

**CITY COMMISSION
AGENDA
REGULAR MEETING
JANUARY 7, 2026
@ 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, JANUARY 7, 2026, 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 regarding 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 Michael Mezmar
 - 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) **Proclamation/Presentation of Awards:**
 - a) Mayor's Announcements
 - b) City Manager's Announcements
 - c) City Commission Member Announcements
- 4) **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) Harlingen Animal Shelter - "Pet of the Week"
 - b) Presentation of Proclamation — Coach Ashley Moncivaiz
- 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 September 17, 2025
- 7) **Consent Agenda:** *No discussion is anticipated on any of the items in this section because they are routine business, were included in the budget adoption process, or have been previously discussed as a staff report or discussion item. These items will be considered collectively by a single vote, unless a commission member requests an item be removed from the consent agenda.*
 - a) Consideration and possible action to approve the testing and potential installation of speed humps at the following location(s): **(This item was requested by Commissioner Delia Cavazos-Gamez and Mayor Pro-Tem Daniel N. Lopez)**.
 1. 7th & 13th Street prior to getting to Rio Hondo Street from Marshall/Grimes
 2. Rio Hondo Street from 13th to 17th Street
 3. Grimes from 77 Sunshine Strip to 13th Street
 4. Williamson Street, 13th to 7th
 - b) Consideration and possible action to approve an ordinance on second and final reading amending the previously approved Planned Development ("PD") District Site Plan to allow for 28-foot wide streets with 30-feet of right-of-way, smaller lot sizes, reduce a common area, and a 5-foot rear yard setback for Lots 59-73 for 90 single family residential lots and one commercial lot development on a property bearing a legal description of 12.537 acres of land out of a Portion of Lots 1, 2, 7, and all of Lot 8, Block 146, San Benito Land and Water Company Subdivision, located on the northwest corner of Haine Drive and FM 509. Applicant: Melden and Hunt, c/o HDP Paso Real, LLC. Attachment. **(Planning & Development)**.

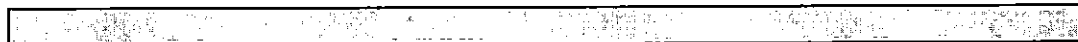
- c) Consideration and possible action to approve an ordinance on second and final reading for a rezoning request from Residential, Single Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 1301 S. 1st Street, bearing a legal description of Lot 1, Block 4, Finwood Heights Subdivision. Applicant: Rene Ramirez c/o Brownstar Holdings, LLC. Attachment. **(Planning & Development)**
- d) Consideration and possible action to approve an ordinance on second and final reading, Chapter 111- Zoning by adding the new Article XXII – Historic Preservation and dealing with related matters. Applicant: City of Harlingen. Attachment. **(Planning & Development)**
- 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 the release from the City of Harlingen Extraterritorial Jurisdiction (ETJ) consisting of 8.30 acres out of the north, 9.685 acres out of the South, 19.37 acres out of Block 75, Minnesota Texas Land and Irrigation Company Subdivision, located approximately 800 feet south of Tio Cano Lake Cross Rd. between Louisiana Road and FM 506. Applicant: Abby Jo Lopez. **(Planning & Development)**
 - b) Public Hearing for the release from the City of Harlingen Extraterritorial Jurisdiction (ETJ) consisting of 5.50 acres out of Block 41, Briggs & Coleman Subdivision in Surveys 271-272, Cameron County, Texas, located along the south side of Bowen Road, 655.42 feet east from the northwest corner of Block 41 (centerline of Ebony Road). Applicant: Manuel Tamez III. **(Planning & Development)**
 - c) Public hearing for the release from the City of Harlingen Extraterritorial Jurisdiction (ETJ) consisting of 7.70 acres of land out 15.407 acres of land out of Block 247, San Benito Land and Water Company Subdivision, located west of State Highway 345 (North Sam Houston Boulevard). Applicant: Gustavo Alex Flores. **(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 the release from the City of Harlingen Extraterritorial Jurisdiction (ETJ) consisting of 8.30 acres out of the North 9.685 acres out of the South 19.37 acres out of Block 75, Minnesota Texas Land and Irrigation Company Subdivision, located approximately 800 feet south of Tio Cano Lake Cross Rd. between Louisiana Road and FM 506. Applicant: Abby Jo Lopez. Attachment **(Planning & Development)**
- b) Consideration and possible action to approve an ordinance on first reading for the de-annexation from the City of Harlingen Extraterritorial Jurisdiction (ETJ) consisting of 5.50 acres out of Block 41, Briggs & Coleman Subdivision in Surveys 271-272, Cameron County, Texas, located along the south side of Bowen Road, 655.42 feet east from the northwest corner of

Block 41 (centerline of Ebony Road). Applicant: Manuel Tamez III. Attachment (***Planning & Development***)

- c) Consideration and possible action to approve an ordinance on first reading for the release from the City of Harlingen Extraterritorial Jurisdiction (ETJ) consisting of 7.70 acres of land out of 15.407 acres of land out of Block 247, San Benito Land and Water Company Subdivision, located west of State Highway 345 (North Sam Houston Boulevard). Applicant: Gustavo Alex Flores. Attachment (***Planning & Development***)



- d) Consideration and possible action to authorize funding, not to exceed \$40,000, for the construction and installation of a new front desk/permitting counter for the Planning and Development Department. Attachment (***Planning & Development***)
- e) Consideration and possible action to over hire three (3) firefighters this calendar year. Attachment (***Fire Dept.***)
- f) Consideration and possible action to authorize the City Manager to sign the Memorandum of Understanding between the Texas Commission of Fire Protection, the International Association of firefighters and the City of Harlingen Fire Department. Attachment (***Fire Dept.***)
- g) Consideration and possible action to authorize the City Manager to sign the Fire Services agreements between the City of Harlingen with Cameron County Emergency Services District No. 1, City of Combes and the City of Palm Valley for Fiscal Year 2025-2026. Attachment (***Fire Dept.***)
- h) Discussion and possible action to approve a resolution, creating an Ad Hoc Planning Advisory Committee to review certain adopted plans and to report recommendations to the City Commission. Attachment (***This item was requested by Mayor Norma Sepulveda and Mayor Pro-Tem Daniel N. Lopez***)

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 (5)
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 (1)
Mayor Wellness Council
Museum Advisory Board
Parks Advisory Board
Planning & Zoning Advisory Board (1)
Senior Citizens Advisory Board (1)
Tax Increment Finance Board 1, 2 & 3 (1)

Utility Board of Trustees
Veterans Advisory Board
Zoning Board of Adjustment

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

I, the undersigned authority, do hereby certify that the above Notice of the Regular Meeting of the Harlingen City Commission is a true and correct copy of said notice posted on the bulletin board at City Hall of said City of Harlingen, Texas in a place convenient and readily accessible to the general public at all times and on the City's Internet Website and said Notice was posted on **TUESDAY, DECEMBER 30, 2025**, at or before 2:50 a.m./p.m. and remained so posted for at least 3 business days preceding the time of said meeting.

Dated this 30th day of **DECEMBER, 2025**


For: Mayra Herrera, City Secretary

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

September 17, 2025

A Regular Meeting of the Harlingen City Commission was held September 17, 2025 at 5:33 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

Oscar Garcia, Assistant City Manager

Mayra Herrera, City Secretary

Mark Sossi, City Attorney

1. Call Meeting to Order

- a) Invocation – Commissioner Frank Morales
- 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 thanked everyone who came out to Fiesta de Piñatas. She expressed her gratitude to the Downtown Department, Media Department, and the City staff team. She also extended thanks to the wonderful vendors, local businesses, and community members who helped make the event so inviting and enjoyable for all.

b) City Manager's Announcements-

None.

c) City Commission Member Announcements –

Commissioner Kinsley reminded everyone that September is National Suicide Awareness and Prevention Month. He encouraged reaching out to anyone who may be struggling and emphasized the importance of offering support.

Commissioner Lopez thanked Parks and Public Works for completing the trail at City Lake. He also congratulated the downtown team on the new billboard in Robstown, which welcomes visitors to Harlingen. Commissioner Lopez announced the final Downtown at Sundown event this Saturday September 20, 2025 from 7 p.m.–10 p.m. at Lozano Plaza, and closed by wishing his son Moose a happy 4th birthday.

Commissioner Mezmar expressed appreciation to Assistant City Manager Oscar Garcia and Public Works staff for conducting a drive through of District 3 to identify potholes, tree trimming needs, drainage issues, and paving priorities. He also announced a District 3 Town Hall meeting next Tuesday September 23, 2025 at Harlingen Collegiate High School at 5:30 p.m.

Commissioner Morales reminded everyone about the Keep Harlingen Beautiful event at Arroyo Park this Saturday September 20, 2025 from 8 a.m. to 12 p.m.

Commissioner Perez added that there will also be a community cleanup at Arroyo Park off New Hampshire this Saturday September 20, 2025 from 8–10 a.m. The city will provide equipment and refreshments. Commissioner Perez encouraged community to join.

Mayor noted that a comprehensive Town hall is coming up, with the date already posted on the city's website. Neighborhood walks have also been conducted across all districts, with another scheduled for District 2 this Saturday September 20, 2025.

4. Proclamation/Presentation of Awards:

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

Sunflower is a playful 4-month-old kitten at the Harlingen Animal Shelter, ready for her forever home. She's energetic and loves to play, but also enjoys curling up in your lap to relax. To meet Sunflower or other adoptable pets, call 956-216-5250 or visit the shelter at 1106 Markowsky Ave.

b) Mayor's Business of the Month - Harlingen Pools

Harlingen Pools is a locally owned pool construction and maintenance company based in Harlingen, Texas. They specialize in designing and building new residential pools, as well as offering renovations, service, and long-term care. Harlingen Pools operates mainly through word of mouth and values the trust of past customers.

c) Recognition of the Valley Morning Star 2025 Readers' Choice Awards: Best City, Best Police Officer, Best Police Department, Best Firefighter, Best Fire Department Best Market Days Spot, Best Golf Course, Best Museum

The Valley Morning Star hosts a Reader's Choice Award contest where community members vote for their favorite local people and places across various categories. This recognition is meaningful because it comes directly from residents in Harlingen and surrounding areas. Winners receive a certificate and public acknowledgment from the Valley Morning Star.

5. Citizen Communication:

- Raymond Reyes – Oversight
- Robert Leftwich – Taxes – Not Present
- Fred Uribe – Fiesta de Pinatas reviews

6. Approval of Minutes:

a) Regular Meeting June 4th, 2025

Motion was made by Mayor Pro-Tem Kinsley and seconded by Commissioner Mezmar to approve minutes for Regular Meeting of June 4th, 2025. Motion carried unanimously.

7. **Consent Agenda:**

- a) Consideration and possible action to approve an ordinance on second and final reading amending the Harlingen Code of Ordinances, Chapter 18, Master Fee Schedule, by establishing fees for certain licenses, permits, and other services provided by the City of Harlingen as they relate to Chapter 36, Article V, Division 2(Tony Butler Golf Course); providing for publication and ordaining other matters pertaining to the foregoing. Attachment (**Golf**)

ORDINANCE NO. 25-54

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

PASSED AND APPROVED on first reading this the 3rd day of September 2025.

PASSED AND APPROVED on the second and final reading this the 17th day of September 2025.

ATTEST:

/s/ Mayra Herrera, City Secretary

CITY OF HARLINGEN

/s/ Norma Sepulveda, Mayor

- b) Consideration and possible action to approve a resolution accepting the Valley International Airport's Fiscal Year 2026 proposed operating and capital budget. Attachment (**Airport**)
- c) Consideration and possible action to adopt an ordinance on second and final reading for a Special Use Permit (SUP) to allow a storage container in a General Retail ("GR") District located at 302 N. 77 Sunshine Strip, bearing a legal description of 3.245 acres out of Block 1, Profit Subdivision. Applicant: Anne Eberhardt, c/o Quality Equipment Management/Dollar Tree. Attachment (**Planning & Development**)

ORDINANCE NO. 25-55

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT ISSUED TO QUALITY EQUIPMENT MANAGEMENT/DOLLAR TREE TO ALLOW A STORAGE CONTAINER IN A GENERAL RETAIL ("GR") DISTRICT LOCATED AT 302 N. 77 SUNSHINE STRIP, BEARING A LEGAL DESCRIPTION OF 3.245 ACRES OUT OF BLOCK 1, PROFIT SUBDIVISION, PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

PASSED AND APPROVED on first reading this the 3rd day of September 2025.

PASSED AND APPROVED on the second and final reading this the 17th day of September 2025.

ATTEST:

/s/ Mayra Herrera, City Secretary

CITY OF HARLINGEN

/s/ Norma Sepulveda, Mayor

- d) Consideration and possible action to approve an ordinance on second and final reading amending the City of Harlingen's budget for Fiscal Year 2025. Attachment (**Finance**)

ORDINANCE NO. 25-52

AN ORDINANCE AMENDING THE REVENUE AND EXPENDITURE BUDGET FOR THE CITY OF HARLINGEN, TEXAS, FOR FISCAL YEAR OCTOBER 1, 2024 THROUGH SEPTEMBER 30, 2025. PROVIDING FOR PUBLICATION OF THE CAPTION OF THIS ORDINANCE, AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

PASSED AND APPROVED on first reading this the 3rd day of September 2025.

PASSED AND APPROVED on the second and final reading this the 17th day of September 2025.

ATTEST:

/s/ Mayra Herrera, City Secretary

CITY OF HARLINGEN

/s/ Norma Sepulveda, Mayor

- 1
2 e) Consideration and possible action to approve an ordinance on second reading adopting a change
3 in TMRS plan design authorizing updated service credits and transfer updated service credits and
4 removal of the statutory maximum contribution rate limit beginning January 1, 2026.
5 Attachment (**Finance**)

6
7 ORDINANCE NO. 25-53
8 AN ORDINANCE REGARDING THE CITY OF HARLINGEN'S
9 TEXAS MUNICIPAL RETIREMENT SYSTEM BENEFITS
10 AUTHORIZING UPDATED SERVICE CREDITS AND TRANSFER
11 UPDATED SERVICE CREDITS AND REMOVAL OF THE
12 STATUTORY MAXIMUM CONTRIBUTION RATE LIMIT.
13

14 PASSED AND APPROVED on first reading this the 3rd day of September 2025.
15 PASSED AND APPROVED on the second and final reading this the 17th day of September 2025.
16

17 ATTEST:
18 /s/ Hermelinda Gonzales, Interim City Secretary

CITY OF HARLINGEN
/s/ Norma Sepulveda, Mayor

- 19
20 f) Consideration and possible action to approve a resolution authorizing the acceptance of a grant
21 award from the Office of the Governor FY 2026 Rifle Resistant Body Armor Grant Program.
22 Attachment (**Special Projects Department**)
23

24 Motion made by Commissioner Lopez and seconded by Commissioner Perez to approve items
25 7(a-f). Motion carried unanimously.
26

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

- 28 a) City Manager's Report

29 None.

- 30
31 b) Staff Reports

32 None.

- 33
34 c) Presentation of the 2025 Harlingen's crime statistics, community events and collaboration with
35 other agencies by Chief of Police Alfredo Alvear with the Harlingen Police Department. Attachment
36 (**Police**).
37

38 Rescheduled for Next City Commission Meeting October 6, 2025.
39

40 **9. Public Hearings:**

41 None.
42

43 **10. Action Items**
44 **Ordinances:**

- 45 a) Consideration and possible action to approve the preliminary construction plans and final plat with
46 conditions of the proposed Altas Palmas Phase I Subdivision, bearing a legal description of a 25.78
47 acres of land comprised of Survey 140, L.L. Adams, Original Grantee, Abstract No. 201, & Lots "A"
48 and "B" of a re-subdivision of Block 2 and 3, Survey 139 of Stuart Place Subdivision, located at the
49 northeast corner of Rodeo Drive and Altas Palmas Road. Applicant: Moore Land Surveying, LLC
50 c/o Zarate Home Designs, LLC. Attachment (**Planning & Development**)
51

52 Commissioner Lopez noted that the packet includes a TCQ variance request regarding a sewer
53 line. While TCQ standards require an 8-inch concrete line at a specific gradient, the request proposes
54 using an 8-inch PVC pipe at a less steep gradient. He asked whether this change could negatively
55 affect the sewer system in the future.

56 Ana Hernandez, Director of Planning and Development, advised that it should not have any impact
57 and confirmed that it has been approved by City Engineering.

1 Motion made by Commissioner Mezmar and seconded by Commissioner Lopez to approve the
2 preliminary construction plans and final plat with conditions of the proposed Altas Palmas Phase I
3 Subdivision, bearing a legal description of a 25.78 acres of land comprised of Survey 140, L.L. Adams,
4 Original Grantee, Abstract No. 201, & Lots "A" and "B" of a re-subdivision of Block 2 and 3, Survey 139
5 of Stuart Place Subdivision, located at the northeast corner of Rodeo Drive and Altas Palmas Road.
6 Motion carried unanimously.
7

- 8 b) Consideration and possible action authorizing the City Manager to execute an annexation services
9 agreement between the City of Harlingen and Rhodes Development, Inc. Attachment (**Planning &**
10 **Development**)
11

12 Motion was made by Mayor Pro-Tem Kinsley and seconded by Commissioner Morales to execute
13 an annexation services agreement between the City of Harlingen and Rhodes Development, Inc.
14 Motion carried unanimously.
15

- 16 c) Consideration and possible action to approve a contract between the City of Harlingen and Dr.
17 Shelly Mitchell, DVM to provide services for the Spay/Neuter Program as needed. Attachment
18 **(Health)**
19

20 Motion made by Commissioner Lopez and seconded by Mayor Pro-Tem Kinsley action to approve
21 a contract between the City of Harlingen and Dr. Shelly Mitchell, DVM to provide services for the
22 Spay/Neuter Program as needed. Motion carried unanimously.

- 23 d) Consideration and possible action to approve the renewal of the Lease Document N62467-87-RP-
24 00006 for 15.0 acres of land located at 1300 Fair Park Blvd, Harlingen TX, currently used by the
25 Department of Army for the term beginning January 01, 2026, through December 31,
26 2026. Attachment (**Parks & Recreation**)
27

28 The Commission discussed concerns regarding overgrown grass at the facility and agreed that
29 additional maintenance requirements should be incorporated into the contract. Commissioner Lopez
30 proposed two revisions:

- 31 1. Update the point of contact from Danny Diaz to Chris Torres, or the appropriate Public Works
32 staff member currently responsible for facility oversight.
33 2. Require the organization using the facility to maintain the grass, regardless of which military
34 branch occupies the site, or grant the City authority to perform the maintenance and bill the
35 organization. This requirement applies to both exterior and interior areas.
36

37 A motion was made by Commissioner Perez and seconded by Commissioner Mezmar to approve
38 the renewal of Lease Document N62467-87-RP-00006 for 15.0 acres of land located at 1300 Fair Park
39 Blvd., Harlingen, Texas, currently used by the Department of the Army, for the term beginning January
40 1, 2026, through December 31, 2026. Motion carried unanimously, subject to the two revisions
41 proposed by Commissioner Lopez pending legal review.
42

- 43 e) Consideration and possible action to authorize the Harlingen Economic Development Corporation
44 (HEDC) to provide \$76,500 to Texas Southmost College (TSC) as a matching grant for the Patient
45 Care Technician Training Program offered to the Harlingen residents for FY 2026. Attachment
46 **(HEDC)**
47

48 Orlando, CEO of the Harlingen Economic Development Corporation (EDC), presented a request
49 for approval of \$76,500 in funding to support a high-demand job training grant in partnership with Texas
50 Southmost College (TSC). The program will provide 352 hours of hands-on training for 34 Harlingen
51 residents to become Patient Care Technicians (PCTs).
52 He explained key differences between TSC's program and similar offerings from Texas State Technical
53 College (TSTC):

- 54 • TSC provides primarily hands-on, in-person training, while many TSTC courses are online.
55 • TSC has secured matching grant funds through Workforce Solutions.

- TSC collaborated with local hospitals to identify PCT training as a high-demand need.

A representative from TSC, confirmed that hospitals are eager to hire graduates and that the program includes four certifications: CPR, CNA, EKG, and PCT. The goal is to place graduates in Harlingen first, then surrounding communities. TSC will report back to the EDC on job placement outcomes.

Motion was made by Commissioner Mezmar and seconded by Commissioner Morales to to authorize the Harlingen Economic Development Corporation (HEDC) to provide \$76,500 to Texas Southmost College (TSC) as a matching grant for the Patient Care Technician Training Program offered to the Harlingen residents for FY 2026. Motion carried unanimously.

- f) Consideration and possible action to authorize the Harlingen Economic Development Corporation (HEDC) to grant \$50,000 to Valley Initiative for Development and Advancement (VIDA) for FY 2026 to benefit Harlingen residents. Attachment (HEDC)

Orlando Campos, CEO of the Harlingen Economic Development Corporation (EDC), presented a request to continue the annual \$50,000 grant to VIDA, which funds career training for 10 low-income Harlingen residents in high-demand occupations. He noted that VIDA has consistently provided required reports and that past Harlingen participants have successfully completed their programs.

Commissioner Lopez asked for detailed outcome data, including breakdowns for the last three cohorts.

Mr. Campos confirmed that VIDA can provide names of participants, the programs they completed, and success metrics.

Mayor Sepulveda questioned why administrative costs are so high at \$7500 for only 10 students and whether more of the funding should go directly to students.

Mr. Campos explained that student costs include tuition, books, and transportation support, but he could not explain VIDA's administrative allocation. He offered to invite VIDA to present directly to the commission.

Motion was made by Commissioner Lopez and seconded by Commissioner Perez to table the item until VIDA can present and clarify administrative costs. Motion carried unanimously.

- g) Consideration and possible action to approve a resolution amending budget #BA2526-01 adopted by the HWWWS Board of Trustees for Fiscal Year 2025–2026. Attachment (HWWWS)

Ron De La Garza, CFO of Harlingen Waterworks, stated that the Waterworks Board of Trustees approved changes to the TMRS retirement plan, including updated service credit and a buyback option for eligible employees. To implement these changes, Mr. De La Garza requested an increase in the TMRS budget allocation totaling \$323,331, with \$227,103 assigned to the water program and \$96,228 to the wastewater program.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Kinsley to approve a resolution amending budget #BA2526-01 adopted by the HWWWS Board of Trustees for Fiscal Year 2025–2026. Motion Carried unaimously.

- h) Consideration and possible action to move the City Commission meetings of October 1st and October 15th to other dates.(City Manager)

The commission discussed rescheduling the October city commission meetings due to a conflict with the EDC's RiseUp pitch competition on October 1st, where commissioners are encouraged to attend. The competition begins at 6:00 PM.

After discussion the following was decided on

- October 1 meeting reschedule to October 6
- October 15 meeting reschedule to October 20

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Kinsley to move the City Commission meetings to October 6 and October 20. Motion Carried unanimously.

11. Board Appointments:

None.

12. Executive Session:

- a) Pursuant to Government Code Section 551.071 - attorney consultation and contemplated litigation; Section 551.072 - deliberation regarding real estate; and Section 551.087 - economic development relating to the following projects: (HEDC)

1. Project Organic
2. Project Beach
3. Project Tyler
4. Project Its Thyme
5. Project Smoke Signals

- b) Consultation with legal counsel pursuant to Texas Government Code 551.071 (1)(a) regarding pending litigation. (City Attorney)

- c) Consultation with legal counsel pursuant to Texas Government Code 551.071 (1)(a) regarding pending litigation. (City Attorney)

- d) Consultation with legal counsel pursuant to Texas Government Code 551.071 (1)(a) regarding pending litigation. (City Attorney)

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

At 6:31 p.m. Mayor Sepulveda announced the City Commission would convene into Executive Session to discuss items 12 (a) through d).

13. Action on Executive Session Items:

At 7:10 PM, Mayor Sepulveda announced the City Commission had completed its Executive Session and declared the meeting open to the public.

- a) Consideration and possible action on items 12a (1-5) as discussed in executive session.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Kinsley on item 12a(2) to proceed as discussed in executive session. Motion carried unanimously.

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

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Kinsley on item 12(b) to proceed as discussed in executive session. Motion carried unanimously.

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

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Kinsley on Item 12(c) to proceed as discussed in executive session. Motion carried unanimously.

- d) Consideration and possible action on item 12 (c) as discussed in executive session.

Motion was made by Commissioner Lopez and seconded by Commissioner Mezmar on Item 12(d) to acknowledge report and proceed as discussed in executive session. Motion carried unanimously.

14. Adjournment:

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

City of Harlingen

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

DRAFT

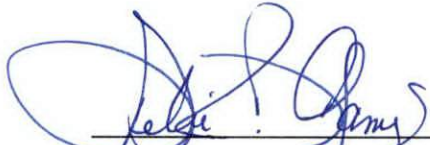
City of Harlingen

Agenda Item Request Form

We hereby request the following item to be added to the January 7, 2026, City Commission Agenda:

Consideration and possible action to approve the testing and potential installation of Speed Humps at the following location(s):

1. 7th & 13th Street prior to getting to Rio Hondo Street from Marshall/Grimes
2. Rio Hondo Street from 13th to 17th Street
3. Grimes from 77 Sunshine Strip to 13th Street
4. Williamson Street, 13th to 7th



Delia Cavazos-Gamez, Commissioner Dist. 1

Daniel N. Lopez, Mayor Pro-Tem/Comm. Dist. 2

**AGENDA ITEM
EXECUTIVE SUMMARY**

76

Meeting Date: **January 7, 2026**

Agenda Item:

Consideration and possible action to approve an ordinance on second and final reading, amending the previously approved Planned Development ("PD") District Site Plan to allow for 28-foot wide streets with 30-feet of right-of-way, smaller lots sizes, reduce a common area, and a 5-foot rear yard setback for Lots 59-73 for 90 single family residential lots and one commercial lot development on a property bearing a legal description of 12.537 acres of land out of a Portion of Lots 1, 2, 7, and all of Lot 8, Block 146, San Benito Land and Water Company Subdivision, located on the northwest corner of Haine Drive and FM 509. Applicant: Melden and Hunt, c/o HDP Paso Real, LLC. 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 3, 2025 – Application for an amendment to the PD site plan submitted to the City. (**ATTACHMENT I**).
- November 19, 2025 – In accordance with State and local law, notice of the required public hearing mailed to all property owners within a 200 feet radius of subject tract.
November 22, 2025 – In accordance with State and local law, notice of the required public hearings was published in the Valley Morning Star.
- December 9, 2025 - Public hearing and consideration of the requested amendment of the PD site plan by the Planning and Zoning Commission (P&Z).
- December 17, 2025 – Public hearing and consideration of requested amendment of the PD site plan via 1st ordinance reading scheduled before the City Commission.
- January 7, 2026 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Melden and Hunt on behalf of HDP Paso Real, LLC is requesting to amend the Planned Development (PD) site plan to allow for 28-foot wide private streets with 30 feet of right-of-way for 90 townhome lots and one commercial lot development. (**ATTACHMENT II**).
- The irregular shaped property is currently vacant and not subdivided. The developer is proposing to subdivide the property under the name of Villas at Paso Real Subdivision. The property has 495.05 feet of frontage on Haine Drive and 524 feet of frontage on FM 509.

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

Finance Director's approval:

☐

Yes

☐

No

☐

N/A

Staff Recommendation:

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

1. Compliance with all applicable building codes and regulations;
2. No on-street parking permitted on both sides of the interior streets; and
3. Compliance with drainage requirements and all applicable requirements from the Engineering Department.

City Manager's approval:

☒

Yes

☐

No

☐

N/A

Comments:

City Attorney's approval:

☐

Yes

☐

No

☐

N/A

- The original Planned Development (PD) ordinance for the subject property which was approved in December 2021 showed the property to be developed with multi-family lots and one commercial lot. **(ATTACHMENT III)**
- On April 16, 2025, the City Commission approved the amendment to the site plan to allow for 90 townhome lots, one commercial lot, and a lot designated for common area with 28-foot wide streets with 30 feet of right-of-way. **(ATTACHMENT IV)**
- The new proposed site plan will continue to allow for 90 townhome single family residential lots, one commercial lot and three lots designated for common area. The residential section will be a gated development with lots sizes varying from 3,091 square feet to 6,573 square feet. The maximum height of the homes will be 30 feet. All townhome lots will front 28-foot wide paved streets. The internal streets will be private with no parking permitted on both sides of the interior streets. The setbacks for the townhome lots will be 20 feet in the front, 0 feet on the sides, 10 feet on the corner sides, and 10 feet in the rear of the property, except Lots 59-73 which have a 5 ft. rear yard setback. The setbacks for the commercial lot are 20 feet on the east and south sides, and 10 feet on the north and west sides. The only change to the site plan from the previously approved site plan is the common area adjacent to the north of Lots 59-73 was removed to make the lots larger, and the rear setback was reduced to 5 feet for the said lots. **(ATTACHMENT V)**
- The surrounding properties are zoned Planned Development ("PD") District for single family residential use to the north, Office ("O") District and General Retail (GR) to the south, and Planned Development (PD) District to the west. East of FM 509 is outside the city limits. The surrounding land uses consist of single family residential use to the north, vacant land in agricultural use to the south, and vacant land in agricultural use, single family residential use, and an electrical substation to the west. East of FM 509 is outside the city limits. **(ATTACHMENT VI-VIII)**.
- The Building Inspections, Fire Prevention and Engineering Departments have reviewed the request. The Building Inspections, Fire Prevention and Engineering Departments reported no objection to the request amendment to the planned development site plan subject to complying with all applicable codes. **(ATTACHMENT IX-XI)**
- The Future Land Use Plan (FLUP) component of the City of Harlingen Comprehensive Plan One Vision One Harlingen shows this area as low density residential. The request is generally consistent with the Future Land Use Plan and consistent with the surrounding zoning and land use. **(ATTACHMENT XII)**.
- To the present, the Planning and Zoning Department has not received any opposition to the requested amendment.

Funding (if applicable):

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

Attachment I

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address _____ Nearest Intersection Farm to Market Rd 509 & Russell Ln
(Proposed) Subdivision Name Paseo Real Coves Subdivision Lot 1-8 Block 146
Existing Zoning Designation Residential Future Land Use Plan Designation Residential Townhomes

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Melden & Hunt, Inc. c/o Mario A. Reyna Phone (956) 381-0981 FAX (956) 381-1839
Email Address (for project correspondence only): mario@meldenandhunt.com
Mailing Address 115 W. McIntyre Street City Edinburg State TX Zip 78541
Property Owner HDP Paso Real LLC Phone c/o 381-0981 FAX c/o 381-1839
Email Address (for project correspondence only): c/o mario@meldenandhunt.com
Mailing Address 115 W. McIntyre Street City Edinburg State TX Zip 78541

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

- | | |
|---|---|
| ☐ Annexation Request..... <u>No Fee</u> | ☐ Preliminary Construction Plans and Final Plat..... <u>\$150.00</u> |
| ☐ Administrative Appeal (ZBA)..... <u>\$125.00</u> | ☐ Minor Plat..... <u>\$100.00</u> |
| ☐ Comp. Plan Amendment Request..... <u>\$250.00</u> | ☐ Re-Plat..... <u>\$250.00</u> |
| ☐ Re-zoning Request..... <u>\$250.00</u> | ☐ Vacating Plat..... <u>\$250.00</u> |
| ☐ SUP Request/Renewal..... <u>\$250.00</u> | ☐ Development Plat..... <u>\$50.00</u> |
| ☐ Zoning Variance Request (ZBA)..... <u>\$250.00</u> | ☐ Subdivision Variance Request..... <u>\$25.00 (each)</u> |
| ☒ PDD Request..... <u>\$250.00</u> | ☐ Right-of-Way / Utility Easement Abandonment..... <u>No Fee</u> |
| ☐ License to Encroach..... <u>\$250.00</u> | |
- Handwritten: PDD 10/3/25*

Please provide a basic description of the proposed project:

Proposing Town-homes

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

Applicant's Signature: [Signature] Date: 10-3-25

Property Owner(s) Signature: _____ Date: _____

Accepted by: _____ Date: _____

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

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

Complete

One (1) copy of a comprehensive site plan showing the proposed development of the property. The site plan shall consist of the following items, as applicable:

- o Existing/proposed building footprints and building heights (or buildable areas for single and two-family residential); and
- o Locations of proposed uses; and
- o Ingress and egress to/from property;
- o Existing/proposed streets in compliance with the City of Harlingen Long Range Thoroughfare Plan; and
- o Existing/proposed sidewalks; and
- o Existing/proposed utilities; and
- o Existing/proposed drainage; and
- o Existing/proposed parking spaces.

A written statement describing the proposed use(s) of the subject property.

Any other information (elevation drawings, pictures, etc.) in support of the subject request.

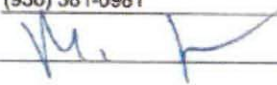
- I understand that I am requesting an amendment to the City's Zoning Ordinance and it will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
- I understand that in accordance State law and the Zoning Ordinance, no later than ten (10) days prior to consideration by the Planning and Zoning Commission:
 - o A notice will be published in the Valley Morning Star describing the request and the date, time, and location of the public hearing; and
 - o Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.
- I understand that while all requirements for the submittal of a PDD or SUP request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.
- I understand that the purpose of a PDD or SUP is to allow for development not otherwise authorized in the Zoning Ordinance. Hence, the Planning and Zoning Commission and/or City Commission may impose development standards important to the health, safety, welfare, and protection of the proposed development and the adjacent property and its occupants.

Owner: c/o Mario A. Reyna

Date 1-24-25

Owner Address: 115 W. McIntyre Street Edinburg, Texas 78541

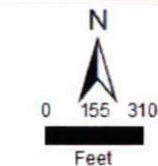
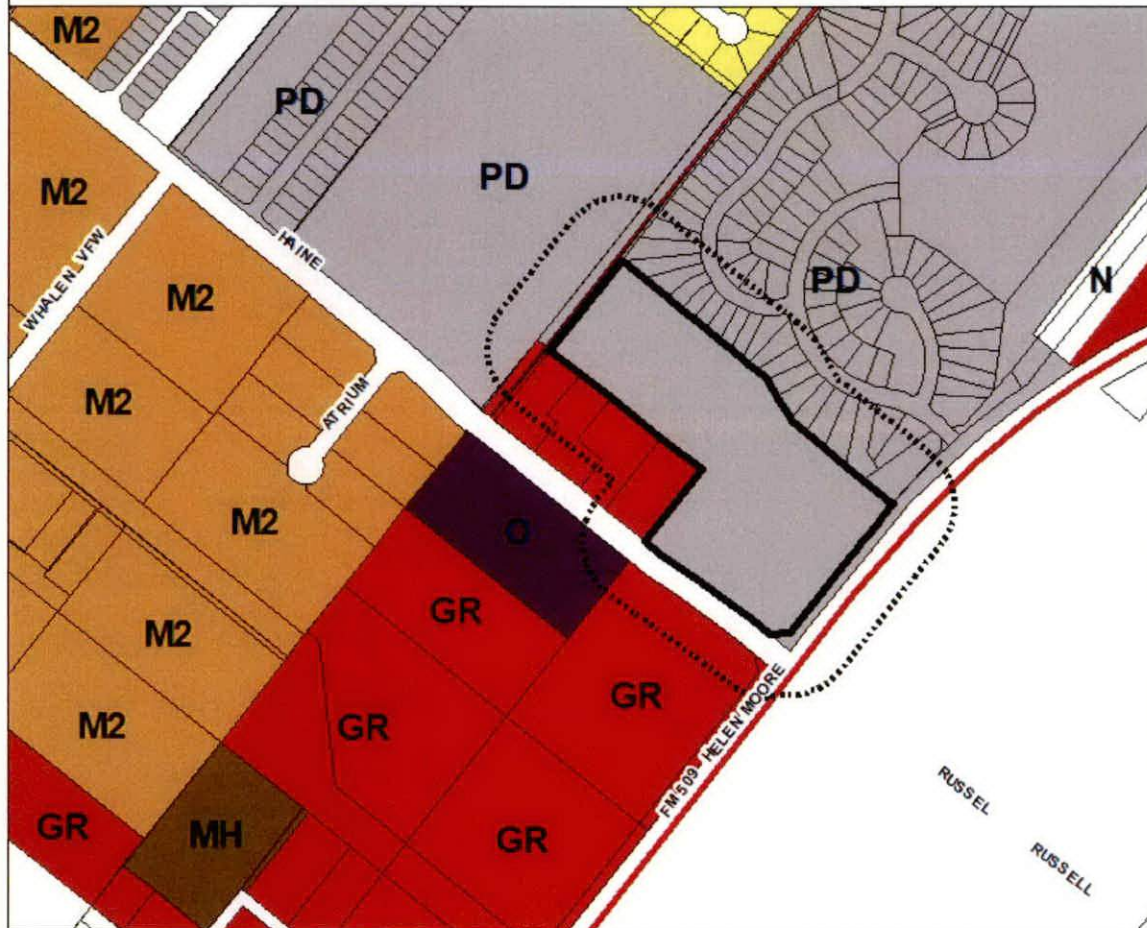
Phone/Fax: (956) 381-0981

Signature: 

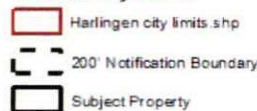
Attachment II



Request to amend the previously approved Planned-Development ("PD") District to allow for 28-foot wide streets with 30-feet of right-of-way and smaller lot sizes, and a 5-foot rear yard setback for Lots 59-73 for a 90 lot single-family and 1-lot commercial development on a property bearing a legal description of 12.537 acres of land out of a Portion of Lots 1, 2, 7, and all of Lot 8, all out of Block 146, San Benito Land and Water Company Subdivision, located on the northwest corner of Haine Road and FM 509. Applicant: Melden and Hunt c/o HDP Paso Real, LLC (Nick Rhodes)



Boundary lines



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

ORDINANCE NO. 2022-01

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN; REZONING FROM GENERAL RETAIL (GR) DISTRICT TO PLANNED DEVELOPMENT ("PD") DISTRICT FOR SINGLE FAMILY AND MULTI-FAMILY USES FOR 66.902 ACRES OUT OF LOTS 1, 2, 3, 4, 5, 6, 7, AND 8, ALL OUT OF BLOCK 146, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, LOCATED ON THE NORTHWEST CORNER OF HAINE RD & FM 509; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

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 General Retail (GR) District to Planned Development ("PD") District for Single Family and Multi-Family uses for 66.902 acres out of Lots 1,2,3,4,5,6,7,and 8, all out of Block 146, San Benito Land and Water Company Subdivision, Located on the northwest corner of Haine Rd & FM 509.

