detached second dwelling unit located at 3319 Pebble Beach Drive, bearing a legal description of Lot 8, Treasure Hills Country Club Subdivision Blocks 5 & 6.

Department: **Fire Prevention Bureau**

Approval: **X** YES ____ NO

Comments: **Applicant will have to meet any codes, regulations, ordinances, and standards required for a permit.**

Asst. Fire Marshal Russell Knight

Russell Knight

Signature

November 11, 2025

Date

Attachment XI – Building Inspections



Planned Development (PD) Request Routing Slip

Applicant: Fernando Pecina

Phone No.: (956) 264-2249

Location: Located north of Pebble Beach Drive, approximately 660.96 feet west of Treasure Hills Boulevard

Project Description: Request to amend the previously approved Planned Development ("PD") District to allow a detached second dwelling unit located at 3319 Pebble Beach Drive, bearing a legal description of Lot 8, Treasure Hills Country Club Subdivision Blocks 5 & 6.

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 and sealed and signed windstorm engineer plans (minimum 140 mph wind speeds) must be submitted to the Building Department for review. The construction documents must comply with the 2024 Residential Building Code and Family of Codes.

A sealed and signed Engineer analysis report will be required to be provided on inspections that were not conducted on completed construction built without a permit.

Raul Rodriguez: _____

Signature

11/07/2025

Date

Attachment XII - Engineering



Planned Development (PD) Request Routing Slip

Applicant: Fernando Pecina

Phone No.: (956) 264-2249

Location: Located north of Pebble Beach Drive, approximately 660.96 feet west of Treasure Hills Boulevard

Project Description: Request to amend the previously approved Planned Development ("PD") District to allow a detached second dwelling unit located at 3319 Pebble Beach Drive, bearing a legal description of Lot 8, Treasure Hills Country Club Subdivision Blocks 5 & 6.

Department:

Approval: X YES NO

Comments: Additional structures must remain clear from any
existing utility easements. Proposed curb cut for driveway are to
follow the City of Harlingen standards for single driveway as per
attached detail.

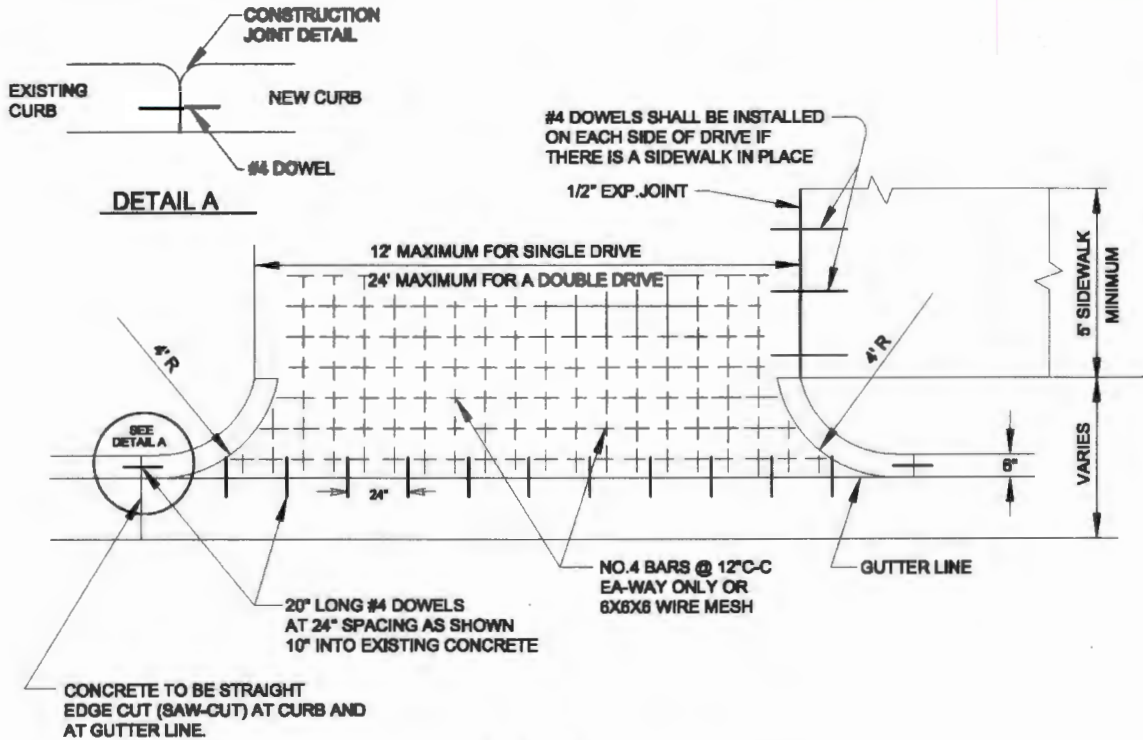
Designed by Isaac Ramirez, PE, CFM
City of Harlingen, Texas
City of Harlingen, Texas
Isaac Ramirez, PE, CFM
11/13/2025 10:00:00

Isaac Ramirez, PE, CFM

11/13/2025

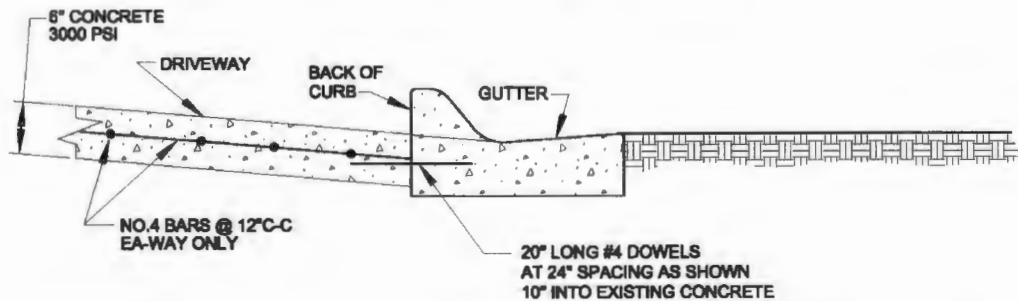
Signature

Date



PLAN
STANDARD RESIDENTIAL DRIVEWAY

NOT TO SCALE



SECTION

NOT TO SCALE

NOTE:
ALL DRIVEWAYS SHALL CONFORM
TO THE AMERICANS WITH
DISABILITIES ACT (ADA) GUIDELINES.

**TYPICAL DETAIL FOR REINFORCING
RESIDENTIAL DRIVEWAYS**



SCALE:
N.T.S.

DRAWN:
B.G.S.

DATE:
2/09/2015

**CITY OF HARLINGEN
HARLINGEN, TEXAS
ENGINEERING DEPARTMENT**

SHEET _____

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(d)

Meeting Date: **December 3, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading amending Chapter 111 Zoning, Sections 111-1, 111-62, 111-275 and 111-280 of the Code of Ordinances to authorize model homes/model home sales offices and home identification signs in residential, single-family (R-1) and planned development (PD) zoning districts; providing for a severability clause; and establishing an effective date. Attachment **(Planning & Development)**.

Prepared By (Print Name): Ana Hernandez, AICP, CNU-A
Title: Planning and Development Director/
Special Projects Director

Signature: *Ana Hernandez*

Brief Summary:

The purpose of this proposed amendment is to allow a monument-style sign not greater than 12.5 square feet for model homes located within Residential, Single-Family (R-1) and Planned District (PD) Zoning Districts. The amendment provides clear standards governing the size, location, height, illumination, and duration of such signs to ensure they remain compatible with the residential character while supporting the marketing of new subdivisions.

Currently, the City's Sign Regulations do not authorize permanent or semi-permanent signage for model homes or sales offices in residential zoning districts. The proposed amendment clarifies that a platted lot lawfully used as a model home may display one on-premise monument-style sign, subject to defined restrictions, including:

1. The sign shall not exceed 12.5 square feet and five (5) feet in height, inclusive of its base.
2. Must be set back 10 feet from property lines and outside of visibility triangles (§111-581).
3. Only external, constant, and fully shielded to prevent glare onto adjacent properties or public rights-of-way. It shall be turned off no later than 10:00 p.m., or one hour after the model home closes, whichever occurs first. Internal, digital, LED-lit acrylic, or animated lighting is prohibited.
4. The sign and all associated foundations or structures shall be removed within ten (10) days after the dwelling ceases to be used as a model home for sales or promotional purposes or is occupied for residential purposes. The site shall be restored to its original condition, including any disturbed landscaping or grading.
5. If a model home remains active for more than 6 months after initial sign permit issuance, the permit shall expire unless the Planning and Development Director may approve a time extension not to exceed six (6) months for good cause shown. If a time extension is denied by the Planning and Development Director, the applicant must follow the appeal process in accordance with §111-443 (a)(3).
6. A sign permit shall be required prior to installation and shall be issued by the Planning and Development Department.

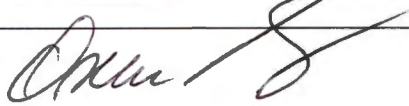
Funding (if applicable):

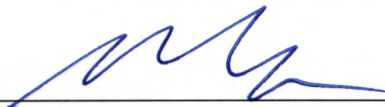
Are funds specifically designated in the current budget for the full amount for this purpose? ☐ Yes ☐ No*

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

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

Staff Recommendation:
Staff recommends approval of this ordinance amendment.

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

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

AN ORDINANCE OF THE CITY OF HARLINGEN AMENDING CHAPTER 111 ZONING, SECTIONS 111-1, 111-62, 111-275 AND 111-280 OF THE CODE OF ORDINANCES TO AUTHORIZE MODEL HOMES/MODEL HOME SALES OFFICES AND HOME IDENTIFICATION SIGNS IN RESIDENTIAL, SINGLE-FAMILY (R-1) AND PLANNED DEVELOPMENT (PD) ZONING DISTRICTS; PROVIDING FOR A SEVERABILITY CLAUSE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the City of Harlingen regulates signs to promote traffic safety, protect neighborhood character, and maintain community appearance; and,

WHEREAS, the City recognizes that model homes serve a legitimate role in marketing new residential developments and that clear, professionally designed signs help inform the public without detracting from the residential character; and

WHEREAS, the City Commission finds that allowing limited, well-designed monument-style signs for model homes is consistent with the City's aesthetic and economic development goals and remain content neutral under the First Amendment; and,

WHEREAS, the City is authorized to enact and enforce such regulations pursuant to Chapter 215 of the Texas Local Government Code; and,

WHEREAS, the Planning and Zoning Commission has reviewed the proposed amendment and has recommended approval; and,

WHEREAS, the City of Harlingen has complied with all notices and public hearings as required by law; and,

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

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

Section 1. Chapter 111, Article I, Section 111-1 Definitions is hereby amended by adding the language bolded and underlined (**added**) and deleted (~~stricken thru~~) to read as follows:

§ 111-1 Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Any terms not defined within this document shall be considered to have the most commonly acceptable meaning as can be identified in a standard dictionary.

Abutting means lying adjacent or contiguous along a common border.

Accessory building, in a residential district, means a detached subordinate building used for a purpose customarily incidental to the main structure, including, but not limited to, a private garage for automobile storage, greenhouse as a hobby, home workshop, children's playhouse, garden shelter, but not involving the conduct of a business.

Accessory use means a use subordinate to and incidental to the primary use of the main building or to the primary use on the premises.

Adult business means a business whose product or service sales are restricted to adults over age 18 years, including, but not limited to, tattoo parlors and head shops.

Alley means a public space or thoroughfare which affords only secondary means of access to property abutting thereon.

Apartment means a room or suite of rooms in a multifamily dwelling or apartment house arranged, designed or occupied as a place of residence by a single family, individual or group of individuals.

Apartment house means any building, or portion thereof, which is designed, built, rented, leased or let to be occupied as three or more dwelling units or apartments or which is occupied as a home or place of residence by three or more families living in independent dwelling units.

Area of the lot means the net area of the lot including easements, but shall not include portions of streets and alleys.

Assisted living facility means residences for the elderly that provide rooms, meals, personal care, and/or supervision of self-administered medication. The use is similar to a nursing home, but more like apartment living than hospitalization (same as group home).

Bakery, retail, means a place for preparing, baking and selling baked goods and products prepared on the premises.

Bar/lounge means establishments where alcoholic beverages are sold for on-premises consumption. (Note: an establishment that can prove it produces more than 50 percent of its gross income in sales of food items may be classified as a restaurant rather than a bar/lounge.)

Basement means a building story which is partly or wholly underground. A basement shall not be counted as a story in computing building height.

Bed and breakfast means an establishment typically run from an individuals' residence that offers overnight accommodations and a morning meal to visitors for compensation.

Block means an area enclosed by streets and occupied by or intended for buildings; or if it is used as a term of measurement, it shall mean the distance alongside of a street between the nearest two streets which intersect said street on the said side.

Board means the zoning board of adjustment established in article XVI of this chapter.

Boardinghouse means a building other than a hotel, where lodging and meals for five or more persons are served for compensation.

Building means any structure built for the support, shelter and enclosure of persons, animals, chattels or moveable property of any kind. The term "building" means the same as the term "structure."

Building line means a line parallel or approximately parallel to the street line at a specified distance there from marking the minimum distance from the street line that a building may be erected.

Bulk storage means the unpackaged, unbundled, unbound or loose storage, in mass quantities, of materials.

Call center means a central place where customer and other telephone calls are handled by an organization, usually with some amount of computer automation. Typically, a call center has the ability to handle a considerable volume of calls at the same time, to screen calls and forward them to someone qualified to handle them, and to log calls. Call centers are used by mail-order catalog organizations, telemarketing companies, computer product help desks, and any large organization that uses the telephone to sell or service products and services.

Cellar means a building story with more than one-half its height below the average level of the adjoining ground. A cellar shall not be counted as a story in computing building height (same as basement).

Certificate of occupancy or compliance means an official certificate issued by the city through the enforcing official which indicates a conformance with or approved conditional waiver from the zoning regulations and authorizes a legal use of the premises for which it is issued.

City commissioners means the governing body of the City of Harlingen, Texas.

City manager means the chief city administrator.

Cleaners means a retail service providing dry cleaning of clothes.

Cleaning and dyeing service including carpeting means an industrial use in which products are cleaned and/or dyed through chemical processes. No direct exterior exhaust from a cleaning plant is permitted and dust and/or fumes must be controlled by either bag or filter and separator or precipitator so as to eliminate the exhausting of dust, odor, fumes or noise outside the plant.

Clinic means a group of offices of one or more physicians, surgeons or dentists to treat sick or injured out-patients who do not remain overnight.

College, university or private school means an institution established for educational purposes and offering a curriculum similar to the public schools or an accredited college or university, but excluding trade and commercial schools.

Commercial amusements, outdoor, means activities such as golf driving ranges, pitch and putt courses, archery, miniature golf, carnivals and similar outdoor activities, but not including go-cart racing, drag strips or auto racing.

Condominium, as applied to the ownership of real estate, means a living unit with ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all the occupants, such as yards, foundations, basements, floors, walls, hallways, stairways, elevators and all other related common elements, together with individual ownership in fee of a particular unit or apartment in such building. In this context, it is confined to ownership of a residential unit such as an apartment.

Convalescent home means any structure used for, or customarily occupied by, persons recovering from illness or suffering from infirmities of age.

Court means an open, unoccupied space, bounded on more than two sides by the walls of a building. An inner court is a court entirely surrounded by the exterior walls of a building.

Custom personal service means establishments primarily engaged in providing services involving the care of a person or his personal goods or apparel. Services include, but are not limited to, a tailor shop, shoe repair, health studio or travel consultant.

Day nursery or day care center (adult or children) means an establishment where more than six children or adults are left for care or training during the day or portion thereof. A public or private children day care operated out of a church is a permitted use in any of the designated zoning districts listed for a church in section 111-62, subject to complying with the required off-street parking and loading space listed in article VI of this chapter, and all applicable building, fire and health code requirements. Six or fewer children or adults may be left for care or training during the day, or a portion thereof, in a single-family residential, multifamily residential, and mobile home residential district only if:

- (1) The residential structure maintains a completely residential appearance.
- (2) A screening fence is maintained in the rear yard of the property to keep children on the premises.
- (3) No sign advertising the service is placed on the residential premises.

Depth of lot means the mean horizontal distance between the front and rear lot lines. (See section 111-580.)

Distribution center means an establishment engaged in the receipt, storage and distribution of goods, products, cargo and materials, including transshipment by boat, rail, air or motor vehicle. The breakdown of large orders from a single source into smaller orders and consolidation of several orders into one large one for distribution to several recipients and vice versa are often part of the function of a distribution center (sometimes overlaps warehouse functions).

District means a section of the City of Harlingen from which the regulations governing the area, height or use of the land and buildings are uniform.

Duplex means a building on a single lot containing two single-family dwelling units totally separated from each other by an unpierced wall extending from ground to roof.

Dwelling, multiple-family, means any building, or portion thereof, which is designed, built, rented, leased or let to be occupied as two or more dwelling units or apartments or which is occupied as a home or residence of two or more families.

Dwelling, one-family, means a detached building having accommodations for and occupied by not more than one family or by one family and not more than four boarders and lodgers.

Dwelling, two-family. Same as duplex.

Dwelling unit means a building or portion of a building which is arranged, occupied or intended to be occupied as living quarters and includes facilities for food preparation and sleeping.

Easement means a right given by the owner of a parcel of land to another person, public agency, or corporation for a specific and limited use of the parcel.