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

The rezoning is made contingent upon construction being complied in accordance with the site plan, a true and correct copy of which is attached hereto and incorporated herein by reference as Exhibit "A," and shall comply with the conditions as listed below:

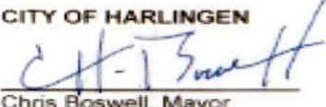
1. Compliance with the drainage requirements and all applicable requirements from the Engineering Department;
2. Compliance with the applicable requirements from the Fire Prevention Bureau; and
3. Compliance with the building code requirements.

Attachment III cont.

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.

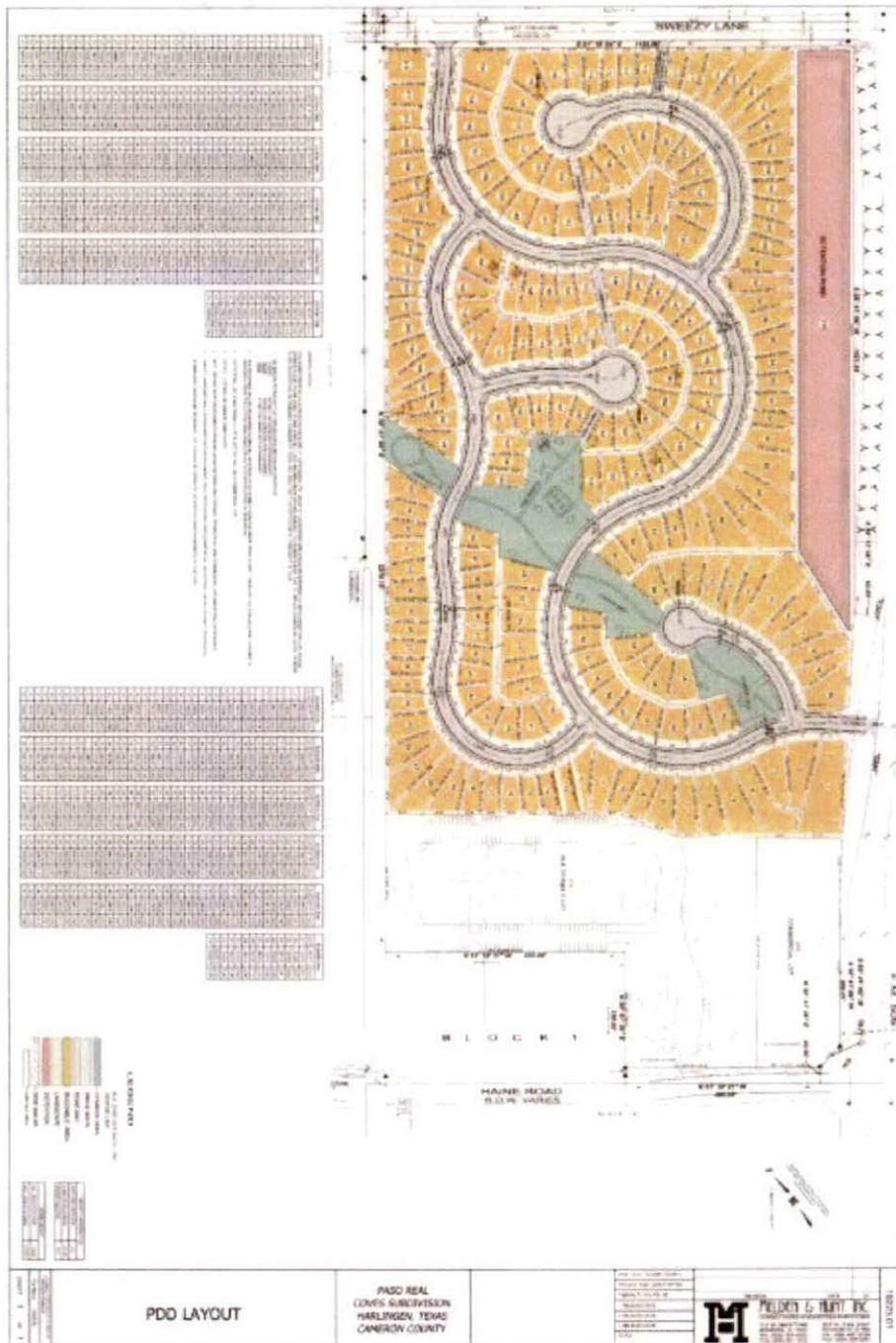
FINALLY ENACTED this 5th day of January, 2022 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN


Chris Boswell, Mayor

ATTEST:


Amanda C. Elizondo, City Secretary



Attachment IV

ORDINANCE NO. 25-20

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: AMENDING THE PLANNED DEVELOPMENT ("PD") SITE PLAN TO ALLOW FOR 28-FOOT WIDE STREETS WITH 30-FEET OF RIGHT-OF-WAY FOR 90 TOWNHOME LOTS AND ONE COMMERCIAL LOT DEVELOPMENT ON A PROPERTY BEARING A LEGAL DESCRIPTION OF 12.537 ACRES OF LAND OUT OF A PORTION OF LOTS 1, 2, 7, AND ALL OF LOT 8, BLOCK 146, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, LOCATED ON THE NORTHWEST CORNER OF HAINE DRIVE AND FM 509; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

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) and Ordinance 2022-01 establishing the original planned development site plan, be and the same is herewith amended by the following described property being changed for permissive zone use as indicated:

Amending the Planned Development ("PD") site plan to allow for 28-foot wide streets with 30-feet of right-of-way for 90 townhome lots and one commercial lot development on a property bearing a legal description of 12.537 acres of land out of a Portion of Lots 1,2,7, and all of Lot 8, Block 145, San Benito Land and Water Company Subdivision, located on the Norwest corner of Haine Drive and FM 509, as shown on Exhibit "A".

The provisions prohibiting the violation of the Code of Ordinances shall continue in full force and effect and apply to this ordinance.

The provisions amendment is made contingent upon construction being complied in accordance with the site plan, a true and correct copy of which is attached hereto and incorporated herein by reference as Exhibit "A" and shall comply with the conditions as listed below:

1. Compliance with all applicable building codes and regulations.
2. No on-street parking permitted on both sides of the interior streets; and
3. Compliance with drainage requirements and all applicable requirements from the Engineering Department.

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 16th day of April, 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.

Attachment IV cont.

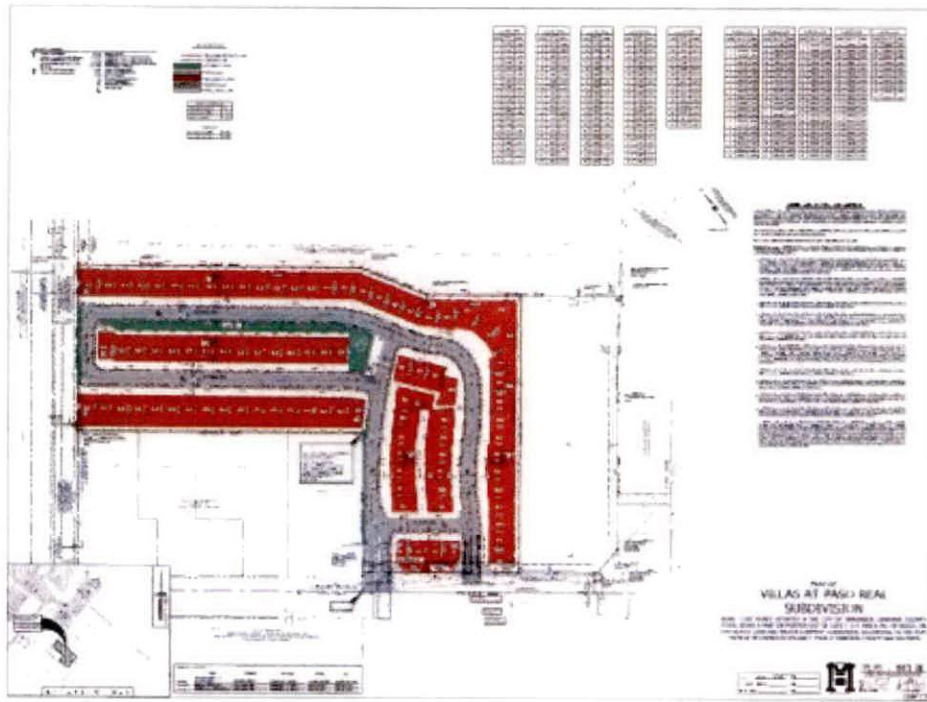
CITY OF HARLINGEN


Norma Sepulveda, Mayor

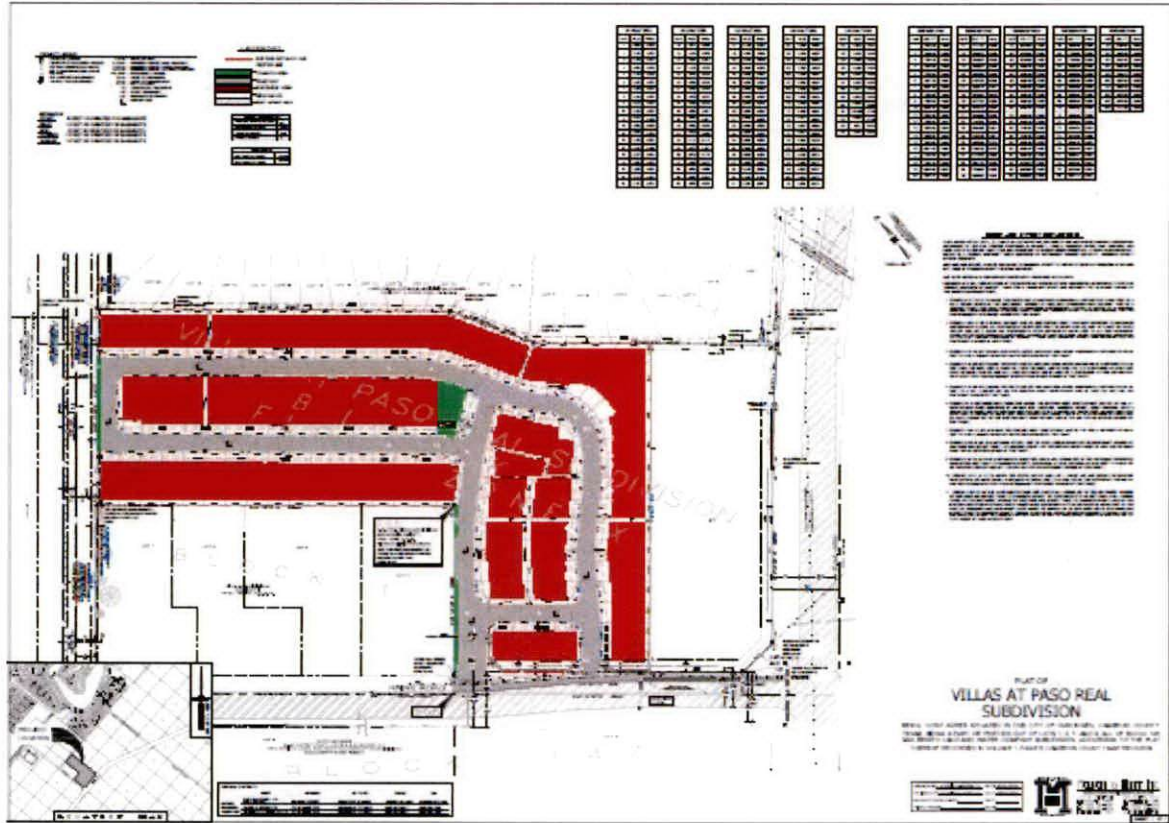
ATTEST:


Hermelinda Gonzales, Interim City Secretary

EXHIBIT "A"



Attachment V



Attachment VI

View from the South on Haine Drive

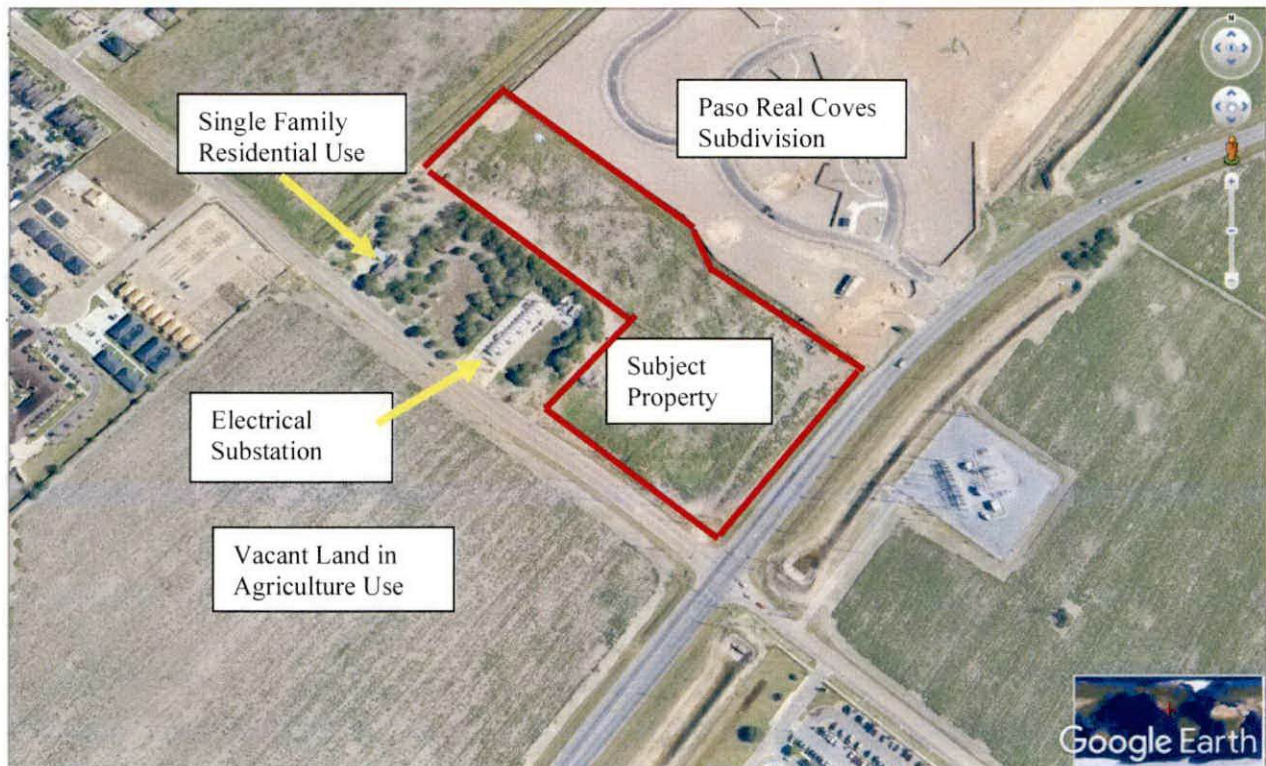


Attachment VII

View from the East on FM 509



Attachment VIII





Planned Development (PD) Request Routing Slip

Applicant: Melden and Hunt, c/o HDP Paso Real, LLC

Phone No.: (956)381-0981

Location: Northwest corner of Haine Road and FM 509.

Project Description: Request to amend the Planned Development ("PD") District site plan to allow for 28 ft wide street with 30 ft of right-of-way with smaller lot sizes and allow a 5 ft. rear setback for Lots 59-73 for a 90-lot single-family residential and 1 commercial lot development.

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 or the 2024 International Building Code and Family of Codes.

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

Raul Rodriguez

Signature

10/20/2025

Date



Planned Development (PD) Request Routing Slip

Applicant: Melden & Hunt, c/o HDP Paso Real, LLC – 2nd Submittal

Phone No.: (956) 381-0981

Location: Northwest corner of Haine Drive and FM 509.

Project Description: Request to amend the Planned Development ("PD") District site plan to allow for 28 ft wide street with 30 ft of right-of-way with smaller lot sizes and allow a 5 ft. rear setback for Lots 59-73 for a 90-lot single-family and 1 commercial lot development.

Department: Fire Prevention Bureau

Approval: X YES NO

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

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr.

Date: October 16, 2025



Planned Development (PD) Request Routing Slip

Applicant: Melden and Hunt, c/o HDP Paso Real, LLC

Phone No.: (956)381-0981

Location: Northwest corner of Haine Road and FM 509.

Project Description: Request to amend the Planned Development ("PD") District site plan to allow for 28 ft wide street with 30 ft of right-of-way with smaller lot sizes and allow a 5 ft. rear setback for Lots 59-73 for a 90-lot single-family residential and 1 commercial lot development.

Department:

Approval: X YES NO

Comments: PRIVATE SUBDIVISION. ALL INSTALLATION OF
PUBLIC INFRASTRUCTURE MUST BE INSTALLED AS PER CITY OF
HARLINGEN CONSTRUCTION STANDARDS.

Roberto Hernandez

Signature

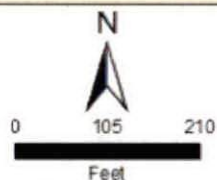
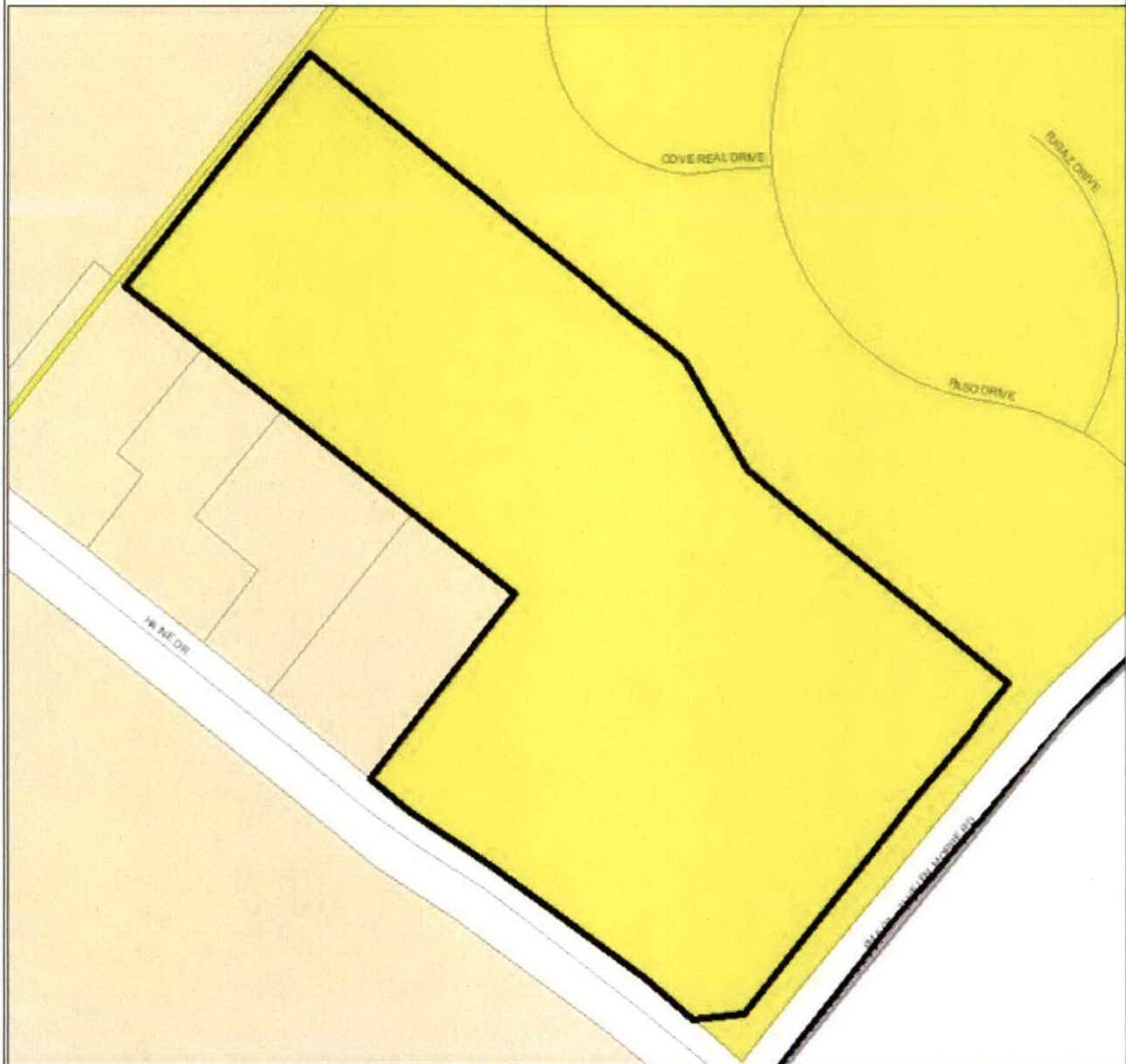
11-24-2025

Date

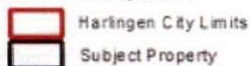


Future Land Use Map

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



Boundary Lines



Future Land Use

Agricultural/Rural Residential	Institutional	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. DATE OF MAP 03.21.2025

ORDINANCE NO. 26_____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: AMENDING THE PLANNED DEVELOPMENT ("PD") SITE PLAN TO ALLOW FOR 28-FOOT WIDE STREETS WITH 30-FEET OF RIGHT-OF-WAY AND SMALLER LOT SIZES, REDUCE A COMMON AREA, AND A 5-FOOT REAR YARD SETBACK FOR LOTS 59-73 FOR A 90 LOT SINGLE FAMILY RESIDENTIAL AND ONE COMMERCIAL LOT DEVELOPMENT ON A PROPERTY BEARING A LEGAL DESCRIPTION OF 12.537 ACRES OF LAND OUT OF A PORTION OF LOTS 1, 2, 7, AND ALL OF LOT 8, BLOCK 146, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, LOCATED ON THE NORTHWEST CORNER OF HAINE DRIVE AND FM 509; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

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) and Ordinance 2022-01 establishing the original planned development site plan, and Ordinance 25-20, be and the same is herewith amended by the following described property being changed for permissive zone use as indicated:

Amending the Planned Development ("PD") site plan to allow for 28-foot wide streets with 30-feet of right-of-way, smaller lot sizes, reduce a common area, and a 5-foot rear yard setback for a 90-lot single family residential and one commercial lot development on a property bearing a legal description of 12.537 acres of land out of a Portion of Lots 1,2,7, and all of Lot 8, Block 145, San Benito Land and Water Company Subdivision, located on the Norwest corner of Haine Drive and FM 509, as shown on Exhibit "A".

The provisions prohibiting the violation of the Code of Ordinances shall continue in full force and effect and apply to this ordinance.

The provisions amendment is made contingent upon construction being complied in accordance with the site plan, a true and correct copy of which is attached hereto and incorporated herein by reference as Exhibit "A" and shall comply with the conditions as listed below:

1. Compliance with all applicable building codes and regulations;
2. No on-street parking permitted on both sides of the interior streets; and
3. Compliance with drainage requirements and all applicable requirements from the Engineering Department.

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 _____, 2026 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.

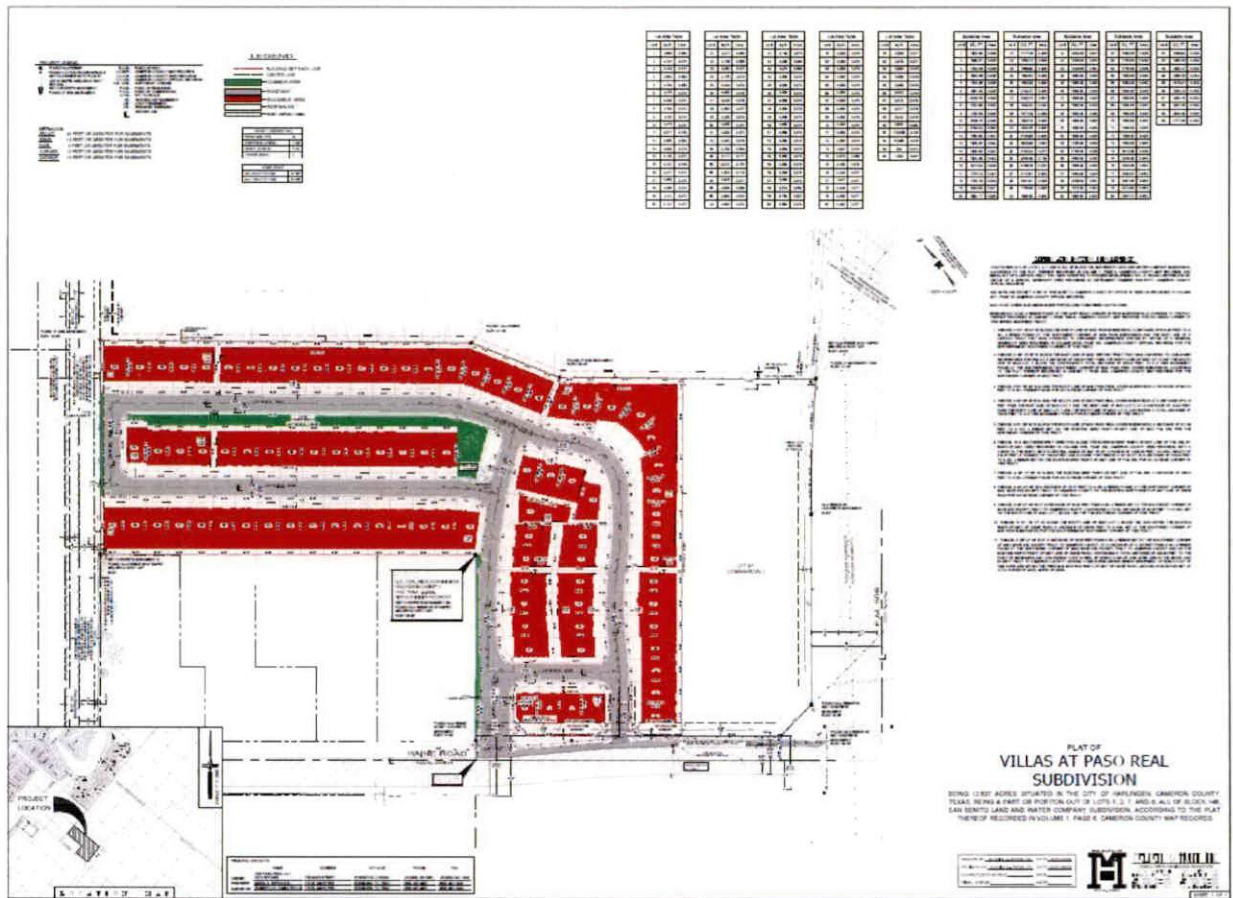
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

EXHIBIT "A"



**AGENDA ITEM
EXECUTIVE SUMMARY**



Meeting Date: **January 7, 2026**

Agenda Item:

Consideration and possible action to approve an ordinance on second and final reading for a rezoning request from Residential, Single Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 1301 S. 1st Street, bearing a legal description of Lot 1, Block 4, Finwood Heights Subdivision. Applicant: Rene Ramirez c/o Brownstar Holdings, 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

- October 31, 2025 – Application for rezoning submitted (**ATTACHMENT I**).
- November 19, 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 22, 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
- December 9, 2025 – Public hearing and consideration of requested rezoning by the Planning and Zoning Commission (P&Z).
- December 17, 2025 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- January 7, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Mr. Rene Ramirez, the applicant, is requesting to rezone the subject property on behalf of the property owner, from Residential, Single Family ("R-1") District to Residential, Duplex ("R-2") District to allow for a duplex development on the subject property.
- The subject property is currently vacant. It has approximately 70.00 feet of frontage along South First Street and 140.00 feet of frontage along Cleveland Avenue. (**ATTACHMENT II-V**).
- The surrounding properties are zoned Residential, Single Family to the north, south, east, and west, and Neighborhood Services to the northwest. (**ATTACHMENT II**). Surrounding land use consists of single-family homes to the south, east, and west, and The Camp Church to the west. To the west of the church there is a duplex. (**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 consistent with the Future Land Use Plan, and generally consistent with the surrounding land use. (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 fifteen notices to surrounding property owners.

Funding (if applicable):

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

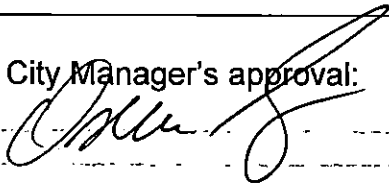
*If no, specify source of funding and amount requested:

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 ZONING DIVISION MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1301 s. 1st Nearest Intersection East Cleveland Ave.
(Proposed) Subdivision Name Finwood Heights Subdivision Lot 1 Block 4
Existing Zoning Designation R1 Future Land Use Plan Designation R2

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Rene Ramirez Phone 956-592-1594 FAX _____
Email Address (for project correspondence only): rrr9282@gmail.com
Mailing Address 6491 Paredes line City Brownsville State TX Zip 78526
Property Owner Brownstar Holdings, LL Phone 956-543-1529 FAX _____
Email Address (for project correspondence only): manuelmontemayor@yahoo.com
Mailing Address 6491 Paredes line City brownsville State Tx Zip 78526

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

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

Please provide a basic description of the proposed project: Rezone property from residential, single to residential duplex. The lot is vacant.

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

Applicant's Signature: [Signature] Date: 10/31/25

Property Owner(s) Signature: [Signature] Date: 10/31/25

Accepted by: _____ Date: _____

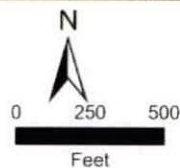
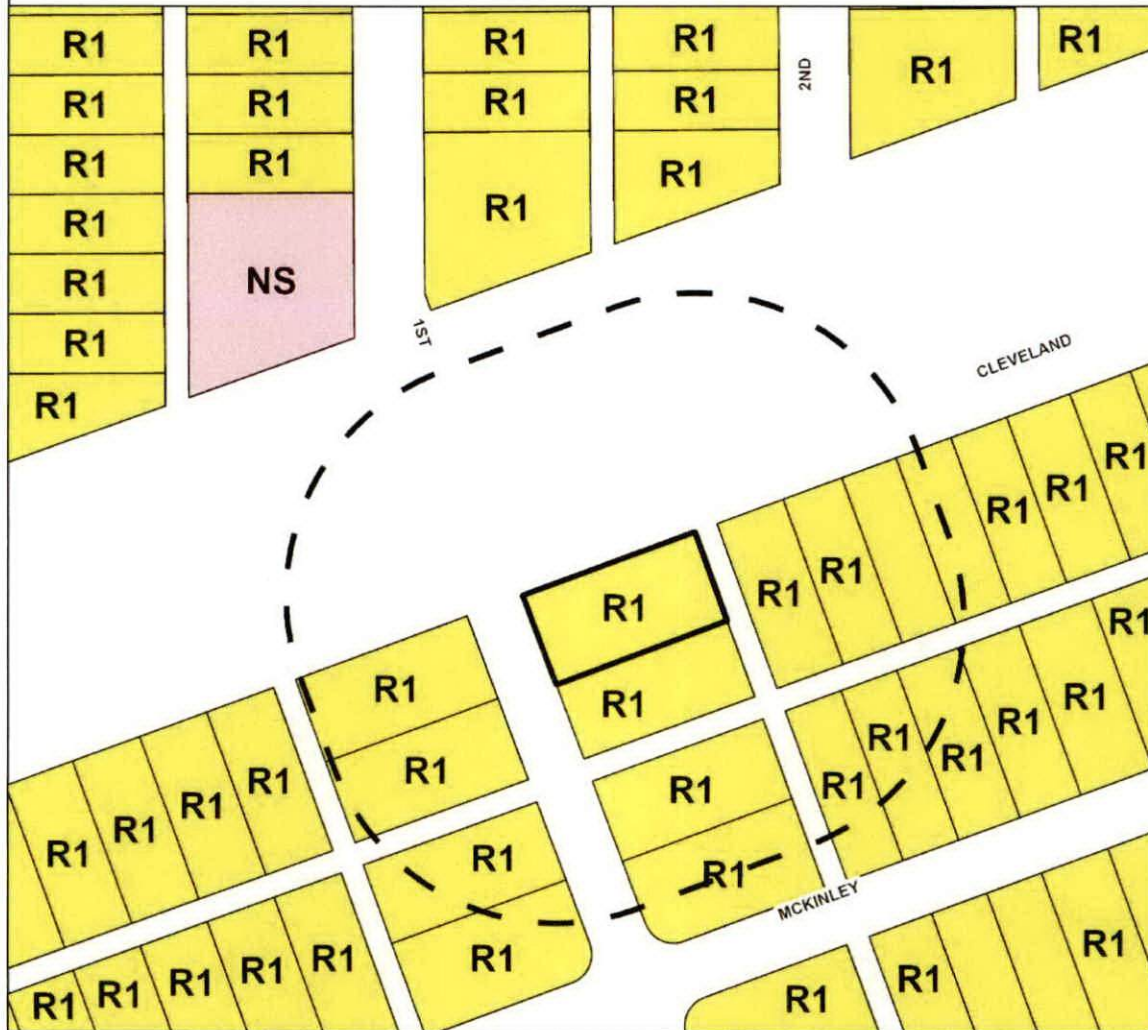
Revised 09/13/2024



Attachment II—Legal Notice



Request to rezone from Residential, Single Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 1301 S. 1st Street, bearing a legal description of Lot 1, Block 4, Finwood Heights Subdivision. Applicant: Rene Ramirez c/o Brownstar Holdings, LLC



Boundary lines

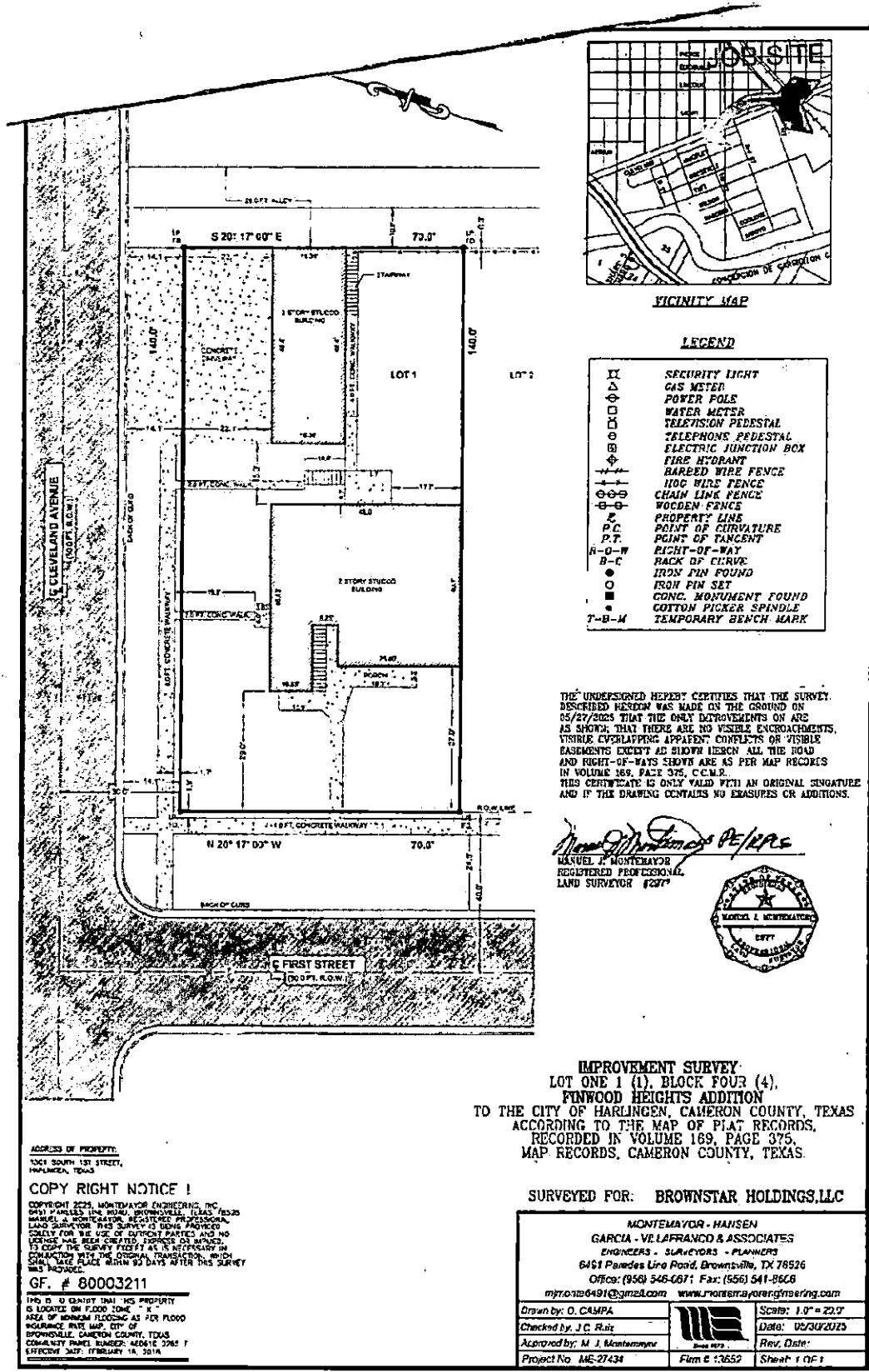
- Harlingen city limits.shp
- 200' Notification Boundary
- Subject Property

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 11.04.2025

Attachment III—Survey



VICINITY MAP

LEGEND

II	SECURITY LIGHT
△	GAS METER
○	POWER POLE
□	WATER METER
○	TELEVISION PEDESTAL
○	TELEPHONE PEDESTAL
○	ELECTRIC JUNCTION BOX
○	FIRE HYDRANT
+	BARBED WIRE FENCE
+	HDC WIRE FENCE
+	CHAIN LINK FENCE
+	WOODEN FENCE
—	PROPERTY LINE
P.C.	POINT OF CURVATURE
P.T.	POINT OF TANGENT
R-O-W	RIGHT-OF-WAY
B-C	BACK OF CURVE
●	IRON PIN FOUND
○	IRON PIN SET
■	CONC. MONUMENT FOUND
■	COTTON PICKER SPINDLE
T-B-M	TEMPORARY BENCH MARK

THE UNDERSIGNED HEREBY CERTIFIES THAT THE SURVEY DESCRIBED HEREON WAS MADE ON THE GROUND ON 05/27/2023 THAT THE ONLY IMPROVEMENTS ON ARE AS SHOWN; THAT THERE ARE NO VISIBLE ENCROACHMENTS, VISIBLE OVERLAPPING APPARENT CONFLICTS OR VISIBLE EASEMENTS EXCEPT AS SHOWN HEREON ALL THE ROAD AND RIGHT-OF-WAYS SHOWN ARE AS PER MAP RECORDS IN VOLUME 169, PAGE 375, C.C.M.R. THIS CERTIFICATE IS ONLY VALID WITH AN ORIGINAL SIGNATURE AND IF THE DRAWING CONTAINS NO MEASURES OR ADDITIONS.

Manuel J. Montemayor
MANUEL J. MONTEMAYOR
REGISTERED PROFESSIONAL
LAND SURVEYOR 12377



IMPROVEMENT SURVEY
LOT ONE 1 (1), BLOCK FOUR (4),
PINWOOD HEIGHTS ADDITION
TO THE CITY OF HARLINGEN, CAMERON COUNTY, TEXAS
ACCORDING TO THE MAP OF PLAT RECORDS,
RECORDED IN VOLUME 169, PAGE 375,
MAP RECORDS, CAMERON COUNTY, TEXAS.

SURVEYED FOR: BROWNSTAR HOLDINGS, LLC

ADDRESS OF PROPERTY:
1301 SOUTH 1ST STREET,
HARLINGEN, TEXAS

COPY RIGHT NOTICE !

COPYRIGHT 2023, MONTEMAYOR ENGINEERING, INC.
0301 PARALLEL LINE ROAD, BROWNSVILLE, TEXAS 77802
MANUEL J. MONTEMAYOR, REGISTERED PROFESSIONAL
LAND SURVEYOR THIS SURVEY IS BEING PROVIDED
SOLELY FOR THE USE OF CUSTOMER PARTIES AND NO
LICENSE HAS BEEN GRANTED, EXPRESS OR IMPLIED,
TO COPY THE SURVEY WITHOUT THE NECESSARY IN
CONNECTION WITH THE ORIGINAL TRANSACTION, WHICH
SHALL TAKE PLACE WITHIN 90 DAYS AFTER THIS SURVEY
WAS PROVIDED.

GF. # 80003211

THE CITY OF HARLINGEN, TEXAS, PROPERTY
IS LOCATED ON FLOOD ZONE
AREA OF BROWNSVILLE FLOODING AS PER FLOOD
INSURANCE RATE MAP, CITY OF
BROWNSVILLE, CAMERON COUNTY, TEXAS
COMMUNITY PANEL NUMBER: 46041E 2265 F
EFFECTIVE DATE: FEBRUARY 14, 2014

MONTEMAYOR - HANSEN GARCIA - VELAZQUEZ & ASSOCIATES ENGINEERS - SURVEYORS - PLANNERS 6451 Pinedas Line Road, Brownsville, TX 78526 Office: (956) 546-6871; Fax: (566) 541-8668 mjh.01206491@gmail.com www.monemayor-engineering.com	
Drawn by: O. CAMPA	Scale: 1" = 20.0'
Checked by: J.C. Ruiz	Date: 05/30/2023
Approved by: M. J. Montemayor	Rev. Date:
Project No. ME-27434	Firm # 13652 Sheet 1 of 1

Attachment IV

View from South 1st Street



Attachment IV

View from Cleveland Avenue



Attachment V-Aerial

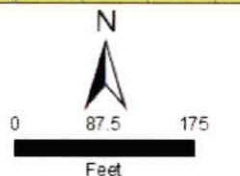
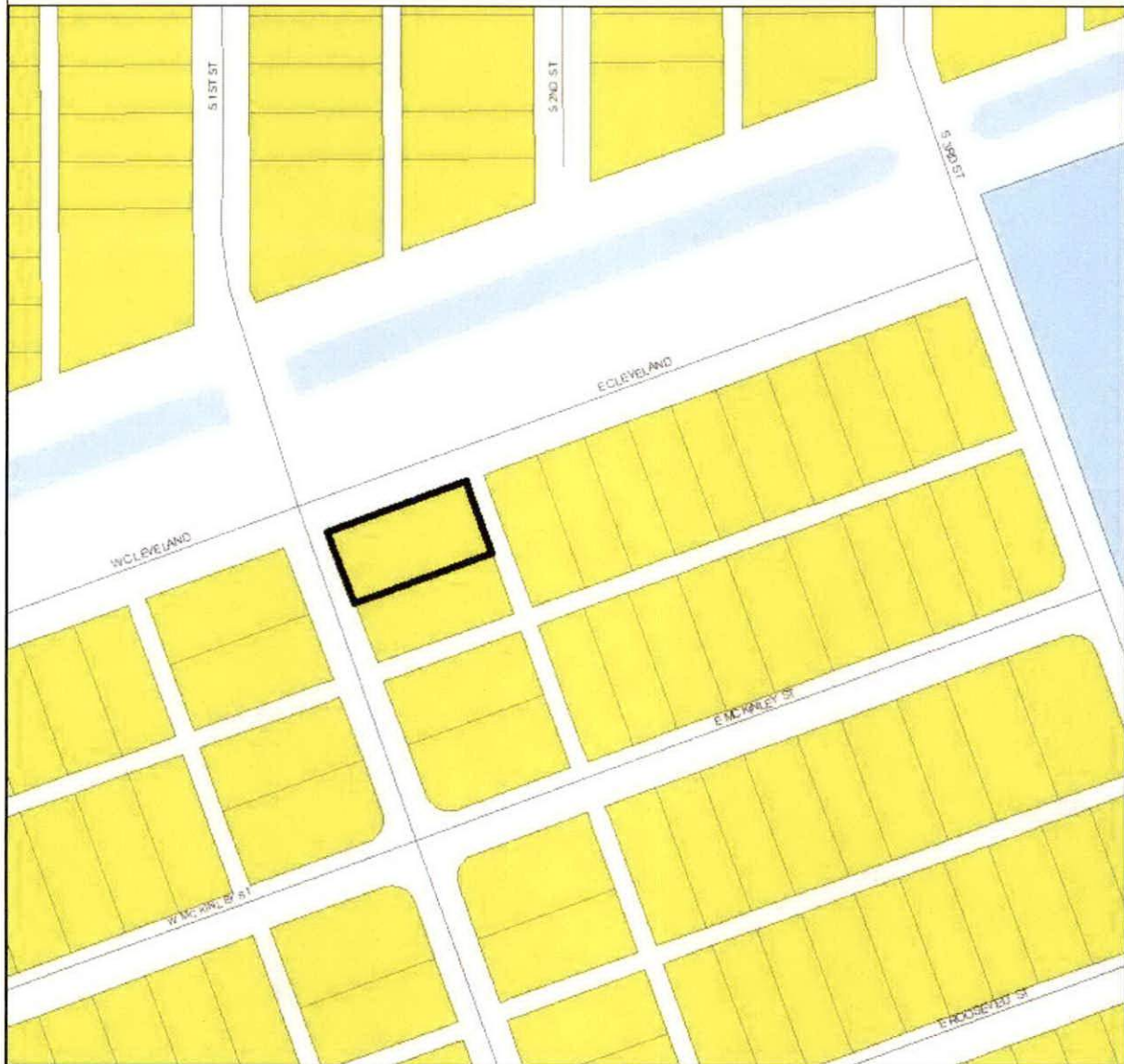


Attachment VI—Future Land Use Map

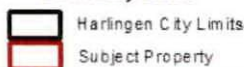


Future Land Use Map

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



Boundary Lines



Future Land Use

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

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

ORDINANCE NO. 26-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM RESIDENTIAL, SINGLE-FAMILY ("R-1") DISTRICT TO RESIDENTIAL, DUPLEX ("R-2") DISTRICT FOR A PROPERTY LCOATED AT 1301 S. 1ST STREET, BEARING A LEGAL DESCRIPTION OF LOT 1, BLOCK 4, FINWOOD HEIGHTS 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 Residential, Single Family ("R-1") District to Residential, Duplex ("R-2") District, for a property located at 1301 S. 1st Street, bearing a legal description of Lot 1, Block 4, Finwood Heights Subdivision, 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 _____, 2026 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.

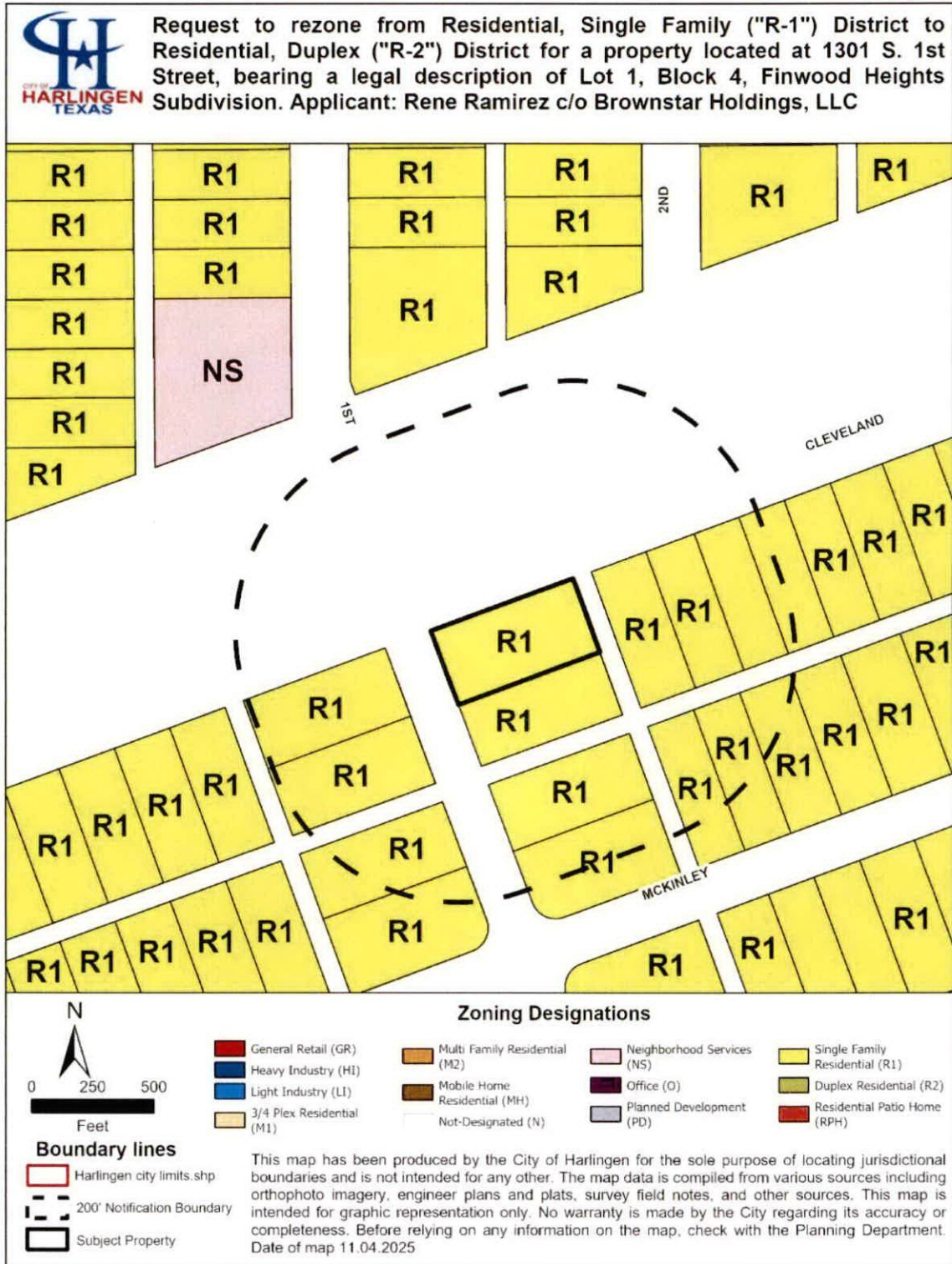
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

EXHIBIT "A"



**AGENDA ITEM
EXECUTIVE SUMMARY**

7(d)

Meeting Date: **January 7, 2026**

Agenda Item:

Consideration and possible action to approve an ordinance on second and final reading, amending Chapter 111- Zoning by adding the new Article XXII – Historic Preservation and dealing with related matters. Applicant: City of Harlingen. Attachment (**Planning & Development**)

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

Signature: *Ana Hernandez*

Brief Summary:

The proposed Historic Preservation Ordinance establishes Harlingen's first comprehensive program for identifying and protecting historic resources. Harlingen is one of the few Texas cities of its size without a preservation framework; this ordinance creates a clear, legally compliant process aligned with Texas Local Government Code Chapter 211.

The ordinance creates a Historic Preservation Council (HPC) and a Historic Preservation Officer (HPO) to administer the program, review projects, and maintain compliance with state and federal preservation requirements, opening eligibility for grants, incentives, and Certified Local Government (CLG) status.

The ordinance sets clear criteria and procedures for designating local historic landmarks and historic districts, including public notice, hearings, owner-consent rules, and final approval by the City Commission. Once designated, properties are assigned a Historic Overlay (H-Overlay) zoning district. The overlay preserves existing land-use rights but adds design protections tailored to the historic character of each property or district.

A Certificate of Appropriateness (COA) is required for demolition, new construction, exterior alterations, or relocation within the H-Overlay. Minor work may be approved administratively by the HPO, while major work is reviewed by the HPC.

A City Commission workshop has been scheduled for December 17 to review and discuss this ordinance in detail. The Planning & Zoning Commission's recommendation is essential, as it forms the statutory basis for City Commission consideration under Chapter 211.

Funding (if applicable):

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

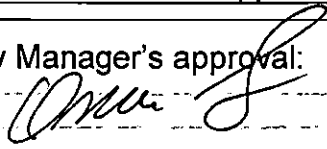
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

Staff recommends approval of this ordinance.

City Manager's approval:

☒

Yes

☐

No

☐

N/A

Comments:

City Attorney's approval:

☐

Yes

☐

No

☐

N/A

ORDINANCE NO. 2025 - ____ (Draft)

AN ORDINANCE OF THE CITY OF HARLINGEN, TEXAS, AMENDING CHAPTER 111 ZONING

WHEREAS, CH. 211 TEXAS LOCAL GOVERNMENT CODE, the Municipal Zoning Authority, specifically authorizes zoning functions and procedures for municipalities; and

WHEREAS, CH. 211 TEXAS LOCAL GOVERNMENT CODE, Section 211.005(a) authorizes the governing body of a municipality to divide the municipality into districts, within which the governing body may regulate the erection, construction, reconstruction, alteration, repair, or use of buildings, other structures, or land and within which zoning regulations must be uniform for each class or kind of building in a district; however, zoning regulations may vary from district to district.

WHEREAS, CH. 211 TEXAS LOCAL GOVERNMENT CODE, Section 211.005(b) provides that in the case of designated places and areas of historical, cultural, or architectural importance and significance, the governing body of a municipality may regulate the construction, reconstruction, alteration, or razing of buildings and other structures,

WHEREAS, CH. 214 TEXAS LOCAL GOVERNMENT CODE, Section 214.00111 provides additional authority to preserve substandard buildings as historic property, which applies only to a municipality that is designated as a Certified Local Government by the State Historic Preservation Office as provided by 16 U.S.C.A. Section 470, et seq.,

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

SECTION I. Chapter 111, Zoning, is hereby amended by adding the new Article XXII, Historic Preservation.

CHAPTER 111 – ZONING

ARTICLE XXII. – HISTORIC PRESERVATION

DIVISION I. GENERAL PROVISIONS

Sec. 111-700. – Purpose.

Pursuant to the authority granted under Texas Local Government Code Chapter 211, the City Commission of Harlingen finds that the protection, preservation, and enhancement of historic landmarks and historic districts are matters of public necessity and serve an important public purpose. Harlingen's historic resources embody the distinctive patterns, architecture, culture, and craftsmanship that reflect the city's development and contribute to its identity, economic vitality, and quality of life.

It is therefore the policy of the City of Harlingen to identify, designate, and preserve historic resources, and to ensure their appropriate treatment in accordance with nationally accepted preservation standards, including the Secretary of the Interior's Standards for the Treatment of Historic Properties.

This Article is intended to:

- (a) Protect and preserve historic landmarks and districts that reflect Harlingen's architectural, archeological, cultural, and historic heritage;
- (b) Promote civic pride and strengthen community identity through the recognition of historic places;
- (c) Promote heritage-based economic development through the continued use, rehabilitation, and adaptive reuse of historic resources;
- (d) Support tourism and education by increasing public awareness of Harlingen's historic places and their significance;
- (e) Guide harmonious and compatible development that respects the character of historic areas;
- (f) Promote the most appropriate and economically beneficial use of historic properties;
- (g) Encourage investment in the stabilization, maintenance, and rehabilitation of historic properties through available incentives and technical assistance; and,
- (h) Integrate historic preservation into the City's comprehensive planning, land-use, and community development policies.

Sec. 111-701. – Authority.

This Article is adopted pursuant to the powers granted to the City of Harlingen as follows:

- (a) Texas Constitution, Article XI, Section 5, granting home-rule authority to adopt ordinances for the protection of public health, safety, and welfare, provided they are not inconsistent with state law.
- (b) The City of Harlingen Home-Rule Charter, authorizing the City to enact regulations necessary to preserve and protect the community's historic, cultural, architectural, and archaeological resources.
- (c) Texas Local Government Code Chapter 211 (Municipal Zoning Authority), including:
 - (1) §211.003(b), authorizing regulation of the construction, alteration, and demolition of buildings in areas of historical, cultural, or architectural significance;
 - (2) §211.004, authorizing zoning regulations to promote public health, safety, morals, and general welfare and to conserve the value of buildings;
 - (3) §§211.006, 211.007, prescribing notice and public hearing requirements for zoning actions;
 - (4) §211.012, authorizing enforcement and penalties; and
 - (5) §211.0165, establishing the requirements for the designation of local historic landmarks and local historic districts.
- (d) Texas Local Government Code Chapter 214 (Municipal Regulation of Structures), including:
 - (1) §214.001 – authorizing regulation of substandard or dangerous structures;
 - (2) §214.00111 – authorizing the preservation of substandard historic buildings and enforcement of minimum maintenance standards.
- (e) Texas Government Code Chapter 3000, including:
 - (1) §3000.002, limiting municipal authority over building materials and methods, while recognizing statutory exceptions applicable to designated historic properties, historic districts, and historic landmarks.

Sec. 111-702. – Applicability.

This Article applies to historic resources under the jurisdiction of the City of Harlingen as authorized by state law, including:

- (a) Properties designated by the City Commission as local historic landmarks or included within a local historic district pursuant to this Article;
- (b) Properties listed on the National Register of Historic Places, designated as Recorded Texas Historic Landmarks, or designated as State Archeological Landmarks, which are expressly

recognized under Texas Government Code §3000.002(c) as exempt from state building-material preemption;

- (c) Properties designated as local historic landmarks or included within a local historic district prior to April 1, 2019, for which municipal regulation of building materials is preserved under Texas Government Code §3000.002(c)(2);
- (d) Properties designated on or after April 1, 2019, for which the property owner has provided voluntary written consent to building-material regulation pursuant to Texas Government Code §3000.002(d);
- (e) Any property for which regulation of building materials or treatments is expressly permitted under Texas Government Code §3000.002(c), including regulation necessary to maintain the historic character of a structure or district.

Nothing in this Article shall be construed to prohibit or restrict the use of a building product or material otherwise authorized by a national model building code, except where expressly permitted by Texas Government Code §3000.002(c) or (d).

Sec. 111-703. – Relationship to Other Regulations.

This Article supplements the City's zoning, building, and property maintenance regulations. In the event of a conflict, the more restrictive provision shall apply unless preempted by state or federal law, including Texas Government Code Chapter 3000 and Texas Local Government Code §211.0165. Nothing in this Article shall be construed to limit requirements imposed by state or federal historic preservation laws.

Sec. 111-704. -Definitions.

- (a) Certificate of Appropriateness (COA) means a written approval issued by the Historic Preservation Council and/or Historic Preservation Officer authorizing work on a historic resource as required by this Article.
- (b) Contributing resource means a building, structure, site, or object within a historic district that are at least fifty (50) years old, were substantially constructed within the district's period of significance, and retain a recognizable degree of integrity.
- (c) Demolition by neglect means allowing a building or structure, whether intentional or unintentional, to fall into such a state of disrepair that it becomes necessary or desirable to demolish it.
- (d) Historic district means an area which includes a grouping of two (2) or more historic properties, together with their accessory buildings, fences, and other appurtenances that are of historical, cultural, archaeological, or architectural importance, and that has received designation from the City of Harlingen as a unified district. A historic district may have contributing, compatible, and non-contributing structures within its boundaries. A historic district is a local historic district under the Texas Local Government Code, Sec. 211.0165, as amended.
- (e) Historic landmark means a building, structure, object, site, or landmark, together with its accessory buildings, fences, and other appurtenances, of historical, cultural, archaeological, or architectural importance that has received designation from the City of Harlingen on its own and not as part of a historic district. It may or may not also be located within a historic district as part of a separate designation. A historic landmark is a local historic landmark under Texas Local Government Code, Sec. 211.0165, as amended.
- (f) Historic preservation means the identification, evaluation, recordation, documentation, protection, management, repairs, rehabilitation, restoration, stabilization, maintenance, and reconstruction of historic structures or property, or any one or more of the foregoing activities.

- (g) Historic Preservation Officer (HPO) means a designated city official, preferably meeting the Secretary of the Interior's Professional Qualification Standards, entrusted to administer this ordinance and oversee the City of Harlingen's preservation efforts.
- (h) Historic resource means a building, structure, object, or site that is 50 years old or has historical, cultural, archaeological, or architectural significance, either as an individual property or as part of a larger district.
- (i) Historic Resources Survey means a comprehensive survey involving the identification, research, and documentation of buildings, sites, and structures of any historic, cultural, archaeological, or architectural importance.
- (j) Integrity means the authenticity of a property's historic identity, evidenced by survival of physical characteristics that existed during the property's historic or prehistoric period.
- (k) Mothballing means the process of closing up a building temporarily to protect it from the weather and the elements, as well as to secure it from vandalism, in order to prevent long-term deterioration while the building is unoccupied.
- (l) National Register of Historic Places or National Register means the nation's official list of buildings, districts, and sites, including structures and objects, significant in American history and culture, architecture, archeology, and engineering, maintained by the National Park Service and administered on a state-wide basis by the Texas Historical Commission.
- (m) Non-contributing means a building, site, structure, or object within a historic district that was substantially constructed after the district's period of significance and is not an integral part of the historic, archaeological and architectural fabric of the district or the city, or was substantially constructed within the district's period of significance but does not retain a significant portion of its architectural or design integrity.
- (n) Recorded Texas Historic Landmark (RTHL) means a state designation for buildings important for their architectural and historical associations, which have retained a high degree of their original historic fabric, are at least fifty (50) years of age, and retain their original exterior appearance.
- (o) Secretary of the Interior's Standards for the Treatment of Historic Properties, or Secretary's Standards, means the standard established by the Secretary of the Interior for advising federal agencies on the preservation and rehabilitation of historic properties listed or eligible for listing on the National Register of Historic Places.
- (p) State Historic Preservation Office (SHPO) refers to the government agency responsible for administering each state's preservation laws as outlined in the National Historic Preservation Act. The SHPO for the state of Texas is the Texas Historical Commission.
- (q) State Antiquities Landmark (SAL) means a site of archeological or cultural value designated by the Texas Historical Commission, which receives legal protection under the Antiquities Code of Texas. For a building to be designated as a state archeological landmark, it must first be listed on the National Register of Historic Places.

Sec. 111-705 through 111-800. (Reserved).

DIVISION II. HISTORIC PRESERVATION ADMINISTRATION

Sec. 111-801. –Historic Preservation Council (HPC).

(a) Purpose.

- (1) The Harlingen Historic Preservation Council ("HPC") is hereby established as the official body for carrying out the purposes of this Article and exercises all duties delegated under the Texas Local Government Code Chapter 211 and this Article.

(b) Membership.

- (1) The HPC shall consist of six (6) members, each appointed by a member of the Harlingen City Commission.
- (2) All members shall be residents of the City of Harlingen.

- (3) To the extent practicable, the City Commission shall appoint members with a demonstrated interest, competence, or knowledge in historic preservation, drawn from the following categories:
 - i. Architect, planner, or representative of a design profession
 - ii. A degreed historian or educator from a related discipline;
 - iii. Licensed real-estate broker;
 - iv. Archeologist, folklorist, or cultural anthropologist;
 - v. Owner of a designated historic landmark or historic property within a designated historic district; or
 - vi. Museum professional or preservation-related professional.
- (c) Terms and Vacancies.
 - (1) Members shall serve two-year terms ending on December 31. Initial appointments shall be staggered, with three (3) members serving three-year terms and the remainder serving two-year terms. Members serve until a successor is appointed and qualified and may be reappointed to unlimited consecutive terms.
 - (2) Vacancies shall be filled by the City Commission for the remainder of the unexpired term.
- (d) Officers.
 - (1) The HPC shall elect a Chair and Vice-Chair annually from among its members at the first regular meeting of the calendar year. No member may serve in the same office for more than two (2) consecutive terms.
 - (2) The Historic Preservation Officer shall serve as staff liaison and secretary to the HPC but shall not be a voting member.
- (e) Resignation.
 - (1) Resignations shall be submitted in writing to the Historic Preservation Officer.
- (f) Attendance.
 - (1) Any voting member who fails to attend three (3) meetings without good cause shall be deemed to have resigned.
- (g) Compensation.
 - (1) All HPC members shall serve without compensation for their service.
- (h) Quorum & Voting.
 - (1) A quorum consists of a simple majority of appointed members.
 - (2) The affirmative vote of a majority of members present shall be required to approve any action of the HPC, except where a greater vote is required by state law or this Article.
- (i) Meetings.
 - (1) *Regular Meetings.* The HPC shall meet at least six (6) times annually, or in accordance with the Texas Historical Commission's regulations for Certified Local Governments. All meetings shall comply with the Texas Open Meetings Act (Gov't Code Ch. 551). Regular meetings shall begin after 5:00 p.m. and be livestreamed on the same digital platforms used for City Commission meetings.
 - (2) *Special Meetings.* Special meetings may be called by the HPC Chair, the HPO, or at the request of two (2) HPC members. Special meetings shall comply with the Texas Open Meetings Act (Gov't Code Ch. 551) and shall be livestreamed in the same manner as regular meetings.
 - (3) *Emergency Meetings.* Emergency meetings may be called for a matter of urgent public necessity, as defined by the Texas Open Meetings Act, with at least one (1) hour notice posted notice.
- (j) Training.
 - (1) Regardless of profession, background, or experience, each member shall:

- i. Complete an orientation provided by the HPO within two (2) months of appointment, including required Texas Open Meetings Act and Texas Open Records Act training;
 - ii. Attend at least one preservation-related training annually, as approved by the HPO.
- (2) The HPO or designee shall document training compliance.
- (k) Conflict of interest.
 - (1) No member shall participate in a discussion, deliberation, or vote on any matter coming before the HPC, or exercise independent approval authority, where the member or the member's family has a financial, business, or property interest that may be affected by the action. A member is deemed to have a disqualifying interest where the effect on the member's interest is distinguishable from its effect on the general public.
 - (2) In such cases, the member shall recuse from participation on that item in accordance with Texas Local Government Code Chapter 171.
- (l) Minutes & Records.
 - (1) The HPO shall ensure that minutes of all HPC meetings are prepared, approved by the HPC, and filed with the City Secretary.
 - (2) Minutes and other required documentation shall be transmitted to the Texas Historical Commission as necessary to maintain Certified Local Government status.
- (m) Rules of Procedure.
 - (1) The HPC shall conduct its meetings in accordance with Robert's Rules of Order, Newly Revised, except where inconsistent with City ordinances or state law.
- (n) Powers and Duties.
 - (1) The HPC shall have the following powers and duties, in addition to those otherwise provided in this Article or by law:
 - i. Adopt or amend internal rules and procedures necessary to conduct its business.
 - ii. Recommend to the City Commission the employment of professional consultants as necessary to carry out the purposes of this Article.
 - iii. Create committees and sub-committees from among its membership and delegate responsibilities as needed.
 - iv. Adopt and periodically review criteria for the designation of historic landmarks and historic districts.
 - v. Review and make recommendations to the City Commission on the designation of historic landmarks and the boundaries of historic districts, including the creation of new districts.
 - vi. Recommend and confer recognition upon owners of historic landmarks and properties within historic districts, including certificates, plaques, or markers.
 - vii. Review and recommend to the City Commission and other applicable boards and commissions proposed amendments to the zoning ordinance, building code, comprehensive plan, or other adopted policies that may affect historic resources.
 - viii. Develop, prepare, and adopt specific standards and guidelines for use in the review of all Certificate of Appropriateness applications;
 - ix. Review and take action on Certificate of Appropriateness applications for compliance with adopted design standards and guidelines, including appeals on actions taken by the Historic Preservation Officer via administrative review;

- x. Periodically review and update guidelines or standards to be used in determination of whether to grant or deny Certificates of Appropriateness for proposed alterations to the exterior of a historic resource;
- xi. Review and take action on all city preservation-related incentive program applications involving work on historic resources for compliance with adopted design standards and guidelines pursuant to this Article;
- xii. Implement and maintain a system of survey and inventory of the city's significant historical, architectural, archeological, and cultural resources. Such information shall be maintained securely and made accessible to the public and should be updated at least every ten (10) years;
- xiii. Prepare and maintain a citywide preservation plan, which should be updated at least every ten (10) years, following completion of the decennial historic resources survey update;
- xiv. Monitor and report to the Texas Historical Commission all actions affecting any Recorded Texas Historical Landmark, State Antiquities Landmark, National Register property, and any other designated property, as deemed necessary;
- xv. Review and make comments to the Texas Historical Commission concerning the nomination of properties within its jurisdiction to the National Register of Historic Places;
- xvi. Provide comment to the Texas Historical Commission, the Cameron County Historical Commission, and/or any other preservation-related entity on any federal undertakings (projects utilizing federal funds or requiring a federal permit) pursuant to Section 106 of the National Historic Preservation Act of 1966, as amended;
- xvii. Accept on behalf of the city any grants, funds, or donations of preservation easements and/or development rights, as well as any other gift of value for the purpose of historic preservation, subject to the approval of the City Commission;
- xviii. Make recommendations to the City Commission concerning the acquisition of historic properties endangered by demolition and where private preservation is not feasible;
- xix. Recommend approval of the designation of properties as historic landmarks and the inclusion of properties in a historic district without property owner consent pursuant to Texas Local Government Code, Section 211.0165(a-1);
- xx. Make recommendations to the City Commission concerning the utilization of local, state, federal, or private funds to promote the preservation of historic resources within the city;
- xxi. Propose incentive programs for preservation, such as grants and tax abatement, to the City Commission and administer such programs at the will of the City Commission;
- xxii. Prepare and submit annually to the City Commission a report summarizing expenditures, goals, and objectives, as well as an account of all work completed during the previous year, as well as anticipated budgetary requests;
- xxiii. Increase public awareness of the value of historic, architectural, archeological, and cultural preservation by developing and participating in public education programs;
- xxiv. Perform any task otherwise authorized by this Article.

Sec. 111-802. – Historic Preservation Officer (HPO).

(a) Purpose.