Family means any number of individuals living together as a single housekeeping unit, in which not more than four individuals are unrelated by blood, marriage or adoption.

Farmers market means an organized operation at a designated location used by vendors primarily for the distribution and sale of locally produced agricultural products. Such

establishment if located in a residential district must be located on a lot or tract of land no less than five acres.

Farm, ranch, garden or orchard means an area of five acres or more which is used for growing of usual farm products, vegetables, fruits, trees and grains, and for the raising thereon of the usual farm poultry and farm animals such as horses, cattle and sheep, including the necessary accessory uses for raising, treating and storing products raised on the premises, but not including the commercial feeding of offal or garbage to swine or other animals, not including any type of agriculture or husbandry specifically prohibited by ordinance or law, and not including those types or operations generally considered as feedlots.

Floor area means the total square feet of floor space within the outside dimensions of a building, including each floor level, but excluding cellars, carports or garages.

Floor area ratio means an indicated ratio between the number of square feet of total floor area in the main building on a lot and the total square footage of land in the lot; it is the number resulting from dividing the main building floor area by the lot area.

Fourplex. Same as quadruplex.

Furniture and appliance storage, repair and sale, new and used, outside means the unenclosed sale of used goods. (Used furniture and/or appliances may not be stored, repaired, displayed nor sold outside of a building in general retail zone.)

Garden/patio home, subject to the use chart in section 111-62, means a garden or patio home is a single-family dwelling unit in which one wall may be erected to one common property line; said wall can have no penetration of any kind, including, but not limited to, openings for windows, doors, ventilators, clothes dryer vents, water heaters, pressure discharge pipes, electrical circuits and apparatus, and shall be constructed and maintained to a fire resistance rating as required by the latest building and/or fire codes adopted by the city. No garden or patio home, or part thereof, shall encroach into a restricted area as defined in section 40-101.

Greenhouse, nursery for retail means the display of plants offered for sale must be behind the front yard line established in the district in which the nursery or greenhouse is located.

Group home. See assisted living facility.

Halfway house (or residential reentry center) means a residential facility as provided by V.T.C.A., Government Code Ch. 508, and used by the State of Texas Pardons and Paroles Division, to divert from housing in regular units of the institutional division suitable low-risk inmates and other inmates who would benefit from a smoother transition from incarceration to supervised release.

Height means the vertical distance of a building measured from the average established grade at the street line or from the average natural front yard ground level, whichever is higher, to:

- (1) The highest point of the roofs surface;
- (2) The deck line of mansard roofs; or
- (3) The mean height level between eaves and ridge for hip and gable roofs and, in any event, excluding chimneys, cooling towers, elevator bulkheads, penthouses, tanks, water towers, radio towers, ornamental cupolas, domes or spires, and parapet walls not exceeding ten feet in height.

If the street grade has not been officially established, the average front yard grade shall be used for a base level.

Historically significant building, through the review and approval of a special use permit (SUP) application for a bed and breakfast use, means a building determined by the city commission to be historically significant based on any of the following criteria:

- (1) The building is listed or is found to be eligible for listing on the National Register of Historic Places;
- (2) The building is listed or is found to be eligible for listing as a Recorded Texas Historical Landmark, a state archeological landmark, or a state historical marker; or
- (3) The building, in whole or in part, was built 50 or more years prior to the date the subject SUP application is submitted to the city.

Home occupations means an occupation customarily carried on in the home by a member of the occupant's family, without the employment of additional persons, without the use of a sign to advertise the occupation, without offering any goods for sale on the premises and which does

not create obnoxious noise or other obnoxious conditions to abutting residential property, such as odor, increased traffic congestion, light or smoke.

Hospital/nursing home means an institution where sick or injured patients are given medical or surgical treatment for a temporary or extended period of time and which is licensed by the State of Texas.

Household appliance service and repair means a repair service including items such as radio and television, but not involving the use of equipment which generates noise, odor or electrical frequencies so as to interfere with the use and enjoyment of adjacent property.

Industrial manufacturing, light, means operations which do not emit detectable dust, odor, smoke, gas or fumes beyond the bounding property lines of the lot or tract upon which the use is located and which do not generate noise or vibration at the boundary of the LI District which is generally perceptible in frequency or pressure above the ambient level of noise in the adjacent areas. Light industrial manufacturing operations of any type which meet the general conditions set forth above and which are not offensive by the reason of the emission of noise, odor, smoke, gas, fumes, dust, glare or the creation of hazard, but specifically excluding the following uses:

- (1) Animal feedlots;
- (2) Animal slaughtering or chicken killing;
- (3) Acid manufacture;
- (4) Ammonia manufacture;
- (5) Automobile wrecking yard;
- (6) Carbon black manufacture;
- (7) Cement, lime gypsum or plaster of Paris manufacture;
- (8) Chlorine manufacture;
- (9) Cotton gin or compress;
- (10) Explosives storage or manufacture;
- (11) Glue and fertilizer manufacture;
- (12) Petroleum and petroleum products refining and manufacture;
- (13) Petroleum tank farm;
- (14) Petrochemical plant;
- (15) Rendering plant; and
- (16) Any use which due to the possible emission of excessive smoke, noise, gas, fumes, dust, odor or vibration or danger of explosion or fire is presently or in the future is determined a hazard and subject to special control.

Industry, other, means any manufacturing or industrial use not prohibited by law, except those uses listed in the definition of light industrial manufacturing, which shall not be permitted without a special use permit as set forth in section 111-62.

Kenel means any lot or premises on which four or more animals, four months of age or older are kept temporarily or permanently for the purpose of training, breeding, boarding or for sale.

Laundromat, including self-service dry cleaning, means clothes cleaning facility of a similar type customarily found in the home and of the customer self-service type and not a commercial laundry or cleaning plant.

Living unit means the rooms occupied by a family and must include cooking and bathroom facilities.

Lodginghouse means a building where lodging for five or more persons is provided for compensation.

Lot means land occupied or to be occupied by a building and its accessory buildings, and including such open spaces as required under this chapter, and having its principal frontage upon a public street. The term "lot" means the same as the term "plot" or "parcel."

Lot coverage means the percentage of the total area of a lot occupied by the footprint (first story of floor) of buildings located on the lot and including any impervious surfaces such as asphalt or concrete.

Lot depth means the mean distance between the front and rear lot lines. (See section 111-580.)

Lot lines means the lines bounding a lot as defined herein.

Lot of record means a lot which is part of a subdivision, the plat of which has been recorded in the office of the county clerk or a parcel of land, the deed for which is recorded in the office of the county clerk prior to the adoption of the ordinance from which this chapter is derived.

Lot width means the width of a lot at the front building line. (See section 111-580.)

Main building means the building on a lot which are occupied by the primary user.

Mini-storage units means a structure containing separate, individual, and private storage spaces of varying sizes, leased or rented on individual leases generally for storage of items.

Mobile home means a structure for primary purposes of dwelling occupancy and so equipped as to be transportable as constructed (refer to manufactured home ordinance).

Mobile vendor means a vendor whose wares are set up temporarily on an occupied property whose owner has agreed in writing to allow access to bathroom facilities and parking as required by the business generated by the mobile vendor. A vendor shall be considered "mobile" if the structure used to vend goods and/or services from is capable of being removed from the site on a daily basis. A snow cone stand used seasonally, which is not built on-site, may be considered mobile if it contains provisions such as wheels or a hitch by which to remove the structure. Tent structures used for temporary or seasonal sales shall also be included.

Model Home/Model Home Sales Office means a dwelling unit within an approved residential subdivision that is temporarily used for the display of building design, construction quality, or furnishings, and as an on-site temporary office for the sale or marketing of homes or lots within the same subdivision or development. The dwelling unit shall remain a residential structure and shall be converted to residential occupancy upon completion of sales activity.

Motel means an inn or group of cabins designed for occupancy by paying guests; a hotel.

Multifamily dwellings. Same as dwelling, multifamily.

Neighborhood club (private) means quarters for a private neighborhood organization made up of residents of a specific area and may include social and recreational facilities for members only.

Noise, ambient level, means the general pressure and frequency level of noise in the vicinity of the premises on which a use is located, including traffic noise from nearby streets.

Nonconforming use means a building, structure or use of land lawfully occupied at the time of the effective date of the ordinance from which this chapter is derived, or amendments thereto, which does not conform to the use regulations of the district in which it is situated and has been occupied continuously without interruption or intent of discontinuation.

Occupancy means the use or intended use of the land or buildings by proprietors or tenants.

Open air business means any business, including, but not limited to, an auto mechanic use, that might be established without a formal building structure. (At a minimum, sanitary concerns must be addressed for workers of the business.)

Open space means area included in any side, rear or front yard or any unoccupied space on the lot that is open and unobstructed to the sky except for the ordinary projections of cornices, eaves and porches.

Outdoor music establishment means an entity (structure or building) including businesses and non-businesses which include or initiate musical broadcasting or entertainment or amplified sound, music or spoken word or any sound, that goes beyond the confines of an enclosed building, or which can be heard beyond the building's property line even though the music, spoken word or sound is played, spoken or broadcast from inside the building.

Parking space means an area on a lot sufficient in size to store an automobile not less than nine feet wide and 20 feet long connected either to a public street or alley by a driveway no less than ten feet wide or directly adjacent to a public alley and so arranged as to permit ingress and egress of the automobile at all times without moving any other automobile. The parking spaces, connecting driveways and public alley adjacent to the parking spaces for all businesses and residential uses shall be of asphalt or concrete surface.

Pharmacy means an establishment having at least one licensed pharmacist as owner or employee which fills prescriptions on the premises for sale, and additionally sells non-prescription drugs, medicines and medical supplies.

Planned development district means the city commission of the City of Harlingen, Texas, after public hearing and proper notice to all parties affected and after recommendation from the city planning and zoning commission, may authorize the creation of planned development districts of a designated size, permitting, but not limited to, the following uses: shopping centers, residential developments, neighborhood services, medical centers, hospital, civic centers,

community centers, office centers, recreation centers, industrial centers, or any combination thereof.

Planning and zoning commission means the agency appointed by the city commission as an advisory body to it and which is authorized to recommend changes in the zoning and approved platting.

Portable building means a structure that was built off site and moved to a lot, tract, or a piece of land for use as storage or commercial use, and/or that does not have a concrete slab or a perimeter beam with footings, and is not habitable according to the housing code. All portable buildings shall be anchored.

Private garage means an accessory building housing vehicles owned and used by occupants of the main building; if occupied by vehicles of others, it is a storage space.

Quadruplex means four attached dwellings in one building in which each unit has two open space exposures and shares one or two walls with adjoining units.

Railroad, track and right-of-way does not include railroad stations, sidings, team tracks, loading facilities, docks, yard or maintenance areas.

Recycling center means a business which collects, packages, and ships recyclable material.

Residence. Same as dwelling.

Residential zone means any lot or tract zoned with the designation of R-1, R-2, M-1, M-2, or MH primarily intended for residential living in single-family homes, duplexes, multi-unit residences, townhouses, condominiums, garden or patio homes or mobile homes.

Restaurant means any place where food is prepared and provided that is intended for service as individual portions. If a restaurant has a permit to sell alcoholic beverages for on-premises consumption as a secondary source of income, it will not be considered a bar/lounge. Whenever the City of Harlingen receives a complaint or has reasonable suspicion that a violation of this section exists, it may require any establishment serving alcoholic beverages as a secondary use to provide the city, within 30 days of notification, a verified audit for each quarter of the calendar year, showing the gross income derived from the sale of food and alcoholic beverages.

Retail store and shop means service offering all types of goods for sale from within the store and only new merchandise shall be permitted in an outside display on a temporary basis (maximum two-week period biannually). Goods which are made and sold for outdoor use (i.e., lawn furniture, playground equipment, plants, etc.) shall be permitted in an outside display on a permanent basis.

Room means a building or portion of a building which is arranged, occupied or intended to be occupied as living or sleeping quarters which may include toilet and/or cooking facilities.

Rooming house. Same as lodging house.

Setback means distance between the lot line and the outermost building wall or post.

Sexually oriented business means a massage establishment, nude studio, nude or partially nude dancing establishment, nude modeling studio, love parlor, adult bookstore, adult movie theater, adult video arcade, adult movie arcade, adult video store, adult motel, or any other commercial enterprise of which the primary business is the offering of a service or the selling, renting, or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customer. Evidence that a motel offers a sleeping room for rent for a period of time that is less than ten hours shall be prima facie evidence that such motel is an "adult motel" as this term is used herein.

Sign means an outdoor advertising that is a structure or that is attached to or painted on a building or that is leaned against a structure for display on a premise.

Sign, business or pole, means those signs solely for the purpose of identifying and advertising the use or business on the property on which the sign is located.

Sign, church, schools and temporary, means name plates and bulletin boards for apartment houses, schools and churches, but not exceeding 32 square feet in area and not of a flashing, intermittent, revolving or similarly light type, also temporary signs pertaining to the sale or rental of property not exceeding 20 square feet in area and advertising property only for a use for which it is legally zoned.

Solar farm, means a large scale solar installation where photovoltaic (PV) panels, referred to as solar panels or other means of collecting solar energy, like concentrating solar system are used to harvest the sun's power.

Storage building means a building (including saf-t-box or mobile-mini containers) primarily for the use or storage of goods and/or provisions not including hazardous chemicals or dangerous materials such as dynamite, etc.

Storage warehouse means a building used primarily for the storage of goods and materials by the owner of the goods, or operated for a specific commercial establishment or group of establishments in a particular industrial or economic field.

Story means the height between the successive floors of a building or from the top floor to the roof (or ten feet if no physical floors are established such as in the case of a cellular tower).

Street means any thoroughfare or public driveway, other than an alley, 30 feet or more in width, which has been dedicated or deeded to the public for public use.

Street line means a dividing line between a lot, tract or parcel of land and a contiguous street; also called the right-of-way line.

Structural alterations means any change in the supporting member of a building such as a bearing wall, column, beams or girders.

Structure. Same as building.

Sun screen means a screen type wall constructed of masonry and/or cedar or redwood of sufficient strength to support said wall in a straight and unbroken condition. Said wall may be so constructed as to permit passage of reasonable current of air and/or light but adequate to shield the activity from the sight of occupants of adjacent property.

Temporary field offices means portable building or temporary building used as field office for a real estate development or construction project and subject to removal at the direction of chief building official.

Tennis or swim club means a private residential club with restricted membership, usually of less area than a country club, but including a clubhouse and swimming pool, tennis courts and similar recreational facilities, none of which are available to the general public.

Thoroughfare. Same as street.

Towing, wrecking or wrecked vehicle storage service means a service to tow motor vehicles which cannot be moved under their own power, such business shall include vehicle storage lot to store motor vehicles involved in accidents which cannot otherwise move under their own power. In no event shall any single stored vehicle remain on such storage lot for a period in excess of 90 days. No wrecking, salvage dismantling or sales of used auto parts shall be conducted from towing or wrecker service premises, or from the premises on which such vehicles are stored. Additionally, should any such vehicles remain on such lot for a period in excess of 90 days, such lot shall be deemed to be a "wrecking and salvage yard" under the provisions of this chapter.

Townhouse means a single-family dwelling unit in which the building and/or walls may be erected to or on property line on the front, rear, and sides, in which the building has no opened space except a patio inside the walls and which is erected for the specific purpose of providing a location for inside living. Townhouses shall be built in a series or group of attached units with property lines separating such units. The common wall shall be constructed as set out in the International Building Code, as adopted and amended by the city, regarding separation between townhouses. No townhouse, or part thereof, shall encroach into a restricted area as defined in section 40-101.

Trailer park means an area designated, arranged or used for the parking or storing of two or more travel trailers which are occupied or intended for occupancy as living quarters by individuals or families.

Travel trailer (recreational vehicle) means a trailer equipped to be transported and used for temporary occupancy; in size not to exceed eight feet in width and not to exceed 40 feet in length.

Triplex means a building containing three dwelling units, each of which has direct access to the outside or to a common hall.

Wrecking and salvage yard means any property on which wrecking, salvage, dismantling or sales of used auto parts shall be conducted from towing or wrecker service premises, or from the premises on which such vehicles are stored; a yard on which inoperable vehicles remain for a period in excess of 90 days.

Yard means an open space other than a court, on the lot in which a building is situated and which is not obstructed from a point 30 inches above the general ground level of the graded lot to the sky, except as provided for roof overhang and similar special architectural features.

Yard, front, means an open, unoccupied space on a lot facing a street extending across the front of the lot between the side lot lines and from the main building to the front lot or street line and the main building as specified for the district in which it is located. (See section 111-580.)

Yard, rear, means an open, unoccupied space, except for accessory buildings as herein permitted, extending across the rear of a lot from one side lot line to the other side lot line and having a depth between the building and rear lot line as specified in the district in which the lot is situated. (See section 111-580.)

Yard, side, means an open, unoccupied space on one or two sides of a main building and on the same lot with the building, situated between the building and a side line of the lot and extending through from the front lot line. (See section 111-580.)

Zoning map, City of Harlingen, means the official certified map upon which the boundaries of the various zoning districts are drawn and which is an integral part of this chapter.

Section 2. Chapter 111, Article III, Section 111-62. Use chart; allowable uses by zone is hereby amended by adding the language bolded and underlined (**added**) and deleted (~~stricken thru~~) to read as follows:

§ 111-62 Use chart; allowable uses by zone.