- (1) There is hereby created the position of Historic Preservation Officer (HPO), responsible for administering this Article, coordinating the City's historic preservation activities, and serving as the City's liaison to local, state, and federal preservation entities, including the Texas Historical Commission for Certified Local Government program purposes.
- (b) Appointment.
- (1) The City Manager, or designee, shall appoint a qualified staff member, preferably one who meets the Secretary of the Interior's professional qualification standards, to serve as HPO.
- (c) Powers and Duties.
- (1) The HPO shall have the following powers and duties:
 - i. Administer this Article and advise the HPC on matters submitted to it.
 - ii. Maintain and hold open for public inspection all documents and records pertaining to the provisions of this ordinance.
 - iii. Set deadlines for submittals to the HPC in order to assure adequate staff review time and proper notification of the Commission and the general public.
 - iv. Receive and review all applications pursuant to this ordinance to ensure their completeness.
 - v. Review and forward with any recommendations all applications for Certificates of Appropriateness subject to review by the HPC pursuant to this ordinance.
 - vi. Administratively review and take action on Certificate of Appropriateness applications subject to administrative review pursuant to this ordinance, and grant or deny the same in accordance with the provisions of this ordinance and for any other action which the Commission has oversight under the delegation of duties or otherwise.
 - vii. Ensure proper posting and noticing of all HPC meetings, schedule applications for HHPC review, create meeting agendas, provide packets to its members prior to meetings, record meeting minutes, and facilitate all HPC meetings.
 - viii. Review and help coordinate the city's historic preservation activities with those of local, state, and federal agencies, as well as other municipal departments and the general public;
 - ix. Manage reporting requirements to monitor and maintain Certified Local Government status;
 - x. Submit to the Texas Historical Commission, county authorities, and any other appropriate local, state, or federal agency a list or inventory of designated historic resources;
 - xi. Monitor and report to the Commission all actions affecting any locally designated landmark, Recorded Texas Historic Landmark, State Antiquities Landmark, and National Register property, as deemed necessary.
 - xii. Assist in developing community outreach programs to support preservation goals;
 - xiii. Help maintain and update historic resource inventories, as needed;
 - xiv. Prepare, amend, and update the city's preservation plan;
 - xv. Perform any task otherwise authorized by this ordinance.

Sec. 111-70xx. – Preservation Plan

- (a) Purpose.

- (1) The preservation plan shall be the guiding policy document for the city's historic preservation efforts and related activities. The plan elaborates upon and works toward the goals and objectives identified in this ordinance. The plan shall:
 - i. Identify the city's most pressing preservation challenges and advise the best course of action through specific recommendations.
 - ii. Develop a list of potential historic resources and topics that should be targeted for designation with further historic research, restoration, or property owner interest; and
 - iii. Develop a strategic framework that includes the goals and objectives of the historic preservation program and seeks and integrates community feedback.
- (b) Authorship.
 - (1) The HPO or designee, and/or a contracted professional, shall author the preservation plan with input and assistance from the HPC.
- (c) Review and recommendation.
 - (1) The HPC shall review the preservation plan and make a recommendation to City Commission for approval.
- (d) Adoption.
 - (1) The City Commission shall adopt the preservation plan by resolution.
- (e) Amendments.
 - (1) The preservation plan may be periodically amended to best reflect the current preservation priorities of the city and shall undergo a formal review every ten (10) years.

Sec. 111-70xx. – Historic Resources Survey

- (a) Purpose.
 - (1) A Historic Resources Survey aims to identify and gather information on historic buildings, structures, objects, and sites within the City of Harlingen, their present conditions, and their status or potential for designation. A historic resources survey should be updated at least once every ten (10) years.
- (b) Survey data.
 - (1) Surveys may vary in scope and detail; however, all surveys should include, at a minimum, the following information for all properties within the survey:
 - i. Location of the property.
 - ii. Photographs of the property (historic and current).
 - iii. Date of construction or approximate date of construction.
 - iv. Architectural style of the structure, including the name of architect or firm, if possible.
 - v. Defining architectural details, including their materials, color, and condition.
 - vi. Accessory structures and landscape features.
- (c) Resource category and integrity evaluation.
 - (1) After information for the Historic Resources Survey is compiled, the Commission shall review the properties surveyed to determine:
 - i. If the resources are "historic" or "non-historic," based on the age of the structure and its historical, architectural, or cultural significance.
 - ii. Whether the properties would be classified as contributing, compatible, or non-contributing to the surveyed area or the overall history and character of the city or other jurisdiction, should the area be designated as a historic district.
 - iii. To what extent each structure retains its key, character-defining features.

- iv. A Historic Resources Survey map showing the location of all potential contributing, compatible, and non-contributing structures should be included with the survey.

(d) Approval.

- (1) The HPC shall approve the results of any Historic Resources Survey completed within the city. Approval of a survey shall not establish any additional restrictions upon the properties within the survey, nor shall the structure categorization make any property within the survey eligible for any potential historic tax exemptions, until is designated as a historic landmark or district.

(e) Inventory.

- (1) The HPO shall maintain an inventory of all designated and potential historic landmarks and districts, as identified in the Historic Resources Survey. The inventory should be periodically updated to reflect any new Historic Resources Survey data.

DIVISION III. DESIGNATION OF LOCAL HISTORIC LANDMARKS

Sec. 111-70xx. – Purpose.

The purpose of designating local historic landmarks is to recognize and protect individual properties of historical, cultural, architectural, or archeological significance; to ensure their protection from inappropriate alterations or demolition; to promote awareness and appreciation of Harlingen's heritage; and to enhance civic pride, cultural identity, and economic vitality through preservation.

Sec. 111-70xx. – Criteria for Local Historic Landmark Designation.

- (a) Eligibility. A property or resource may be designated as a local historic landmark if it meets the following:

- (1) Is at least fifty (50) years old,
- (2) Retains a recognizable degree of its historic integrity, and
- (3) Substantially meets at least two (2) of the following criteria:
 - i. Significance in history, architecture, archeology, or culture.
 - ii. Association with events that have made a significant contribution to the broad patterns of local, regional, state, or national history.
 - iii. Work of a master designer, builder, or craftsman.
 - iv. Distinctive characteristics of a type, period, or method of construction.
 - v. Established or familiar visual feature of the city.
 - vi. Association with a person who significantly contributed to the culture and development of the City of Harlingen, the Rio Grande Valley, or history more broadly.
 - vii. Archeological value, having yielded or likely to yield information important to the prehistory or history of the City of Harlingen.
 - viii. Cultural landscape associated with a historic event, activity, or person exhibiting other cultural or aesthetic values.
 - ix. Is a natural history resource of rare, significant, and/or outstanding geological or biological value to the city or region.
 - x. Possesses a unique location, physical characteristic, or other significant feature that contributes to the character, image, or cultural identity of the city, a neighborhood, or the community at large.

(b) Automatic Eligibility.

- (1) Properties designated as Recorded Texas Historic Landmark (RTHL), State Antiquities Landmark (SAL), or National Register of Historic Places (NRHP), or identified as a

contributing resource in an adopted historic resources survey, are automatically eligible for local designation but must complete the designation process.

Sec. 111-70xx. – Initiation of Applications.

- (1) A designation application may be initiated by any of the following:
 - (1) The property owner(s);
 - (2) The Historic Preservation Officer (HPO);
 - (3) The Historic Preservation Council (HPC);
 - (4) The City Commission; or
 - (5) Any other person or organization with written consent of the property owner.
- (2) A designation request made by anyone other than the property owner shall include written owner consent, except where the City initiates designation under Texas Local Government Code §211.0165.

Sec. 111-70xx. – Applications Requirements.

- (3) Applications shall be submitted to the HPO on forms provided by the City.
- (4) A complete application shall include:
 - (1) Applicant and property owner information;
 - (2) Legal description and physical address of the property;
 - (3) Owner signature(s) or authorized agent signature;
 - (4) Site plan showing all buildings, structures, and objects on the property;
 - (5) Current photographs of the property and its features;
 - (6) Historic information, including:
 - i. Narrative history
 - ii. Historic photographs, if available
 - iii. Architectural description.
 - iv. Statement of significance addressing the criteria in Sec. 111-70xx; and
 - v. Any additional information requested by the HPO, HPC, or Planning and Zoning (P&Z) Commission necessary to complete the evaluation.
- (7) Applications that do not contain all required information may be deemed incomplete and returned by the HPO.

Sec. 111-70xx. – Procedures for Local Historic Landmark Designation.

- (a) HPO Completeness Review.
 - (1) Upon receipt of an application, the Historic Preservation Officer (HPO) shall review the submittal for completeness.
 - (2) When complete, the HPO shall:
 - i. Schedule the application for the next available Historic Preservation Council (HPC) meeting.
 - ii. Initiate interim protection for the property under this Article.
- (b) Required Notice and Historic Designation Impact Statement.
 - (1) At least 15 days before the HPC public hearing, the HPO shall provide written notice to:
 - i. The property owner(s);
 - ii. All owners of property within 200 feet of the subject property; and
 - (2) The notice shall include a Historic Designation Impact Statement, as required by Texas Local Government Code §211.0165, containing:
 - i. Applicable regulations after designation;
 - ii. The designation process;
 - iii. Available tax incentives; and
 - iv. Available rehabilitation or repair programs.
 - (3) Notice may be sent by regular or certified mail.
- (c) Interim Protection During Review.
 - (1) Beginning on the date the application is deemed complete, the property is subject to all requirements of this Article, including COA requirements, demolition review, minimum maintenance, and penalties, until final City Commission action, not to exceed 180 days.

- (d) HPC Public Hearing and Recommendation.
 - (1) The HPC shall hold a public hearing to consider the application, at which time the applicant, property owners, interested parties, and technical experts may present evidence, testimony or documentation.
 - (2) The HPC shall vote to recommend approval or denial, stating findings based on the designation criteria.
 - (3) The HPO shall forward the HPC's written recommendation and findings to the Planning and Zoning (P&Z) Commission within three (3) business days.
- (e) Planning and Zoning Commission Public Hearing and Recommendation.
 - (1) The P&Z Commission shall conduct a public hearing in accordance with zoning notice requirements under Chapter 111, Article II.
 - (2) After the hearing, the P&Z Commission shall recommend approval or denial of the designation.
 - (3) The Planning and Development Director shall forward the P&Z recommendation to the City Commission within ten (10) days of the hearing.
- (f) City Commission Public Hearing and Final Decision.
 - (1) The City Commission shall schedule a public hearing within fourteen (14) days of receiving the P&Z recommendation.
 - (2) The City Commission shall base its decision on the record established before the HPC and the P&Z Commission.
- (g) Owner Consent Requirement.
 - (1) If the owner consents, a simple majority vote is required.
 - (2) If the owner does not consent, designation requires a 3/4 supermajority vote of:
 - i. The City Commission; and
 - ii. The Historic Preservation Council (as the designated commission under §211.0165).
 - (3) Upon approval, the designation takes effect immediately.
- (h) Appeals.
 - (1) Any person aggrieved by an HPC decision may appeal in writing to the City Commission within seven (7) days of the HPC's action. The City Commission shall hear the appeal at the next available meeting and may affirm, modify, or reverse the HPC decision.

Sec. 111-70xx. Recordation and Effect of Local Historic Landmark Designation

- (a) Upon approval by the City Commission, the HPO shall:
 - (1) Record the historic landmark designation with the Cameron County Clerk's Office, Cameron County Tax Office, and the Cameron County Appraisal District.
 - (2) Request for the city's official zoning map to be updated to reflect the Historic (H) Overlay.
 - (3) Notify property owners of the approval of the designation by certified or regular mail.

Sec. 111-70xx. Amendment to Local Historic Landmark Designation

The HPO or HPC may initiate amendments to a historic landmark with approval from the City Commission. The process for an amendment shall follow the same procedure as that for creating a historic landmark.

Sec. 111-70xx. Removal of Local Historic Landmark Designation

- (a) Purpose.
 - (1) This section establishes the criteria and procedures for removing a local historic landmark designation. Removal shall occur only when the property no longer meets the standards for designation or was designated in error.
- (b) Criteria for Removal.
 - (1) A historic landmark may be de-designated if one of the following conditions is met:
 - i. Loss of Integrity Due to Involuntary Destruction. The landmark has been destroyed or damaged beyond repair by fire, explosion, natural disaster, or other act of God, and reconstruction on-site is not feasible or would not be compatible with the historic character of the area.

- ii. Error in Designation. The property was designated in error or is demonstrated, through new information or analysis, not to possess the historical, architectural, archeological, or cultural significance originally attributed to it.
- (c) Initiation of Removal.
 - (1) A request for removal of designation may be initiated by:
 - i. The property owner;
 - ii. The Historic Preservation Officer (HPO);
 - iii. The Historic Preservation Council (HPC); or
 - iv. The City Commission.
- (d) Petition Requirements.
 - (1) A petition for removal submitted by a property owner shall:
 - i. Be in writing and filed with the HPO;
 - ii. Identify the specific criterion for removal under subsection (b); and
 - iii. Include supporting documentation demonstrating why the landmark no longer qualifies.
- (e) Procedure.
 - (1) The process for removing a landmark designation shall follow the same procedural steps required for landmark designation, including:
 - i. HPO completeness review;
 - ii. Notice and public hearing before the HPC;
 - iii. Recommendation from the Planning and Zoning Commission; and
 - iv. Final decision by the City Commission pursuant to Texas Local Government Code Chapter 211.
- (f) Protection During Review.
 - (1) A landmark proposed for removal shall remain fully subject to all requirements of this Article, including Certificates of Appropriateness, minimum maintenance standards, demolition review, and penalties, until the City Commission issues a final decision.
- (g) Recordation.
 - (1) Upon removal of a landmark designation, the HPO shall:
 - i. Notify the Planning and Zoning Commission of the change.
 - ii. Record the action with the Cameron County Clerk; and
 - iii. Notify the Cameron County Tax Office and Cameron County Appraisal District

DIVISION IV. DESIGNATION OF LOCAL HISTORIC DISTRICTS

Sec. 111-70xx. – Purpose.

The purpose of designating local historic districts is to recognize and protect areas that collectively reflect Harlingen's historic, cultural, architectural, and archeological heritage; to safeguard neighborhood identity; and to promote investment, tourism, and community pride.

Sec. 111-70xx. – Criteria for Local Historic District Designation.

- (a) Eligibility. An area may be designated as a local historic district if it meets the following:
 - (1) It contains two (2) or more properties (sites, structures, buildings, or objects);
 - (2) A substantial number of properties are at least fifty (50) years old;
 - (3) The area, as a whole, retains a recognizable degree of historic integrity in setting, design, materials, workmanship, feeling, and association; and
 - (4) The district substantially meets at least two (2) of the following criteria:
 - i. Represents a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united historically or aesthetically by plan or physical development;

- ii. Is associated with events that have made a significant contribution to the broad patterns of local, regional, state, or national history;
 - iii. Reflects the work of one or more master designers, builders, or craftspeople, or a notable architectural style or method of construction;
 - iv. Embodies distinctive characteristics of a type, period, or method of construction, or represents an intact example of a built environment from a particular era;
 - v. Contains resources that form an established and familiar visual feature of the city;
 - vi. Is associated with persons or groups that significantly contributed to the culture and development of the City of Harlingen, the Rio Grande Valley, or history more broadly;
 - vii. Contains resources with archeological value, having yielded or likely to yield information important to the prehistory or history of the City of Harlingen;
 - viii. Includes cultural landscapes or patterns of development associated with historic events, activities, or persons that exhibit cultural or aesthetic values; or
 - ix. Possesses a cohesive character, physical features, or development pattern that contributes to the identity and sense of place of the city or a neighborhood.
- (b) Contributing and Noncontributing Resources.
- (1) A local historic district may include contributing, compatible, and noncontributing properties. Contributing status shall be determined in accordance with the adopted historic resources survey or as part of the district designation process.
- (c) Automatic Eligibility.
- (1) Areas listed in the National Register of Historic Places (NRHP) as historic districts, or identified in an adopted historic resources survey as potential local historic districts, are automatically eligible for local designation but must complete the designation process in this Division.

Sec. 111-70xx. – Initiation of Historic District Applications.

- (a) A local historic district designation application may be initiated by:
- a. The owner(s) of property within the proposed district;
 - b. The Historic Preservation Officer (HPO);
 - c. The Historic Preservation Council (HPC);
 - d. The City Commission; or
- (b) For applications initiated by persons or entities other than the City, the application shall include signatures representing at least twenty percent (20%) of the property owners within the proposed district boundaries, as determined by the most recent approved municipal tax roll.
- (c) A designation request made by anyone other than the property owner of a specific parcel shall be subject to the owner's consent and supermajority requirements in Texas Local Government Code §211.0165.

Sec. 111-70xx. – Application Requirements for Historic District Designation.

- (a) Applications shall be submitted to the HPO on forms provided by the City.
- (b) A complete application shall include:
- (1) Applicant information and contact information for at least one property owner within the proposed district.
 - (2) A map and legal description of the proposed district boundaries.
 - (3) A list of all parcels and property owners within the proposed district, as shown on the most recent tax roll.

- (4) Signatures of property owners representing at least twenty percent (20%) of the parcels within the proposed district, or documentation of City-initiated designation.
- (c) A district narrative, including:
 - (1) Historic context and development history;
 - (2) Statement of significance addressing the criteria in Sec. 111-7xxx;
 - (3) Definition of the period of significance; and
 - (4) Description of character-defining features and development patterns.
- (d) Photographic documentation of representative properties and streetscapes;
- (e) A preliminary contributing/noncontributing list or reference to an adopted historic resources survey;
- (f) Any additional information requested by the HPO, HPC, or P&Z Commission necessary to complete the evaluation.
- (g) Applications that do not contain all required information may be deemed incomplete and returned by the HPO.

Sec. 111-7xxx. – Procedures for Local Historic District Designation.

- (a) HPO Completeness Review.
 - (1) Upon receipt of an application, the HPO shall review the submittal for completeness.
 - (2) When complete, the HPO shall:
 - i. Schedule the application for the next available HPC meeting; and
 - ii. Initiate interim protection for all properties within the proposed district under this Article.
- (b) Required Notice and Historic Designation Impact Statement.
 - (1) At least fourteen (14) days before the initial HPC public hearing, the HPO shall provide written notice to:
 - i. All property owners within the proposed district boundaries; and
 - ii. All property owners within two hundred feet (200') of the proposed district boundaries.
 - iii. The notice shall include a Historic Designation Impact Statement as required by Texas Local Government Code §211.0165, including:
 - 1. Regulations that may apply after designation;
 - 2. Procedures for designation;
 - 3. Available tax incentives; and
 - 4. Available rehabilitation or repair programs.
 - (2) Notice may be sent by regular or certified mail.
- (c) Interim Protection During Review.
 - (1) Beginning on the date the application is deemed complete, all properties within the proposed district are subject to the requirements of this Article, including COA requirements, demolition review, minimum maintenance, and penalties, until final City Commission action, not to exceed 180 days.
- (d) HPC Public Hearing and Recommendation.
 - (1) The HPC shall hold a public hearing to consider the proposed district. The applicant, property owners, interested parties, and technical experts may present evidence, testimony, or documentation.
 - (2) The HPC shall evaluate the application against the criteria in Sec. 111-7xxx and shall vote to recommend approval or denial, stating findings of fact.
 - (3) The HPO shall forward the HPC's written recommendation and findings to the P&Z Commission within three (3) business days.
- (e) Planning and Zoning Commission Public Hearing and Recommendation.
 - (1) The P&Z Commission shall conduct a public hearing in accordance with zoning notice requirements under Chapter 111, Article II.

- (2) After the hearing, the P&Z Commission shall recommend approval or denial of the proposed district.
- (3) The Planning and Development Director shall forward the P&Z recommendation to the City Commission within ten (10) days of the hearing.
- (f) City Commission Public Hearing and Final Decision.
 - (1) The City Commission shall schedule a public hearing within fourteen (14) days of receiving the P&Z recommendation.
 - (2) The City Commission shall base its decision on the record established before the HPC and the P&Z Commission.
- (g) Owner Consent and Supermajority Requirements.
 - (1) For each property within the proposed district, designation shall follow Texas Local Government Code §211.0165:
 - i. If the property owner consents in writing to inclusion in the district, a simple majority vote of the City Commission is sufficient;
 - ii. If the property owner does not consent, inclusion of that property within the district requires a three-fourths (3/4) supermajority vote of:
 1. The City Commission; and
 2. The Historic Preservation Council, as the commission designated under §211.0165(a-1).
 - (2) Properties owned by organizations that qualify as religious organizations under Section 11.20, Tax Code, may be included only with the organization's consent.
 - (3) Upon approval, the district designation and inclusion of each property takes effect immediately.
- (h) Appeals.
 - (1) Any person aggrieved by an HPC recommendation may appeal in writing to the City Commission within seven (7) days of the HPC action.
 - (2) The appeal shall be heard at the next available City Commission meeting. The City Commission may affirm, modify, or reverse the HPC recommendation, subject to the procedures and owner-consent requirements in this section.

Sec. 111-7xxx. – Recordation and Effect of Local Historic District Designation.

- (a) Upon City Commission approval of a local historic district, the HPO shall:
 - (1) Record the district designation and legal description with the Cameron County Clerk's Office, Cameron County Tax Office, and Cameron County Appraisal District;
 - (2) Request that the city's official zoning map be updated to apply the Historic (H) Overlay to all properties within the district boundaries; and
 - (3) Notify all property owners within the district by certified or regular mail.
- (b) From the effective date of designation, all properties within the district are subject to the requirements of this Article, including Certificates of Appropriateness, design standards, demolition review, minimum maintenance, and enforcement provisions.

Sec. 111-7xxx. – Amendment to Local Historic District Designation.

- (a) The HPO, HPC, or City Commission may initiate amendments to the boundaries or classification of properties within a local historic district.
- (b) Amendments shall follow the same procedures required for designation of a local historic district, including notice, hearings, and owner consent under Texas Local Government Code §211.0165, as applicable.

Sec. 111-7xxx. – Removal of Local Historic District Designation.

- (a) Purpose.

- (1) This section establishes the criteria and procedures for removing or substantially altering a local historic district designation. Removal shall occur only when the district no longer meets the standards for designation or was designated in error.
- (c) Criteria for Removal.
 - (1) A local historic district may be de-designated, in whole or in part, only if:
 - i. A substantial number of contributing properties have been involuntarily destroyed by fire, explosion, natural disaster, or other act of God, such that the district no longer retains sufficient integrity to convey its significance; or
 - ii. New information or analysis demonstrates that the district was designated in error and does not possess the historical, architectural, archeological, or cultural significance originally attributed to it.
- (d) Initiation of Removal.
 - (1) A request for district removal or boundary reduction may be initiated by:
 - i. A property owner within the district;
 - ii. The HPO;
 - iii. The HPC; or
 - iv. The City Commission.
- (e) Petition Requirements.
 - (1) A petition for removal submitted by a property owner shall:
 - i. Be in writing and filed with the HPO;
 - ii. Identify the specific criterion for removal under subsection (b); and
 - iii. Include supporting documentation demonstrating why the district, or the portion proposed for removal, no longer qualifies.
- (f) Procedure.
 - (1) The process for removing a district designation, or a portion thereof, shall follow the same procedural steps required for historic district designation, including:
 - i. HPO completeness review;
 - ii. Notice and public hearing before the HPC;
 - iii. Recommendation from the P&Z Commission; and
 - iv. Final decision by the City Commission pursuant to Texas Local Government Code Chapter 211 and §211.0165, as applicable.
- (g) Protection During Review.
 - (1) A local historic district proposed for removal shall remain fully subject to all requirements of this Article, including Certificates of Appropriateness, minimum maintenance standards, demolition review, and penalties, until the City Commission issues a final decision.
- (h) Recordation.
 - (1) Upon removal or modification of a district designation, the HPO shall:
 - i. Record the action with the Cameron County Clerk;
 - ii. Notify the Cameron County Tax Office and Cameron County Appraisal District; and
 - iii. Request appropriate updates to the city's official zoning map and records.

DIVISION V. HISTORIC OVERLAY (H)

Sec. 111-705. – Purpose.

The Historic Overlay (H) is established as a zoning mechanism to safeguard the character, appearance, and development patterns of historically, culturally, or architecturally significant properties and areas. The H-Overlay applies additional review standards to ensure that alterations, new construction, or demolition within designated areas support the preservation goals of this Article while maintaining the underlying base zoning district.

Sec. 111-706. – Establishment and Amendment of Historic Overlay Districts.

- (a) Authority.
 - (1) An H-Overlay may be established, expanded, amended, or removed only through a Zoning Map Amendment in accordance with this Article and Texas Local Government Code §211.006.
- (b) Relationship to Base Zoning.
 - (1) The H-Overlay does not modify the permitted uses, density, or development rights of the underlying base zoning district unless expressly stated in the adopting ordinance.
- (c) Applicability of H-Overlay.
 - (1) The H-Overlay may be applied to:
 - i. A designated local historic landmark; or
 - ii. A designated local historic district containing multiple properties.
- (d) Prerequisite to Mapping.
 - (1) The H-Overlay may be applied only after the City Commission has approved:
 - i. A local historic landmark designation; or
 - ii. A local historic district designation, as provided in Divisions 3 and 4 of this Article.
- (e) Initiation.
 - (1) An H-Overlay zoning map amendment may be initiated by:
 - i. The Historic Preservation Council (HPC);
 - ii. The Historic Preservation Officer (HPO);
 - iii. The Planning and Zoning Commission; or
 - iv. The City Commission.

Sec. 111-707. – Historic Overlay Districts Established.

- (a) All Historic Overlay districts adopted by ordinance are hereby incorporated by reference and shown on the Official Zoning Map of the City of Harlingen.
- (b) Each H-Overlay includes all land within the boundaries depicted on the Official Zoning Map, as may be amended.

Sec. 111-708. – Applicability and Enforcement.

- (a) Applicability.
 - (1) All properties within an H-Overlay are subject to the requirements of this Article, including:
 - i. Design review by the Historic Preservation Council;
 - ii. Certificates of Appropriateness for exterior alterations, new construction, relocation, or demolition, as required in Division XX; and
 - iii. Compliance with the design standards or guidelines adopted for the overlay or the designated landmark/district.
- (b) Effect of Overlay.
 - (1) The H-Overlay is a mapping tool and does not itself constitute historic designation. Historic landmark or historic district designation must occur independently under Divisions 3 and 4.
- (c) Violations.
 - (1) Failure to obtain required approvals or to comply with H-Overlay regulations constitutes a zoning violation and is subject to penalties and enforcement actions provided in this Article.
- (d) Amendment or Removal.
 - (1) An H-Overlay may be amended or removed only through a Zoning Map Amendment, following procedures in Chapter 111 and Texas Local Government Code §211.006.

DIVISION VI. CERTIFICATE OF APPROPRIATENESS (COA).

Sec. 111-708. – Purpose.

The Certificate of Appropriateness (COA) process ensures that alterations, new construction, demolition, removal, or relocation affecting designated historic landmarks and contributing resources within historic districts preserve the historic character of the City, in accordance with this Article, the Secretary of the Interior's Standards for Rehabilitation, and all adopted design guidelines.

Sec. 111-708. – Applicability.

(a) Work Requiring a COA.

- (1) A COA is required prior to issuance of a building permit, demolition permit, relocation permit, or before commencing any exterior work affecting:
 - i. A designated local historic landmark;
 - ii. A contributing resource within a designated historic district under the H-Overlay; or
 - iii. Any other property for which this Article specifically requires a COA.

(i) Actions Requiring a COA Include:

- (1) New construction or site development on a vacant lot;
- (2) Exterior alteration, reconstruction, restoration, or rehabilitation visible from a public right-of-way;
- (3) Relocation of a structure;
- (4) Demolition, in whole or in part, of any structure;
- (5) Installation or alteration of signage, site features, fences, driveways, or landscape elements regulated by design guidelines;
- (6) Any work specifically identified elsewhere in this Article.

(j) Exempt Work (No COA Required).

- (1) Ordinary maintenance and repair using identical materials that do not alter exterior appearance;
- (2) Interior work not visible from a public right-of-way and not requiring a building permit;
- (3) Work determined in writing by the HPO to have no material effect on historic character;
- (4) Temporary emergency stabilization (COA must be applied for within 7 days).

(k) Emergency Repairs.

- (1) The HPO may authorize emergency repairs needed to immediately stabilize a damaged landmark or contributing resource.
- (2) A COA must be submitted within 7 days after the emergency action.
- (3) Emergency repairs shall not permanently alter historic architectural features.

Sec. 111-708. – Application Procedure.

(a) Pre-Application Consultation.

- (1) Applicants are encouraged, but not required, to meet with the HPO before filing a COA.

(b) Application Requirements.

- (1) A COA application must include:
 - i. Owner and applicant contact information;
 - ii. Property address and legal description;
 - iii. Photographs (current and historic, if available);
 - iv. Elevation drawings, architectural plans, or sketches;
 - v. Material specifications or samples;
 - vi. Any additional documentation required by the HPO or HPC.

(c) Completeness.

- (1) Incomplete applications shall not be scheduled for review.

Sec. 111-75X. – Administrative Review by the Historic Preservation Officer.

(a) Authority.

- (1) The HPO may approve minor work that is consistent with adopted design guidelines and does not adversely affect the character of the property or district.

(b) Eligible Minor Work May Include:

- (1) Repair or in-kind replacement of roofing, siding, windows, or doors with matching materials;
- (2) Repainting with colors from the approved palette;
- (3) Installation of fences, walls, sidewalks, or driveways compliant with guidelines;
- (4) Minor signage;
- (5) Ordinary maintenance not affecting historic fabric.

(c) Referral to HPC.

- (1) The HPO may refer any application to the HPC if:
 - i. The proposed work may materially affect historic character; or
 - ii. The application does not clearly comply with adopted standards.

(d) Administrative Denial.

- (1) COAs denied administratively must be forwarded to the HPC for full review upon request.

(e) Notice and Recordkeeping.

- (1) The HPO shall issue a written decision within 14 days of a complete application.
- (2) All administrative approvals shall be reported to the HPC at its next meeting and kept in the permanent record.

Sec. 111-75X. – HPC Review and Public Hearing.

(a) HPC as Review Authority.

- (1) The HPC shall review all COA applications not eligible for administrative approval.

(b) Required HPC Review Tasks Include:

- (1) Demolition of any historic resource;
- (2) Relocation of any historic resource;
- (3) Major alterations affecting architectural integrity;
- (4) New construction within a historic district;
- (5) Any application referred by the HPO or requested by two HPC members.

(c) Public Hearing.

- (1) A public hearing shall be conducted where the applicant, City staff, and interested persons may provide testimony and evidence.

(d) Notice.

- (1) At least 14 days before the HPC hearing, the HPO shall:
 - i. Mail notice to the applicant;
 - ii. Post notice on the property visible from the right-of-way;
 - iii. Publish notice if required by City policy.

Sec. 111-75X. – Decision Standards.

(a) HPC Action.

- (1) The HPC shall approve, approve with conditions, deny, or delay a COA.
- (2) A denial shall include written findings and recommendations for revisions.

(b) Review Criteria.

- (1) The HPC shall consider:
 - i. Secretary of the Interior's Standards;

- ii. Adopted design guidelines;
 - iii. The historic, architectural, cultural, or aesthetic significance of the property;
 - iv. Compatibility with surrounding resources;
 - v. The effect of the proposed work on historic character.
- (c) Compatibility Exception.
 - (1) The HPC or HPO may approve deviations from design guidelines if the proposed work is historically compatible and does not adversely affect the historic district or landmark.

Sec. 111-75X. – Appeals.

- (a) Appeal of HPO Decision.
 - (1) Applicants may appeal administrative decisions to the HPC within 14 days.
- (b) Appeal of HPC Decision.
 - (1) Applicants may appeal HPC decisions to the City Commission within 14 days. The City Commission shall review the record and may affirm, modify, overturn, or remand the decision.

Sec. 111-75X. – COA Expiration and Extensions.

- (a) Expiration.
 - (1) A COA expires if:
 - i. Work does not commence within one (1) year; or
 - ii. Work is suspended or abandoned for 180 days.
- (b) Extensions.
 - (1) The HPO may grant extensions up to one (1) year total with:
 - i. A written request prior to expiration; and
 - ii. A timetable for completion.

Sec. 111-70xx. – COA for Demolition, Removal, and Relocation.

- (a) Purpose.
 - (1) It is the intent of this section to preserve the City’s historic resources through limitations on the demolition, removal, and relocation of historic landmarks and contributing resources.
 - (2) The demolition or removal of historic resources diminishes the City’s historic character, authenticity, and cultural significance, and is strongly discouraged.
- (b) Review Required.
 - (1) No demolition or building permit shall be issued for any historic landmark or contributing resource within a historic district without prior review and approval of a COA by the Historic Preservation Officer (HPO) and the Harlingen Historic Preservation Council (HPC).
- (c) Criteria for Demolition or Removal.
 - (1) The HPC may approve a COA for demolition or removal only upon finding one or more of the following:
 - i. The resource is a non-contributing structure without potential for future landmark designation.
 - ii. The resource is an incompatible structure within a historic district.
 - iii. The resource has lost its historic or architectural integrity or significance.
 - iv. The structure poses an imminent threat to public health or safety as determined by the Building Official in consultation with the HPO.
 - (2) Criteria for Relocation.
 - i. The HPC may approve a COA for relocation only upon finding:

- a) The resource is geographically isolated from related historic features, such that removal will not diminish the significance of the resource itself; and
 - b) All other preservation options have been exhausted.
- (3) Criteria for Decision.
 - i. In deciding whether to grant a COA for demolition, removal, or relocation, the HPC shall consider:
 - a) Whether the resource has lost its historic or architectural integrity or significance;
 - b) Whether the structure poses a threat to public health or safety upon determination of the Building Official and HPO;
 - c) Whether reasonable measures can be taken by the property owner to preserve the resource;
 - d) In the case of relocation, whether the applicant has made good-faith efforts to relocate the resource in the following order of preference:
 - a. On the same site;
 - b. Within the same historic district, if applicable;
 - c. Within the City of Harlingen municipal boundaries.
- (4) Burden of Proof.
 - i. The applicant bears the burden of proof to establish by competent evidence that the proposed demolition, removal, or relocation meets the criteria of this section.
- (5) Required Documentation.
 - i. All applications for demolition, removal, or relocation of a historic landmark or contributing resource in a historic district shall include documentation sufficient to support the claimed criteria, including but not limited to:
 - a) Historic records or photographs.
 - b) Current condition photographs and schematics.
 - c) Structural condition reports by a licensed architect or engineer.
 - d) Cost and feasibility studies comparing rehabilitation to demolition.
 - e) Future site plans or redevelopment proposals.
 - f) Owner affidavit attesting to accuracy of information.
- (6) Procedure.
 - i. Application.
 - a) The property owner(s) or authorized representative shall file a sworn COA application on City forms in accordance with Sec.xxxxxxx.
 - ii. Administrative Review.
 - a) The HPO will refer the application to the HPC or initiate a demolition delay to determine landmark eligibility if unknown.
 - iii. Public Hearing.
 - a) If the resource is a historic landmark or contributing resource, the HPO shall schedule a public hearing before the HPC.
 - iv. Notice of the hearing shall be provided at least fourteen (14) days prior to hearing by:
 - a) Written notice to the applicant and owners within 200 feet;
 - b) Posting notice on the property visible from the right-of-way; and
 - c) Publication as required by law.
 - v. Decision.
 - a) The HPC shall approve, deny, or delay the application.

- b) Written notice of the decision shall be provided to the applicant within three (3) business days.
- (a) Demolition Delay.
 - (1) The HPC may delay issuance of a demolition permit for up to sixty (60) days for landmarks or contributing resources in order to explore alternatives, including rehabilitation, sale, donation, or adaptive reuse.
- (b) Denial and Alternatives.
 - (1) If the HPC denies a COA, it shall provide the applicant with a list of viable alternatives, which may include:
 - i. Rehabilitation and continued use;
 - ii. Sale of the property to a purchaser able to preserve the resource;
 - iii. Donation to a public or nonprofit entity, or conveyance of development rights or easements.
- (c) Emergency Demolition, Removal, or Relocation.
 - (1) If the Building Official determines, in consultation with the HPO, that a historic resource poses an immediate and substantial threat to public health or safety, the HPO may approve emergency demolition or removal of specific structural features.
 - (2) Findings shall be documented in writing, including:
 - i. Nature of the threat;
 - ii. Evidence that no reasonable alternative exists;
 - iii. Scope of emergency action required.
 - (3) All emergency approvals shall be reported to the HPC.
- (d) Appeals.
 - (1) Appeals from the HPC demolition decisions shall be handled according to general COA appeal procedures.

DIVISION VII. HISTORIC DESIGN STANDARDS AND GUIDELINES

Sec. 111-70xx. – DESIGN STANDARDS AND GUIDELINES

- (a) Design Standards.
 - (1) In all its determinations of architectural appropriateness and historical integrity during the design and construction process on all historic properties, the HPO and HPC shall use the most recent edition of “The Secretary of the Interior’s Standards for the Treatment of Historic Properties,” referred to simply as the Secretary’s Standards.
 - (2) The Secretary’s Standards are summarized in the ten points below:
 - i. Every reasonable effort shall be made to adapt the property in a manner that requires minimal alteration of the building, structure, object, or site and its environment.
 - ii. The distinguishing original qualities or character of a building, structure, object, or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural feature should be avoided when possible.
 - iii. All buildings, structures, objects, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
 - iv. Changes, which may have taken place in the course of time, are evidence of the history and development of a building, structure, object, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
 - v. Distinctive stylistic features or examples of skilled craftsmanship, which characterize a building, structure, object, or site, shall be kept where possible.

- vi. Deteriorated architectural features shall be repaired rather than replaced, wherever practicable. In the event replacement is necessary, the new material should reflect the material being replaced in composition, design, color, texture, and other visual qualities, where practicable. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historical, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- vii. The surface cleaning of structures shall be undertaken in the gentlest means possible. Sandblasting and other cleaning methods that will damage historic building materials shall not be undertaken.
- viii. Every reasonable effort shall be made to protect and preserve archeological resources affected by or adjacent to any project.
- ix. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood, or environment.
- x. Whenever possible, new additions or alterations to buildings, structures, objects, or sites shall be done in such a manner that, if additions or alterations were to be removed in the future, the essential form and integrity of the building, structure, object, or site would be unimpaired.

(b) Design Guidelines.

- (1) The HPO or HPC may develop supplemental guidelines deemed necessary to implement or maintain this Article, applicable to designated historic landmarks and districts. Such guidelines may include, but are not limited to the following:
 - i. Charts or samples of acceptable materials for siding, foundations, roofs, or other parts of buildings;
 - ii. Illustrations of appropriate architectural details;
 - iii. Specifications of appropriate relationships to streets, sidewalks, other structures, and buildings;
 - iv. Illustrations of appropriate porch treatment entrances; or
 - v. Illustrations of appropriate signage or street furniture.

DIVISION VIII. MINIMUM MAINTENANCE STANDARDS AND DEMOLITION BY NEGLECT

Sec. 111-70xx. – Minimum Maintenance Standards

(a) Duty to Maintain.

- (1) The owner, defined as any person, entity, association, or corporation having ownership, custody, or control over a historic landmark or historic resource within a historic district, shall maintain the property to prevent deterioration that would adversely affect the character of the resource or district.

(b) Prima Facie Evidence of Neglect.

- (1) Any of the following shall constitute prima facie evidence of a serious state of disrepair:
 - i. Deterioration of exterior walls, foundations, or other vertical support causing leaning, sagging, splitting, or buckling.
 - ii. Deterioration of external stairs, porches, handrails, window and door frames, cornices, entablatures, wall claddings, chimneys, plaster finishes, surfaces or mortars, and any other exterior architectural details that cause delamination, instability, loss of shape and form, or crumbling.

- iii. Ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors.
- iv. Defective protection or lack of weather protection for exterior wall and roof coverings, including lack of paint, or weathering due to lack of other protective covering.
- v. Rotting, holes, and other forms of material decay.
- vi. Deterioration that causes a detrimental effect upon the special character of the district as a whole or the unique attributes and character of the structure.
- vii. Deterioration of any exterior feature to create or permit the creation of any hazardous or unsafe conditions to life, health, or property.

(c) Enforcement.

- (1) Violations of this Section are subject to the enforcement and penalty provisions of Division XX.

Sec. 111-70xx. – Demolition By Neglect.

(a) Definition.

- (1) Demolition by neglect is the gradual deterioration of a historic property caused by failure to perform ordinary or minimum maintenance.

(b) Authority.

- (1) Pursuant to Texas Local Government Code, Chapter 214 (Municipal Regulation of Housing and Other Structures), including Sec. 214.00111, and Chapter 54 (Municipal Regulatory Authority), including Sec. 54.001, the City may preserve a substandard historic building and enforce minimum maintenance obligations.

(c) Identification and Documentation.

- (1) Suspected demolition by neglect cases may be reported by City staff, HPC members, or the public. The Historic Preservation Officer (HPO) and Building Official or designee shall inspect and document evidence of neglect. The HPO shall give notice to the property owner of their inspection findings.

(d) Violation Notice.

- (1) The property owner(s) and any lienholders of record shall be notified by certified mail and provided:
 - i. A description of the alleged violation(s).
 - ii. The work that must be corrected, if known, and a time window to begin and complete the work.
 - iii. Applicable rehabilitation standards.
 - iv. Any incentive programs available to assist rehabilitation.
- (2) A violation notice shall also be affixed to the structure in question in a conspicuous place.

(e) Stabilization Plan.

- (1) Within thirty (30) days of notice, the owner shall:
 - i. Submit a written stabilization proposal to the HPO.
 - ii. If vacant, mothball the property to prevent further deterioration.
- (2) The HPO may approve, conditionally approve, return the proposal to the owner with comments, or refer the proposal to the HPC.

(f) Citation Hearing.

- (1) If the owner fails to respond or create a stabilization plan, the HPO shall schedule a citation hearing before the HPC. The owner may appear before the HPC in person or by agent. After hearing testimony, the HPC may:
 - i. Grant additional time for a stabilization plan.
 - ii. Direct corrective action.
 - iii. Require written progress reports until the rehabilitation is complete.
 - iv. Issue a citation for demolition by neglect.

- (2) If the owner fails to respond or fails to appear at the citation hearing, the HPO may refer the demolition by neglect case to the City Attorney for enforcement in municipal or district court. The City may abate the violation, make necessary repairs, and recover expenses incurred by placing a lien against the property as provided under Texas Local Government Code, Chapter 214.
- (g) Required Actions Following Determination.
- (1) If the demolition by neglect is confirmed by the HBP, the owner shall:
- i. Submit a stabilization plan within thirty (30) days;
 - ii. Begin repairs within sixty (60) days;
 - iii. Submit written progress reports every thirty (30) days until rehabilitation is completed.
 - iv. Complete repairs within one (1) year, in accordance with the Secretary of Interior's Standards for the Treatment of Historic Properties.
- (h) Appeals.
- (1) The owner may appeal against the HPC's decision to the City Commission in accordance with Sec xxxxx.
- (i) Enforcement.
- (1) Violations of this Section are subject to the enforcement and penalty provisions of Division x.

DIVISION IX. INCENTIVES FOR PRESERVATION

Sec. 111-70xx. – Historic Preservation Incentive Programs

(a) Purpose.

The City of Harlingen recognizes the importance and value of historic buildings, structures, and objects to the the cultural, social, and economic welfare of the community. To encourage the preservation of historic resources, lift property values, promote continued designation of historic landmarks and districts, and encourage proper maintenance and treatment of historic resources, the City Commission may establish incentive programs pursuant to this Section.

(b) Authorization.

- (1) The City Commission is authorized to adopt by resolution or ordinance such incentive programs for historic preservation as it deems necessary to fulfill the goals and objectives of this Article, including but not limited to:
- i. Preservation grant programs for rehabilitation, stabilization, or restoration of historic resources.
 - ii. Property tax exemptions or abatements for historically significant sites.
 - iii. Permit and fee waivers or reductions for preservation-related work.
 - iv. Partnership programs with non-profit organizations, foundations, or state/federal agencies to provide technical or financial assistance.
 - v. Special Assistance Programs to assist low income and elderly homeowners with maintenance and rehabilitation of historic resources, including emergency stabilization.

(c) Administration.

- (1) All incentives authorized under this Division shall be administered by the Historic Preservation Officer in coordination with other relevant city departments and agencies, subject to final approval by the City Commission.

Sec. 111-70xx. – Historic Property Tax Exemption (authorized under Texas Tax Code §11.24).

In progress.

DIVISION X. ENFORCEMENT AND PENALTIES

Sec. 111-70xx. – Enforcement

- (a) All work performed pursuant to a Certificate of Appropriateness (COA) or otherwise regulated under this Article, shall conform to the terms and conditions of such approval. Noncompliance shall be subject to enforcement through stop work orders, citations, fines, liens, injunctive relief, and other remedies available to the City under state law and this Code.
- (b) The HPO, or his or her designee, shall periodically inspect permitted work for compliance. Upon finding work without a COA, or not in accordance with the approved COA, the Building Official shall issue a stop-work order and/or citation. All work shall immediately cease until the matter is corrected or otherwise resolved by the HPO or HPC.
- (c) The property owner shall then be required to request a citation hearing before the HPC to explain non-compliance, and/or to apply for a Certificate of Appropriateness and receive approval. A stop-work order is in effect until a decision is rendered by the HPO or Commission.
- (d) The HPO may refer violations to the City Attorney for enforcement in municipal court or district court, including civil injunctions and recovery of costs through liens.
- (e) All applications, decisions, orders, citations, notices, or violations issued prior to the effective date of this Ordinance shall remain in full force and effect.
- (f) All required permits from the building inspections, planning, public works, and health departments, and any other applicable department must be obtained before work can commence under an approved COA.

Sec. 111-70xx. – Penalties

- (a) Prohibited Acts.
 - (1) It shall be unlawful to construct, reconstruct, remove, structurally alter, remodel, renovate, restore, demolish, raze, maintain, or fail to maintain any historic resource in violation of this Article properly. Failure to maintain includes demolition by neglect as defined under Sec.xxxxxxxx.
- (b) Criminal Penalties.
 - (1) Any person, firm, or corporation found violating any provision of this Article shall be guilty of a Class C misdemeanor, punishable by a fine of no less than two hundred dollars (\$200.00) and not more than two thousand dollars (\$2,000) per violation, per day, as authorized by Texas Local Government Code §54.001. Each day the violation continues shall be considered a separate offence. Such a remedy under this section is in addition to any abatement or restitution.
- (c) Civil Penalties and Abatement.
 - (1) In addition to criminal prosecution, the City may pursue civil remedies to:
 - i. Abate or enjoin any unlawful act or violation;
 - ii. Remove or require removal of unauthorized construction or materials;
 - iii. Require restoration or repair of damage to a historic resource;
 - iv. Recover costs of abatement and enforcement through liens placed on the subject property.
- (d) Restitution.
 - (1) The violator may be ordered to make financial restitution to the City to reimburse costs necessary to correct or abate the violation.

SECTION II. SEVERABILITY CLAUSE

Should any paragraph, phrase, sentence, or clause of this ordinance be determined to be unconstitutional, said determination shall not affect the remaining paragraphs, phrases, sentences, or clauses, which shall remain in full force and effect.

SECTION III. 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

Approved as to form:

Mark Sossi, City Attorney

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(2)

Meeting Date: **January 7, 2026**

Agenda Item:

Public Hearing for the release from the City of Harlingen Extraterritorial Jurisdiction (ETJ), consisting of 8.30 acres out of the North 9.685 acres out of the South 19.37 acres out of Block 75, Minnesota Texas Land and Irrigation Company Subdivision, located approximately 800 feet south of Tio Cano Lake Cross Rd. between Louisiana Road and FM 506. Applicant: Abby Jo Lopez. Attachment (**Planning & Development**)

Prepared By: Ana Hernandez, AICP, CNU-A, CPM
Title: Planning and Development Director

Signature: *Ana Hernandez*

Brief Summary:

Project Timeline

- December 11, 2025 – Application for the release from the ETJ submitted to the City. Application deemed incomplete pending submittal of warranty deed. (**ATTACHMENT I**).
- December 29, 2025- Warranty deed of property submitted. Application deemed complete.
- January 7, 2026 – Public hearing and consideration of requested release from the ETJ via 1st ordinance reading scheduled before the City Commission.
- January 21, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Pursuant to Section 42.101-105, of the Texas Local Government Code, a resident of an area in a municipality's extraterritorial jurisdiction may file a petition with the municipality in accordance with this subchapter for the area to be released from the extraterritorial jurisdiction. The owner or owners of the majority in value of an area consisting of one or more parcels of land in a municipality's extraterritorial jurisdiction may file a petition with the municipality in accordance with this subchapter for the area to be released from the extraterritorial jurisdiction.
- Abby Lopez, the applicant and property owner is requesting for the subject property to be removed from the City Extraterritorial Jurisdiction (ETJ).
- The subject property is currently vacant and not subdivided. It is located within the City 3.5 mile ETJ. The property has 302.56 feet of frontage on Louisiana Road and 83.85 feet of frontage on FM 506. The developer is proposing to subdivide the property through the County under the name of Abby Road Subdivision. (**ATTACHMENT II-V**)
- The subject release from the City ETJ will require one public hearing and two

ordinance readings of the ordinance. The above timeline delineates the release from the ETJ process.

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

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(b)

Meeting Date: **January 7, 2026**

Agenda Item:

Public hearing for the release from the City of Harlingen Extraterritorial Jurisdiction (ETJ) consisting of 5.50 acres out of Block 41, Briggs & Coleman Subdivision in Surveys 271-272, Cameron County, Texas located along the south side of Bowen Road, 655.42 feet east from the northwest corner of Block 41 (centerline of Ebony Road). Applicant: Manuel Tames III. Attachment (**Planning & Development**)

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

Signature: *Ana Hernandez*

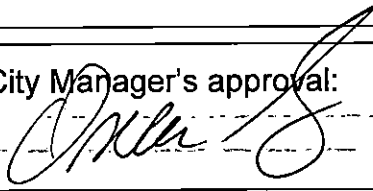
Brief Summary:

Project Timeline

- December 12, 2025 – Application for the release from the ETJ submitted to the City. (**ATTACHMENT I**).
- January 7, 2026 – Public hearing and consideration of requested release via 1st ordinance reading scheduled before the City Commission.
- January 21, 2026 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Pursuant to Section 42.101-105, of the Texas Local Government Code, a resident of an area in a municipality's extraterritorial jurisdiction may file a petition with the municipality in accordance with this subchapter for the area to be released from the extraterritorial jurisdiction. The owner or owners of the majority in value of an area consisting of one or more parcels of land in a municipality's extraterritorial jurisdiction may file a petition with the municipality in accordance with this subchapter for the area to be released from the extraterritorial jurisdiction.
- Manuel Tames III, the applicant and property owner, is requesting for the subject property to be removed from the City Extraterritorial Jurisdiction (ETJ). (**ATTACHMENT II**).
- The subject property is currently vacant. It is located within the City 3.5 mile ETJ. The property has 200.27 feet of frontage on Bowen Road and a depth of 1,196.30 feet.
- The subject release from the City ETJ will require one public hearing and two ordinance readings of the ordinance. The above timeline delineates the release from the ETJ process.

Funding (if applicable):		
Are funds specifically designated in the current budget for the full amount for this purpose?	☐	Yes ☐ No* ☐
*If no, specify source of funding and amount requested:		
Finance Director's approval:	☐ Yes	☐ No ☐ N/A
Staff Recommendation:		
Staff recommends approval.		
City Manager's approval: 	☒ Yes ☐ No ☐ N/A	Comments:
City Attorney's approval:	☐ Yes	☐ No ☐ N/A

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(c)

Meeting Date: **January 7, 2026**

Agenda Item:

Public hearing for the release from the City of Harlingen Extraterritorial Jurisdiction (ETJ) consisting of 7.70 acres of land out 15.407 acres of land out of Block 247, San Benito Land and Water Company Subdivision, located west of State Highway 345 (North Sam Houston Boulevard). Applicant: Gustavo Alex Flores. Attachment **(Planning & Development)**

Prepared By: Ana Hernandez, AICP, CNU-A, CPM
Title: Planning and Development Director

Signature: *Ana Hernandez*

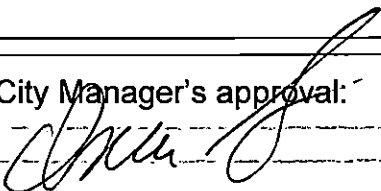
Brief Summary:

Project Timeline

- September 16, 2025 – Application for the release from the ETJ submitted to the City. **(ATTACHMENT I)**.
- January 7, 2026 – Public hearing and consideration of requested release from the ETJ via 1st ordinance reading scheduled before the City Commission.
- January 21, 2026 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Pursuant to Section 42.101-105, of the Texas Local Government Code, a resident of an area in a municipality's extraterritorial jurisdiction may file a petition with the municipality in accordance with this subchapter for the area to be released from the extraterritorial jurisdiction. The owner or owners of the majority in value of an area consisting of one or more parcels of land in a municipality's extraterritorial jurisdiction may file a petition with the municipality in accordance with this subchapter for the area to be released from the extraterritorial jurisdiction.
- Gustavo Alex Flores, the applicant and property owner, is requesting for the subject property to be removed from the City Extraterritorial Jurisdiction (ETJ). **(ATTACHMENT II)**.
- There is currently a single-family home on the subject property. The property is located within the City 3.5 mile ETJ. The developer is proposing to subdivide the property through the County under the name of Heavenly Oaks Subdivision. The property has 196.84 feet of frontage on State Highway 345 (North Sam Houston Boulevard) and a depth of 1,932.25.
- The subject release from the City ETJ will require one public hearing and two ordinance readings of the ordinance. The above timeline delineates the release from the ETJ process.

Funding (if applicable):		
Are funds specifically designated in the current budget for the full amount for this purpose?	☐ Yes	☐ No*
*If no, specify source of funding and amount requested:		
Finance Director's approval:	☐ Yes	☐ No ☐ N/A
Staff Recommendation:		
Staff recommends approval.		
City Manager's approval:	☒ Yes	☐ No ☐ N/A
 Comments:		
City Attorney's approval:	☐ Yes	☐ No ☐ N/A

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(a)

Meeting Date: **January 7, 2026**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading for the release from the City of Harlingen Extraterritorial Jurisdiction (ETJ), consisting of 8.30 acres out of the North 9.685 acres out of the South 19.37 acres out of Block 75, Minnesota Texas Land and Irrigation Company Subdivision, located approximately 800 feet south of Tio Cano Lake Cross Rd. between Louisiana Road and FM 506. Applicant: Abby Jo Lopez. Attachment **(Planning & Development)**

Prepared By: Ana Hernandez, AICP, CNU-A, CPM
Title: Planning and Development Director

Signature: *Ana Hernandez*

Brief Summary:

Project Timeline

- December 11, 2025 – Application for the release from the ETJ submitted to the City. Application deemed incomplete pending submittal of warranty deed. **(ATTACHMENT I)**.
- December 29, 2025- Warranty deed of property submitted. Application deemed complete.
- January 7, 2026 – Public hearing and consideration of requested release from the ETJ via 1st ordinance reading scheduled before the City Commission.
- January 21, 2025 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Pursuant to Section 42.101-105, of the Texas Local Government Code, a resident of an area in a municipality's extraterritorial jurisdiction may file a petition with the municipality in accordance with this subchapter for the area to be released from the extraterritorial jurisdiction. The owner or owners of the majority in value of an area consisting of one or more parcels of land in a municipality's extraterritorial jurisdiction may file a petition with the municipality in accordance with this subchapter for the area to be released from the extraterritorial jurisdiction.
- Abby Lopez, the applicant and property owner is requesting for the subject property to be removed from the City Extraterritorial Jurisdiction (ETJ).
- The subject property is currently vacant and not subdivided. It is located within the City 3.5 mile ETJ. The property has 302.56 feet of frontage on Louisiana Road and 83.85 feet of frontage on FM 506. The developer is proposing to subdivide the property through the County under the name of Abby Road Subdivision. **(ATTACHMENT II-V)**

- The subject release from the City ETJ will require one public hearing and two ordinance readings of the ordinance. The above timeline delineates the release from the ETJ process.

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:

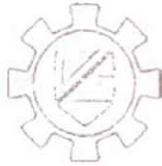
Staff recommends approval.

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

Comments:

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

Attachment I



Vigstol Engineering

Ms. Ana Hernandez, AICP, CNU-A
Planning & Development Director, Harlingen, Texas
502 E. Tyler Ave.
Harlingen, Texas 78550

RE: PETITION FOR PARCEL TO BE REMOVED FROM THE CITY OF HARLINGEN ETJ

Dear Ms. Hernandez,

I, Abby Jo Lopez, desire my property as described below and as furthermore described in the attached metes and bounds be removed from the City of Harlingen ETJ. The property is described as follows:

Legal Description: Being 8.30 Acres out of North 9.685 acres out of the South 19.37 acres of Block 75, Minnesota Texas Land & Irrigation Co. Subdivision
CCAD Property ID: 180619
Acreage: 8.30 ac.
Location: North of La Feria, Texas, ~800' south of Tio Cano Lake Cross Rd., between FM 506 and Louisiana Road.



Abby Jo Lopez
24203 Louisiana Road
La Feria, Tx 78559

11/20/25

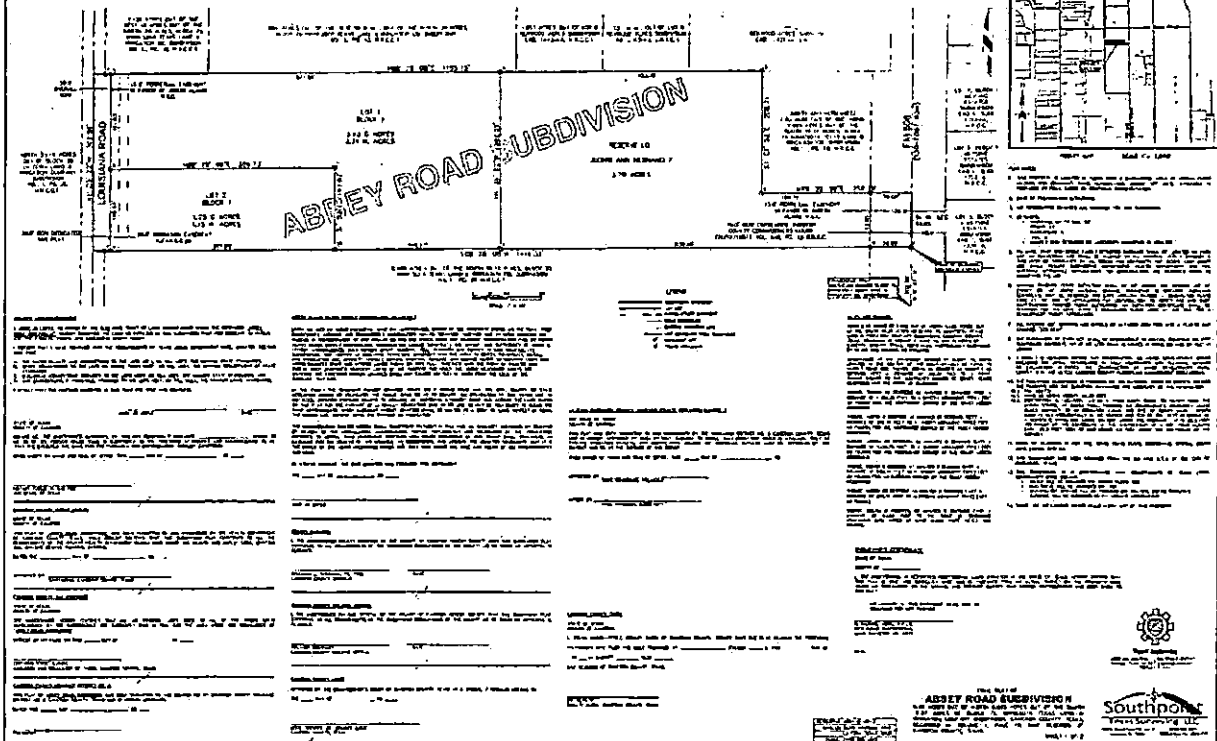
Date

Date of Birth: 6/19/72

Attachment II

ABBEY ROAD SUBDIVISION

FINAL PLAT

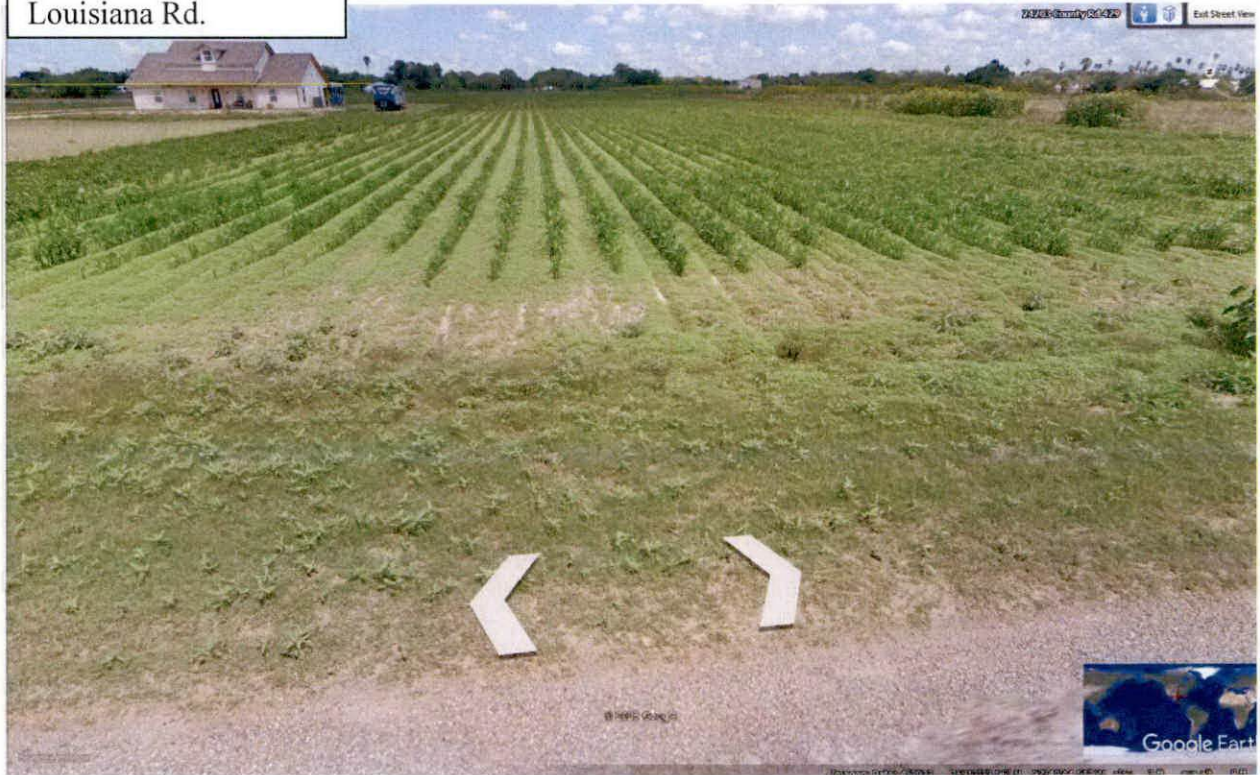


Attachment III

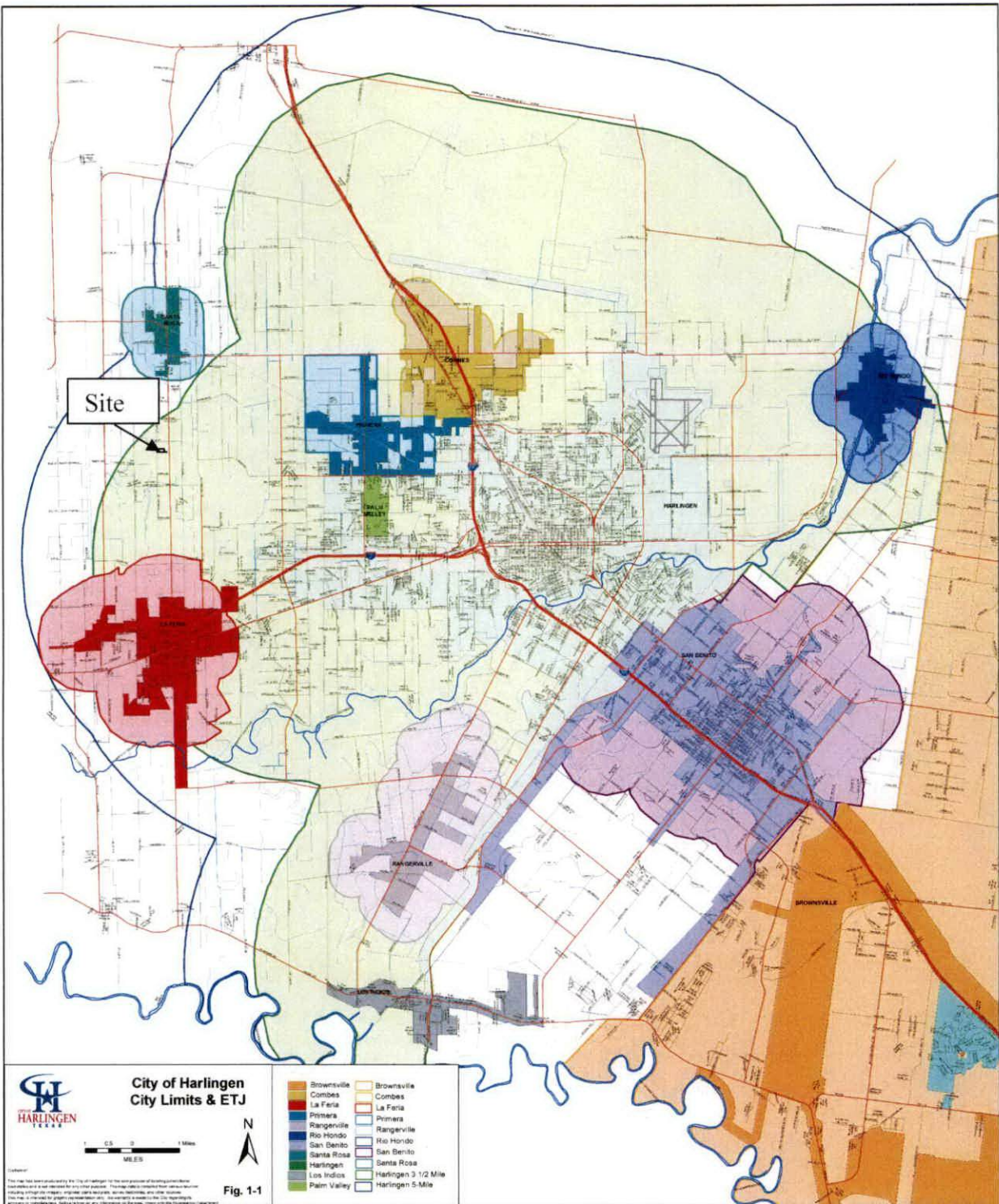


Attachment IV

View from the west on
Louisiana Rd.



Attachment V



ORDINANCE NO. 26 _____

AN ORDINANCE OF THE CITY OF HARLINGEN PROVIDING FOR THE RELEASE OF CERTAIN REAL PROPERTY FROM THE CITY OF HARLINGEN EXTRATERRITORIAL JURSDICTION (ETJ) CONSISTING OF 8.30 ACRES OUT OF THE NORTH 9.6858 ACRES OUT OF THE SOUTH 19.37 ACRES OUT OF BLOCK 75, MINNESOTA TEXAS LAND AND IRRIGATION COMPANY SUBDIVISION, LOCATED APPROXIMATELY 500 FEET NORTH OF TIO CANO LAKE CROSS ROAD BETWEEN LOUISIANA ROAD AND FM 506; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

WHEREAS pursuant to Texas Seante Bill 2028 passed by the Texas State Legislature in the 88th Legislative Session, Texas Local Government Code Chapter 42 allows for the release of an area from the City's extraterritorial jurisdiction ("ETJ") by petition of landowners or by election; and

WHEREAS pursuant to Texas Local Government Code Section 42.102, a resident of an area or the owners of the majority in value of an area in the City's ETJ may file a petition with the City Secretary for the area to be released from the ETJ; and

WHEREAS a request has been submitted for the release of certain real property from the City's Extraterritorial Jurisdiction ("ETJ"); and

WHEREAS, the City Commission has reviewed the request and finds that releasing the property from the ETJ is permitted by law and is in the best interest of the City;

NOW, THEREFORE

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

SECTION 1. The real property described in Exhibit "A," attached hereto and incorporated herein, is hereby released and removed from the City of Harlingen's Extraterritorial Jurisdiction.

SECTION 2. The City Commission finds that:

1. All applicable statutory requirements for the ETJ release have been satisfied; and
2. The release of the property from the ETJ will not adversely affect the public health, safety, or welfare of the City.

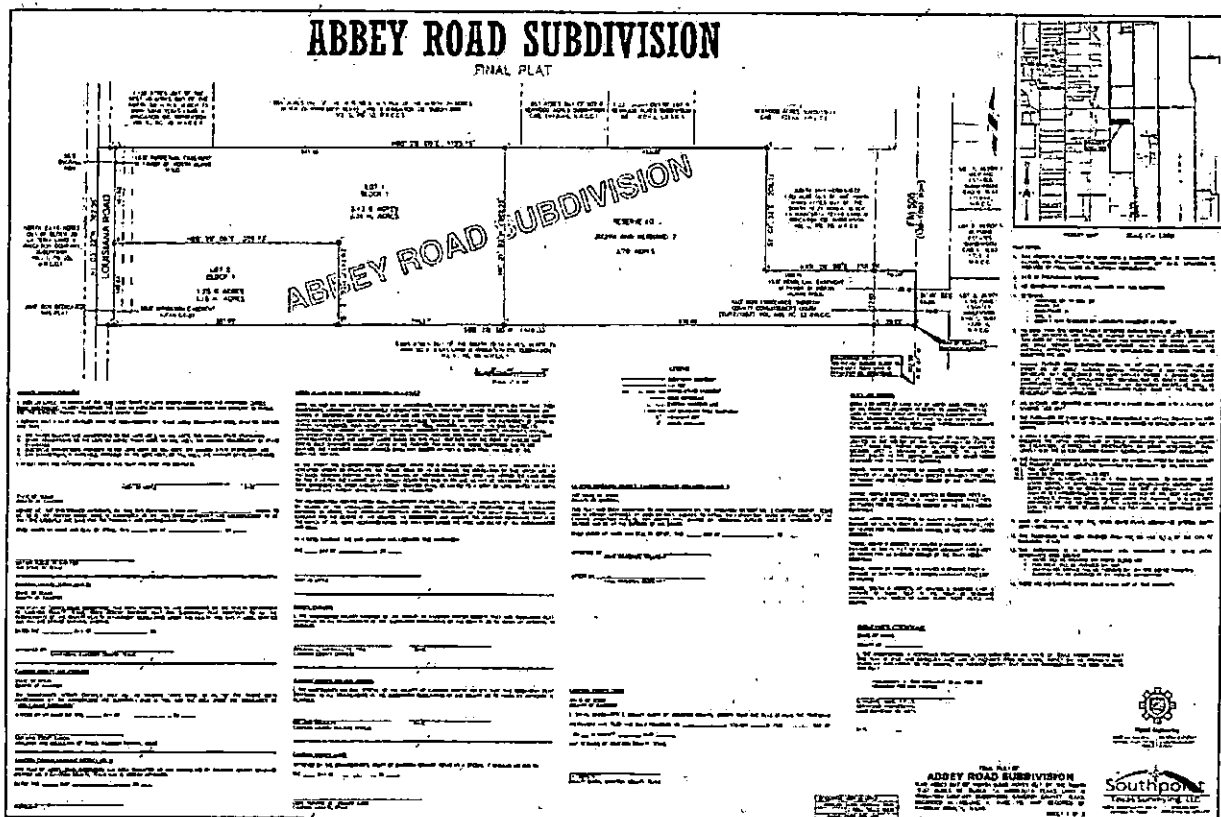
SECTION 3. This Ordinance shall take effect immediately upon its adoption, unless otherwise provided by law.

SECTION 4. The City Secretary is hereby directed to file a certified copy of this Ordinance and the legal description of the property in the official public records of Cameron County and to update the City's ETJ boundary records accordingly.

APPROVED ON FIRST READING on this ____ day of _____, 2026.

APPROVED, PASSED AND ADOPTED ON SECOND AND FINAL READING on this ____ day of _____, 2026.

EXHIBIT "A"



**AGENDA ITEM
EXECUTIVE SUMMARY**

10(b)

Meeting Date: **January 7, 2026**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading for the release from the City of Harlingen Extraterritorial Jurisdiction (ETJ) consisting of 5.50 acres out of Block 41, Briggs & Coleman Subdivision in Surveys 271-272, Cameron County, Texas located along the south side of Bowen Road, 655.42 feet east from the northwest corner of Block 41 (centerline of Ebony Road). Applicant: Manuel Tames III. Attachment (**Planning & Development**)

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

Signature: *Ana Hernandez*

Brief Summary:

Project Timeline

- December 12, 2025 – Application for the release from the ETJ submitted to the City. (**ATTACHMENT I**).
- January 7, 2026 – Public hearing and consideration of requested release via 1st ordinance reading scheduled before the City Commission.
- January 21, 2026 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Pursuant to Section 42.101-105, of the Texas Local Government Code, a resident of an area in a municipality's extraterritorial jurisdiction may file a petition with the municipality in accordance with this subchapter for the area to be released from the extraterritorial jurisdiction. The owner or owners of the majority in value of an area consisting of one or more parcels of land in a municipality's extraterritorial jurisdiction may file a petition with the municipality in accordance with this subchapter for the area to be released from the extraterritorial jurisdiction.
- Manuel Tames III, the applicant and property owner, is requesting for the subject property to be removed from the City Extraterritorial Jurisdiction (ETJ). (**ATTACHMENT II**).
- The subject property is currently vacant. It is located within the City 3.5 mile ETJ. The property has 200.27 feet of frontage on Bowen Road and a depth of 1,196.30 feet.
- The subject release from the City ETJ will require one public hearing and two ordinance readings of the ordinance. The above timeline delineates the release

from the ETJ process.