This section contains a chart of permissible land uses by zone. If you want to open a specific type of business look for that use in the uses listed in the left hand column. Once the use is located, follow the line across to the right to determine which zoning designations it is allowed in by right (designated by an "x"), which it is allowed in with a special use permit (designated by an "s"), or if it is not allowed in a zone (no mark present). If you do not find your use listed, check with the department of planning and development, it may be under a general classification category. Similarly, if you own a piece of property and you know what it is zoned, you can determine what uses are allowed by following the column under your zoning category (e.g. R-1, M-2, MH...) to determine which uses are allowed by right or with a special use permit.

Legend			
X	Permitted by right	°	Not allowed
S	Special use permit required	*	Storage purposes only
1	Requires site plan approval	^	Only on tracts 5 acres or more

Zoning District													
	N	R1	R2	M1	M2	MH	PD ¹	O	NS	GR	LI	HI	RPH
Residential Uses													
One-family dwelling	^	X	X	X	X	X	X ¹	X	X	X			x
Two-family dwelling/duplex			X	X	X	X	X ¹	X	X	X			x
Three-family dwelling/triplex				X	X	X	X ¹	X	X	X			
Four-family dwelling/quadruplex				X	X	X	X ¹	X	X	X			
Multifamily and apartments					X	X	X ¹	X	X	X			
Mobile home/manufactured homes						X	X ¹						
Recreational vehicles		*	*	*	*	X	X ¹	*	*	*	X	X	*

Garden home/patio homes		S	S	S	X	X	X ¹	X	X	X			x
Townhouses		S	S	S	X	X	X ¹	X	X	X			s
Condominium		S	S	S	X	X	X ¹	X	X	X			s
Institutional and Open Space Uses													
Airport	S				S	S	X ¹	S	S	S	S	S	
Assisted living facility/group home		S	S	X	X		X ¹	X	X	X	S		s
Church		X	X	X	X	X	X ¹	X	X	X	X	S	x
Community center		S	S	S	S	S	X ¹		X	X	X	X	s
Community residential facility				S	S					S	S		
Convent		S	S	S	X	X	X ¹	X	X	X	X		s
Country club with golf course		X	X	X	X	X	X ¹	X	X	X	X	X	x
Kindergarten school		S	S	S	S	S	X ¹	X	X	X	S		s
Fairgrounds/exhibition area							X ¹	S	S	X	X	X	
Farm/ranch/orchard/garden	X	X	X	X	X	X	X ¹	X	X	X	X	X	x
Fraternity/sorority/civic lodge					S		X ¹	X	X	X	S		
Golf driving range							X ¹			X	X		
Halfway House				S	S					S	S		
Hospital					S	S	X ¹	X	X	X	S		
Nursing home					S	S	X ¹	X	X	X	S		
Open air business							X ¹			S	S	S	
Park/playground/golf course	X	X	X	X	X	X	X ¹	X	X	X	X	X	
School, college or university		S	S	S	S	S	X ¹	X	X	X	X		s
School, public, private or parochial		S	S	S	S	S	X ¹	X	X	X	X		s
Schools, trade and commercial							X ¹			X	X	X	
Sober living house		S	S	S	S			S	S	S	S		s
Tennis and/or swim club		S	S	S	S	X	X ¹	X	X	X	S		s
Utility/Service Uses													
Electrical substation	X				S	S	X ¹	X	X	X	X	X	
Fire station/police station	S	S	S	S	S	S	X ¹	X	X	X	X	X	
Radio/TV, or microwave tower					S	S	X ¹	S	S	X	X	X	
Railroad tracks and R.O.W.	S	S	S	S	S	S	X ¹	S	S	S	X	X	s
Sewage pump station	X	S	S	S	S	S	X ¹	X	X	X	X	X	s
Solar Farm										S	S	S	
Telephone line exchange building					X	X	X ¹	X	X	X	X	X	
Accessory and Incidental Uses													
Accessory buildings		X	X	X	X	X	X ¹	X	X	X	X	X	x
Field offices, temporary	X	X	X	X	X	X	X ¹	X	X	X	X	X	x
Home occupations		X	X	X	X	X	X ¹	X	X	X	X	X	x
<u>Model Home/Model Home Sales Office</u>	<u>X</u>						<u>X</u>						

Portable building less than 144 square feet		X	X	X	X	X	X1	S		S	S	S	x
Portable building greater than 144 square feet		S	S	S	S	S	X1	S		S	S	S	s
Signs/general		X	X	X	X	X	X1	X	X	X	X	X	x
Signs/billboards							X1			X	X	X	
Signs, business and pole signs						X	X1	X	X	X	X	X	
Storage building less than 144 square feet		X	X	X	X	X	X1	S		S	S	S	x
Storage building greater than 144 square feet		S	S	S	S	S	X1	S		S	S	S	s
Swimming pool		X	X	X	X	X	X1	X	X	X	X	X	x
Automobile and Machinery Type Uses													
Auto paint and rebuild							X1			X	X	X	
Auto parking lot	*				S		X1	X	X	X	X	X	
Auto sales and repair							X1			X	X	X	
Carwash							X1			X	X	X	
Drag strip or commercial racing							X1				X	X	
Farm equipment sales							X1			X	X	X	
Gasoline station							X1	S	X	X	X	X	
Heavy machinery, sales and storage							X1			X	X	X	
Mobile home sales							X1			X	X	X	
Mobile home repairs							X1				X	X	
New and used car lot							X1			X	X	X	
New auto parts							X1			X	X	X	
Taxi stand							X1			X	X	X	
Trailer rental/sales							X1			X	X	X	
Truck parking lot							X1			X	X	X	
Towing, wrecked vehicle storage							X1				X	X	
Used auto parts							X1				X	X	
Wrecking and salvage yard							X1				S	S	
Retail and Service Type Uses													
Adult business							X1			S	X	X	
Air condition contractor							X1			X	X	X	
Antique shop							X1	S	X	X	X	X	
Auction house, inside							X1			X	X	X	
Auction house, outside							X1				X	X	
Bakery, retail sales							X1	X	X	X	X	X	
Bank, office only							X1	X	S	X	X	X	
Bank, with drive-through window							X1	S		X	X	X	
Bars/lounges							S	S		S	S	S	
Beauty shop/barbershop							X1	X		X	X	X	

Bed and breakfast		S	S	S	X		X1	S	S	X			s
Bowling alley							X1			X	X	X	
Building material sales							X1			X	X	X	
Cabinet or upholstery shop							X1			X	X	X	
Cafeteria							X1			X	X		
Call center							X1	S		X	X	X	
Candy or cake						X1		X	X	X	X		
Carpet cleaning business							X1			X	X	X	
Cleaning, dyeing plant, commercial							X1				X	X	
Cleaning, dyeing and pickup shop							X1			X	X	X	
Commercial amusements, indoor							X1			X	X	X	
Commercial amusements, outdoor							X1			S	X	X	
Contractor, electric							X1			X	X	X	
Contractor/shop, plumbing							X1			S	X	X	
Contractor shop and storage yard							X1				X	X	
Custom personal service shop							X1	X	X	X	X		
Dance/reception							X1			X	X	X	
Dance/reception hall (alcohol permitted)							X1			S	X	X	
Day nursery/day care center (adult or child)							X1	X	X	X	S		
Drapery shop							X1		X	X	X		
Drive-in theater							X1			S	X	X	
Engine/motor repair							X1			X	X	X	
Farmers market		S											
Feed store							X1			X	X	X	
Florist/garden shop							X1	X	X	X	X		
Food Truck Park								S	S	S	S	S	
Furniture/appliance storage, repair and/or sale (used, outside)							X1				X	X	
Greenhouse or nursery, retail							X1			X	X	X	
Handicraft shop							X1			X	X	X	
Hotel/motel						X	X1	S		X	X	X	
Household appliance service/repair							X1		X	X	X	X	
Job printing							X1			X	X	X	
Laundry plant							X1			X	X	X	
Mini-storage units							X1			X	X	X	
Pet shop							X1			X	X		
Pharmacy							X1	X	X	X	X		
Mortuary							X1			X	X	X	
Neighborhood club		S	S	S	S	S	X1	S	X	X	X	X	s
Newspaper printing							X1			X	X	X	
Offices, professional/administrative							X1	X	X	X	X	X	

Outdoor music establishment							X1			S	X	X	
RR team track/passenger station							X1			X	X	X	
Recycling center, ferrous							X1				S	X	
Recycling center, non-ferrous							X1			S	X	X	
Restaurant with drive-in service							X1			X	X	X	
Restaurant without drive-in							X1	S		X	X	X	
Retail shops and stores							X1		S	X	X	X	
Scientific and research lab							X1			S	X	X	
Sexually oriented business							S			S	S	S	
Stationery/letter/office supplies shop							X1	X	X	X	X	X	
Storage warehouse							X1			S	X	X	
Photography/art/music studio							X1	X	S	X	X	X	
Radio/TV studio							X1			X	X	X	
Tortilla factory							X1		S	X	X	X	
Vet, clinics and kennels							X1			X	X	X	
Welding shop							X1			X	X	X	
Industrial uses													
Aboveground petroleum storage tank							X1			S	X	X	
Bulk storage in the open of scrap or used materials							X1					S	
Distribution center							X1			S	X	X	
Light industry manufacturing							X1			S	X	X	

Section 3. Chapter 111, Article X, Section 111-275. Sign definitions is hereby amended by adding the language bolded and underlined (**added**) and deleted (~~stricken thru~~) to read as follows:

§ 111-275 Sign definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Words and phrases not defined in this section but defined elsewhere in this chapter shall be given the meanings set forth in the chapter. All other words and phrases shall be given their common, ordinary meaning, unless the context clearly requires otherwise.

Animated sign means any sign that uses movement or change of lighting to depict action or create a special effect or scene, or which is designed and constructed to give a message through a sequence of progressive changes in parts by either action or motion, flashing or color changes, requiring electrical or manual energy. This definition includes, but is not limited to, digital signs.

Balloons means any sign that floats above the ground, motorized or nonmotorized.

Banner means any sign of lightweight fabric or similar material that is permanently mounted in accordance with section 111-280(e). Flags without a commercial message or intent shall not be considered banners.

Beacon means any light with one or more beams directed into the atmosphere or directed at one or more points not on the same zone lot as the light source; also, any light with one or more beams that rotate or move (contact airport management before placement).

Bench sign means any sign painted on street furniture, especially bus stop benches.

Billboard sign means an outdoor board for displaying advertisements.

Building marker means any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

Canopy sign means any sign that is a part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area. (A marquee is not a canopy.)

Changeable copy sign means a sign, or portion thereof, with characters, letters, numbers, or illustrations that can be changed or rearranged without altering the face or the surface of the sign. A sign on which the message changes more than eight times per day shall be considered an animated sign and not a changeable copy sign for purposes of this article. A sign on which the only copy that changes is an electronic or mechanical indication of time and/or temperature shall be considered a "time and temperature" portion of a sign and not a changeable copy sign for purposes of this article.

Commercial message means any sign, wording, logo, or other representation that, directly or indirectly, names, advertises, or calls attention to a business, product, service, or other commercial activity.

Digital signs. See animated sign.

Feather flags means an advertising banner that is used by businesses to promote their business brand while the shape of the flag is similar to a bird's feather.

Flag means any fabric, banner, or bunting containing distinctive colors, patterns, or symbols used as a symbol of a government, political subdivision, or other noncommercial entity.

Freestanding sign means any sign supported by structures or supports that are placed on, or anchored in, the ground and that are independent from (i.e., not attached to) any building or other structure.

Incidental sign means a sign, generally informational, that has a purpose secondary to the use of the zone lot on which it is located, such as "no parking," "entrance," "loading only," and other similar directives. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental.

Landmark sign means any sign of artistic or historic merit, uniqueness, or of extraordinary significance as may be identified by the national, state, or local historic commission, or other official agency or board identified in this article to make such a determination.

Lot means land occupied or to be occupied by a building and its accessory buildings, and including such open spaces as required under this article, and having its principal frontage upon a public street (same as premises).

Marquee means any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed to provide protection from the weather.

Model home sign means a monument-type sign located on a lot containing a model home and/or model home sales office within an approved residential subdivision. The sign shall be removed upon expiration of the model home or sales office use authorization.

Pennant means any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, suspended from a rope, wire, or string, usually in series, designed to move in the wind.

Permanent sign means a sign that is securely attached to a building or premises according to building codes.

Political sign means any sign which promotes a candidate for any public office or which advocates a position on any social issue as its primary purpose. Political signs are considered a special category of temporary sign.

Portable sign means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to, leaning against, placed inside of, or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in the normal day-to-day operations of the business.

Premises means land occupied or to be occupied by a building and its accessory buildings, and including such open spaces as required under this article, and having its principal frontage upon a public street (same as lot).

Projecting sign means any sign built in such a manner that its leading edge extends more than six inches beyond the surface of such building or wall.

Real estate sign means any sign used for the primary purpose of advertising the availability of real property for sale.

Residential sign means any sign located in a district zoned for residential uses that contains no commercial message.

Roof sign means any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

Roof sign, integral, means any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than six inches.

Sandwich board sign means self-supporting A-shaped portable signs with only two visible sides that are situated adjacent to a business, typically on a sidewalk, that contains commercial speech.

Sign means any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity or product, or to communicate information of any kind to the public and visible from the public right-of-way or another property.

Street frontage means the distance for which a lot line of a lot adjoins a public street, from one lot line intersecting said street to the furthest distant lot line intersecting the same street.

Suspended sign means a sign that is suspended from the underside of a horizontal plane surface and is supported by such surface.

Temporary construction sign means a sign used to promote the contractor, bank or other business involved in or responsible for construction taking place on the premises.

Temporary sign means any sign that is used only temporarily in accordance with this section and is not permanently mounted according to building codes.

Wall sign means any sign attached parallel to, but within 12 inches of, a wall, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

Wind flags means a piece of cloth or similar, typically rectangular or square, attachable by one edge to a pole used to advertise a business or to convey a message.

Window sign means any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside or outside of a window or on the window panes or glass and is visible from the exterior of the window.

Section 4. Chapter 111, Article X, Section 111-280. Special sign categories, permitted, and prohibited signs is hereby amended by adding the language bolded and underlined (**added**) and deleted (~~stricken thru~~) to read as follows:

§ 111-280. Special sign categories, permitted, and prohibited signs.

(a) Political signs. Political signs are a special type of temporary sign. Political signs shall not be placed adjacent to a roadway such that placement would create an obstruction of view for vehicular traffic.

(b) Painted signs. Signs painted on buildings require a sign permit and will be counted toward overall square footage of signs allowed.

(c) Real estate **and model home** signs.

(1) Real estate signs. Real estate signs will be exempt from permitting if less than 36 square feet. These signs may be in place until such time the real property is no longer offered for sale or lease.

(2) Model Home Signs. A platted lot lawfully used as a model home/model home sales office under §111-1 may display one (1) on-premise monument-style sign identifying the premises, subject to the following:

a. The sign shall be located entirely on the same platted lot as the dwelling, and set back a minimum of ten (10) feet from the property line. Model home signs shall be located outside of any visibility triangle as prescribed in §111-581.

b. The sign shall not exceed 12.5 square feet and five (5) feet in height, inclusive of its base.

c. The sign shall be constructed of durable, weather-resistant materials intended for outdoor use and comply with the construction and maintenance requirements of §111-279.

d. Illumination, if provided, shall be external, constant, and fully shielded to prevent glare onto adjacent properties or public rights-of-way. It shall be turned off no later than 10:00 p.m., or one hour after the model home closes, whichever occurs first. Internal, digital, LED-lit acrylic, or animated lighting is prohibited.

e. The sign shall be maintained in good repair and free from deterioration, fading, or structural instability.

f. The sign and all associated foundations or structures shall be removed within ten (10) days after the dwelling ceases to be used as a model home

for sales or promotional purposes or is occupied for residential purposes. The site shall be restored to its original condition, including any disturbed landscaping or grading.

g. In no event shall more than one model home sign be displayed within the same subdivision at any time.

h. If a model home remains active for more than 6 months after initial sign permit issuance, the permit shall expire unless the Planning and Development Director may approve a time extension not to exceed six (6) months for good cause shown. If a time extension is denied by the Planning and Development Director, the applicant must follow the appeal process in accordance with §111-443 (a)(3).

i. No banners, riders, flags, or temporary signs shall be attached to or displayed in conjunction with a model home sign.

j. Model home signs shall not function as subdivision entrance signs.

k. A sign permit shall be required prior to installation and shall be issued by the Planning and Development Department.

(d) Construction signs. Construction signs are used to promote the contractor, bank or other business/service involved or responsible for construction taking place on the premises and are allowable without permits until such time as construction is complete and the building is occupied by tenant or user. Such businesses/services include, but are not limited to, landscaping, financing, and subcontractors of all types.

(e) Banners. Banner signs, as defined in section 111-275, are allowed subject to the following:

- (1) Such signs no greater than 80 square feet do not require city sign permits.
- (2) Such signs no greater than 80 square feet are exempt from the total permitted sign area calculation described in section 111-277(b).
- (3) The total area of all such signs on a building or tenant space mounted to or attached to any portion of the building or building support columns shall not exceed 20 percent of the area of the wall on which said signs are attached.
- (4) All such signs shall be removed and/or replaced no longer than one year from the date of placement or when such signs become tattered, torn, or otherwise contrary to the requirements of section 111-279, whichever occurs first.
- (5) Such signs shall be mounted in one of the following manners:
 - a. Flat against the wall of a building or fence and securely attached to said building or fence at all corners and every three feet along the length and width of said banner; or
 - b. Securely attached at all corners between two permanent mounting structures such as masonry support columns, steel support columns, or an approved permanent frame.
- (6) Banner signs commonly referred to as "wind flags," "feather flags," or similar, are allowed subject to the following but only for properties located outside the downtown district overlay:
 - a. Obtaining a sign permit;
 - b. Such signs shall not exceed nine feet in height and shall only be permitted in commercial or industrial zoning categories or an institutional land use and must be located where an established legal business or institution exists.
 - c. One "feather flag" sign shall be permitted per business per property. If the business is located in a commercial plaza one "feather flag" sign shall be permitted per business within the plaza. For commercial establishments exceeding 100 linear feet of building at the longest point, they shall be allowed one "feather flag" sign for every 50 feet of linear feet of building at the longest point. The "feather flag" signs shall be allowed on a temporary basis for a period of one month with a maximum of four permits to be issued per calendar year.
 - d. Such "feather flag" signs shall be removed by the owner(s) during inclement weather.
 - e. The "feather flag" sign owner(s) must sign a waiver of liability form before the permit is issued.

f. No portion of the "feather flag" sign shall be within the city right-of-way and shall not be a traffic hazard.

g. "Wind flag" signs shall be allowed in private property without having to obtain sign permits as long as connected to a permanent pole structure. Commercial or institutional properties with a building shall have a total allowance of two square feet for "wind flag" signs per total linear foot of building visible from a public street.

h. All such "feather flag" and "wind flag" signs shall be removed when such signs become tattered, torn, or otherwise contrary to the requirements of section 111-279.

i. The initial processing fee for "feather flag" sign permits shall be \$20.00 (no matter the number of feather flags allowed at any one time). The processing fee to renew a permit for another 30 days shall be \$10.00 in person and \$0.00 if done on-line.

(f) Exempt signs. The following items shall not be considered signs and are exempt from regulations under this article:

- (1) Any public notice or warning required by a valid and applicable federal, state, or local law, regulation or ordinance;
- (2) Any advertising sign inside a building, not attached to a window or door, that is not legible from a distance of more than three feet beyond the lot line of the lot or parcel on which such sign is located;
- (3) Works of art that do not include a commercial message as its primary intent;
- (4) Lights and decorations with no commercial message (such as holiday);
- (5) Traffic control signs on private property, such as stop, yield and similar signs, the face of which contain no commercial message of any sort;
- (6) Informational signs of a public utility regarding its poles, lines, pipes or facilities;
- (7) Signs placed by a governmental agency, public utility company or a contractor doing authorized or permitted work within the right-of-way; and
- (8) Event banners placed across city rights-of-way for special events as determined by the city manager's office or its agent who shall also establish the length of time banners may be erected.

(g) Prohibited signs. It shall be unlawful for any person, corporation or entity to place or maintain a sign:

- (1) Which is on the city right-of-way unless a "license to encroach" has been issued by the city commission or if it is part of the downtown district overlay and is part of an awning or suspended sign projecting over a public right-of-way provided they maintain a clearance of at least nine feet to the bottom of such projection and do not project more than two-thirds the distance of the existing sidewalk right-of-way;
- (2) Signs which require a sign permit but were erected without such a permit having been issued;
- (3) Which is not legible or in good repair, such as with broken faces, faded or missing letters, etc.;
- (4) That is not securely fixed as per building codes;
- (5) That attempts or appears to attempt to regulate, warn or direct the movement of traffic or which interferes with, imitates, or resembles any official traffic sign, signal or device (except actual traffic control devices installed by the appropriate authority);
- (6) That is erected or maintained upon trees, utility poles, or painted or drawn upon rocks or other natural features;
- (7) That is nonconforming and damaged or destroyed to an extent of more than 75 percent of the current fair market value as determined by the chief building official and approved by the construction board of adjustments and appeals using the procedures outlined in the International Building Code as adopted and amended by the city;
- (8) That prevents or obstructs or inhibits free ingress or egress from any doors, windows, or fire escapes or that are attached to a standpipe or fire escape; and

(9) Any signs not expressly permitted under this article or exempt from regulation hereunder in accordance with the previous section are prohibited in the city. Such signs include, but are not limited to:

- a. Beacons (except as temporary signs not interfering with traffic or aircraft safety);
- b. Any vehicle which carries, conveys, pulls, or transports any sign for the primary purpose of advertising;
- c. Strings of lights not permanently mounted to a rigid background, except those exempt under previous sections. Signs attached to utility poles (except as informational to the operation or identification of the utility function); and
- d. Inflatable signs (except on a temporary basis for no more than 30 consecutive days each occurrence, no more than four occurrences per calendar year).

(h) Removal of signs in violation of the ordinance.

(1) All reasonable efforts will be made to notify a property owner of a sign in violation of this article for their voluntary removal in a timely fashion.

(2) If a property owner cannot be located or refuses to remove a sign in violation of this article, with approval from the construction board of adjustments and appeals the city may remove such sign and bill the property owner for reasonable recovery of time and costs associated with sign removal and disposal.

Section 5. Severability

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The governing body hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause, or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases may be declared invalid.

Section 6. Effective Date

This ordinance shall become effective immediately 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.

PASSED and APPROVED on first reading this _ day of _____, 2025.

PASSED, APPROVED AND ADOPTED on second and final reading this _ day of _____ 2025.

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(e)

Meeting Date: **December 3, 2025**

Agenda Item:

Consideration and possible action to approve the purchase of one truck for the Planning and Development Department. Attachment (*Planning & Development*).

Prepared By (Print Name): Ana Hernandez, AICP, CNU-A
Title: Planning and Development Director/
Special Projects Director

Signature: *Ana Hernandez*

Brief Summary:

This is a request to approve the purchase of a new truck for the Planning and Development Department, not to exceed \$32,000. This new truck will replace Unit 132, a 2008 Ford F-150 pickup truck with 115,256 miles. This vehicle requires frequent service requests. Most recently, this truck was out of service due to a leaking fuel tank. City fleet operations have been unable to locate a replacement fuel tank due to the age of the existing unit. The broken part of the tank is now considered obsolete. This truck belongs to the Building Inspections Division and is operated by a building inspector.

The quote (attached) was obtained by the Public Works Department. The purchase of this new vehicle will be covered out of the Vehicle Depreciation account.

Funding (if applicable):

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

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

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

Staff Recommendation:

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

Comments:

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

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



EMAIL: ROBGARCIA@BOSWELLAUTO.COM
PHONE: 1-888-233-5721/(956)899-2468
FAX: (956)899-4707

MOTOR VEHICLE PURCHASE ORDER

Purchaser CITY OF HARLINGEN Salesman Robert Garcia Date 11/20/2025
Residence Phone _____ Bus. Phone _____
Address _____ City _____ State TX Zip _____

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

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

DESCRIPTION OF SALE UNIT					
Quantity 1	☒ New ☐ Used	Year 2026	Make FORD	Cyl. 2.3L	Model RANGER STX
Body Style CREW CAB 4X2		Stock No. ORDER	Color WHITE		
Vehicle Identification No.			License No.		
Inspection		Mileage	Validation No.		
USED CAR TRADE-IN					
Year		Make		Body Type	
Model		Cyl.		Mileage	
Vehicle Identification No.			License No.		
Inspection		Validation No.			
Appraised Value of Trade-in \$		FMCC Deal No.			
TIPS-USA VENDOR #7490 CONTRACT #240901 TRANSPORTATION VEHICLE					

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

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

DISCLAIMER OF WARRANTIES

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

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

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

PRICE OF UNIT	\$ 35245	00
BEF-GP DISC	-3700	00
Selling Price	\$ 31545	00
Trade Allowance	\$	
Difference	\$	
Sales Tax	\$	
License and Titles Fees	\$	
State Inspection	\$	
Documentary Fee	\$	
Dealer Inventory Tax	\$	
Subtotal	\$	
Add Balance Owed on Trade	\$	
Subtotal	\$	
Cash on Delivery	\$	
Unpaid Balance Due	\$ 31545	00



Preview Order H001 - R4B - Ranger 4x2 Crw Cab XL: Order Summary Time of Preview: 11/18/2025 14:48:22 Receipt: NA

Dealership Name: Boswell Elliff Ford

Sales Code : F52128

Dealer Rep.	ROBERTO GARCIA	Type	Fleet	Vehicle Line	RangerNA	Order Code	H001
Customer Name	BPUB	Priority Code	C1	Model Year	2026	Price Level	615

DESCRIPTION	MSRP	DESCRIPTION	MSRP
R4B0 RANGER 4X2 CRW CAB XL	\$33350	.17" BLACK STEEL WHEEL	\$0
.128.7 INCH WHEELBASE	\$0	FRONT LICENSE PLATE BRACKET	\$0
TOTAL BASE VEHICLE	\$33350	FORD FLEET SPECIAL ADJUSTMENT	\$0
OXFORD WHITE	\$0	PRICE CONCESSION INDICATOR	\$0
CLOTH SEATS	\$0	REMARKS TRAILER	\$0
EBONY INTERIOR TRIM	\$0	SPECIAL DEALER ACCOUNT ADJUSTM	\$0
EQUIPMENT GROUP 100A	\$0	SPECIAL FLEET ACCOUNT CREDIT	\$0
.XL SERIES	\$0	FUEL CHARGE	\$0
.2.3L ECOBOOST ENGINE	\$0	NET INVOICE FLEET OPTION (B4A)	\$0
.10-SPEED AUTO TRANSMISSION	\$0	PRICED DORA	\$0
255/70 R17 A/T TIRE	\$0	ADVERTISING ASSESSMENT	\$0
STX APPEARANCE PACKAGE	\$0	DESTINATION & DELIVERY	\$1895
.FOG LAMPS	\$0		
			MSRP
TOTAL BASE AND OPTIONS			\$35245
DISCOUNTS			NA
TOTAL			\$35245

ORDERING FIN: QV048 END USER FIN: QV048

INCENTIVES

DISCOUNTS:

Acc. Code ID :10 Contract/Ref # :34-508T Bid Date :10/22/25State : TX

\$-2600.00

Customer Name:

CITY OF HARLINGEN

Customer Email:

Customer Address:

Customer Phone:

Customer Signature

Date

This order has not been submitted to the order bank.

10(F)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **December 3, 2025**

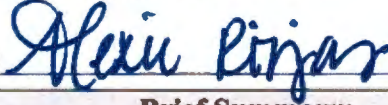
Agenda Item:

Consideration and possible action to approve the Procurement of a Replacement Vehicle for Downtown Maintenance Operations. (Downtown Improvement District)

Prepared By (Print Name): Alexis Riojas

Title: Downtown Director

Signature:



Brief Summary:

- Unit 129, a 2008 Ford F-150 with 115,970 miles, is currently utilized by our Maintenance Coordinator for daily operations and essential tasks required to maintain the Downtown District. The vehicle is no longer operable and has reached the end of its service life. To ensure continuity of services and maintain departmental operations, immediate action is needed to procure a replacement vehicle.
- An additional \$1,800 for the installation of a bed drawer system is included in this quote.

Funding for this purchase will be allocated from the Vehicle Depreciation account.

Total Cost: \$45,992 (Truck) + \$1,800 (Bed Drawer System) = \$47,792

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

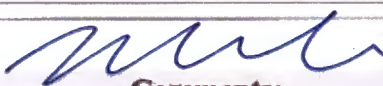
Staff Recommendation:

Staff recommends.....

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

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

Comments:

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

Comments:

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



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

MOTOR VEHICLE PURCHASE ORDER

Purchaser CITY OF HARLINGEN Salesman Robert Garcia Date 11/21/2025
Residence Phone _____ Bus. Phone _____
Address _____ City _____ State TX Zip _____

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

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

DESCRIPTION OF SALE UNIT					
Quantity 1	☒ New ☐ Used	Year 2026	Make FORD	Cyl. 2.7L	Model F150 XL
Body Style SUPER CAB 4X2		Stock No. ORDER	Color WHITE		
Vehicle Identification No.			License No.		
Inspection		Mileage	Validation No.		
USED CAR TRADE-IN					
Year	Make		Body Type		
Model			Cyl.	Mileage	
Vehicle Identification No.			License No.		
Inspection		Validation No.			
Appraised Value of Trade-In \$		FMCC Deal No.			
TIPS-USA VENDOR #7490					
CONTRACT #240901 TRANSPORTATION VEHICLE					

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

AVISO
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DISCLAIMER OF WARRANTIES

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

PRICE OF UNIT	\$ 44195	00
BEF-GP DISC	-4245	00
ARE CAMPER TOP	4392	44
ALL AROUND TINT	300	00
FRT&REAR EMERGENCY LIGHTS	1350	00
Selling Price	\$45992	44
Trade Allowance	\$	
Difference	\$	
Sales Tax	\$	
License and Titles Fees	\$	
State Inspection	\$	
Documentary Fee	\$	
Dealer Inventory Tax	\$	
Subtotal	\$	
Add Balance Owed on Trade	\$	
Subtotal	\$	
Cash on Delivery	\$	
Unpaid Balance Due	\$45992	44

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

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



Preview Order H001 - X1K - 4x2 XL SuperCab: Order Summary Time of Preview: 11/21/2025 11:09:38 Receipt: NA

Dealership Name: Boswell Elliff Ford

Sales Code : F52128

Dealer Rep. ROBERTO GARCIA Type Fleet Vehicle Line F-150 Order Code H001
Customer Name HARLINGEN Priority Code C1 Model Year 2026 Price Level 620

DESCRIPTION	MSRP	DESCRIPTION	MSRP
F150 4X2 SUPERCAB XL - 145	\$41600	FORD FLEET SPECIAL ADJUSTMENT	\$0
145 INCH WHEELBASE	\$0	FRONT LICENSE PLATE BRACKET	\$0
TOTAL BASE VEHICLE	\$41600	50 STATE EMISSIONS	\$0
OXFORD WHITE	\$0	EXTENDED RANGE 36GAL FUEL TANK	\$0
VINYL 40/20/40 FRONT SEAT	\$0	CONN PKG: 1 YR INCL W/FORD APP	\$0
MEDIUM DARK SLATE	\$0	PRICE CONCESSION INDICATOR	\$0
EQUIPMENT GROUP 101A	\$0	REMARKS TRAILER	\$0
XL SERIES	\$0	SPECIAL DEALER ACCOUNT ADJUSTM	\$0
.17" SILVER STEEL WHEELS	\$0	SPECIAL FLEET ACCOUNT CREDIT	\$0
2.7L V6 ECOBOOST	\$0	FUEL CHARGE	\$0
ELEC TEN-SPEED AUTO TRANS	\$0	NET INVOICE FLEET OPTION (84A)	\$0
245/70R 17 BSW ALL-SEASON	\$0	PRICED DORA	\$0
3.55 RATIO REGULAR AXLE	\$0	ADVERTISING ASSESSMENT	\$0
6365# GVWR PACKAGE	\$0	DESTINATION & DELIVERY	\$2595
			MSRP
TOTAL BASE AND OPTIONS			\$44195
DISCOUNTS			NA
TOTAL			\$44195

ORDERING FIN: QB589 END USER FIN: QB589

INCENTIVES

Acc. Code ID :10 Contract/Ref # :30-625T Bid Date :09/25/25State : TX

DISCOUNTS:

\$-3600.00

Customer Name:

City of Harlingen

Customer Email:

Customer Address:

Customer Phone:

Customer Signature

Date

EXAMPLE OF A BED DRAWER SYSTEM



**AGENDA ITEM
EXECUTIVE SUMMARY**

10(9)

Meeting Date: **December 3, 2025**

Agenda Item:

Consideration and possible action to approve the purchase of twenty-four (24) solar-powered trail lights for City Lake Park in the amount of \$49,990.00.

Prepared By (Print Name): Danny Diaz

Title: Director of Parks and Recreation

Signature: 

Brief Summary:

Summary:

City Lake Park is one of Harlingen's most utilized parks for walking, fitness, senior activity, and outdoor recreation. The current trail lacks adequate lighting, limiting safe public use during early morning and evening hours. Multiple residents, park patrons, and community groups have requested improved lighting to enhance safety and visibility.

This proposal includes the purchase and installation of twenty-four (24) commercial-grade solar-powered LED trail lights along key path segments surrounding City Lake. Solar fixtures eliminate the need for trenching electrical conduit, reduce long-term operating costs, and align with sustainability goals while providing consistent lighting without additional electrical load.

Enhanced trail lighting will support community health initiatives, expand safe hours of park usage, improve emergency response visibility, and reduce public safety concerns such as isolated dark areas and limited visibility around water edges. Installation will be completed by Parks maintenance staff.

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:

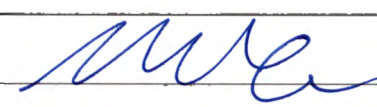
Finance Director's approval: ☐ Yes ☐ No ☒ N/A

Staff Recommendation:

Staff recommends we approve.