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

Deannexation from City of Harlingen E.T.J.

I/We, Manuel Tamez III, owner's of the property described as (BEING A 5.50 ACRE TRACT OF LAND OUT OF BLOCK 41, BRIGGS & COLEMAN SUBDIVISION IN SURVEYS 271-272, CAMERON OCUNTY, TEXAS ACCORDING TO THE MAP RECORDED IN VOLUME 5, PAGE 22, MAP RECORDS OF CAMERON COUNTY, TEXAS), formally request to deannex from the City of Harlingen E.T.J. Limits. Furthermore, I/We do not desire to ever be incorporated into the City of Harlingen City Limits.



MANUEL TAMEZ III

STATE OF TEXAS

COUNTY OF CAMERON

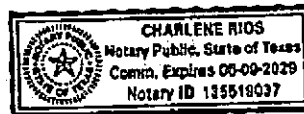
BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED "MANUEL TAMEZ III", KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 8TH DAY OF October 2025



NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES 06-09-2029



Attachment I cont.

RIOS SURVEYING, LLC
TEXAS FIRM #10117600
221 SOUTH WILLIAMS ROAD
SAN BENITO, TEXAS. 78586

Letter of Authorization

TO WHOM IT MAY CONCERN:

THIS NOTE IS TO SERVE AS "LETTER OF AUTHORIZATION" TO RIOS SURVEYING, LLC, AND ITS REPRESENTATIVES TO ACT ON MY BEHALF ON ALL MATTERS CONCERNING THE PROCESSING, SUBMISSION AND RECORDING OF THE PROPOSED "TAMEZ III SUBDIVISION," AUTHORIZATION SHALL TERMINATE UPON THE COMPLETION OF WORK AND FULL PAYMENT OF SERVICES RENDERED IN THE FINALIZING OF SAID SUBDIVISION.

OWNER'S NAME: MANUEL TAMEZ III



MANUEL TAMEZ III

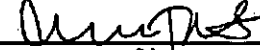
STATE OF TEXAS

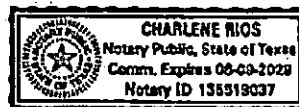
COUNTY OF Cameron

BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS PERSONALLY APPEARED "MANUEL TAMEZ III," KNOW TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FORGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 8th DAY OF October 2025

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS


PRINTED NAME: Charlene Rios
MY COMMISSION EXPIRES: 06-09-2029



RIOS SURVEYING, LLC
TEXAS FIRM #10117600
221 SOUTH WILLIAMS ROAD
SAN BENITO, TEXAS. 78586

Letter of Authorization

TO WHOM IT MAY CONCERN:

THIS NOTE IS TO SERVE AS "LETTER OF AUTHORIZATION" TO RIOS SURVEYING, LLC, AND ITS REPRESENTATIVES TO ACT ON MY BEHALF ON ALL MATTERS CONCERNING THE PROCESSING, SUBMISSION AND RECORDING OF THE PROPOSED "TAMEZ III SUBDIVISION," AUTHORIZATION SHALL TERMINATE UPON THE COMPLETION OF WORK AND FULL PAYMENT OF SERVICES RENDERED IN THE FINALIZING OF SAID SUBDIVISION.

OWNER'S NAME: MANUEL TAMEZ III



MANUEL TAMEZ III

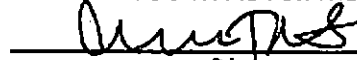
STATE OF TEXAS

COUNTY OF Cameron

BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS PERSONALLY APPEARED "MANUEL TAMEZ III," KNOW TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FORGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

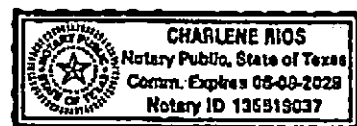
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 8TH DAY OF October 2025

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



PRINTED NAME: Charlene Rios

MY COMMISSION EXPIRES: 06-09-2029



RIOS SURVEYING, LLC
TEXAS FIRM #10117600
221 SOUTH WILLIAMS ROAD
SAN BENITO, TEXAS. 78586

METES AND BOUNDS DESCRIPTION
5.50 ACRE TRACT, CAMERON COUNTY, TEXAS

METES AND BOUNDS:

BEING 5.50 ACRES OF LAND, SITUATED OUT OF BLOCK 41, BRIGGS & COLEMAN SUBDIVISION IN SURVEYS 271-272, CAMERON COUNTY, TEXAS ACCORDING TO THE MAP RECORDED IN VOLUME 5, PAGE 22, MAP RECORDS OF CAMERON COUNTY, TEXAS; SAID PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING, AT THE NORTHEAST CORNER OF BLOCK 41, LYING ON THE CENTERLINE OF BOWEN ROAD (VARIABLE RIGHT-OF-WAY);

THENCE, ALONG THE CENTERLINE OF SAID BOWEN ROAD AND THE NORTH LINE OF SAID BLOCK 41, SOUTH 89 DEGREES 28 MINUTES 00 SECONDS WEST (DEED: NORTH 89 DEGREES 46 MINUTES 00 SECONDS WEST), A DISTANCE OF 600.81 FEET, TO A POINT, BEING THE NORTHWEST CORNER OF A CERTAIN 5.50 ACRE TRACT AS RECORDED IN VOLUME 6254, PAGE 216, OFFICIAL RECORDS OF CAMERON COUNTY, TEXAS AND BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED TRACT;

THENCE, DEPARTING THE NORTH LINE OF SAID BLOCK 41 AND ALONG THE WEST LINE OF SAID 5.50 ACRE TRACT, SOUTH 00 DEGREES 32 MINUTES 00 SECONDS EAST (DEED: SOUTH 00 DEGREES 14 MINUTES 00 SECONDS WEST), AT A DISTANCE OF 20.00 FEET, PASSING A FOUND 1/2 INCH IRON ROD LYING THE SOUTH RIGHT-OF-WAY LINE OF SAID BOWEN ROAD, CONTINUING IN ALL A TOTAL DISTANCE OF 1176.30 FEET, TO A SET 1/2 INCH IRON ROD WITH A SURVEYORS CAP STAMPED "RIOS 4642", LYING ON THE SOUTH LINE OF SAID BLOCK 41; BEING THE SOUTHWEST CORNER OF SAID CERTAIN 5.50 ACRE TRACT, AND BEING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, DEPARTING THE WEST LINE OF SAID 5.50 ACRE TRACT, AND ALONG THE SOUTH LINE OF SAID BLOCK 41, SOUTH 89 DEGREES 28 MINUTES 00 SECONDS WEST (DEED: NORTH 89 DEGREES 46 MINUTES 00 SECONDS WEST), A DISTANCE OF 200.27 FEET, TO A SET 1/2 INCH IRON ROD WITH A SURVEYORS CAP STAMPED "RIOS 4642", BEING THE SOUTHEAST CORNER OF JERI ESTATES AS RECORDED IN CABINET 1, SLOTS 3777 AND 3778, MAP RECORDS OF CAMERON COUNTY, TEXAS AND BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, DEPARTING THE SOUTH LINE OF SAID BLOCK 41 AND ALONG THE EAST LINE OF SAID JERI ESTATES, NORTH 00 DEGREES 32 MINUTES 00 SECONDS WEST (DEED: NORTH 00 DEGREES 14 MINUTES 00 SECONDS EAST), AT A DISTANCE OF 1176.30 FEET, PASSING A FOUND 1/2 INCH IRON ROD FOR REFERENCE LYING ON THE SOUTH RIGHT-OF-WAY LINE OF THE AFOREMENTIONED BOWEN ROAD, CONTINUING IN ALL A TOTAL DISTANCE OF 1196.30 FEET, TO A POINT BEING ON THE CENTERLINE OF SAID BOWEN ROAD, BEING THE NORTHEAST CORNER OF SAID JERI ESTATES AND BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, DEPARTING THE EAST LINE OF SAID JERI ESTATES, AND ALONG THE CENTERLINE OF SAID BOWEN ROAD, BEING THE NORTH LINE OF SAID BLOCK 41, NORTH 89 DEGREES 28 MINUTES 00 SECONDS EAST (DEED: SOUTH 89 DEGREES 46 MINUTES 00 SECONDS EAST), A DISTANCE OF 200.27 FEET TO THE POINT OF BEGINNING AND CONTAINING 5.50 ACRES OF LAND.

COMPILED BY: M.R.

DATE: 11-03-2025

JOB NO: 2025-0923



Francisco Rios, RPS-

Attachment III

Attachment IV



Attachment V



[illegible]

ORDINANCE NO. 26 _____

AN ORDINANCE OF THE CITY OF HARLINGEN PROVIDING FOR THE RELEASE OF CERTAIN REAL PROPERTY FROM THE CITY OF HARLINGEN EXTRATERRITORIAL JURSDICTION (ETJ) CONSISTING OF 5.50 ACRES OUT OF BLOCK 41, BRIGGS & COLEMAN SUBDIVISION IN SURVEYS 271-272, CAMERON COUNTY, TEXAS LOCATED ALONG THE SOUTH SIDE OF BOWEN ROAD, 655.42 FEET EAST FROM THE NORTHWEST CORNER OF BLOCK 41 (CENTERLINE OF EBONY ROAD); PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

WHEREAS pursuant to Texas Seante Bill 2028 passed by the Texas State Legislature in the 88th Legislative Session, Texas Local Government Code Chapter 42 allows for the release of an area from the City's extraterritorial jurisdiction ("ETJ") by petition of landowners or by election; and

WHEREAS pursuant to Texas Local Government Code Section 42.102, a resident of an area or the owners of the majority in value of an area in the City's ETJ may file a petition with the City Secretary for the area to be released from the ETJ; and

WHEREAS a request has been submitted for the release of certain real property from the City's Extraterritorial Jurisdiction ("ETJ"); and

WHEREAS, the City Commission has reviewed the request and finds that releasing the property from the ETJ is permitted by law and is in the best interest of the City;
NOW, THEREFORE

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

SECTION 1. The real property described in Exhibit "A," attached hereto and incorporated herein, is hereby released and removed from the City of Harlingen's Extraterritorial Jurisdiction.

SECTION 2. The City Commission finds that:

1. All applicable statutory requirements for the ETJ release have been satisfied; and

2. The release of the property from the ETJ will not adversely affect the public health, safety, or welfare of the City.

SECTION 3. This Ordinance shall take effect immediately upon its adoption, unless otherwise provided by law.

SECTION 4. The City Secretary is hereby directed to file a certified copy of this Ordinance and the legal description of the property in the official public records of Cameron County and to update the City's ETJ boundary records accordingly.

APPROVED ON FIRST READING on this ____ day of _____, 2026.

APPROVED, PASSED AND ADOPTED ON SECOND AND FINAL READING on this ____ day of _____, 2026.

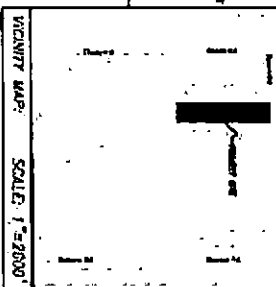
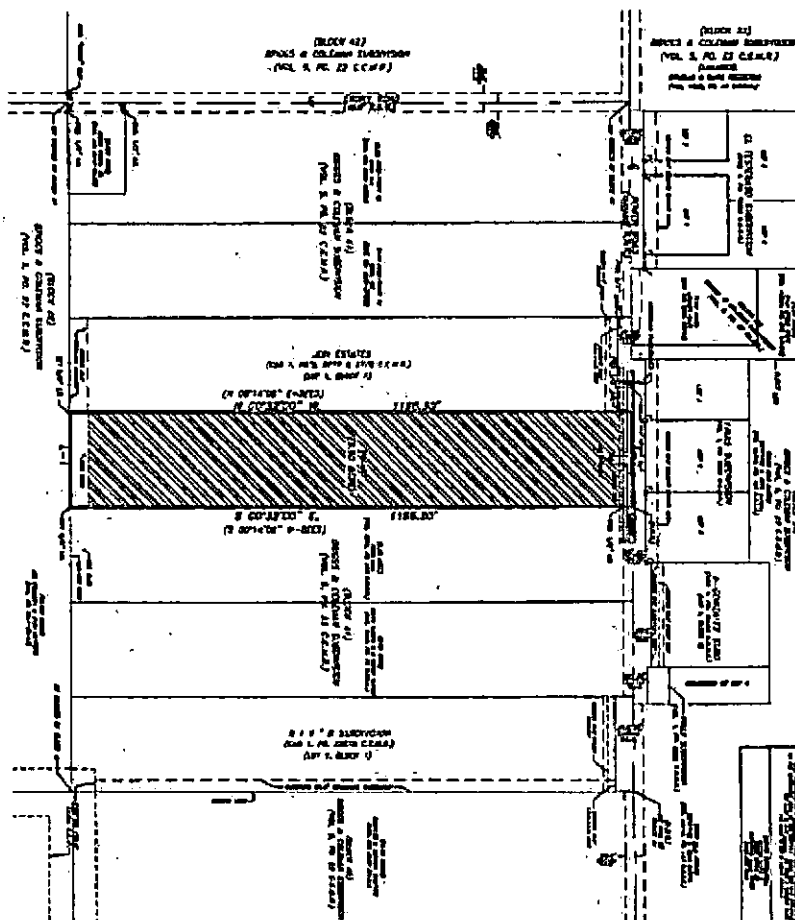
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera City Secretary

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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1. For the first 10 years, the company had almost no debt, thanks to the fact that it was a good example of the kind of company that was a big winner in the early 1980s. It was a company that was a big winner in the early 1980s. It was a company that was a big winner in the early 1980s.

Advertisement: The following advertisement was published in the March 1987 issue of the *Journal of Interpersonal Violence*, Vol. 2, No. 1.

W. OF BERRY
 1000 S. W. 10TH AVE.
 MIAMI, FL 33135
 (305) 371-1111
 FAX (305) 371-1111
 WWW.WOFFBERRY.COM

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(c)

Meeting Date: **January 7, 2026**

Agenda Item:

Consideration and possible action to consider an ordinance on first reading for the release from the City of Harlingen Extraterritorial Jurisdiction (ETJ) consisting of 7.70 acres of land out 15.407 acres of land out of Block 247, San Benito Land and Water Company Subdivision, located west of State Highway 345 (North Sam Houston Boulevard). Applicant: Gustavo Alex Flores. Attachment (**Planning & Development**)

Prepared By: Ana Hernandez, AICP, CNU-A, CPM
Title: Planning and Development Director

Signature: *Ana Hernandez*

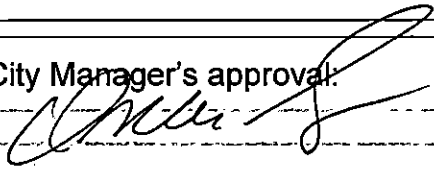
Brief Summary:

Project Timeline

- September 16, 2025 – Application for the release from the ETJ submitted to the City. (**ATTACHMENT I**).
- January 7, 2026 – Public hearing and consideration of requested release from the ETJ via 1st ordinance reading scheduled before the City Commission.
- January 21, 2026 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

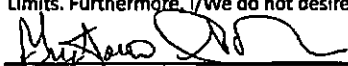
- Pursuant to Section 42.101-105, of the Texas Local Government Code, a resident of an area in a municipality's extraterritorial jurisdiction may file a petition with the municipality in accordance with this subchapter for the area to be released from the extraterritorial jurisdiction. The owner or owners of the majority in value of an area consisting of one or more parcels of land in a municipality's extraterritorial jurisdiction may file a petition with the municipality in accordance with this subchapter for the area to be released from the extraterritorial jurisdiction.
- Gustavo Alex Flores, the applicant and property owner, is requesting for the subject property to be removed from the City Extraterritorial Jurisdiction (ETJ). (**ATTACHMENT II**).
- There is currently a single-family home on the subject property. The property is located within the City 3.5 mile ETJ. The developer is proposing to subdivide the property through the County under the name of Heavenly Oaks Subdivision. The property has 196.84 feet of frontage on State Highway 345 (North Sam Houston Boulevard) and a depth of 1,932.25.
- The subject release from the City ETJ will require one public hearing and two ordinance readings of the ordinance. The above timeline delineates the release from the ETJ process.

Funding (if applicable):			
Are funds specifically designated in the current budget for the full amount for this purpose?		☐	Yes ☐ No*
*If no, specify source of funding and amount requested:			
Finance Director's approval:		☐ Yes	☐ No ☐ N/A
Staff Recommendation:			
Staff recommends approval.			
City Manager's approval:		☒ Yes	☐ No ☐ N/A
			
Comments:			
City Attorney's approval:		☐ Yes	☐ No ☐ N/A

Attachment I

Deannexation from City of Harlingen E.T.J.

I/We, Gustavo Alex Flores, owner's of the property described as (BEING 7.70 ACRES OF LAND, SITUATED OUT OF A 15.407 ACRE TRACT OF LAND OUT OF BLOCK TWO HUNDRED FORTH-SEVEN (247), OF THE SAN BENITO LAND AND WATER COMPANY SUBDIVISION, AS RECORDED IN VOLUME 1, PAGE 25 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS), formally request to deannex from the City of Harlingen E.T.J. Limits. Furthermore, I/We do not desire to ever be incorporated into the City of Harlingen City Limits.



GUSTAVO ALEX FLORES

STATE OF TEXAS

COUNTY OF CAMERON

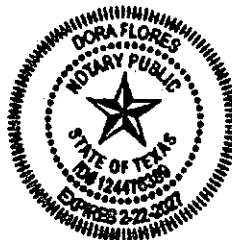
BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED "GUSTAVO ALEX FLORES", KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 15th DAY OF September, 2025



NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS

MY COMMISSION EXPIRES February 22, 2027



Attachment I cont.

**RIOS SURVEYING, LLC
TEXAS FIRM #10117600
221 SOUTH WILLIAMS ROAD
SAN BENITO, TEXAS. 78586**

Letter of Authorization

TO WHOM IT MAY CONCERN:

THIS NOTE IS TO SERVE AS "LETTER OF AUTHORIZATION" TO RIOS SURVEYING, LLC, AND ITS REPRESENTATIVES TO ACT ON MY BEHALF ON ALL MATTERS CONCERNING THE PROCESSING, SUBMISSION AND RECORDING OF THE PROPOSED "HEAVENLY OAKS SUBDIVISION," AUTHORIZATION SHALL TERMINATE UPON THE COMPLETION OF WORK AND FULL PAYMENT OF SERVICES RENDERED IN THE FINALIZING OF SAID SUBDIVISION.

OWNER'S NAME: GUSTAVO ALEX FLORES



GUSTAVO ALEX FLORES

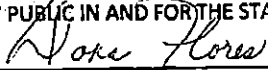
STATE OF TEXAS

COUNTY OF CAMERON

BEFORE ME THE UNDERSIGNED AUTHORITY ON THIS PERSONALLY APPEARED "GUSTAVO ALEX FLORES," KNOW TO ME TO BE THE PERSONS WHOSE NAMES ARE SUBSCRIBED TO THE FORGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 16th DAY OF September 2025

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



PRINTED NAME: Dora Flores

MY COMMISSION EXPIRES: February 23, 2027



Attachment II

METES AND BOUNDS:

BEING 7.70 ACRES OF LAND, SITUATED OUR OF A 15.407 ACRE TRACT OF LAND OUT OF BLOCK TWO HUNDRED FORTH-SEVEN (247), OF THE SAN BENITO LAND AND WATER COMPANY SUBDIVISION, AS RECORDED IN VOLUME 1, PAGE 25 OF THE MAP RECORDS OF CAMERON COUNTY, TEXAS; SAID 7.70 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING, AT THE NORTHWEST CORNER OF SAID BLOCK 247 AND BEING THE COMMON CORNERS OF BLOCKS 246, 247, 248 AND 249 OF SAID SAN BENITO LAND AND WATER COMPANY SUBDIVISION;

THENCE, ALONG THE WEST LINE OF SAID BLOCK 247, SOUTH 38 DEGREES 39 MINUTES 25 SECONDS WEST, (DEED: SOUTH 30 DEGREES 43 MINUTES 00 SECONDS WEST), AT A DISTANCE OF 1141.61 FEET, TO THE POINT OF BEGINNING AND BEING THE NORTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, DEPARTING THE WEST LINE OF SAID BLOCK 247, SOUTH 51 DEGREES 20 MINUTES 35 SECONDS EAST (DEED: SOUTH 30 DEGREES 43 MINUTES 00 SECONDS EAST), AT A DISTANCE OF 88.00 FEET, PASSING A FOUND 1/2 INCH IRON ROD WITH A SURVEYORS CAP STAMPED "RIOS 4642" FOR REFERENCE, AT A DISTANCE OF 107.08 FEET PASSING A SET 1/2 INCH IRON ROD WITH A SURVEYORS CAP STAMPED "RIOS 4642" FOR REFERENCE, AT A DISTANCE OF 1763.08 FEET, PASSING A FOUND 1/2 INCH IRON ROD FOR REFERENCE LYING ON THE WEST RIGHT-OF-WAY LINE OF STATE HIGHWAY 345 (SAM HOUSTON BOULEVARD, 100.00 FOOT RIGHT-OF-WAY), CONTINUING IN ALL A TOTAL DISTANCE OF 1829.88 FEET, TO A POINT LYING WITHIN THE RIGHT-OF-WAY OF SAID SAM HOUSTON BOULEVARD, AND LYING ON THE EAST LINE OF SAID BLOCK 247 AND BEING THE NORTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE EAST LINE OF SAID BLOCK 247, SOUTH 08 DEGREES 48 MINUTES 23 SECONDS WEST (DEED: SOUTH 00 DEGREES 51 MINUTES 68 SECONDS WEST), A DISTANCE OF 205.68 FEET, TO A POINT, BEING THE SOUTHEAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, DEPARTING THE EAST LINE OF SAID BLOCK 247, NORTH 51 DEGREES 20 MINUTES 35 SECONDS WEST (DEED: NORTH 30 DEGREES 43 MINUTES 00 SECONDS WEST), AT A DISTANCE OF 86.80 FEET PASSING A FOUND 1/2 INCH IRON FOR REFERENCE LYING ON THE WEST RIGHT-OF-WAY LINE OF THE AFOREMENTIONED SAM HOUSTON BOULEVARD, AT A DISTANCE OF 1825.17 FEET, PASSING A SET 1/2 INCH IRON ROD WITH A SURVEYORS CAP STAMPED "RIOS 4642", CONTINUING IN ALL A TOTAL DISTANCE OF 1832.25 FEET, TO A POINT LYING ON THE AFOREMENTIONED WEST LINE OF BLOCK 247, AND BEING THE SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE WEST LINE OF SAID BLOCK 247, NORTH 38 DEGREES 39 MINUTES 25 SECONDS EAST (DEED: NORTH 30 DEGREES 43 MINUTES 00 SECONDS EAST), A DISTANCE OF 178.39 FEET, TO THE POINT OF BEGINNING AND CONTAINING 7.70 ACRES OF LAND.

COMPLIED BY: M.R.

DATE: 9-15-2025

JOB NO: 2025-0513



Francisco Rios, RPLS.

SAN BENITO LAND & WATER COMPANY SUBDIVISION
(VOL. 1, PG. 25 C.G.M.R.)

LEGEND

Symbol	Description
—	Section Line
- - -	Survey Line
—	Right of Way
—	Easement
—	Water
—	Other

SECTION 1

SECTION 2

SECTION 3

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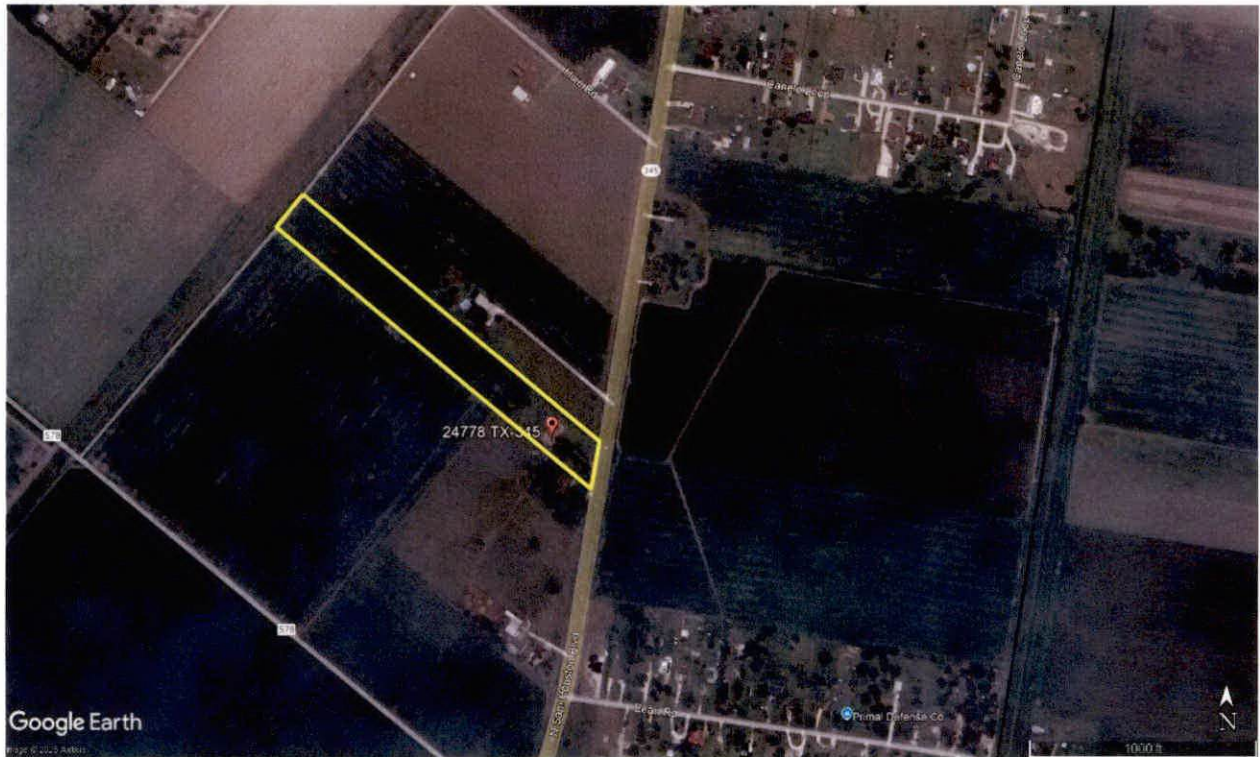
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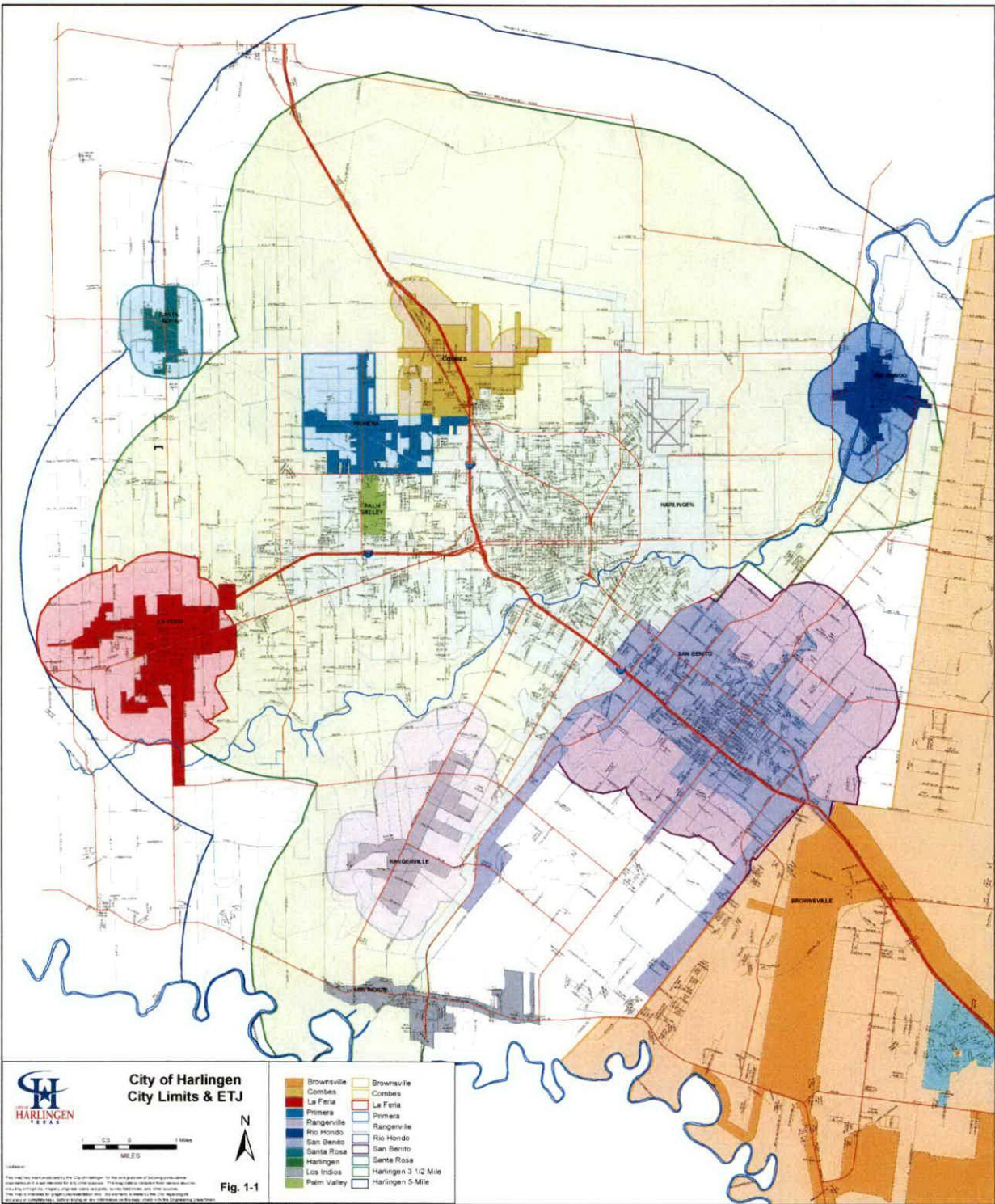
Attachment IV



Attachment V



Attachment VI



**AN ORDINANCE OF THE CITY OF HARLINGEN
PROVIDING FOR THE RELEASE OF CERTAIN REAL
PROPERTY FROM THE CITY OF HARLINGEN
EXTRATERRITORIAL JURSDICTION (ETJ) CONSISTING
OF 7.70 ACRES OF LAND OUT OF 15.407 ACRES OUT
OF BLOCK 247, SAN BENITO LAND AND WATER
COMPANY SUBDIVISION, LOCATED WEST OF STATE
HIGHWAY 345 (NORTH SAM HOUSTON BOULEVARD);
PROVIDING FOR PUBLICATION AND ORDAINING
OTHER MATTERS RELATED TO THE FOREGOING**

WHEREAS pursuant to Texas Seante Bill 2028 passed by the Texas State Legislature in the 88th Legislative Session, Texas Local Government Code Chapter 42 allows for the release of an area from the City's extraterritorial jurisdiction ("ETJ") by petition of landowners or by election; and

WHEREAS pursuant to Texas Local Government Code Section 42.102, a resident of an area or the owners of the majority in value of an area in the City's ETJ may file a petition with the City Secretary for the area to be released from the ETJ; and

WHEREAS a request has been submitted for the release of certain real property from the City's Extraterritorial Jurisdiction ("ETJ"); and

WHEREAS, the City Commission has reviewed the request and finds that releasing the property from the ETJ is permitted by law and is in the best interest of the City;

NOW, THEREFORE

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

SECTION 1. The real property described in Exhibit "A," attached hereto and incorporated herein, is hereby released and removed from the City of Harlingen's Extraterritorial Jurisdiction.

SECTION 2. The City Commission finds that:

1. All applicable statutory requirements for the ETJ release have been satisfied; and
2. The release of the property from the ETJ will not adversely affect the public health, safety, or welfare of the City.

SECTION 3. This Ordinance shall take effect immediately upon its adoption, unless otherwise provided by law.

SECTION 4. The City Secretary is hereby directed to file a certified copy of this Ordinance and the legal description of the property in the official public records of Cameron County and to update the City's ETJ boundary records accordingly.

APPROVED ON FIRST READING on this ____ day of _____, 2026.

APPROVED, PASSED AND ADOPTED ON SECOND AND FINAL READING on this ____ day of _____, 2026.

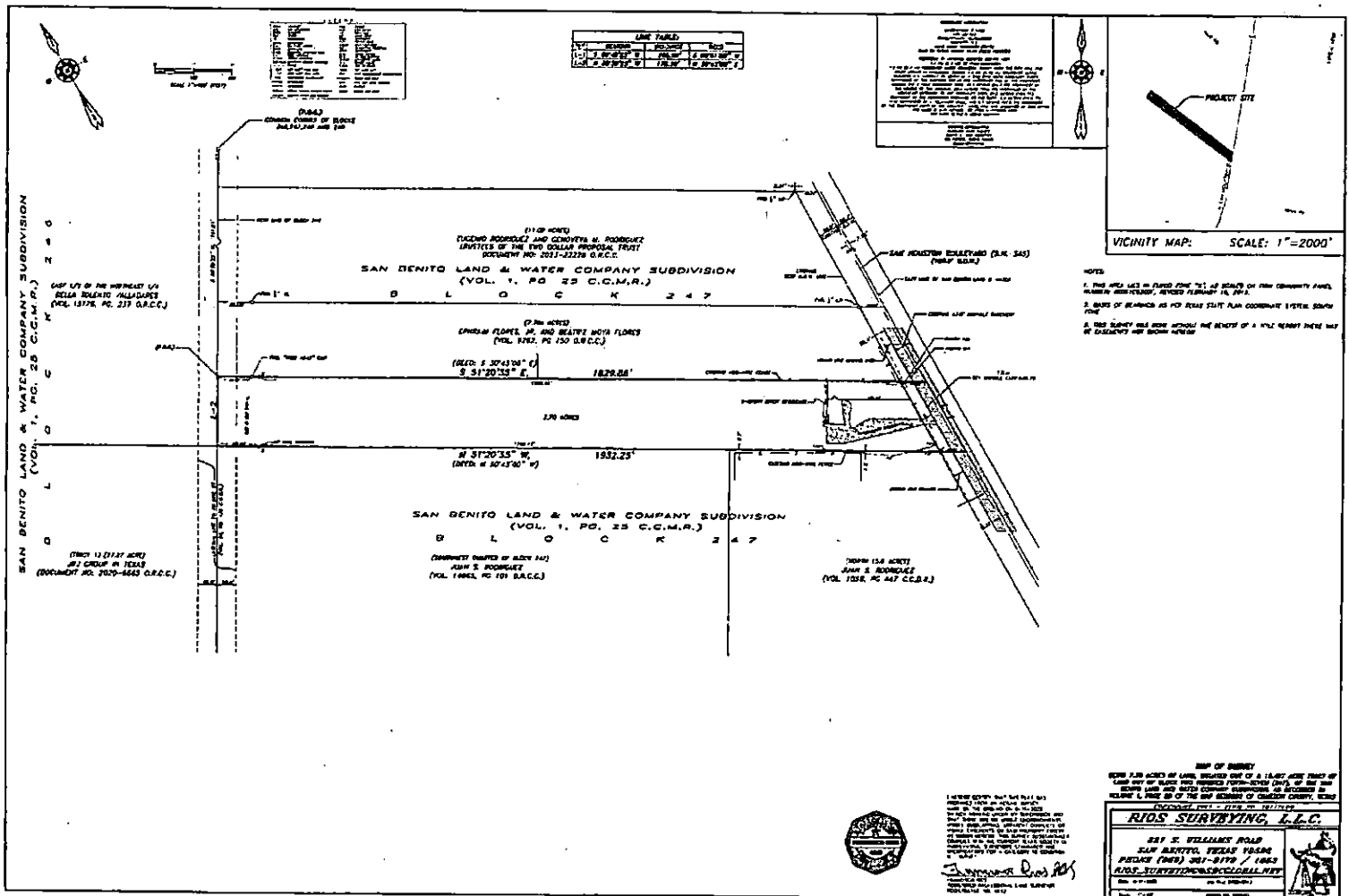
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera City Secretary

LINE	REASON	PERCENT	REASON
1-1	1.0000000000	100.00	1.0000000000
1-2	1.0000000000	100.00	1.0000000000



10(d)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 7, 2026**

Agenda Item:

Consideration and possible action to authorize funding, not to exceed \$40,000, for the construction and installation of a new front desk/permitting counter for the Planning and Development Department. Attachment (*Planning and Development Department*).