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

Comments:

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

Opportunity Owner Lori Embrey
 Payment Terms 50% deposit, 50% Net 30 from Ship
 Date-contingent on credit approval
 Shipping Terms Prices are FOB Origin

Quote Number 00086793
 Quote Name G10211 - Harlingen, TX - City Lake Park Trail
 Quote Date 11/17/2025
 Quote Expiration Date 12/31/2025
 Est. Lead Time Within 6 Weeks
 Ship To Name City of Harlingen, TX
 Ship To United States

Shipping estimated; final cost determined on day of shipping and added to invoice.

Shipping fees do not include offloading at the delivery site. It is the customer's responsibility to arrange for any necessary equipment or personnel to unload the shipment upon arrival.

Fonroche is not in charge of or responsible for utility lines. Fonroche positions its lights on each layout to provide the proper photometric results. It is solely the responsibility of the customer to do their own due diligence in cooperation with the local utility to determine easement/spacing requirements from the utility lines, as well as any other requirements of the local utility.

Beware of Fraud: Any advance payment request will only be made on the basis of a proforma invoice sent by Fonroche Lighting America.

Fonroche Model Number	Fonroche Product Description	Price System	Quantity	Amount
[Opera-4K-T2] [P190F-2P]HW-MC-Fixture Color: Bronze Roman POLE: 20Ft. Round Tapered Pole-Direct Burial-1-3.2 FT Arm -Arm Color: Black -Pole Color: Queens and Kings	SmartLight Assembly with 624Wh-24V NiMH Battery , special extreme temperature (from -40F to +158F), 1 x 190W solar module with Top of Pole assembly and Intelligent management/control system. Provisioned for Single Fixture configuration. Single Opera Fixture Color Temp 4K Dist. Type T2-Fixture Color: Bronze Roman. Power Assembly color is black. Mount: High wind and enhanced marine coating. 20Ft. Round Tapered Pole-Direct Burial-1-3.2 FT Arm -Arm Color: Black -Pole Color is Queens and Kings 8 Year Warranty All Night Lighting 365 Days a Year - Full Battery Replacement Assumes No Shading Assumes little or no snow 10 Degrees Tilt 100% =0 Watts worst case conditions.T-PM: 5 hrs. @100% T-N (Balance of night) @30% T-AM: 1 hrs. @100%	USD 3,535.00	24.00	USD 84,840.00
Total Line Items				USD 84,840.00
Programming,Pkg, Ship & Handling Est.				USD 11,224.80
Quote Total				USD 96,064.80

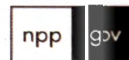
This quotation is subject to the following terms and conditions

Seller's Terms and Conditions of Sale in effect on the date of this order shall apply to this quote and are hereby incorporated by reference.
 Seller's Terms and Conditions of Sale may be viewed at <https://www.fonrochesolarlighting.com/about-us/terms/>.



Fonroche Lighting America
2224 SE Loop 820, Building C
Fort Worth, TX 76140
339-225-4530

Pricing is based on Fonroche Lighting America's Standard Terms & Conditions and any additional terms stipulated herein. It is the Representative's responsibility to convey these terms to the customer. Without prior written approval from Fonroche Lighting America's Sales Director, any deviation from these terms may constitute a change in this pricing at the time of order.





7073 Henry Harris Road
Lancaster, SC 29720
803.233.3461

Quotation

DATE 11/17/2025
Quotation # 11/17/2025
Customer ID

Quotation For: Juan Mendiola

Quotation valid until: 12/31/2025

jmendiola@harlingentx.gov

Prepared by: Matthew Brooks

956-873-3487

City of Harlingen, TX
CITY PARK PROJECT
Harlingen, Texas 78550

Comments or Special Instructions: End user responsible for unloading poles upon delivery
Light to operate at 50% output from dusk to dawn OR motion mode at 30%
output and powers up to 100% once motion is detected

PROJECT MGR	Earliest Ship Date:	SHIPPING:	SHIP VIA	F.O.B. POINT	TERMS
	Lights 6 Weeks Poles 6-8 Weeks	SAIA			Net 30

QUANTITY	ITEM #	DESCRIPTION	UNIT PRICE	AMOUNT
24	STEALTH II 80-23	14800 LUMEN ALL-IN-ONE SOLAR LIGHTING SOLUTION. ADJUSTABLE LIGHT BARS TO 50 DEGREES. EXTRUDED ALUMINUM HOUSING, POWDER-COATED TO RESIST SALTWATER ENVIRONMENTS. UP TO 50 FOOT DUAL 2 MOTION SENSORS BUILT IN BOTH SIDES OF LIGHT BAR.	\$1,095.00	\$ 26,280.00
24	D5TH20F00NCA-Stealth BLACK	15 FOOT ABOVE GRADE, 5 FEET BELOW GRADE DIRECT BURIAL FIBER COMPOSITE POLE, WITH 2.38-INCH TENON, 6 INCHES TALL, RATED FOR 150MPH	\$940.00	\$ 22,560.00
1	FREIGHT		\$1,150.00	\$ 1,150.00
			SUBTOTAL	\$ 49,990.00

THANK YOU FOR YOUR BUSINESS!

TAX RATE

SALES TAX

OTHER

TOTAL

\$ 49,990.00

If you have any questions concerning this quotation, Matt Brooks at 704-942-1873 or matt@solarlightingintl.com

Project Name	USA_Harlingen_City Lake Park Trail	Customer	harlingentx.gov
Project Ref.	SL2025_500_	Ship To	
Quote Date	November 18, 2025	Contact	Juan Mendiola III
Expiration Date	December 18, 2025	Quote By	Shelbie Weigel

Part number	Description	Unit Price	Discount	Qty	Total (USD)
SL4203 00N 220	iSSL Maxi Road, 3000K, type 2SH, 6FF, black iSSL Maxi Road all-in-one solar light, 20W LED nominal, type 2SH optics, 3000K CCT, 6FF operating profile, housing color black RAL9005	\$1,903.00	10%	24	\$41,104.80 after 10% discount
20STPL	20Ft Pole 20Ft Steel Pole RAL9005 BLACK Direct Burial 145MPH Wind zone	\$1,150.00		24	\$27,600.00

Additional Notes

For optimal performance, panels should be positioned facing south and have clear, unshaded access to direct sunlight.

Top Tenon Mount - 2.38"OD x 4" Long

Shipping and Handling. Plus applicable taxes if \$4,500.00
no tax exempt form provided.

Total payable **\$73,204.80**

Payment Terms

Payment is due within 30 days from the invoice date, pending credit approval. A 4% fee will apply to credit card transactions.

Questions? Contact me.



Shelbie Weigel

sweigel@solarlighting.com
+12135794992



Sol by Sunna Design
701-990 Biscayne Boulevard
Miami, FL 33132
Toll-free: 1-800-959-1329
www.solarlighting.com

Terms & Conditions

All pricing is quoted in US dollars unless otherwise stated. Unit prices do not include shipping and freight insurance. Purchaser is responsible for any applicable taxes and duties. By accepting this quote, the customer agrees to all Terms & Conditions below and on Sol's website at <https://solarlighting.com/terms-conditions-sale/>

Sunna Design Inc. has a strict policy against bribery and corruption, which it applies to all of its business dealings. Sunna Design is committed to complying with the US Foreign Corrupt Practices Act (FCPA) and Canada's Corruption of Foreign Public Officials Act (CFPOA) and other applicable standards. As a result, the Company may require the completion of a questionnaire and certificate for orders of products that are for delivery or use outside the United States or Canada. If applicable, these will be required to be completed prior to shipment.

A DIFFERENT LIGHT

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(h)

Meeting Date: **December 3rd, 2025**

Agenda Item:

Consideration and possible action to authorize the City Manager to execute a Memorandum of Understanding (MOU) with the Rio Grande Valley Metropolitan Planning Organization (RGVMPO) regarding the distribution and maintenance of bicycle and pedestrian counter equipment.

Prepared By: Roberto Hernandez, PE, CFM, MS

Title: City Engineer

Signature: *Roberto Hernandez*

Brief Summary:

The Rio Grande Valley Metropolitan Planning Organization (RGVMPO) is coordinating a regional initiative to enhance multimodal data collection through the deployment of bicycle and pedestrian counting equipment across participating municipalities. The proposed Memorandum of Understanding (MOU) establishes the responsibilities of both RGVMPO and the City of Harlingen for the distribution, installation, and long-term maintenance of this equipment.

As part of this program, the City of Harlingen will receive two new bicycle and pedestrian counters, along with additional battery packs. City staff has already coordinated with the Parks Department, confirming that installation can occur immediately upon receipt of the equipment. These counters will support the City's ongoing trail usage analysis by measuring pedestrian activity at key locations, specifically Meg Jorn and the Arroyo Colorado near the Boggus Auto dealership. This data will assist with planning, funding applications, and future trail improvement initiatives.

Approval of this agenda item authorizes the City Manager to execute the MOU with RGVMPO on behalf of the City.

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:

General Fund

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

Staff Recommendation:

Staff recommends approval.

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

Comments:

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



MEMORANDUM OF UNDERSTANDING

BETWEEN THE RIO GRANDE VALLEY METROPOLITAN PLANNING ORGANIZATION AND

CITY OF HARLINGEN

REGARDING THE DISTRIBUTION AND MAINTENANCE OF BICYCLE AND PEDESTRIAN

COUNTER EQUIPMENT

WHEREAS, the Rio Grande Valley Metropolitan Planning Organization ("RGVMPO") is responsible for carrying out a continuing, cooperative, and comprehensive multimodal transportation planning and implementation process in the Rio Grande Valley ("RGV"); and

WHEREAS, the Valley Baptist Legacy Foundation awarded funding to the Lower Rio Grande Valley Development Council (LRGVDC) in 2020 to purchase eighteen (18) permanent bicycle and pedestrian counters for deployment throughout the RGV; and

WHEREAS, the RGVMPO provided technical assistance for the deployment and use of these counters in support of regional active transportation planning; and

WHEREAS, under Subtask 5.3: Traffic Counts / Bicycle and Pedestrian Counts of the FY 2024–2025 Unified Planning Work Program (UPWP), the RGVMPO established the goal of collaborating with local entities to collect and manage traffic, bicycle, and pedestrian data; and

WHEREAS, to this end, in 2024, the RGVMPO procured additional batteries and data loggers through federal planning funds to extend the functional life of the equipment; and

WHEREAS, the City of Harlingen ("LOCAL GOVERNMENT") desires to enter into this MOU with the RGVMPO to provide for the one-time distribution of such equipment to the LOCAL GOVERNMENT and to clearly define each Party's role and responsibilities; and

WHEREAS, the Parties recognize the importance of accurate bicycle and pedestrian data collection to improve regional planning, mobility, and safety.

NOW, THEREFORE, BE IT RESOLVED, as follows:

I. PURPOSE AND BACKGROUND

This Memorandum of Understanding ("MOU") is entered into by and between the RGVMPD and the LOCAL GOVERNMENT to establish the terms for the one-time distribution of bicycle and pedestrian counter equipment (including, but not limited to, batteries and/or data loggers), and to outline the Parties' respective responsibilities regarding the ongoing operation, maintenance, and data management of the equipment.

II. AGREEMENT

II.1 Equipment Distribution

The Parties agree that RGVMPD will distribute the following equipment to the LOCAL GOVERNMENT on a one-time basis:

- Four (4) Batteries
- Two (2) Data Loggers

This equipment is intended to restore functionality to previously installed counters within the LOCAL GOVERNMENT's jurisdiction.

II.2 Ownership and Responsibility

Upon receipt, the equipment becomes the sole property of the LOCAL GOVERNMENT. The LOCAL GOVERNMENT assumes full responsibility for:

- Installation and configuration of the equipment;
- Ongoing maintenance and repair (should the LOCAL GOVERNMENT choose to undertake any such maintenance and repair);
- Replacement of parts or devices as necessary (should the LOCAL GOVERNMENT choose to undertake any such replacement of parts or devices); and
- Data access and ensuring proper functionality for data accuracy.

II.3 Data Access and Coordination

RGVMPD may, at its discretion, provide access to the Eco-Visio data platform to assist the LOCAL GOVERNMENT in managing and interpreting collected data.

The LOCAL GOVERNMENT agrees to share collected bicycle and pedestrian count data with RGVMPD upon request, for the purpose of supporting regional active transportation planning efforts.

II.4 Limitations

This distribution is a one-time provision. The Parties agree that RGVMPO is under no obligation to provide future equipment, replacement parts, or technical support. No financial commitment beyond this one-time distribution is implied or guaranteed by this agreement.

II.5 Mutual Hold Harmless Clause

THE PARTIES AGREE TO HOLD EACH OTHER HARMLESS FROM ANY AND ALL CLAIMS, LIABILITIES, DAMAGES, OR EXPENSES THAT MAY ARISE FROM THE DISTRIBUTION, INSTALLATION, OPERATION, OR USE OF THE EQUIPMENT PROVIDED UNDER THIS MOU.

III. TIME PERIOD

The terms of this MOU shall become effective on the date of the last signature affixed below. The LOCAL GOVERNMENT shall be responsible for the reasonable care, operation, and data use of the equipment provided under this MOU during its functional life. The LOCAL GOVERNMENT shall have no obligation to replace the equipment if it fails, reaches the end of its useful life, or otherwise becomes inoperable. To the extent that Sections III and II.2 conflict with each other, Section III controls.

IV. MISCELLANEOUS PROVISIONS

IV.1 Conflict with Applicable Law.

Nothing in this MOU shall be construed so as to require the commission of any act contrary to law. Whenever there is a conflict between any provision of this MOU and any present or future law, ordinance, regulation, order, or decree to which the Parties cannot legally contract, the latter shall prevail. In such an event, the affected provision shall be modified only to the extent necessary to comply with legal requirements.

IV.2 No Waiver.

No waiver by either Party of any breach of any provision of this MOU shall be deemed a waiver of any preceding or succeeding breach of the same or any other provision.

IV.3 Entire Agreement.

This MOU contains the entire agreement between the Parties regarding the subject matter hereof. This MOU may only be modified or amended by a written agreement executed by both Parties.

IV.4 Texas Law to Apply.

This MOU 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 consent to personal jurisdiction in Cameron County, Texas.

IV.5 Additional Documents.

The Parties agree to execute such other instruments and documents as may become necessary to carry out the terms of this MOU.

IV.6 Successors.

This MOU shall be binding upon and inure to the benefit of the Parties and their respective administrators, legal representatives, successors, and permitted assigns.

IV.7 Assignment.

This MOU shall not be assignable.

IV.8 Headings.

The headings and captions are solely for convenience and shall not affect interpretation of any provision.

IV.9 Gender and Number.

All pronouns used herein shall be deemed to include the other gender, and the singular shall include the plural as appropriate.

IV.10 Authority to Execute.

The execution and performance of this MOU have been duly authorized by all necessary laws and actions of the Parties, and this MOU constitutes the valid and enforceable obligations of the Parties.

IV.11 Non-Discrimination.

This MOU and all related activities shall be conducted in compliance with applicable non-discrimination laws, including but not limited to race, color, national origin, religion, sex, age, veteran status, or disability.

IV.12 Appendix II To CFR 200-Contract Provisions.

If applicable, the provisions of Appendix II to 2 CFR 200 are incorporated by reference.

IV.13 Governmental Purpose.

Each Party affirms that this MOU is entered into for the purpose of providing governmental services or functions and will be funded out of current revenues.

IV.14 Commitment of Current Revenues Only.

If during any term of this MOU the governing body of either Party does not appropriate sufficient funds to meet its obligations, either Party may terminate this MOU upon ninety (90) days' written notice. Each Party will use best efforts to secure funds necessary for performance. This right is intended as a continuing right to terminate pursuant to Tex. Loc. Gov't Code § 271.903.

IV.15 Notices.

All notices, requests, or other communications required or permitted under this MOU shall be in writing and shall be deemed given (i) when delivered personally; (ii) when sent by certified mail, return receipt requested, postage prepaid; or (iii) when sent by nationally recognized overnight courier, to the addresses designated by each Party. Either Party may update its notice address by providing written notice to the other.

For the RGVMPPO:

RGVMPPO
c/o Executive Director
617 W University Dr.
Edinburg, TX 78539

For the City of Harlingen:

City of Harlingen
c/o Mayor
118 E. Tyler Ave
Harlingen, Texas 78550

IV.16 Counterparts / Electronic Signatures.

This MOU may be executed in counterparts, each of which shall be deemed an original, but all of which together constitute one and the same instrument. Signatures transmitted electronically (including by PDF or similar format) shall be deemed valid and binding as original signatures.

IV.17 Survival.

Any provisions of this MOU that by their nature are intended to survive termination, including but not limited to data-sharing obligations (Section II.3) and the Mutual Hold Harmless Clause (Section II.5), shall remain in full force and effect notwithstanding termination or expiration of this MOU.

V. AUTHORIZED SIGNATURES

IN WITNESS WHEREOF, the Parties have caused this Memorandum of Understanding to be executed by their duly authorized representatives:

For the RGVMPPO

Signature: Michael Medina

Name: Michael Medina, PTP

Title: Executive Director

Date: Nov. 13, 2025

For City of Harlingen

Signature: _____

Name: _____

Title: _____

Date: _____

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(i)

Meeting Date: **December 3rd, 2025**

Agenda Item:

Consideration and possible action to authorize the City Manager to execute the Drainage Easement Deed Conveyance from Harlingen Irrigation District No. 1 to the City of Harlingen. Attachment (**engineering Dept.**)

Prepared By: Roberto Hernandez, PE, CFM, MS

Title: City Engineer

Signature: *Roberto Hernandez*

Brief Summary:

1. The Harlingen Irrigation District No. 1 is conveying a drainage easement to the City of Harlingen for the area encompassing the Lipscomb Ditch drainage system. This conveyance will formalize the City's ownership and long-term maintenance responsibility over the drainage channel, allowing for improved management, planned improvements, and streamlined coordination for future drainage projects in the area. The easement transfer will support ongoing stormwater management efforts and ensure the City can perform necessary maintenance activities within the defined limits of the ditch system. An exhibit showing the easement location and boundaries is included for reference.

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:

General Fund

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

Staff Recommendation:

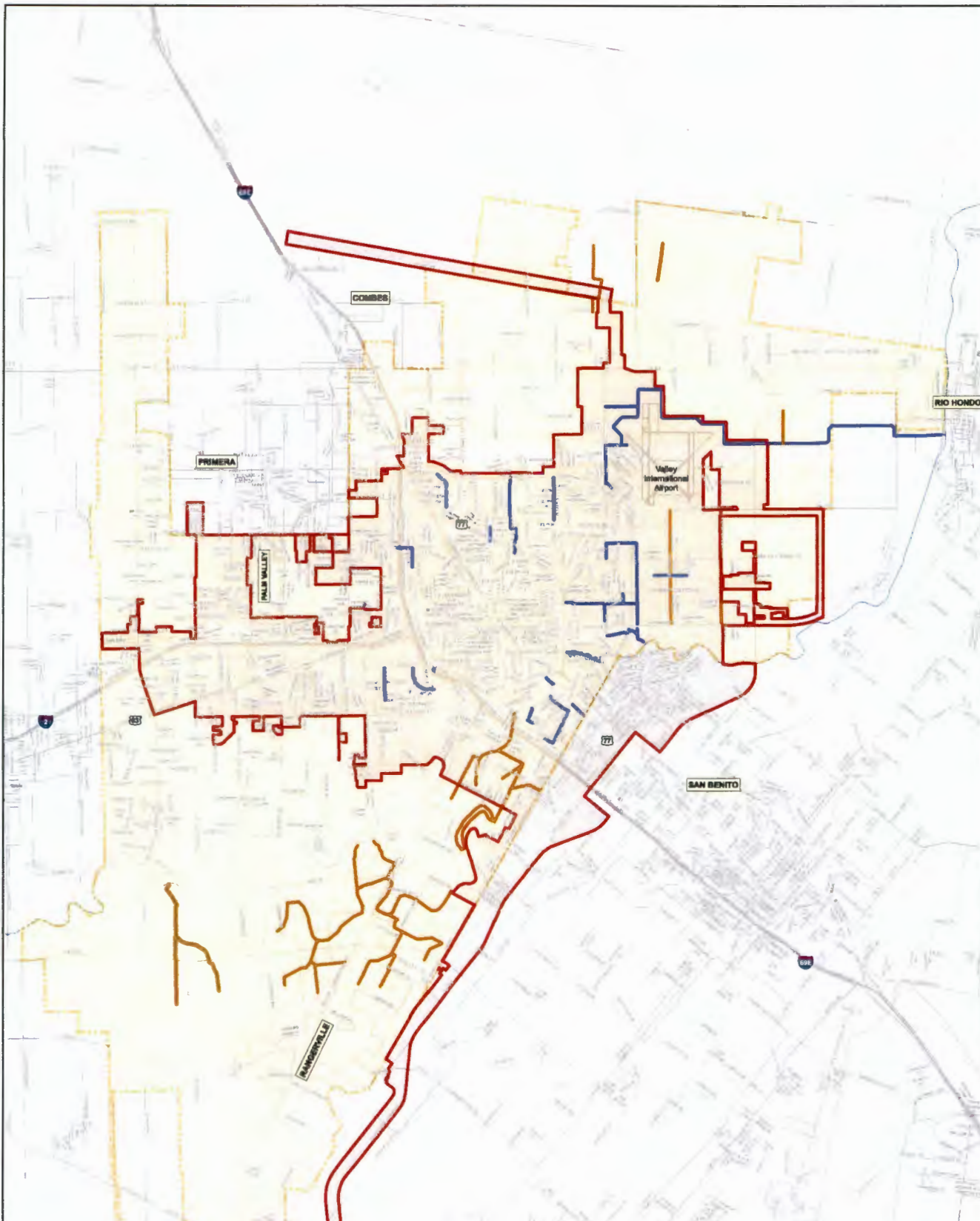
Staff recommends approval.

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

Comments:

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





Harlingen Irrigation District Cameron County #1

Legend

-  Harlingen Drainage Ditches
- District Boundary**
-  Harlingen Irrigation District #1 Boundary
-  Harlingen Irrigation District #1 Ditches
-  Harlingen_Airport
-  Roads
-  Arroyo Colorado
-  Railroads
-  Harlingen City Limits
-  Other Cities



DATE OF MAP 07-30-2025

**AGENDA ITEM
EXECUTIVE SUMMARY**

1065

Meeting Date: **December 3rd, 2025**

Agenda Item:

Consideration and possible action to authorize the City Manager to execute the Advance Funding Agreement (AFA) for the Arroyo Colorado Phase 4 Project with the Texas Department of Transportation (TxDOT) and to approve payment of the required Direct State Costs to TxDOT. Attachment (**Engineering Dept.**)

Prepared By: Roberto Hernandez, PE, CFM, MS
Title: City Engineer

Signature: *Roberto Hernandez*

Brief Summary:

The Texas Department of Transportation (TxDOT) is partnering with the City of Harlingen on the Arroyo Colorado Phase 4 Hike and Bike Trail Project, which extends the regional trail system from Hugh Ramsey Nature Park to near FM 509. Phase 4 will include a looping trail section utilizing four prefabricated pedestrian bridges and solar lighting designed to enhance nighttime visibility while minimizing impacts to surrounding wildlife. Once the Arroyo Colorado Trail system is fully completed, the Harlingen Comprehensive Plan indicates that approximately 75% of Harlingen residents will have access to this continuous east-west corridor. Execution of the Advance Funding Agreement (AFA) is required to define project responsibilities and funding participation, including the City's payment of Direct State Costs. Approval of this item authorizes the City Manager to execute the AFA with TxDOT and remit the required payment, allowing the project to progress toward construction.

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:

General Fund

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

Staff Recommendation:

Staff recommends approval.

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

Comments:

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

RESOLUTION NO. 2025-__

RESOLUTION AUTHORIZING EXECUTION OF AN ADVANCE FUNDING AGREEMENT (AFA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR ARROYO COLORADO HIKE AND BIKE TRAIL - EAST EXTENSION
CSJ:0921-06-395

WHEREAS, on December 3rd, 2025, via Minute Order (insert minute order number), the Texas Transportation Commission authorized Arroyo Colorado Hike & Bike Trail East Extension project (the "Project") to receive Transportation Alternatives Set-Aside (TASA) funds for project the construction of a 4-mile 10-foot-wide asphalt loop trail. The trail will include solar lighting, hydration stations, shaded stops, trail counters, emergency call stations, informational kiosks, and bike repair stations. and Texas Department of Transportation (TxDOT) oversight; and

WHEREAS, the City of Harlingen commits to provide the match. The local match is comprised of cash or in-kind contributions; and

WHEREAS, the City of Harlingen is responsible for all nonreimbursable costs and 100% of overruns, if any; and

WHEREAS, the Governing Body of City of Harlingen desires to reaffirm its support of the Project, approve and authorize the execution of an Advance Funding Agreement (AFA) with TxDOT for the Project.

NOW, THEREFORE, BE IT RESOLVED THAT THE HARLINGEN CITY COMMISSION, hereby authorizes the Interim City Manager to enter into an AFA with TxDOT for this Project.

PASSED AND APPROVED on the 3rd day of December, 2025.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary



Arroyo Colorado Hike and Bike Trail Phase 4

Project Limits: Hugh Ramsey Nature Park/Loop 499 to FM 509

0 500 1,000
Feet



TxDOT:				Federal Highway Administration:	
CCSJ #	0921-06-395	AFA ID	Z00012276	CFDA No.	20.205
AFA CSJs	0921-06-395			CFDA Title	Highway Planning and Construction
District #	21	Code Chart 64#	18200		
Project Name	Arroyo Colorado H&B Trail - East Ext.			<i>AFA Not Used For Research & Development</i>	

STATE OF TEXAS §

COUNTY OF TRAVIS §

**ADVANCE FUNDING AGREEMENT
FOR A TRANSPORTATION ALTERNATIVES
SET-ASIDE (TASA) PROGRAM PROJECT
MPO-Selected Off-System**

This Advance Funding Agreement for a Transportation Alternatives Set-Aside (TASA) Program Project ("Agreement") is made between the State of Texas (State), acting through the Texas Department of Transportation, and the **City of Harlingen** (Local Government), acting through its duly authorized officials.

WITNESSETH

WHEREAS, federal law establishes federally funded programs for transportation improvements to implement its public purposes, and

WHEREAS, the Texas Transportation Code, Section 201.103 establishes that the State shall design, construct and operate a system of highways in cooperation with local governments, and Section 222.052 authorizes the Texas Transportation Commission to accept contributions from political subdivisions for development and construction of public roads and the state highway system within the political subdivision, and

WHEREAS, Federal law, 23 USC §134 and 49 USC §5303, requires that State and Metropolitan Planning Organizations (MPOs) develop transportation plans and programs for urbanized areas of Texas, and

WHEREAS, Federal and state laws require local governments to meet certain contract standards relating to the management and administration of State and federal funds, and

WHEREAS, the Texas Transportation Commission has codified 43 TAC, Rules 15.50-15.56 that describe federal, state, and local responsibilities for cost participation in highway improvement and other transportation projects, and

WHEREAS, the rules and procedures for the Transportation Alternatives Set-Aside Program (TASA) are established in 23 USC §133(h), and 43 Texas Administrative Code, Part 1, Chapter 11, Subchapter G, §§11.400 – 11.418, and

WHEREAS, the Local Government prepared and submitted to the State or Metropolitan Planning Organization (MPO) a project nomination package for TASA funding consideration, which is briefly described as **Arroyo Colorado Hike and Bike Trail – East Extension** (Project), and

TxDOT:				Federal Highway Administration:	
CCSJ #	0921-06-395	AFA ID	Z00012276	CFDA No.	20.205
AFA CSJs	0921-06-395			CFDA Title	Highway Planning and Construction
District #	21	Code Chart 64#	18200		
Project Name	Arroyo Colorado H&B Trail - East Ext.			<i>AFA Not Used For Research & Development</i>	

WHEREAS, the Texas Transportation Commission (Commission) passed Minute Order Number {enter minute order number} (MO) dated {Enter Date} awarding funding for TASA projects in the TASA Program Call of the Rio Grande Valley MPO, including Project, and

WHEREAS, the governing body of the Local Government has approved entering into this Agreement by resolution or ordinance dated {enter date of resolution}, which is attached to and made a part of this Agreement as Attachment C, Resolution or Ordinance. A map showing the Project location appears in Attachment A, Project Location Map, which is attached to and made a part of this Agreement, and

NOW, THEREFORE, the State and the Local Government agree as follows:

AGREEMENT

1. Period of Agreement and Performance

- A. Period of Agreement. This Agreement becomes effective when signed by the last party whose signing makes the Agreement fully executed. This Agreement shall remain in effect until terminated as provided below.
- B. Period of Performance.
 1. The Performance Period for each phase of work begins on the date specified in the Federal Project Authorization and Agreement (FPAA) for that phase of work. Local Government may not begin work until issued the State Letter of Authority (SLOA) for that phase of work.
 2. The Performance Period for each phase of work ends on the date specified in the FPAA for that phase of work.

2. Scope of Work and Use of Project

- A. The scope of work for Project consists of the construction of a 4-mile 10-foot-wide asphalt loop trail. The trail will include solar lighting, hydration stations, shaded stops, trail counters, emergency call stations, informational kiosks, and bike repair stations as shown on attachment A.
- B. Any project changes proposed must be submitted in writing by Local Government to State. Substantive changes may also require an amendment to this Agreement and the approval of the FHWA, State, MPO, or the Commission. Any changes undertaken without written approval and amendment of this Agreement may jeopardize not only the federal funding for the changes, but the federal funding of the entire Project.

3. Project Sources and Uses of Funds

The total estimated development cost of the Project is shown in Attachment B, Project Budget Estimate and Source of Funds (Attachment B).

- A. If Local Government will perform any work under this Agreement for which reimbursement will be provided by or through the State, the Local Government must complete training. If federal funds are being used, the training must be completed before federal spending authority is obligated. Training is complete when at least one

TxDOT:				Federal Highway Administration:	
CCSJ #	0921-06-395	AFA ID	Z00012276	CFDA No.	20.205
AFA CSJs	0921-06-395			CFDA Title	Highway Planning and Construction
District #	21	Code Chart 64#	18200		
Project Name	Arroyo Colorado H&B Trail - East Ext.			AFA Not Used For Research & Development	

individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled "Local Government Project Procedures and Qualification for the Texas Department of Transportation" and retains qualification in accordance with applicable TxDOT procedures. Upon request, Local Government shall provide the certificate of qualification to State. The individual who receives the training certificate may be an employee of Local Government or an employee of a firm that has been contracted by Local Government to perform oversight of the Project. State in its discretion may deny reimbursement if Local Government has not continuously designated in writing a qualified individual to work actively on or to directly oversee the Project.

- B. The total estimated project cost as shown in Attachment B includes the Local Government's estimated itemized cost of real property, utilities, environmental assessments, construction, and other construction related costs. To be eligible for reimbursement or as in-kind contribution, costs must have been included in the nomination form approved by the Texas Transportation Commission or MPO in consultation with State. Local Government must submit to State evidence of payment for eligible in-kind costs at least once per calendar quarter using the State's In-Kind Match Reporting form.
- C. State and the Federal Government will not reimburse Local Government for any work performed outside the Performance Period. After federal funds have been obligated, State will send to Local Government a copy of the formal documentation showing the obligation of funds including federal award information. Local Government is responsible for 100 percent of the cost of any work performed under its direction or control before the federal spending authority is formally obligated.
- D. The Project budget and source of funds estimate based on the budget provided in the application is included in Attachment B. Attachment B shows the percentage and estimated dollar amounts to be contributed to Project by state and local sources, as well as the maximum amount in federal TASA funds assigned by the Commission or MPO in consultation with State. This Agreement may be amended from time to time as required to meet the funding commitments based on revisions to the TASA, FPAA, or other federal documents.
- E. State will be responsible for securing the federal share of funding required for the development and construction of Project, in an amount not to exceed 80 percent of the actual cost of the work up to the amount of funds approved for Project by the Texas Transportation Commission or MPO in consultation with State. Federal funds will be reimbursed on a cost basis. Project costs incurred prior to issuance of the SLOA are not eligible for reimbursement.
- F. The Local Government will be responsible for all non-federal or non-State participation costs associated with the Project, unless otherwise provided for in this Agreement or approved otherwise in an amendment to this Agreement. For items of work subject to specified percentage funding, the Local Government shall only in those instances be responsible for all Project costs that are greater than the maximum State and federal participation specified in Attachment B and for overruns in excess of the amount specified in Attachment B to be paid by the Local Government. If the Project was State-selected, the State may apply a portion of any excess program funds to cover all or a portion of any overrun based on criteria provided by 43 Tex. Admin. Code §11.411(d).

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- G. The budget in Attachment B will clearly state all items subject to fixed price funding, specified percentage funding, and the periodic payment schedule, when periodic payments have been approved by the State.
- H. When fixed price funding is used, the Local Government is responsible for the fixed price amount specified in Attachment B. Fixed prices are not subject to adjustment unless (1) differing site conditions are encountered; (2) further definition of the Local Government's requested scope of work identifies greatly differing costs from those estimated; (3) work requested by the Local Government is determined to be ineligible for federal participation; or (4) the adjustment is mutually agreed to by the State and the Local Government.
- I. Following execution of this Agreement, but prior to the performance of any plan review work by State, Local Government will pay to State the amount specified in Attachment B for plan review. At least 60 days prior to the date set for receipt of the construction bids, Local Government shall remit its remaining local match as specified in Attachment B for State's estimated construction oversight and construction cost.
- J. In the event State determines that additional funding is required by Local Government at any time during Project, State will notify Local Government in writing. Local Government is responsible for the percentage of the authorized Project cost shown in Attachment B and 100 percent of any overruns above the federally authorized amount. Local Government will make payment to State within 30 days from receipt of State's written notification.
- K. Whenever funds are paid by Local Government to State under this Agreement, Local Government will remit a warrant made payable to the "Texas Department of Transportation". The warrant will be deposited by State and managed by State. Funds may only be applied by State to Project.
- L. Upon completion of Project, State will perform a final accounting of Project costs. Any funds due to Local Government, State, or the Federal Government will be promptly paid by the owing party.
- M. In the event Project is not completed, State may seek reimbursement from Local Government of the expended federal funds. Local Government will remit the required funds to State within 60 days from receipt of State's notification.
- N. If any existing or future local ordinances, commissioners court orders, rules, policies, or other directives, including but not limited to outdoor advertising billboards and storm water drainage facility requirements, are more restrictive than state or federal regulations, or if any other locally proposed changes, including but not limited to plats or re-plats, result in increased costs, then any increased costs associated with the ordinances or changes will be paid by Local Government. The cost of providing right of way acquired by State shall mean the total expenses in acquiring the property interests through negotiations, including, but not limited to, expenses related to relocation, removal, and adjustment of eligible utilities.
- O. The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under the Agreement or indirectly through a contract or subcontract under the Agreement. Acceptance of funds directly under the Agreement or indirectly through a contract or subcontract under this Agreement 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. An entity that is the subject of an audit or investigation must provide the state auditor

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with access to any information the state auditor considers relevant to the investigation or audit.