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

Signature: *Ana Hernandez*

Brief Summary:

Staff requests authorization and funding, not to exceed \$40,000, for the construction and installation of a new front desk/permitting counter and associated workstations for the Planning and Development Department. This expenditure was not included in the current fiscal year budget.

Public Works and Planning staff solicited multiple quotes from qualified vendors and contractors, which are included as attachments. Based on pricing and prior successful experience with the firm, Public Works staff recommends Gomez Construction for this project. However, because the total cost is below the \$50,000 purchasing threshold, City Commission approval is not required to award the project to a specific vendor.

The project includes the construction and installation of approximately 75 linear feet of custom modular workstation counter. The new configuration will provide a designated, ADA-compliant reception area and individual staff workstations, along with durable work surfaces, sneeze guards, under-desk filing, and electrical and data-routing accommodations.

The total project cost includes all materials, labor, delivery, installation, project coordination, and site cleanup. Installation workmanship will be covered by a 12-month warranty. The estimated lead time for materials is approximately 2-3 weeks, with installation expected to take approximately 10 business days.

The redesigned front desk will allow staff to sit with customers to conduct consultations and process permits, significantly improving accessibility, customer service, and workflow efficiency. The existing front desk/counter is primarily configured for payment processing, offers limited functionality, and does not meet current ADA accessibility standards.

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 funding request.

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

Comments:

City Attorney's approval:

☒

Yes

☐

No

☐

N/A

ESTIMATE

Gomez 3 Construction LLC
2731 W Business 83
Ste B
Weslaco, TX 78596-9357

gomez3construction@gmail.com
+1 (956) 342-7826
www.gomez3.com



Ana Hernandez, P&D Director:502 E Tyler - Harlingen Workstations

Bill to

Ana Hernandez, P&D Director
502 E Tyler Ave
Harlingen, TX 78550

Ship to

Ana Hernandez, P&D Director
City of Harlingen
502 E Tyler Ave
Harlingen, Texas 78550

Estimate details

Estimate no.: 1024
Estimate date: 12/08/2025

#	Date	Product or service	Description	Qty	Rate	Amount
1.		Services	Preparation of designated area for new workstation installation, approximately 75 linear ft Supply and installation of a modular cubicle workstation, including: *Approximately 75 linear ft laminate MDF partition panels (client to make selections before fabrication begins) *" 1/2" Access door with lockset (as shown on plans) *Approximately 75 linear ft sneeze guards tempered glass with brushed nickel mounting brackets *Quartz work surfaces throughout (Sparkling White) *3-Tier under-desk filing pedestal (per plans) *Electrical/data routing accommodations (IT connections not included) *Final cleaning and workspace handover	1	\$38,250.00	\$38,250.00

Services

This cost includes:

1

\$0.00

\$0.00

*Materials and workstation components

*Labor for assembly and installation

*Delivery and handling

*Project coordination and site
walkthrough*Cleanup and disposal of packaging
material

Total**\$38,250.00****Note to customer****Timeline**

Estimated Lead Time: 2–3 weeks for materials

Installation Duration: 10 business days

WarrantyAll workstation components include a manufacturer's warranty, and
installation workmanship is covered for 12 months.All color and material selections must be approved by Client before
fabrication begins.

Accepted date**Accepted by**

		515 E Pike Blvd Westlaco, TX 78596 C: (956) 874-3686 E: treasurebuilders@att.net		ESTIMATE	
CONSTRUCTION INFORMATION			PROJECT DESCRIPTION		
DATE:			12/9/2025		
CUSTOMER ID:					
CUSTOMER:			City of Harlingen		
ADDRESS			502 E Tyler Ave, Harlingen, TX 78550		
No.	ITEM	COMMENT	QTY	TOTAL	
1	WORKSTATION RECONFIGURATION	MATERIAL AND LABOR	75' LINEAR FT	\$	-
2	MODULAR CUBICLE WORKSTATIONS	MATERIAL AND LABOR		\$	-
3	PARTITION PANELS	MATERIAL AND LABOR		\$	-
4	TEMPERED GLASS SNEEZE GUARDS & BRACKETS	MATERIAL AND LABOR		\$	-
5	NEW SURFACES- QUARTZ MATERIAL	MATERIAL AND LABOR		\$	-
6	FILING PEDESTAL- UNDER DESKS	MATERIAL AND LABOR		\$	-
7	ELECTRICAL WORK- DATA ROUTING / PLUGS	MATERIAL AND LABOR		\$	-
8	REMOVAL OF DEBRIS	LABOR			
9	FINAL CLEANING	LABOR			
Comments:					
				TOTAL	\$ 50,250.00
THANK YOU FOR YOUR BUSINESS		PAYMENT #	DATE	AMOUNT	BALANCE
MUCHAS GRACIAS POR SU NEGOCIO					
RO-8-28					

INNOVATIVE DEVELOPMENT, L.L.C.

Commercial

Industrial

December 9, 2025

Att: City of Harlingen, Planning Department.

PROJECT: New Workstations Addition
502 E. Tyler Ave.
Harlingen, Tx.

We are pleased to offer our construction quotation for your proposed Workstations in accordance with the following outlines:

0100 FINISHES

1. Furnish and Install around 80 Lf. of Wood Framing Low walls Cubicle Partitions.
2. Furnish and Install Gypsumboard over wood framing with Tape, Float, Texture & Painting.
3. Furnish and Install 4" Steel posts anchored to concrete Floor for wood framing support.
4. Furnish and Install Quartz Countertops at Cubicle Stations reinforced with ¾" plywood base.
5. Furnish and Install Acrylic Plastic Sneeze Guards at each Cubicle Station.

Total as described above ————— \$ 46,500.00

Respectfully submitted,

Carlos Marin III

Carlos Marin III
Estimator / P.M.

Innovative Development, L.L.C.

SOLD TO:

ANA HERNANDEZ
CITY OF HARLINGEN/PLANNING A
502 E. TYLER
HARLINGEN TX 78551
956-216-5242

SHIP TO:

ANA HERNANDEZ
CITY OF HARLINGEN/PLANNING A
502 E. TYLER
HARLINGEN TX 78551
956-216-5242

PROJECT: RECEPTION

QUOTE		DATE	CONTRACT #	CONTRACT NAME	SALESPERSON	
25-2453LS		11/3/2025	240301	TIPS	Leticia Saenz	
Line #	Qty	Part Number	Part Description	Sell	Ext Sell	
1	1	TAY PROJECT	RECEPTION -TAYCO PROJECT	\$46,856.80	\$46,856.80	
2	1	ZZZ FREIGHT	FREIGHT FROM TAYCO	\$150.00	\$150.00	
3	1	ZZ INSTALL	DELIVER AND INSTALL DURING NORMAL BUSINESS HOURS	\$5,200.00	\$5,200.00	
				Tag Subtotal:	\$52,206.80	
				Total Sell:	\$52,206.80	

QUOTE		DATE	CONTRACT #	CONTRACT NAME	SALESPERSON
25-2453LS		11/3/2025	240301	TIPS	Leticia Saenz
Line #	Qty	Part Number	Part Description	Sell	Ext Sell

FURNITURE TERMS AND CONDITIONS

Gateway is pleased to provide this pricing for your consideration.
Please review the items listed in detail on this proposal.
Delivery and Installation will be completed during regular business hours, Monday-Friday 8AM to 5PM,
unless otherwise noted in installation services.

Please Note: A deposit may be required on furniture orders prior to order placement.
This proposal contains **Special Order** items that are **Not Returnable**.
Once an order is placed, cancellations are **Not Allowed**.

Payment Terms: Net thirty (30) days after receipt of invoice or receipt of products.

Please make checks payable to: **Gateway**

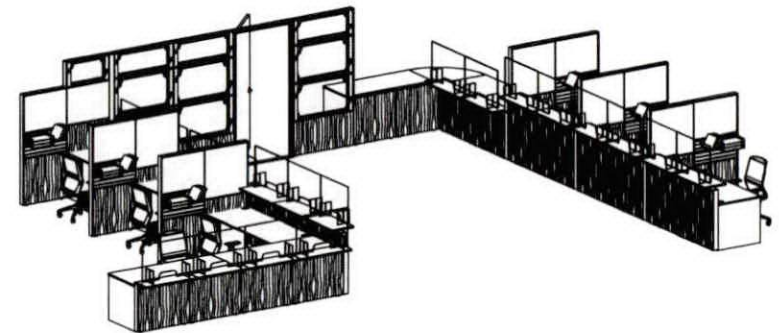
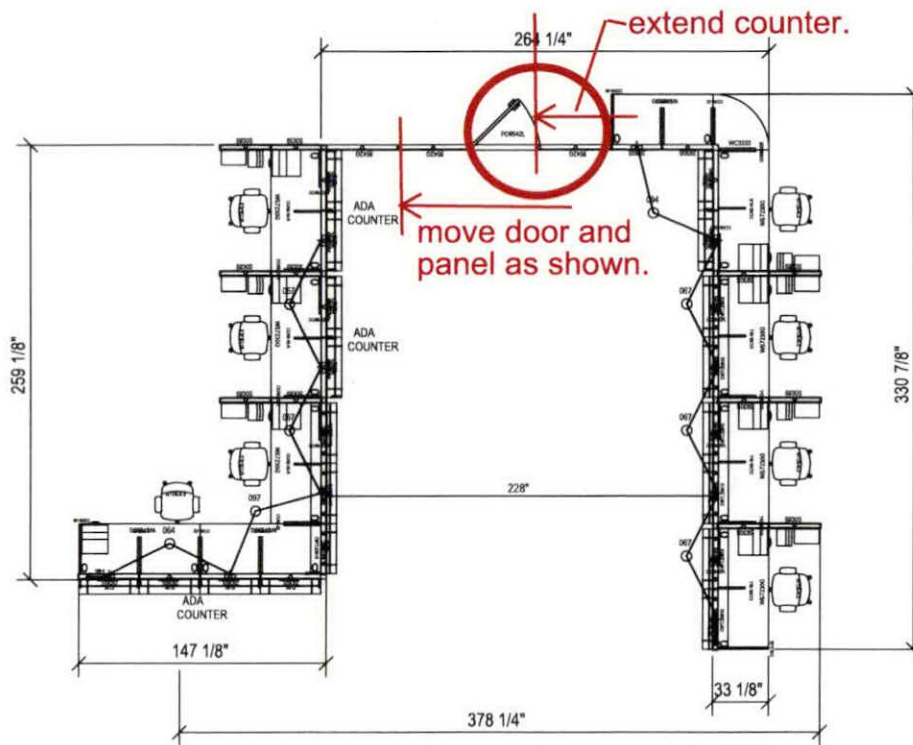
Credit Cards are accepted - 3% processing fees will apply.

This quote is valid for 30 days unless otherwise noted.

Applicable sales tax will be added at time of invoicing.

By signing this quote, the customer authorizes the approval of the products and services contained herein.

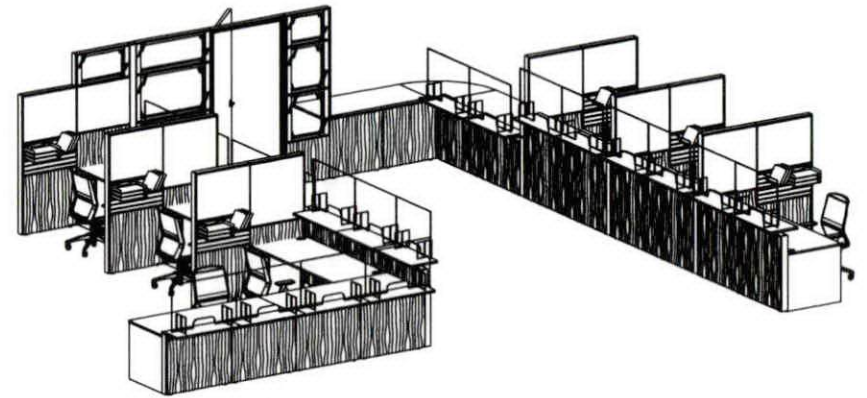
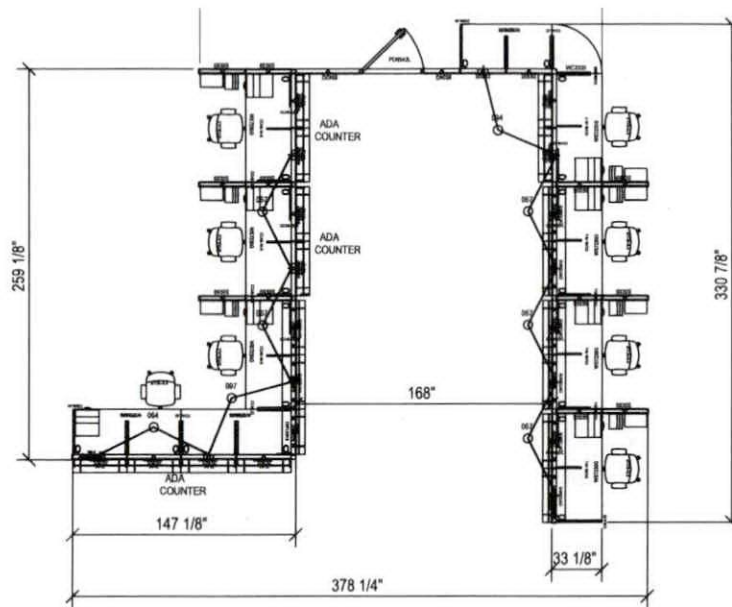
ACCEPTED BY	TITLE	DATE	PO NUMBER
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tayco®

Quote No. 667431-3
 Project / Customer: Gateway Valley Reception
 Dealer: WALLIN MARKETING SERVICES, LP

Drawn By: EWA
 Date: OCT. 7, 2025

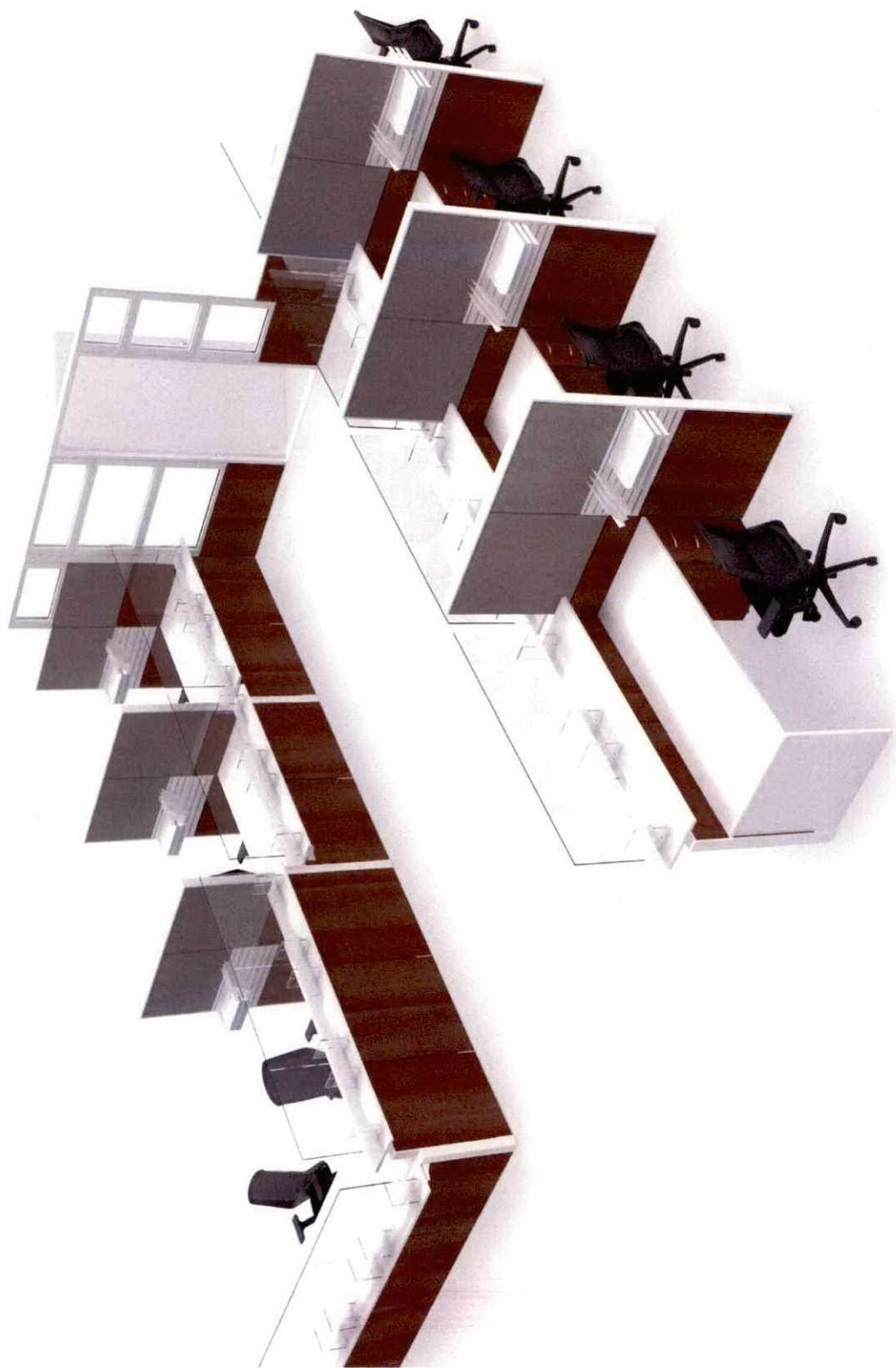


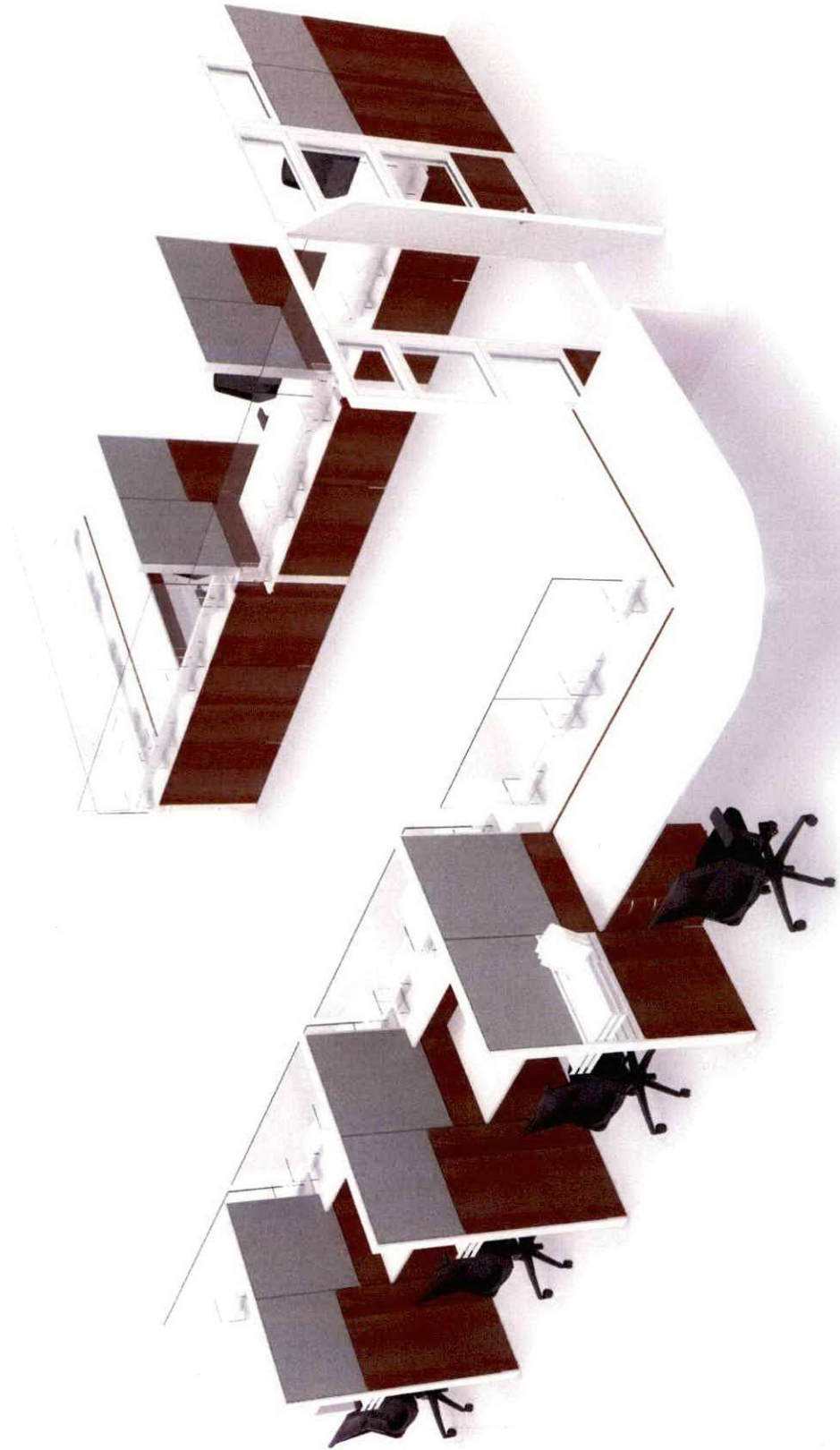
tayco®

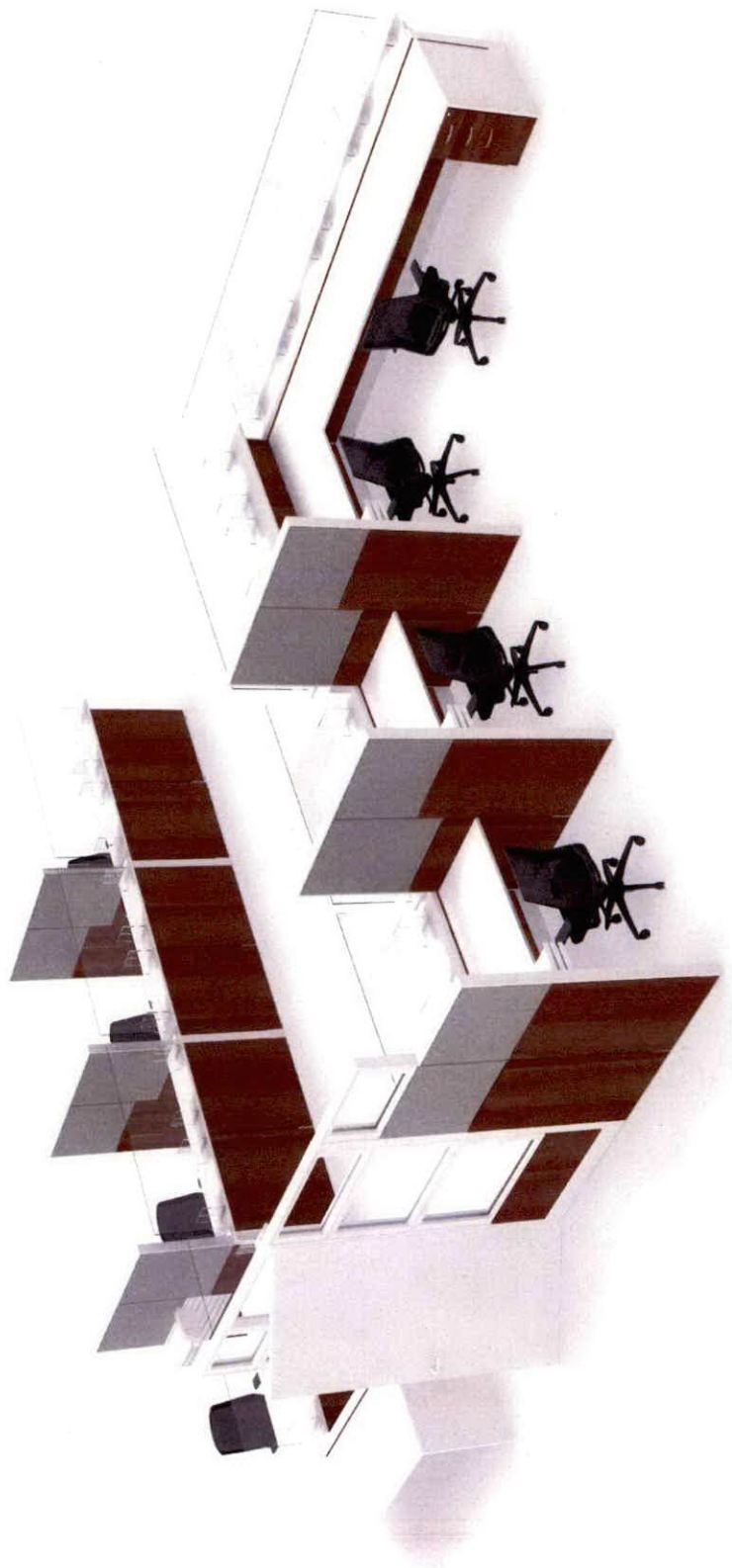
Quote No. 667431-2
 Project / Customer: Gateway Valley Reception
 Dealer: WALLIN MARKETING SERVICES, LP

Drawn By: EWA
 Date: OCT. 7, 2025









**AGENDA ITEM
EXECUTIVE SUMMARY**

10(e)

Meeting Date: **January 7, 2026**

Agenda Item:

Consideration and possible action to over hire three (3) firefighters this calendar year.

Prepared By (Print Name): Rafael Balderas

Title: Fire Chief

Signature:

Brief Summary:

This request allows the department to hire and begin the seven (7) months of training for replacement personnel due to upcoming scheduled retirements within the calendar year.

The department's budget would not be detrimentally impacted by this decision.

The hiring of these replacement personnel would also contribute to less fluctuation in pension contributions.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval.

City Manager's approval:



☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:

☐ Yes ☐ No ☐ N/A

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(8)

Meeting Date: **January 7, 2026**

Agenda Item:

Consideration and possible action to authorize the City Manager to sign the Memorandum of Understanding between the Texas Commission of Fire Protection, the International Association of firefighters and the City of Harlingen Fire Department.

Prepared By (Print Name): Darrell Loftus
Title: Assistant Fire Chief

Signature:

Brief Summary:

TCFP is a Texas state governmental agency tasked with overseeing and regulating all paid fire departments, and firefighting standards within the State of Texas; and the IAFF received a grant from TCFP to provide the "Responding to the Interface Training" ("RTI"); and the City is willing to partner with TCFP with respect to this event to provide the necessary facilities for the TCFP to fund the RTI Training.

Funding (if applicable):

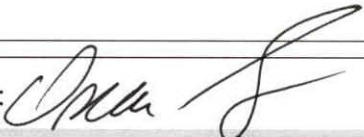
Are funds specifically designated in the current budget for the full amount ☐ Yes ☐ No*

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

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

Staff Recommendation:

Staff recommends approval.

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

Comments:

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

**Memorandum of Understanding
Between the
Texas Commission on Fire Protection,
the International Association of Fire Fighters
And
the City of Harlingen Fire Department**

This Memorandum of Understanding ("MOU") is entered between the Texas Commission on Fire Protection ("TCFP"), the International Association of Fire Fighters ("IAFF"), and the City of Harlingen on behalf of its Fire Department (the "City" or "HFD").

WHEREAS, TCFP is a Texas state governmental agency tasked with overseeing and regulating all paid fire departments, and firefighting standards within the State of Texas; and

WHEREAS, the IAFF received a grant from TCFP to provide the "Responding to the Interface Training" ("RTI"); and

WHEREAS, the City is willing to partner with TCFP with respect to this event to provide the necessary facilities for the TCFP to fund the RTI Training to the HFD Firefighters and for IAFF to give the training offered to all the IAFF region including the City of Harlingen;

WHEREAS, the City finds this educational partnership and event will provide a direct benefit to the City, HFD, its firefighters, and the community, and serve the public purpose of advancing educational initiatives to our firefighters and provide practical training to safely and effectively respond to the challenges of wildland and urban interface fires; and

WHEREAS, the purpose of this MOU is to guide and direct the parties respecting their working arrangements in furtherance thereof to provide the training to HFD firefighters.

NOW THEREOF, in consideration of the foregoing premises and mutual covenants and promises contained herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

I. Purpose

TCFP will fund a Four-Day Responding to the Interface (RTI) Train the Trainer (TtT) course in Harlingen, Texas which will be conducted by the IAFF. The course dates will be February 23- February 26, 2026, for a minimum of 20 participants and a maximum of 25 participants.

II. Responsibilities of TCFP

- Has provided \$48,000 to IAFF to cover all costs and conduct this Four-Day Training "Responding to the Interface" (RTI) Train the Trainer course ("IAFF RTI TtT Course") in Harlingen, Texas.

III. Responsibilities of IAFF

As part of this IAFF RTI TtT Course, the IAFF will provide:

- The course at no cost for all attendees, which include all HFD firefighters registered to attend by the Fire Department.
- All required IAFF Instructors, training manuals and resource materials. Each student for the IAFF RTI TtT Course will be required to have these teaching aids.
- Guidance and subject matter expertise on urban interface fire problems.
- Assistance and analysis on IAFF—sponsored fire research.
- Ensure that the IAFF RTI Course is delivered properly and only as intended by the IAFF.

IV. Responsibilities of HFD

HFD will provide a facility (“Course Site”) based on availability and within normal limits imposed by the setting, space, and equipment constraints of the City to the IAFF to teach the Course at no charge to the IAFF. The Course Site used to conduct IAFF RTI skills training shall meet the following requirements:

Training Classroom:

- Enough tables and chairs to seat 25 participants, plus six instructors
- The classroom must be free of distractions and at a comfortable temperature for the students.
- Provide classroom Audio & Visual capabilities.
- Two (2) easels and easel pads or dry-erase boards with markers.
- Access to a printer/copier
- Access to Electrical extension cords and surge protectors.

Field Training Area:

- A neighborhood representative of typical urban interface risk. Ideally, a minimum of ten (10) structures are required. The optimum setting provides many structures in one (1) or two (2) rows. Homeowners’ permission to use yards will be required. (the IAFF Course Coordinator will assist the HFD by providing templates of Homeowner Letters and Hold Harmless documents for Host Site to use at its option/discretion).
- At least one working fire hydrant.
- Restrooms.

In addition, HFD shall provide the following equipment to teach the course:

Training Equipment:

- A minimum of four (4) apparatus and no more than six (6) apparatus can be used.

- Radios (minimum of 10) with at least two channels/frequencies that can be dedicated for training exercises.
- Positive Pressure Ventilation Fan (PPV) for Fire Shelter Drills.

Personal Protective Clothing and Equipment:

- Each participant must have their own wildland fire fighting ensemble meeting the requirements contained in NFPA 1550, Standard for Emergency Responder Health and Safety Program and include: helmet, jacket/shirt, trousers, boots, hood and gloves. All skills must be performed in full Wildland PPE.
- Load Carry Equipment or Personal equipment normally carried by HFD's fire fighters

Medical and Logistical Facilities and Equipment:

- Area out of direct sunlight that can be used for rehabilitation, with cooling and warming capabilities.
- Medical kit (at a minimum, kit must contain essentials needed to provide basic life support care including airways, dressings, and a variety of first aid equipment.)
- Radios available to instructors (can be included in the ten required for training) with two dedicated frequencies/channels. One frequency/channel will be used by students in forming radio communications skills required during training scenarios. The second frequency/channel will be used by instructors to communicate with medical personnel if a fire fighter is injured.
- Water
- Restrooms

HFD will make aware all training participants that the Course, and any written, printed, graphic, or electronically or magnetically recorded information developed in accordance with this MOU, is the sole and exclusive property of the IAFF. In addition, any written, printed, graphic, or electronically or magnetically recorded information furnished by the IAFF for use in carrying out the provisions of this MOU is the sole property of the IAFF.

HFD will keep proprietary information owned by IAFF confidential and will not disclose it by any means to any person except with the IAFF's written approval, and only to the extent necessary to perform under this MOU. Notwithstanding the above, IAFF acknowledges HFD is subject to the Public Information Act, Chapter 552, Texas Government Code, (the Act"). HFD will maintain the confidentiality of the proprietary information to the extent permitted by law and agrees that, as required by the Act, it will notify IAFF if a request relating to such proprietary rights is received. IAFF represents it understands that the Act excepts disclosure of trade secrets and confidential commercial information and that it will need to assert the proprietary interest that it will need to assert the proprietary interest as a basis for nondisclosure.

The IAFF RTI Program or Course can only be delivered by IAFF-certified RTI Instructors. Any use of the IAFF RTI Program that is inconsistent with this MOU is a violation of the IAFF copyright on this IAFF RTI Program.

This MOU is effective upon the signature of all parties and ends at the end of the training on February 26, 2026.

TEXAS COMMISSION ON FIRE PROTECTION

By:

_____(Signature)
_____(Printed Name)
_____(Title)
_____(Date)

CITY OF HARLINGEN, TEXAS

By:

_____(Signature)
_____(Date)

APPROVED AS TO CONTENT:

Rafael Balderas, Fire Chief
Harlingen Fire Department

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(g)

Meeting Date: **January 7, 2026**

Agenda Item:

Consideration and possible action to authorize the City Manager to sign the Fire Services agreements between the City of Harlingen with Cameron County Emergency Services District No. 1, City of Combes and the City of Palm Valley for Fiscal Year 2025-2026.

Prepared By (Print Name): Darrell Loftus
Title: Assistant Fire Chief

Signature:

Brief Summary:

Annual renewal of Fire Services Agreement between the City of Harlingen and Cameron County ESD No. 1 (in the amount of \$415,494.93), the City of Combes (in the amount of \$183,729.02), and the City of Palm Valley (in the amount of \$171,888.27). These amounts will be paid in quarterly installments on the following: December 31st, March 31st, June 30th, and September 30th. The CCESD No. 1 Fire Services Agreement response map has been re-drawn to include some additional territories, formally serviced by City of Rio Hondo and City of Santa Rosa.

The City of Primera will not be renewing the Fire Services Agreement with the City of Harlingen as of Official Notice dated July 3, 2025, due to the establishment of the City of Primera Volunteer Department.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval.

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

Comments:

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



THE STATE OF TEXAS §
§
COUNTY OF CAMERON §

**CAMERON COUNTY EMERGENCY SERVICES DISTRICT NO. 1
FIRE SERVICES AGREEMENT**

This Agreement is made and entered into pursuant to Chapter 775 of the Texas Health & Safety Code, and as applicable, the Texas Government Code, Chapter 791, known as the "Interlocal Cooperation Act," by and between the Cameron County Emergency Services District No. 1, hereinafter referred to as "DISTRICT," acting by and through its undersigned President, and the **City of Harlingen**, located in Cameron County, Texas, hereinafter referred to as "PROVIDER," acting by and through its undersigned Executive. **Chapter 775 of the Texas Health & Safety Code and Texas Government Code Chapter 791, as applicable, shall be followed by the Parties.**

In consideration of the mutual covenants, agreements, and benefits to both parties, it is AGREED as follows:

I. STATUTORY AUTHORITY

- 1.1** Chapter 791 of the Texas Government Code and its provisions are applicable and operative to the Parties if both entities to this Agreement are recognized as local governments as designated in § 791.011(a). In such an instance, then all relevant provisions of the Act are applicable, unless otherwise delineated. This Agreement provides a government function or service that each Party to the

Agreement is authorized to perform individually. Tex. Gov't Code § 791.011(c).