- P. State will not pay interest on any funds provided by Local Government.
- Q. State will not execute the contract for the construction of Project until the required funding has been made available by Local Government in accordance with this Agreement.
- R. Local Government is authorized to submit requests for reimbursement by submitting the original of an itemized invoice in a form and containing all items required by State no more frequently than monthly, and no later than 90 days after costs are incurred. If Local Government submits invoices more than 90 days after the costs are incurred, and if federal funding is reduced as a result, State shall have no responsibility to reimburse Local Government for those costs.
- S. If Local Government is an Economically Disadvantaged County (EDC) or the State or MPO selected project meets the State's or MPO's criteria to receive Transportation Development Credits in lieu of providing a cash local match, and the State has approved adjustments to the standard financing arrangement, this agreement reflects those adjustments.

4. Termination of the Agreement

- A. This Agreement may be terminated by any of the following conditions:
 - 1. By mutual written consent and agreement of all parties;
 - 2. By any party with 90 days written notice; or
 - 3. By either party, upon the failure of the other party to fulfill the obligations as set forth in this Agreement. Any cost incurred due to such breach of contract shall be paid by the breaching party.
- B. If the potential termination of this Agreement is due to the failure of Local Government to fulfill its contractual obligations, State will notify Local Government that possible breach of contract has occurred. Local Government should make every effort to remedy the breach within a period mutually agreed upon by both parties.
- C. The Agreement may be terminated by the State because the parties are not able to execute a mutually agreeable amendment when the costs for Local Government requested items increase significantly due to differing site conditions, determination that Local government requested work is ineligible for federal or state cost participation, or a more thorough definition of the Local Government's proposed work scope identifies greatly differing costs from those estimated. The State will reimburse Local Government remaining funds to the Local Government within ninety (90) days of termination;
- D. If Local Government withdraws from Project after this Agreement is executed, Local Government shall be responsible for all direct and indirect Project costs as identified by the State's cost accounting system and with 2 CFR Part 200 recapture requirements.
- E. A project may be eliminated from the program as outlined below. If Project is eliminated for any of these reasons, this Agreement will be appropriately terminated. A project may be eliminated from the program, and this Agreement terminated, if:
 - 1. Local Government fails to satisfy any requirements of the program rules cited in 43 Texas Administrative Code, Part 1, Chapter 11, Subchapter G, §§11.400 – 11.418.

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2. The implementation of Project would involve significant deviation from the activities proposed in the nomination form and approved by the Texas Transportation Commission or MPO in consultation with State.
 3. Local Government withdraws from participation in Project.
 4. State determines that federal funding may be lost due to Project not being implemented and completed.
 5. Funds are not appropriated, in which case this Agreement shall be terminated immediately with no liability to either party. Payment under this Agreement beyond the current fiscal biennium is subject to availability of appropriated funds.
 6. A construction contract has not been awarded or construction has not been initiated within three years after the date that the Commission or MPO selected the project or by a letting date determined by the state and agreed to by the Local Government.
 7. Local Government fails to attend progress meetings at least twice yearly, as scheduled by State.
- F. State, at its sole discretion, may terminate this Agreement if State does not receive project invoice from Local Government within 270 days of FPAA.

5. **Amendments**

This Agreement may be amended due to changes in the work, the amount of funding required to complete Project, or the responsibilities of the parties. Such amendment must be made through a mutually agreed upon, written amendment that is executed by the parties.

6. **Remedies**

This Agreement shall not be considered as specifying the exclusive remedy for any agreement default, but all remedies existing at law and in equity may be availed of by either party to this Agreement and shall be cumulative.

7. **Utilities**

Local Government shall be responsible for the adjustment, removal, or relocation of utilities or utility facilities in accordance with applicable State laws, regulations, rules, policies, and procedures, including any cost to State of a delay resulting from Local Government's failure to ensure that utilities or utility facilities are adjusted, removed, or relocated before the scheduled beginning of construction. At the State's discretion, State may reimburse Local Government for minor, incidental utility adjustments that are identified during the preliminary engineering phase if they are eligible for federal reimbursement. Local Government must obtain advance approval for any variance from established procedures. Before a construction contract is let, Local Government shall provide, at State's request, a certification stating that Local Government has completed the adjustment of all utilities that must be adjusted before construction begins. Additional utility work may be required due to unknown conditions discovered during construction. These costs may be eligible for TASA participation if the following conditions are met: (1) the activity is required to complete Project; (2) the cost is incidental to Project; and (3) TASA funding is available. Any change orders must be approved by State prior to incurring any cost for which reimbursement is sought.

8. **Environmental Assessment and Mitigation**

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Development of Project must comply with the National Environmental Policy Act and the National Historic Preservation Act of 1966, which require environmental clearance of federal-aid projects.

- A. The **Local Government** is responsible for the identification and assessment of any environmental problems associated with the development of Project.
- B. Local Government is responsible for the cost of any environmental problem's mitigation and remediation. These costs will not be reimbursed or credited towards Local Government's financial share of Project unless specified in the nomination form and approved by State or MPO in consultation with State.
- C. Local Government is responsible for providing any public meetings or public hearings required for development of the environmental assessment, including any public hearing requirements that may be necessary when adding a bike lane.
- D. Before the advertisement for bids, Local Government shall provide to State written documentation from the appropriate regulatory agency or agencies that all environmental clearances have been obtained.

9. **Compliance with Accessibility Standards**

All parties to this Agreement shall ensure that the plans for and the construction of all projects subject to this Agreement are in compliance with standards issued or approved by the Texas Department of Licensing and Regulation (TDLR) as meeting or consistent with minimum accessibility requirements of the Americans with Disabilities Act (P.L. 101-336) (ADA).

10. **Architectural and Engineering Services**

- A. Architectural and engineering services for preliminary engineering will be provided by the **Local Government**. In procuring professional services, the parties to this Agreement must comply with federal requirements cited in 23 CFR Part 172 if Project is federally funded and Local Government will be seeking reimbursement for these services or if these services will be used as in-kind contributions; and with Texas Government Code Subchapter 2254.A., in all cases. Professional services contracts for federally funded projects must conform to federal requirements. Variety
- B. The architectural contract documents shall be developed in accordance with the standards of the American Institute of Architects, the U.S. Secretary of the Interior's Standards for Historic Preservation Projects, Standards and Guidelines for Archeology and Historic Preservation, the National Register Bulletin Number 36: Guidelines for Evaluating and Registering Historical Archeological Sites and in consultation with the State Historic Preservation Officer, as applicable. The engineering plans shall be developed in accordance with State's applicable Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges and the two American Association of State Highway and Transportation Officials' ("AASHTO") publications, "A Policy on Geometric Design of Highways and Streets" and "Guide for the Development of Bicycle Facilities," as applicable. All design criteria for bicycle and pedestrian bridges must comply with TxDOT's Bridge Design Manual and AASHTO's Load and Resistance Factor Design (LRFD) Guide Specifications for the Design of Pedestrian Bridges (latest edition) as applicable. All contract procurement procedures and documents must adhere to the applicable requirements established in the Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges. The use of other systems of specifications shall be approved by State in writing in advance.

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- C. When architectural and engineering services are provided by or through Local Government, Local Government shall submit any plans it has completed to State for review and approval on an agreed upon schedule. Local Government may also submit the plans to State for review any time prior to completion. Local Government shall make the necessary revisions determined by State. Local Government will not let the construction contract until all required plans have received State approval.
- D. When architectural and engineering services are provided by or through State, then the State is responsible for the delivery and performance of any required architectural or preliminary engineering work. Local Government may review and comment on the work, including any proposed changes to the scope of work, as required to accomplish Project purposes. State will cooperate with Local Government in accomplishing these Project purposes to the degree permitted by state and federal law.

11. **Construction Responsibilities**

- A. The **Local Government** shall advertise for construction bids, issue bid proposals, receive and tabulate the bids, and award and administer the contract for construction of Project. Administration of the contract includes the responsibility for construction engineering and for issuance of any change orders, supplemental agreements, amendments, or additional work orders that may become necessary subsequent to the award of the construction contract. To ensure federal funding eligibility, projects must be authorized by State prior to advertising for construction.
- B. All contract letting and award procedures must be approved by State prior to letting and award of the construction contract, whether the construction contract is awarded by State or by Local Government.
- C. All contract change order review and approval procedures must be approved by State prior to start of construction.
- D. If the Local Government is the responsible party, the State must review and approve change orders.
- E. Upon completion of Project, the party constructing Project will issue and sign a "Notification of Completion" acknowledging Project's construction completion.
- F. For federally funded contracts, the parties to this Agreement will comply with federal construction requirements provided in 23 CFR Parts 633 and 635, and shall include the latest version of Form "FHWA-1273" in the contract bidding documents. If force account work will be performed, a finding of cost effectiveness shall be made in compliance with 23 CFR Subpart 635.B.
- G. Any field changes, supplemental agreements, or revisions to the design plans that may occur after the construction contract is awarded will be mutually agreed to by State and Local Government prior to authorizing the contractor to perform the work. Prior to completion of Project, the party responsible for construction will notify the other party to this Agreement of the anticipated completion date. All parties will be afforded the opportunity to assist in the final review of the construction services performed by the contractor.

12. **Project Maintenance**

- A. Upon completion of Project, Local Government will be responsible for maintaining the completed facility for public use. The property shall be maintained and operated for the purpose for which it was approved and funded for a period commensurate with the

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federal investment or State rules, whichever is greater. Should Local Government at any time after Project completion decide it can no longer maintain and operate Project for its intended purpose, Local Government shall consult with State and the FHWA as to the disposal or alternate uses, consistent with Project's original intent. State may require Local Government to return the federal funds in accordance with 2 CFR Part 200 federal recapture requirements. Should Local Government consider conveying the property, State and FHWA must be notified prior to the sale, transfer, or disposal of any property that received federal funds. Written concurrence of approval for the transaction, detailing any required recapture, must be obtained from FHWA prior to the transaction. Advance notice from Local Government of their intended action must be submitted to State for an FHWA review a minimum of 90 days prior to any action being taken by Local Government. Local Government shall be held responsible for reimbursement of all federal funds used or a portion of those funds based on a pro-rata amount, considering the original percentage of federal funds provided and the time elapsed from Project completion date. This same percentage of reimbursement also applies to any amount of profit that may be derived from the conveyance of the property, as applicable.

- B. Any manufacturer warranties extended to Local Government as a result of Project shall remain in the name of Local Government. State shall not be responsible for honoring any warranties under this Agreement.
- C. Should Local Government derive any income from the development and operation of Project, a portion of the proceeds sufficient for the maintenance and upkeep of the property shall be set aside for future maintenance. A project income report shall be submitted to State on a quarterly basis. Monies set aside according to this provision shall be expended using accounting procedures and with the property management standards established in 2 CFR Part 200.
- D. Should any historic properties be included in or affected by this federally funded Project, the historic integrity of the property and any contributing features must continue to be preserved regardless of any approved changes that may occur throughout the life of Project.

13. Right of Way and Real Property Acquisition

- A. Right of way and real property acquisition shall be the responsibility of Local Government. Title to right of way and other related real property must be acceptable to State before funds may be expended for the improvement of the right of way or real property.
- B. If Local Government is the owner of any part of Project site under this Agreement, Local Government shall permit State or its authorized representative access to occupy the site to perform all activities required to execute the work.
- C. Local Government will comply with and assume the costs for compliance with all the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 USC §4601 et seq., including those provisions relating to incidental expenses incurred by the property owners in conveying the real property to Local Government, and benefits applicable to the relocation of any displaced person as defined in 49 CFR §24.2(g). Documentation to support such compliance must be maintained and made available to State and its representatives for review and inspection.

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- D. Local Government shall assume all costs and perform all work necessary to obtain needed evidence of title or right of use to the real property required for development of Project. Evidence of title or right of use shall be acquired in the name of (1) State, if the real property is to be made part of the State Highway System, or (2) Local Government, if the real property is not to be made part of the State Highway System. The evidence of title or rights shall be acceptable to State, and be free and clear of all encroachments. Local Government shall secure and provide easements and any needed rights of entry over any other land needed to develop Project according to the approved Project plans. Local Government shall be responsible for securing any additional real property required for completion of Project.
- E. Local Government shall prepare real property maps, property descriptions, and other data as needed to properly describe the real property and submit them to State for approval prior to Local Government acquiring the real property. Tracings of the maps shall be retained by Local Government for a permanent record.
- F. Local Government shall determine property values for each real property parcel to be purchased with federal funds using methods acceptable to State and shall submit to State a tabulation of the values so determined, signed by the appropriate Local Government representative. The tabulations must list the parcel numbers, ownership, acreage, and recommended compensation. The tabulation must be accompanied by an explanation to support the estimated values, together with a copy of the documentation and reports used in calculating each parcel's value. Expenses incurred by Local Government in performing this work may be eligible for reimbursement after Local Government has received written authorization by State to proceed with determination of real property values. State will review the data submitted and will base its reimbursement for parcel acquisitions on these in determining the fair market values. Local Government will not be reimbursed for right-of-way costs on state-selected projects.
- G. For State-selected TASA projects, Local Government shall not use eminent domain or condemnation to acquire real property for this TASA Project.
- H. Reimbursement for real property costs will be made to Local Government for real property purchased in an amount not to exceed 80 percent of the cost of the real property purchased in accordance with the terms and provisions of this Agreement. Reimbursement will be in an amount not to exceed 80 percent of State's predetermined fair market value of each parcel, or the net cost thereof, whichever is less. In addition, reimbursement will be made to Local Government for necessary payments to appraisers for expenses incurred in order to assure good title. Local Government will not be reimbursed for right-of-way costs on state-selected projects.
- I. Local Government and current property owner are responsible for any costs associated with the relocation of displaced persons and personal property as well as incidental expenses incurred in acquiring property to implement Project. State will not pay any of these costs.
- J. If Project requires the use of real property to which Local Government will not hold title, a separate agreement between the owners of the real property and Local Government must be executed prior to execution of this Agreement. The separate agreement between Local Government and the current property owner must establish that Project will be dedicated for public use for a period of time not less than ten years after project completion and commensurate with the federal investment. For State-selected projects, this is outlined in 43 Tex. Admin. Code §11.417. The separate agreement

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must define the responsibilities of the parties as to the use of the real property and operation and maintenance of Project after completion. The separate agreement must be approved by State prior to its execution and a copy of the executed separate agreement shall be provided to State.

- K. Local Government shall execute individually or produce a legal document as necessary to provide for Project's continued use from the date of completion, and agrees to cause the same to be recorded in the land records of the appropriate jurisdiction.
- L. Local governments receiving federal funds must comply with 23 CFR Part 710 and 49 CFR Part 24, and with the procedures provided in Chapter 6 of the State's Local Government Project Policy Manual. Local Government agrees to monitor Project to ensure: (1) continued use of the property for approved activities, and (2) the repayment of the Federal funds, as appropriate. Local Government agrees to the review of their Project accounts and site visits by State during the development of Project at any time. Upon Project completion, State will continue to perform periodic visits to confirm Project's continued use and upkeep.
- M. Before the advertisement for bids, Local Government shall provide a certification to State that all real property has been acquired.

14. Insurance

- A. Should this Agreement authorize Local Government or its contractor to perform any work on State right of way, before beginning work, the entity performing the work shall provide State with a fully executed copy of State's Form 1560 Certificate of Insurance verifying the existence of coverage in the amounts and types specified on the Certificate of Insurance for all persons and entities working on State right of way. This coverage shall be maintained until all work on State right of way is complete. If coverage is not maintained, all work on State right of way shall cease immediately, and State may recover damages and all costs of completing the work.
- B. For projects including buildings, Local Government agrees to insure the building according to Department specifications and further agrees to name the Federal Government as a "Loss Payee" should the building be destroyed.

15. Notices, Invoices, Payments, and Project Inquiries

All notices to either party shall be delivered personally or sent by certified or U.S. mail, postage prepaid, addressed to that party at the following address:

Local Government:	State:
City of Harlingen ATTN: City Manager 118 E. Tyler Avenue Harlingen, TX 78550	Texas Department of Transportation ATTN: Director of Contract Services 125 E. 11 th Street Austin, TX 78701

All notices shall be deemed given on the date delivered in person or deposited in the mail, unless otherwise provided by this agreement. Either party may change the above address by sending written notice of the change to the other party. Either party may request in writing that

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notices shall be delivered personally or by certified U.S. mail, and that request shall be carried out by the other party.

Invoicing, payment, and project inquiries must be sent to the following address, which the State may change by sending written notice of the change to the Local Government:

Texas Department of Transportation
ATTN: District Engineer
600 W. IH-2
Pharr, Texas 78577

All invoicing, payment, and project inquiries must include the following information:

County: Cameron
Local Government: City of Harlingen
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Highway or Roadway: Arroyo Colorado

16. Legal Construction

In case one or more of the provisions contained in this Agreement shall for any reason be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provisions and this Agreement shall be construed as if it did not contain the invalid, illegal, or unenforceable provision.

17. Responsibilities of the Parties

Neither party is an agent, servant, or employee of the other party and each party is responsible for its individual acts and deeds as well as the acts and deeds of its contractors, employees, representatives, and agents.

18. Ownership of Documents

Upon completion or termination of this Agreement, all documents prepared by State shall remain the property of State. All data prepared under this Agreement shall be made available to State without restriction or limitation on their further use. All documents produced or approved or otherwise created by Local Government shall be transmitted to State in the form of photocopy reproduction on a monthly basis as required by State. The originals shall remain the property of Local Government.

19. Document and Information Exchange

Local Government agrees to electronically deliver to State all general notes, specifications, contract provision requirements, and related documentation in a Microsoft Word or similar format. If requested by State, Local Government will use State's document template. Local Government shall also provide a detailed construction time estimate, including types of activities and month in which the activity will be completed, in the format required by State. This requirement applies whether Local Government creates the documents with its own forces or by hiring a consultant or professional provider. At the request of State, Local Government shall submit any information required by State in the format directed by State.

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20. Compliance with Laws

The parties shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, and the orders and decrees of any courts or administrative bodies or tribunals in any manner affecting the performance of this agreement. When required, Local Government shall furnish State with satisfactory proof of this compliance.

21. Sole Agreement

This Agreement constitutes the sole and only agreement between the parties and supersedes any prior understandings or written or oral agreements respecting the Agreement's subject matter.

22. Cost Principles

In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in 2 CFR Part 200 that specify that all reimbursed costs are allowable, reasonable, and allocable to Project.

23. Procurement and Property Management Standards

The parties to this Agreement shall adhere to the procurement and property management standards established in 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and to the Texas Uniform Grant Management Standards. The State must pre-approve the Local Government's procurement procedures for purchases to be eligible for state or federal funds.

24. Inspection of Books and Records

The parties to this Agreement shall maintain all books, documents, papers, accounting records, and other documentation relating to costs incurred under this Agreement and shall make such materials available to the State, the Local Government, and, if federally funded, the FHWA and the U.S. Office of the Inspector General or their duly authorized representatives for review and inspection at its office during the Agreement period and for seven (7) years from the date of final reimbursement by FHWA under this Agreement or until any impending litigation or claims are resolved. Additionally, the State, the Local Government, and the FHWA and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this Agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

25. Civil Rights Compliance

The parties to this Agreement are responsible for the following:

- A. Compliance with Regulations: Both parties will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (USDOT), the Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made part of this Agreement.
- B. Nondiscrimination: The Local Government, with regard to the work performed by it during the Agreement, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurement of

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materials and leases of equipment. The Local Government will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including

employment practices when the Agreement covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

- C. Solicitations for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the Local Government for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier will be notified by the Local Government of the Local Government's obligations under this Agreement and the Acts and Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
- D. Information and Reports: The Local Government will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and facilities as may be determined by the State or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations or directives. Where any information required of the Local Government is in the exclusive possession of another who fails or refuses to furnish this information, the Local Government will so certify to the State or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.
- E. Sanctions for Noncompliance: In the event of the Local Government's noncompliance with the Nondiscrimination provisions of this Agreement, the State will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
 - 1. withholding of payments to the Local Government under the Agreement until the Local Government complies and/or
 - 2. cancelling, terminating, or suspending of the Agreement, in whole or in part.
- F. Incorporation of Provisions: The Local Government will include the provisions of paragraphs (A) through (F) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Local Government will take such action with respect to any subcontract or procurement as the State or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Local Government becomes involved in, or is threatened with, litigation with a subcontractor or supplier because of such direction, the Local Government may request the State to enter into such litigation to protect the interests of the State. In addition, the Local Government may request the United States to enter into such litigation to protect the interests of the United States.

26. **Pertinent Non-Discrimination Authorities**

During the performance of this Agreement, each party, for itself, its assignees, and successors in interest agree to comply with the following nondiscrimination statutes and authorities; including but not limited to:

- A. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.

TxDOT:				Federal Highway Administration:	
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District #	21	Code Chart 64#	18200		
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- B. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of federal or federal-aid programs and projects).
- C. Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), as amended, (prohibits discrimination on the basis of sex).
- D. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.) as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27.
- E. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age).
- F. Airport and Airway Improvement Act of 1982, (49 U.S.C. Chapter 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex).
- G. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the federal-aid recipients, subrecipients and contractors, whether such programs or activities are federally funded or not).
- H. Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. Parts 37 and 38.
- I. The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).
- J. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.
- K. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, the parties must take reasonable steps to ensure that LEP persons have meaningful access to the programs (70 Fed. Reg. at 74087 to 74100).
- L. Title IX of the Education Amendments of 1972, as amended, which prohibits the parties from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

27. **Disadvantaged Business Enterprise Program Requirements**

- A. The parties shall comply with the Disadvantaged Business Enterprise ("DBE") Program requirements established in 49 CFR Part 26.
- B. Local Government shall adopt, in its totality, State's federally approved DBE program.
- C. Local Government shall set an appropriate DBE goal consistent with State's DBE guidelines and in consideration of Local market, project size, and nature of the goods or services to be acquired. Local Government shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.

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Project Name	Arroyo Colorado H&B Trail - East Ext.			<i>AFA Not Used For Research & Development</i>	

- D. Local Government shall follow all other parts of State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business

Enterprise by Entity, and attachments found at web address:

http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf.

- E. Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this Agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to Local Government of its failure to carry out its approved program, State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC § 3801 et seq.).
- F. Each contract Local Government signs with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance: "The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate."

28. Debarment Certifications

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this Agreement, Local Government certifies that it and its principals are not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order

12549, and further certifies that it will not do business with any party, to include principals, that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this Agreement shall require any party to a contract, subcontract, or purchase order awarded under this Agreement to certify its eligibility to receive federal funds and, when requested by State, to furnish a copy of the certification.

If state funds are used, the parties are prohibited from making any award to any party that is debarred under the Texas Administrative Code, Title 34, Part 1, Chapter 20, Subchapter G, Rule §20.585 and the Texas Administrative Code, Title 43, Part 1, Chapter 9, Subchapter G.

29. Lobbying Certification

In executing this Agreement, each signatory certifies to the best of that signatory's knowledge and belief, that:

TxDOT:				Federal Highway Administration:	
CCSJ #	0921-06-395	AFA ID	Z00012276	CFDA No.	20.205
AFA CSJs	0921-06-395			CFDA Title	Highway Planning and Construction
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- A. No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person 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 in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for Local Government shall complete and submit the federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The parties shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite imposed by 31 USC §1352 for making or entering into this transaction. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

30. Federal Funding Accountability and Transparency Act Requirements

- A. Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms: <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>.
- B. Local Government agrees that it shall:
 1. Obtain and provide to State a System for Award Management (SAM) number (Federal Acquisition Regulation (FAR) Subpart 4.11) if this award provides more than \$25,000 in Federal funding. The SAM number may be obtained by visiting the SAM website whose address is: <https://sam.gov/SAM/pages/public/index.jsf>
 2. Obtain and provide to State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows the federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet on-line registration website <http://fedgov.dnb.com/webform>; and
 3. Report the total compensation and names of its top five executives to State if:
 - a. More than 80 percent of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
 - b. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

31. Single Audit Report

TxDOT:				Federal Highway Administration:	
CCSI #	0921-06-395	AFA ID	Z00012276	CFDA No.	20.205
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- A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in 2 CFR Part 200.
- B. If threshold expenditures of \$750,000 or more are met during the fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Compliance Division, 125 East 11th Street, Austin, TX 78701 or contact TxDOT's Compliance Division at singleaudits@txdot.gov.
- C. If expenditures are less than the threshold during Local Government's fiscal year, Local Government must submit a statement to TxDOT's Compliance Division as follows: *We did not meet the \$_____ expenditure threshold and therefore, are not required to have a single audit performed for FY _____.*
- D. For each year Project remains open for federal funding expenditures, Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or Project has been formally closed out and no charges have been incurred within the current fiscal year.

32. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

Each party is signing this agreement on the date stated under that party's signature.

THE STATE OF TEXAS	THE LOCAL GOVERNMENT
_____	_____
Signature	Signature
_____	_____
Typed or Printed Name	Typed or Printed Name
_____	_____
Typed or Printed Title	Typed or Printed Title
_____	_____
Date	Date

TxDOT:				Federal Highway Administration:	
CCSJ #	0921-06-395	AFA ID	Z00012276	CFDA No.	20.205
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ATTACHMENT A **PROJECT LOCATION MAP**



TxDOT:				Federal Highway Administration:	
CCSJ #	0921-06-395	AFA ID	Z00012276	CFDA No.	20.205
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ATTACHMENT B
PROJECT ESTIMATE AND SOURCE OF FUNDS
 LG Performs PE Work or Hires Consultant / LG Lets Project for Construction

Work Performed by Local Government ("LG")							
Description of Project Costs to be Incurred	Total Project Cost Estimate	Federal Participation Includes percentage for TDC apportionment on projects where applicable		State Participation Includes authorized EDC amounts		Local Government Participation Includes authorized reduction	
		%	Cost	%	Cost	%	Cost
Planning/Maps/Education/Non-CST	\$0	0%	\$0	0%	\$0	0%	\$0
Preliminary Engineering	\$123,500	0%	\$0	0%	\$0	100%	\$123,500
Environmental Cost	\$76,500	0%	\$0	0%	\$0	100%	\$76,500
Right of Way	\$0	0%	\$0	0%	\$0	0%	\$0
Utilities	\$0	0%	\$0	0%	\$0	0%	\$0
Construction Cost	\$3,130,201						
Construction Engineering Cost	\$						
Eligible In-Kind Contribution Value	\$						
Total Construction Value (sum of construction cost and in-kind value)	\$3,130,201	80%	2,504,161	0%	\$0	20%	626,040
Work by LG Subtotal	3,330,201		\$2,504,161		\$0		826,040
Work Performed by the State (Local Participation paid up front by LG to TxDOT)							
Preliminary Engineering ¹	\$0	0%	\$0	0%	\$0	0%	\$0
Environmental Cost ¹	\$0	0%	\$0	0%	\$0	0%	\$0
Right of Way ³	\$0	0%	\$0	0%	\$0	0%	\$0
Utilities ²	\$0	0%	\$0	0%	\$0	0%	\$0
Construction Cost ²	\$						
Eligible In-Kind Contribution Value	\$						

TxDOT:				Federal Highway Administration:	
CCSJ #	0921-06-395	AFA ID	200012276	CFDA No.	20.205
AFA CSJs	0921-06-395			CFDA Title	Highway Planning and Construction
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Total Construction Value (sum of construction cost and in-kind value)							
Work by State Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Direct and Indirect State Costs Incurred for Review, Inspection, Administration & Oversight							
Description of Project Costs to be Incurred	Total Project Cost Estimate	Federal Participation Includes percentage for TDC apportionment on projects where applicable		State Participation Includes authorized EDC amount		Local Government (LG) Participation Includes authorized reduction	
		%	Cost	%	Cost	%	Cost
Preliminary Engineering ¹	\$12,000	0%	\$0	0%	\$0	100%	\$12,000
Environmental Cost ¹	\$12,000	0%	\$0	0%	\$0	100%	\$12,000
Right of Way ¹	\$3,000	0%	\$0	0%	\$0	100%	\$3,000
Utilities ¹	\$3,000	0%	\$0	0%	\$0	100%	\$3,000
Construction ²	\$93,906	0%	\$0	0%	\$0	100%	\$93,906
Direct State Costs Subtotal	\$123,906		\$0		\$0		\$123,906
Indirect State Cost	\$183,494		\$0	100%	\$183,494		\$0
TOTAL PARTICIPATION	\$3,637,601		\$2,504,161		\$183,494		\$949,946
In-kind Contribution Credit Applied						0%	\$0
TOTAL REMAINING PARTICIPATION AFTER IN-KIND CONTRIBUTION							\$949,946

- The estimated total participation by Local Government is \$949,946.
- The **Local Government** is responsible for 100% of overruns.
- Total estimated payment by Local Government to State is \$123,906.
- ¹Local Government's first payment of \$30,000 is due to State within 30 days from execution of this contract.
- ²Local Government's second payment of \$93,906 is due to State within 60 days prior to the Construction contract being advertised for bids.
- ³If ROW is to be acquired by State, Local Government's share of property cost will be due prior to acquisition.

TxDOT:				Federal Highway Administration:	
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- The local match must be 20% or greater and may include State contributions, eligible in-kind contributions, EDC adjustments, or TDCs if authorized as part of project selection.
- Transportation Development Credits (TDC) are being utilized in place of the Local Government's participation in the amount of 0.
- This is an estimate; the final amount of Local Government participation will be based on actual costs.
- Maximum federal TASA funds available for Project are \$2,504,161.

TxDOT:				Federal Highway Administration:	
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**ATTACHMENT C
RESOLUTION OF LOCAL GOVERNMENT**

10(k)

AGENDA ITEM EXECUTIVE SUMMARY

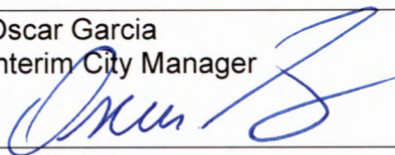
Meeting Date: **December 03, 2025**

Agenda Item:

Consideration and possible action to approve a resolution accepting the top nominees to the Official Ballot submitted by the Cameron County Appraisal District to the City of Harlingen.

Prepared By (Print Name): Oscar Garcia
Title: Interim City Manager

Signature:



Brief Summary:

The Cameron Appraisal District is asking the City of Harlingen to cast their votes on the Official Ballot submitted by them. The city is authorized to cast a total of 98 votes and the Commission can either allocate all votes to just one (1) nominee or spread them throughout the eight (8) nominees on the ballot.

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:

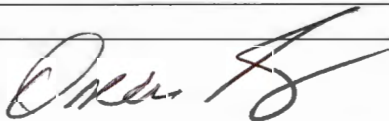
Finance Director's approval:

☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the resolution.

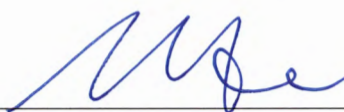
City Manager's approval:



☐ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:



☐ Yes ☐ No ☐ N/A

CAMERON APPRAISAL DISTRICT



OFFICIAL BALLOT

ENTITY: City of Harlingen	AUTHORIZED VOTES: 98
NOMINEES	ALLOCATION OF VOTES
ALDRETE, ALEJANDRA	
CAVAZOS, JULIO	
DE LEON, GUSTAVO	
GARZA, DAVID A.	
GONZALEZ, JESSICA	
LOPEZ-VALDEZ, DANIELLA	
MUNIZ, CARLOS	
PATEL, BHARAT "BARRY"	

Date Resolution Passed
(Attach Resolution)

Authorized Representative

RESOLUTION NO. _____

STATE OF TEXAS

COUNTY OF CAMERON

WHEREAS, the Chief Appraiser of Cameron Appraisal District has called for the election of the Cameron Appraisal District Board of Directors; and

WHEREAS, the City of Harlingen is entitled to cast a total of 98 votes in said election; and

WHEREAS, ballots must be returned BEFORE December 15, 2025, which is the deadline for accepting votes.

NOW, THEREFORE, BE RESOLVED by the **CITY OF HARLINGEN, TEXAS** that the City Commission does hereby cast the 98 votes for Cameron Appraisal District Board of Directors as follows:

(Name of Candidate #1) (#of votes)

(Name of Candidate #2) (#of votes)

READ, PASSED, AND APPROVED at a regular meeting by the City Commission of the City of Harlingen on this _____ day of _____, 2025.

City of Harlingen

Norma Sepulveda, Mayor

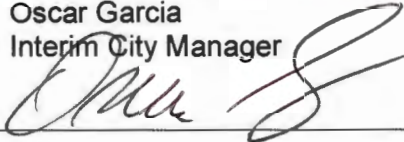
ATTEST:

Mayra Herrera, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **December 03, 2025**

Agenda Item:
Discussion and possible action to appoint a new board member to the Cameron County Emergency Communication District Board position to represent the City of Harlingen.

Prepared By (Print Name): Oscar Garcia
Title: Interim City Manager
Signature: 

Brief Summary:
The City of Harlingen has one (1) representative on the CCECD board. The Cameron County Emergency Communication District Board plans, implements, funds and oversees the critical infrastructure (equipment, software, connectivity and support) used by Public Safety Entities to receive 911 calls and dispatch emergency responders. The board consist of 5 members and the city's representative should be a person that is involved directly with the operations and will do what is in the city's best interest.

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

**AGENDA ITEM
EXECUTIVE SUMMARY**

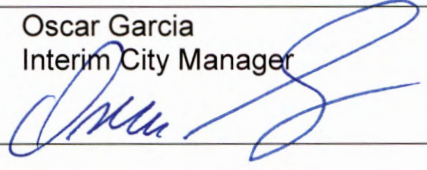
10(m)

Meeting Date: **December 03, 2025**

Agenda Item:

Consideration and possible action to appoint a new board member to the South Texas Emergency Care Foundation Board of Directors.

Prepared By (Print Name): Oscar Garcia
Title: Interim City Manager

Signature: 

Brief Summary:

The City Commission needs to appoint a new board member to the South Texas Emergency Care Foundation Board of Directors to replace Former Commissioner Ford Kinsley as the representative of the City Commission of this board.

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