- 1.2 The DISTRICT enters into this Agreement pursuant to the Interlocal Cooperation Act and Texas Health and Safety Code § 775.031(a)(2), (9), and (12).

II. PROVISIONS OF SERVICES

- 2.1 In consideration of the sum inscribed in paragraph 5.1, the PROVIDER will furnish the following full-time (24 hours per day—365 days a year) services, hereinafter “firefighting services,” within the PROVIDER’s designated zone: (1) fire protection and suppression; (2) fire prevention; (3) hazardous material, as defined in Texas Health & Safety Code § 775.151(1), response to the level currently trained; (4) emergency rescue; and (5) other assistance to the public as necessary. PROVIDER has been assigned **Zone 2** on the Official Fire Protection Service Zone Map of the DISTRICT, which is attached hereto as Exhibit A – ESD Fire Zones (rev. 2025) and incorporated by reference herein as if fully copied and set forth at length. Pursuant to Chapter 775 of the Texas Health & Safety Code, monies paid for the services shall be for the benefit of Emergency Services District No. 1 constituents.
- 2.2 While the purpose of this map is to define generally the PROVIDER’s main area of responsibility, such a designation does not limit the PROVIDER’s duty to respond to other areas within the DISTRICT should the need arise. Therefore, it is expressly agreed that when, in the judgment of the PROVIDER’s Fire Chief, an emergency demands the response of the PROVIDER’s firefighting services outside of its designated zone, the PROVIDER shall be obligated to respond.
- 2.3 PROVIDER will conduct itself in conformity with the requirements and standards of emergency services (i.e., firefighting services)

provided by State and Federal requirements and professional associations' best practices, and shall, to the best of PROVIDER's ability, adhere to Exhibit B – Performance Statement, unless specifically agreed to in this Agreement. PROVIDER will perform all acts necessary to successfully fulfill the purpose of this Agreement and shall, at all times, faithfully, diligently, and to the best of its abilities, experience, and talents, perform all the duties that may be required of and from it pursuant to the express and implicit terms of this Agreement and to the reasonable satisfaction of the DISTRICT. Moreover, the PROVIDER shall comply with and maintain compliance with all licensing, training, fiscal, and other requirements imposed on the PROVIDER by this Agreement and local, state, and federal law or administrative regulations applicable to the PROVIDER.

2.4 The PROVIDER shall implement policies and procedures to ensure its agents, representatives, employees, or personnel performing the services under this Agreement behave in a lawful, safe, courteous, professional, and respectful manner to the DISTRICT's constituents and with all other individuals or entities involved in rendering assistance under this Agreement. The PROVIDER recognizes that the emergency services provided under the Agreement involve highly dangerous and life-threatening situations and that cooperative and unified action by the PROVIDER's agents, representatives, employees, personnel or entities providing services under this Agreement is imperative. The PROVIDER will act promptly to impose the necessary discipline to ensure the PROVIDER's agents, representatives, employees, or personnel consistently comply with the standard of conduct imposed by this section of the Agreement. Nothing in this section or this Agreement changes or modifies the PROVIDER's status as an independent contractor to the District.

2.5 The DISTRICT reserves the right to have its consultant or any other authorized agent or employee contact the PROVIDER and

inspect the PROVIDER's facilities, equipment, and personnel to confirm compliance with the terms of this Agreement.

III. INDEPENDENT CONTRACTOR

- 3.1** PROVIDER, as it pertains to this Agreement, is acting as an independent contractor, not an agency or an arm of the DISTRICT. The PROVIDER controls the method and details of the services, pursuant to above, and answers to the DISTRICT only as to the service results. PROVIDER's agents, representatives, employees, or personnel are neither employed by the DISTRICT nor paid with DISTRICT funds.

IV. MUTUAL AID

- 4.1** It is specifically understood and agreed that the PROVIDER will provide mutual aid, if feasible and without compromising its duties to its assigned Zone, when requested by another PROVIDER. Any dispatch of emergency services pursuant to this Agreement are subject to the foregoing conditions:
- a.** PROVIDER shall include in its quarterly report a statement detailing the amount and type of equipment used, the number of personnel that responded to the call, and the location to which the equipment and personnel were dispatched to, and
 - b.** The responding PROVIDER shall be released as soon as feasible by the requesting agency when the services of the responding PROVIDER are no longer required.

V. COMPENSATION

- 5.1** DISTRICT agrees to pay, subject to the availability of funds from

current revenues available to the District¹, the sum of **\$415,494.93**² to the PROVIDER for firefighting services in the said unincorporated area of its designated zone and for any mutual assistance provided in the unincorporated areas of any other zones. Parties agree that the contractual payment fairly compensates the PROVIDER for the services and functions performed under this Agreement.³

- 5.2 Said sum will be paid to the PROVIDER in quarterly payments. If during the term of this Agreement funds become unavailable, DISTRICT will notify PROVIDER in writing after the next DISTRICT Board Meeting that PROVIDER will be excused from any further duties or obligations arising out of this Agreement. DISTRICT will hold harmless PROVIDER for any claims arising subsequent to said unavailability of funds.
- 5.3 PROVIDER acknowledges that it can only request payment for a call that falls under the categories listed in Exhibit C – Covered Calls.
- 5.4 It is specifically understood and agreed that as a condition precedent to payment, the PROVIDER shall provide to the DISTRICT a written report summarizing the services rendered to the DISTRICT during the term of this Agreement, with all such reports (for each “fire call”) describing the particular incident, in accordance with the standardized Exhibit D – Fire Runs Report. All such reports shall be due no later than the fifteenth (15th) day of the month following the end of each quarter. Furthermore, PROVIDER agrees that as all services executed and all funds paid are solely for the benefit of DISTRICT’s constituents, by and

¹ Tex. Gov’t Code § 791.011(d)(3).

² The sum may change if the PROVIDER’s designated zone expands or contracts. Tex. Health & Safety Code § 775.051 (Expansion of District Territory); § 775.022 (Removal of Territory by Municipality).

³ Tex. Gov’t Code § 791.011(e).

through the funding and maintenance of the PROVIDER's fire department. If either PROVIDER or DISTRICT receive a formal written complaint that such funds are not being used for the benefit of said constituents, a report or an audit detailing the spending of said funds may be ordered by the DISTRICT and submitted by PROVIDER prior to the execution of a subsequent agreement between the DISTRICT and PROVIDER. In the event that PROVIDER receives the formal written complaint, a copy of the complaint must be submitted to the District's Coordinator within 10 days of receipt.

- 5.5 No funds provided by the DISTRICT may be used for legal representation, costs, or expenses of any kind or nature whatsoever of the PROVIDER for issues or disputes related to or arising from this Agreement or otherwise. All funds must be used for the direct benefit of DISTRICT constituents. If any funds provided to the PROVIDER by the DISTRICT are used in a contravention of the Agreement or as approved by the DISTRICT board, or in violation of local, state, or federal law, or applicable administrative regulations, in addition to the rights the DISTRICT has to terminate or suspend future payments to the PROVIDER, the PROVIDER shall immediately reimburse the DISTRICT for the amount of the funds improperly used.
- 5.6 If the tax revenues collected and other funds held by the DISTRICT are insufficient to cover all of the DISTRICT's obligations under this and similar agreements with other PROVIDERS, the Parties agree that the DISTRICT shall allocate a lesser amount to be determined by the DISTRICT's board after review of the amount of funds available and the DISTRICT's other financial obligations. The payment of DISTRICT funds under any section of the Agreement is contingent upon the availability of funds appropriated by the DISTRICT. The DISTRICT may suspend payments of any funds if the PROVIDER violates or breaches any term or condition of the Agreement.

- 5.7 To incentive service provider stability, payments to PROVIDER will be made on a pro rata basis; i.e., if a renewed agreement is not finalized before the expired Agreement's next quarterly payment is due, the PROVIDER will receive the Expired Agreement's quarterly rate. The new rate will only take effect on the first quarterly payment made upon which the Renewed Agreement is fully executed. Furthermore, if a PROVIDER is unable to furnish services for any amount of time, payment will be deducted on a pro rata basis based on the amount of days services were interrupted. The deducted amount may be reallocated to the covering PROVIDERS.
- 5.8 Any report filed with or presented to the DISTRICT by the PROVIDER or its agents, representatives, officials, personnel, or employees, that is false or misleading in any way will result in, without limiting other remedies the DISTRICT may have otherwise, the loss of funds for any payment to be made to the PROVIDER and subject the PROVIDER and its agents, representatives, officials, personnel, or employees who presents or files same to further appropriate legal action.
- 5.9 Nothing in this Agreement shall obligate the DISTRICT to appropriate to the PROVIDER the full amount of funds, or any funds, requested by the PROVIDER.

VI. HIPPA

- 6.1 PROVIDER shall not, in any event, be required to provide to the DISTRICT, or include in any such report, any privileged, confidential or private information regarding any patient or person for whom emergency medical services have been provided, including but not limited to name, address, medical condition, or treatment information, or any other information determined by PROVIDER to be protected from disclosure under any applicable

federal or state law or regulation. However, PROVIDER does agree to disclose in their monthly reports to the DISTRICT the general nature of medical services requested and the address for which PROVIDER was dispatched to, regardless of whether or not the address incidentally happens to be the residence of the third-party beneficiary of said emergency services. The need for this information is to ensure payment for eligible emergency service runs. Such a disclosure is permissible pursuant to 45 C.F.R. 164.506 – “Uses and Disclosures to Carry Out Treatment, Payment, or Health Care Operations”.

VII. SPECIAL EVENT FUND

- 7.1** The intent of the Special Event Fund is to offset the expenses of emergency services (Fire & EMS) in the event of a large-scale emergency that is over and above routine emergency calls. All DISTRICT-contracted PROVIDERS are eligible to apply for reimbursement, subject to fund availability, for a Special Event. Only Special Events which occurred during the current fiscal year are eligible. Moreover, Special Events eligible for reimbursement by an insurance company, the State of Texas, or the federal government, are not eligible for reimbursement by the DISTRICT.
- 7.2** The intent of the Special Event Fund is not to cover all expenses from a Special Event, but only the approved expenses incurred over and above what would be a normal emergency call, subject to availability of funds from current revenues available to the District. PROVIDER must submit appropriate documentation as to why extra funding is needed.
- 7.3** Proposed Special Events shall be considered for funding, whether in-whole or in-part, on an individual basis to be approved by the Cameron County Fire Chiefs' Association and subsequent approval by the DISTRICT's Board. A PROVIDER's request for Special Event funding which has been denied by the Cameron County Fire

Chiefs' Association may appeal their request to the DISTRICT's Board. All appeals must be in writing and submitted to the DISTRICT's Coordinator prior to the annual fund disbursement.

- 7.4 Providers shall submit their Special Event funding requests in writing and in compliance with the monthly Run Report to the DISTRICT; however, review by the DISTRICT will not occur until November 1, 2026.
- 7.5 If a Special Event is approved by the DISTRICT, reimbursement shall be dispersed to the PROVIDER no later than **November 30, 2026**. Approved reimbursements are subject to the availability of funds from current revenues available to the District.
- 7.6 Nothing in this Agreement requires the DISTRICT to fund, in-whole or in-part, any Special Event Fund requests. In the scenario in which the DISTRICT approves a Special Event Fund request, it is solely within the discretion of the DISTRICT board to determine the reimbursement amount.

VIII. TERM OF AGREEMENT/TERMINATION

- 8.1 The term of the Agreement shall be from **October 1, 2025**, through **September 30, 2026**. This Agreement may be terminated at-will by either party sixty (60) days after the other party is sent written notice from the party desiring termination. In the event that a new agreement is not reached prior to the end of this Agreement, this Agreement will continue until either terminated as prescribed or superseded by a new agreement. See paragraph 5.7.
- 8.2 In the event that the DISTRICT believes the PROVIDER has violated any of the terms of the Agreement, the DISTRICT may notify the PROVIDER of the alleged violation in writing. The PROVIDER shall, within thirty (30) days following the date of notice, correct the deficiency and provide the DISTRICT with

written confirmation that the deficiency has been corrected. If the PROVIDER contends that the alleged violation has not occurred or that any act or omission does not constitute a violation, it shall provide a written objection to the DISTRICT of its contention within ten (10) calendar days following the date of the notice of violation. The parties then shall attempt to resolve their differences informally.

- 8.3 In any action brought to enforce any provision of this Agreement, the DISTRICT may recover from the PROVIDER the DISTRICT's attorney's fees, costs, and expenses. This section shall survive the termination of this Agreement.

IX. ACT OF GOD EXCUSES PERFORMANCE

- 9.1 In the event that either party shall be prevented from completing performance of their respective obligations hereunder by an "act of God" or any other occurrence whatsoever which is beyond the control of the parties hereto, then such party shall be excused from any further performance of its obligations and undertakings hereunder, but only for the period of time after such occurrence that is necessary.

X. LIABILITY

- 10.1 As applicable and in accordance with Texas Government Code § 791.006(a-1), the DISTRICT is entering into an Agreement with a governmental entity to furnish or obtain firefighting or emergency services. The Parties agree that PROVIDER, as limited to its obligations under this Agreement, is responsible for civil liability that arises from the furnishing of services under this Agreement. The assignment of liability is intended to be different than liability otherwise assigned under Texas Government Code § 791.006(a).
- 10.2 As applicable and in accordance with Texas Health and Safety Code

§ 775.0366(e), the Parties agree that PROVIDER, as limited to its obligations under this Agreement, is responsible for any civil liability that may arise from the furnishing of the services contracted in this Agreement. This assignment of liability to PROVIDER is intended to be different from the liability otherwise assigned under Texas Health & Safety Code § 775.0366(d).

- 10.3** The assignment of civil liability as detailed in paragraphs 10.1 and 10.2, do not waive any defense(s) to which the Parties are legally entitled. Tex. Gov't. Code § 791.006(c) ("Nothing in this section adds to or changes the liability limits and immunities for a government unit provided by the Texas Tort Claims Act, Chapter 101, Civil Practices and Remedies Code, or other law."); Tex. Health & Safety Code § 775.033; §775.0366(f) ("This section does not change the liability limits and immunities for a government unit under Chapter 101, Civil Practices and Remedies Code, or other law.").
- 10.4** The PROVIDER further agrees to maintain appropriate insurance upon its real and personal property, including vehicles, whether leased, owned, or otherwise utilized by the PROVIDER herein, and those of its members used in furtherance of this Agreement, to cover minimum liability of the PROVIDER under the Texas Tort Claims Act as it now exists and as it may be amended from time to time. The PROVIDER will require its members to maintain the minimum level of financial responsibility as required by state law. In the event that liability insurance on real or personal property other than vehicles is required by the Texas Tort Claims Act, the PROVIDER agrees to maintain the minimum amount required under the Texas Tort Claims Act. Proof of such insurance required under this paragraph shall be submitted to the DISTRICT at the time the policies are renewed.

XI. WARRANTIES OR REPRESENTATIONS

11.1 THE PARTIES TO THIS AGREEMENT SPECIFICALLY

ACKNOWLEDGE THAT NO WARRANTY OR REPRESENTATION OF ANY KIND WHATSOEVER IS BEING MADE BY EITHER PARTY IN CONNECTION WITH THE EXECUTION OR PERFORMANCE OF THIS AGREEMENT, EXCEPT AS IS SET FORTH IN THIS AGREEMENT.

XII. NOTICE

- 12.1** All notices to the DISTRICT shall be sent by certified or registered mail, addressed to: Cameron County Emergency Services District No. 1, 964 East Harrison Street, Brownsville, Texas 78520, or at such other address as the DISTRICT may otherwise designate. All notices to PROVIDER shall be sent certified or registered mail, addressed to: 118 E. Tyler Ave. Harlingen, Texas 78550.

XIII. LAW GOVERNING/VENUE

- 13.1** The Parties agree this Agreement shall be governed by the laws of the State of Texas. Venue is in Cameron County, Texas.⁴

XIV. SEVERABILITY

- 14.1** In the event that any one or more of the provisions contained in the Agreement shall be held to be invalid or unenforceable in any respect by a court of competent jurisdiction, such invalidity or unenforceability shall not affect any other provision hereof, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision did not exist.

XV. ENTIRE AGREEMENT

- 15.1** This Agreement shall comprise the entire agreement between the parties hereto and any amendment shall be enforceable only after being reduced to writing, executed by the parties hereto and

⁴ Tex. Gov't Code 791.012.

attached hereto.

15.2 Executed in duplicate by the President of the DISTRICT and the PROVIDER'S designated agent, both of whom are duly authorized to represent and bind said DISTRICT and PROVIDER, respectively, to the terms and conditions of this Agreement, as set forth above, on the day this Agreement is executed by both parties.

**CAMERON COUNTY EMERGENCY
SERVICES DISTRICT NO. 1**

PROVIDER

Oscar Tapia, CCESD President

Norma Sepulveda, Mayor

Date

Date

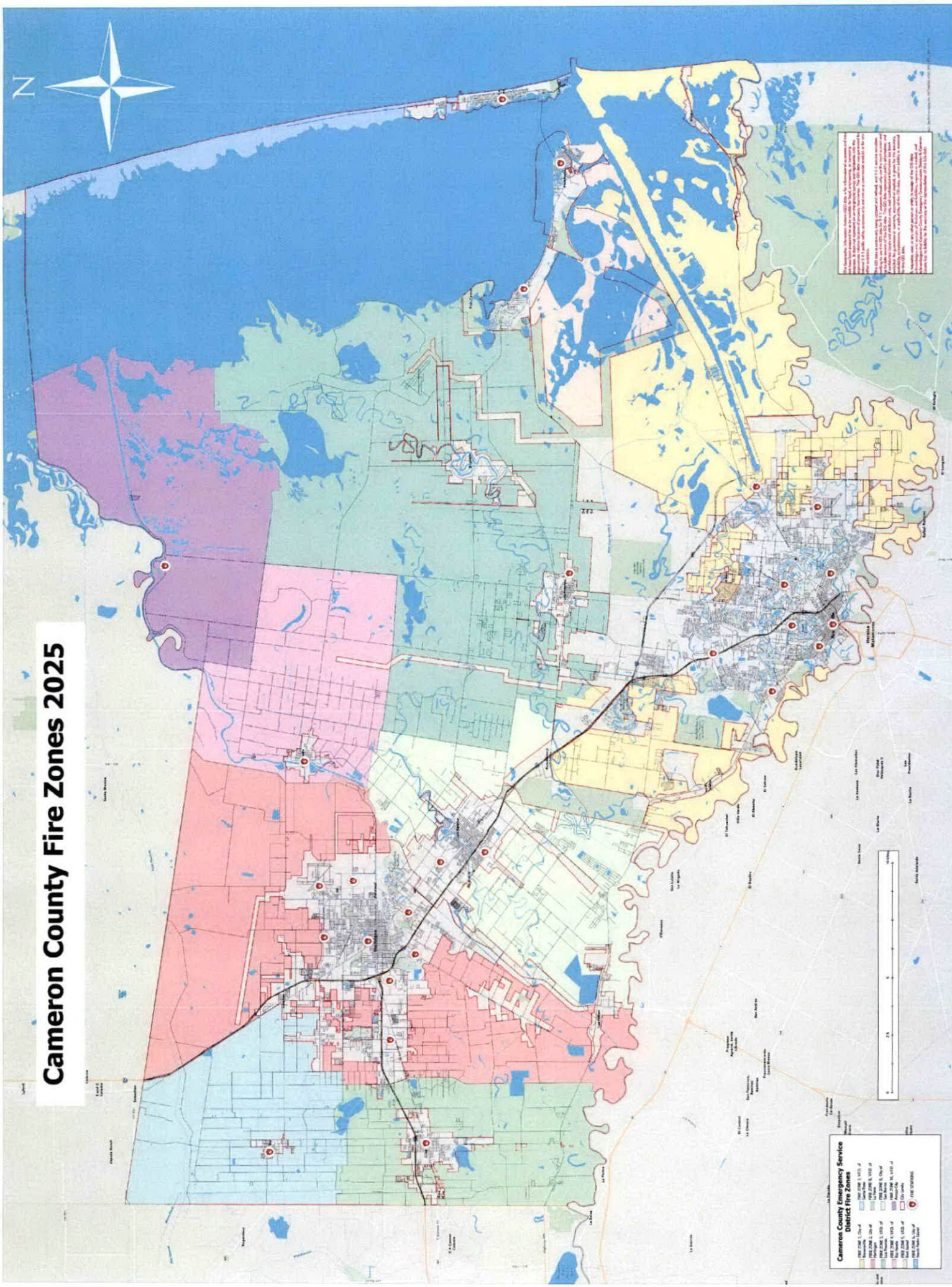
ATTESTED BY:

ATTESTED BY:

Grecia Lucio, CCESD Coordinator

Mayra Hernandez
City Secretary

Cameron County Fire Zones 2025



“Exhibit B”
Performance Statement

Service Provider shall, in connection with firefighting, and if applicable, emergency medical services within the Cameron County Emergency Services District No. 1:

1. Assure fire prevention, firefighting and medical assistance personnel are properly trained and qualified for the levels of service required herein.
2. Assure that adequate qualified personnel are available in order to respond to fire and medical assist calls.
3. Assure that the fire and/or EMS department has adequate liability insurance as required by the State and provide a copy of same.
4. Provide adequate fully equipped and operational firefighting vehicles and equipment to respond to each fire call with a minimum response time.
5. Provide a departmental fiscal year operating budget that shows financial responsibility so as to adequately fund the personnel and equipment needs of the fire and/ or EMS department.
6. Prepare and submit such financial, administrative and narrative reports and other information as required, including but not limited to: A monthly narrative report of fire call activities.
7. Provide routine (minor) maintenance of facilities, buildings and grounds, within their capabilities and to keep buildings and grounds clean and neat at all times.
8. Provide a sufficient number of volunteer and/ or paid firefighters to adequately provide fire protection to the District; the firefighters shall be trained in accordance with the minimum standards of the State Fireman's and Fire Marshal's Association of Texas, or the Texas Commission on Fire Protection.
9. Establish criteria and conduct a background check to preclude persons who have criminal histories that may be detrimental to the mission of the Department;
10. Maintain written standard operating procedures for the operation of the Department;
11. Maintain job descriptions outlining the responsibilities of members and employees;
12. Comply with the National Fire Protection Association Standards, insofar as possible, and all applicable state and federal statutes and rules;
13. Firefighters operating at hazardous material incidents are qualified, in accordance with the Occupational Safety and Health Administration (OSHA)1901.120;
14. Keep records and reports of all emergency calls as they pertain to the designated Zone and provide a summary of the same;
15. That the City Manager of a City Fire and/or EMS Department or Volunteer Fire Department Fire Chief or his designee shall be the liaison with the District.
16. That the Fire Chief or EMS Director and/or the President of a 501(c)(3) Volunteer Fire Department, or his designee, shall be the liaison with the District.
17. Participate in fire and/or EMS Injury and Illness prevention education and training program activities such as CPR, AED, etc., when possible.
18. Provide additional protection coverage in the District by responding to a mutual aid call as part of a mutual aid agreement.
19. Participate with the Cameron County Fire Marshal's Office and provide documentation when applicable for monitoring or conducting a site review.

Exhibit C

(To CCESD Firefighter Contracts)

The following items or categories, pursuant to the preceding CCESD- PROVIDER Contract (for "firefighting services"), are considered to be a "covered" and compensable "fire call" that is to be undertaken, as appropriate (based on the zone of coverage at issue and within the discretion of PROVIDER), by PROVIDER, which shall parallel the Fire Department Call Report that, along with this Appendix and the foregoing Contract, is approved by CCESD:

A. FIRES

1. Structure Fire
2. Grass Fire
3. Vehicle Fire
4. Utility Pole Fire
5. Tree Fire
6. Trash Fire
7. Brush Fire

B. RESCUES

1. Aircraft Crash/Down
2. Drowning
3. Bee attack (rescue only)
4. Water Rescue (flood or beach) multiple rescues within the same 12hr operational period will be paid as one call
5. Heavy Rescue (building collapse, farm or industrial equipment)
6. Motor Vehicle Accident Extrication/Scene Safety

C. ENVIRONMENTAL RESPONSES

1. Motor Vehicle Accident "Spill Clean-up"
2. Gas leak/odor
3. Power lines down
4. Haz-Mat Response
5. Removal of trees on roadway

D. MISCELLANEOUS

a. Automatic Alarm Response

- i. In the event of any questions about the terms in this Appendix, the County Fire Marshal will attempt to "rule" on the propriety of the claimed "fire call," administratively, in accordance with the terms of this Appendix and the Contract (between CCESD and PROVIDER), in consultation with the CCESD Administrator and the CCESD Counsel, it being anticipated that only emergency situations are to be addressed under the said Contract and this Appendix, involving (for example) injury to people or property, loss of life or property, or disasters, accidents, storms, explosions and so forth.

First Responders must be certified in the State of Texas as a First Responder through DHS; First Responders must respond "within the County", and they must carry the proper insurance: one million dollars in occurrences and three million dollars in aggregate. Failure to follow these requirements will result in providers not receiving the First Responder stipend.

THE STATE OF TEXAS

COUNTY OF CAMERON

FIRE PROTECTION SERVICE CONTRACT

This is a contract and agreement made and entered into on the date set forth preceding the signatures of the parties who herein mutually agree as follows:

I. CONTRACT

The parties to this contract are the City of Harlingen Texas, (Harlingen) a Home-Rule Municipal Corporation located in Cameron County Texas, and the City of Combes Texas, (Combes) a Municipal Corporation located in Cameron County Texas. Both entities are acting by and through their duly authorized elected representatives in authorizing the execution of this contract under the provisions of the Interlocal Cooperation Act (Section 791.001 et. seq, Government Code) as amended or recodified.

II. PROVISIONS OF CONTRACT

During the terms of this agreement, The City of Harlingen, through its Fire Department, agrees to furnish fire-fighting services defined as:

1. the use of personnel and equipment to extinguish and suppress fires
2. to handle hazardous material incidents, and
3. confined space rescue.

For the purposes of this agreement fire fighting services do not include activities to facilitate the prevention of fires. The Harlingen Fire Department agrees to respond to all calls referred to it by its agents, representatives of Combes, or any resident or tenant of Combes who may be in need of fire-fighting services as defined by this agreement.

III. COMPENSATION

The rate for fire-fighting services is determined from the total appraised net taxable value (Exhibit A) of all property within the City of Combes at the rate of .10 cents per \$100.00 valuation. Combes agrees to pay Harlingen the sum of \$183,729.02 for fiscal year 25/26 based on the 2025 Certified Net Taxable value, in quarterly installments of \$45,932.25 on the following dates: December 31st, March 31st, June 30th, and September 30th.

Combes agrees to indemnify and hold harmless the City of Harlingen and all its employees and officers pursuant to the provisions of Section 791.006(a), et. seq., Gov't Code, throughout the term of this contract. Any failure of Combes to pay such sums billed by Harlingen or any additional breach of the terms hereof shall be considered a breach of the contract and this contract may be terminated immediately at Harlingen's option, and Harlingen may file suit for any unpaid sums due in a Court of appropriate jurisdiction in Cameron County, Texas.

Harlingen shall provide a written report summarizing the fire fighting services rendered to Combes during that payment period, with said report listing all calls by date, location, and nature of call. This report shall be due (15) days after the pertinent payment period (set forth in the paragraph above) ends.

IV. OBLIGATION TO RESPOND

Combes acknowledges that Harlingen is not obligated to respond to fire calls in the vicinity of but outside the city limits of Combes.

V. TERMS OF AGREEMENT

The terms of the agreement shall be one year, beginning October 1, 2025, and ending September 30, 2026.

VI.
TERMINATION OF RENEWAL

This Agreement shall be for an initial term of one (1) year and will renew upon signed and written agreement by the parties to this agreement with adjustments made to the total appraised net taxable value as agreed to among the parties, unless terminated as herein provided.

Either party may terminate this Agreement in whole or in part hereto whenever such termination is found to be in the best interest of either party. Termination shall be affected by the conveyance of a written notification thereof to the other party at least sixty (60) days in advance of the effective date of the termination.

Should Combes intend to renegotiate this contract, Harlingen shall be notified in writing by United States Mail, return receipt requested, not later than the first of July prior to the fiscal year, which begins on October 1, 2026. If such negotiations have not been completed on or before the beginning of that fiscal year, both Harlingen and Combes expressly agree to act in accordance with the terms and conditions of this contract for a period of thirty days. If during such time both parties fail to negotiate a new contract, the negotiation period shall terminate at the end of the thirtieth (30th) day of said period. However, the contract obligations of both parties shall be extended an additional thirty-day period beyond the end of the negotiation period to allow Combes time to secure alternate fire fighting services. At the end of this second period, this contract shall terminate. During these extensions beyond the Contract period, Combes shall pay Harlingen the rate set out in this contract.

VII.
ENTIRE AGREEMENT

This contract shall comprise the entire agreement between the parties hereto and any amendment shall be enforceable only after being reduced to writing, mutually executed by the parties hereto and attached hereto.

VIII.
"ACT OF GOD EXCUSES PERFORMANCE"

In the event that either party shall be prevented from completing performance of their respective obligations by natural disasters like hurricanes, floods, earthquakes, and other similar events to include war, terrorism or threats of terrorism, civil disorder, labor strikes or disruptions, disease or medical epidemics or outbreaks, or any other occurrence which is beyond the control of the parties hereto; then they shall be excused from any further performance of their obligations and undertakings hereunder for the period of such occurrence.

Executed in duplicate by the Mayor of Combes and the Mayor of the City of Harlingen, duly authorized to represent and bind said cities to the terms and conditions of the contract, as set forth below, on the 1st day of October 2025.

CITY OF HARLINGEN, TEXAS

BY _____
Norma Sepulveda, Mayor

ATTEST:

City Secretary

CITY OF COMBES, TEXAS

BY 
Silvestre Garcia, Mayor

ATTEST:

City Secretary

8/13/2025
4852-9006-3050, v. 1

THE STATE OF TEXAS

COUNTY OF CAMERON

FIRE PROTECTION SERVICE CONTRACT

This is a contract and agreement made and entered into on the date set forth preceding the signatures of the parties who herein mutually agree as follows:

I.
CONTRACT

The parties to this contract are the City of Harlingen Texas, (Harlingen) a Home-Rule Municipal Corporation located in Cameron County Texas, and the City of Palm Valley Texas, (Palm Valley) a Municipal Corporation located in Cameron County Texas. Both entities are acting by and through their duly authorized elected representatives in authorizing the execution of this contract under the provisions of the Interlocal Cooperation Act (Section 791.001 et. seq, Government Code) as amended or recodified.

II.
PROVISIONS OF CONTRACT

During the terms of this agreement, The City of Harlingen, through its Fire Department, agrees to furnish fire-fighting services defined as:

1. the use of personnel and equipment to extinguish and suppress fires
2. to handle hazardous material incidents, and
3. confined space rescue.

For the purposes of this agreement fire fighting services do not include activities to facilitate the prevention of fires. The Harlingen Fire Department agrees to respond to all calls referred to it by its agents, representatives of Palm Valley, or any resident or tenant of Palm Valley who may be in need of fire-fighting services as defined by this agreement.

III.
COMPENSATION

The rate for fire-fighting services is determined from the total appraised net taxable value (Exhibit A) of all property within the City of Palm Valley at the rate of .10 cents per \$100.00 valuation. Palm Valley agrees to pay Harlingen the sum of \$171,888.27 for fiscal year 25/26 based on the 2025 Certified Net Taxable value, in quarterly installments of \$42,972.07 on the following dates: December 31st, March 31st, June 30th, and September 30th.

Palm Valley agrees to indemnify and hold harmless the City of Harlingen and all its employees and officers pursuant to the provisions of Section 791.006(a), et. seq., Gov't Code, throughout the term of this contract. Any failure of Palm Valley to pay such sums billed by Harlingen or any additional breach of the terms hereof shall be considered a breach of the contract and this contract may be terminated immediately at Harlingen's option, and Harlingen may file suit for any unpaid sums due in a Court of appropriate jurisdiction in Cameron County, Texas.

Harlingen shall provide a written report summarizing the fire fighting services rendered to Palm Valley during that payment period, with said report listing all calls by date, location, and nature of call. This report shall be due (15) days after the pertinent payment period (set forth in the paragraph above) ends.

IV.
OBLIGATION TO RESPOND

Palm Valley acknowledges that Harlingen is not obligated to respond to fire calls in the vicinity of but outside the city limits of Palm Valley.

V.
TERMS OF AGREEMENT

The terms of the agreement shall be one year, beginning October 1, 2025, and ending September 30, 2026.

VI.
TERMINATION OF RENEWAL

This Agreement shall be for an initial term of one (1) year and will renew upon signed and written agreement by the parties to this agreement with adjustments made to the total appraised net taxable value as agreed to among the parties, unless terminated as herein provided.

Either party may terminate this Agreement in whole or in part hereto whenever such termination is found to be in the best interest of either party. Termination shall be affected by the conveyance of a written notification thereof to the other party at least sixty (60) days in advance of the effective date of the termination.

Should Palm Valley intend to renegotiate this contract, Harlingen shall be notified in writing by United States Mail, return receipt requested, not later than the first of July prior to the fiscal year, which begins on October 1, 2026. If such negotiations have not been completed on or before the beginning of that fiscal year, both Harlingen and Palm Valley expressly agree to act in accordance with the terms and conditions of this contract for a period of thirty days. If during such time both parties fail to negotiate a new contract, the negotiation period shall terminate at the end of the thirtieth (30th) day of said period. However, the contract obligations of both parties shall be extended an additional thirty-day period beyond the end of the negotiation period to allow Palm Valley time to secure alternate fire fighting services. At the end of this second period, this contract shall terminate. During these extensions beyond the Contract period, Palm Valley shall pay Harlingen the rate set out in this contract.

VII.
ENTIRE AGREEMENT

This contract shall comprise the entire agreement between the parties hereto and any amendment shall be enforceable only after being reduced to writing, mutually executed by the parties hereto and attached hereto.

VIII.
"ACT OF GOD EXCUSES PERFORMANCE"

In the event that either party shall be prevented from completing performance of their respective obligations by natural disasters like hurricanes, floods, earthquakes, and other similar events to include war, terrorism or threats of terrorism, civil disorder, labor strikes or disruptions, disease or medical epidemics or outbreaks, or any other occurrence which is beyond the control of the parties hereto; then they shall be excused from any further performance of their obligations and undertakings hereunder for the period of such occurrence.

Executed in duplicate by the Mayor of Palm Valley and the Mayor of the City of Harlingen, duly authorized to represent and bind said cities to the terms and conditions of the contract, as set forth below, on the _____ day of _____ 2025.

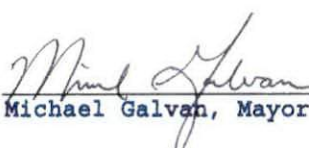
CITY OF HARLINGEN, TEXAS

BY _____
Norma Sepulveda, Mayor

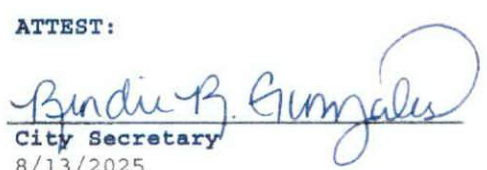
ATTEST:

City Secretary

CITY OF PALM VALLEY, TEXAS

BY 
Michael Galvan, Mayor

ATTEST:


Bendie B. Gumbales
City Secretary

8/13/2025
4852-9006-3050, v. 1

10(h)

City of Harlingen
Agenda Item Request Form

We hereby request the following item to be added to the January 7, 2026, City Commission Agenda:

Discussion and possible action to approve a resolution, creating an Ad Hoc Planning Advisory Committee to review certain adopted plans and to report recommendations to the City Commission:



Norma Sepulveda, Mayor

Daniel N. Lopez, Mayor Pro-Tem/Comm. Dist. 2

**A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF HARLINGEN, TEXAS, CREATING
AN AD HOC ADVISORY COMMITTEE TO
REVIEW CERTAIN ADOPTED PLANS AND TO
REPORT RECOMMENDATIONS TO THE CITY
COMMISSION; ESTABLISHING PURPOSE,
COMPOSITION, LIMITATIONS, OPEN
MEETINGS COMPLIANCE, DURATION, AND
EFFECTIVE DATE**

WHEREAS, the City Commission constitutes the legislative and governing body of the City of Harlingen, Texas, vested with all powers and authority granted under the City's Charter and ordinances; and

WHEREAS, the City Commission has adopted the Comprehensive Plan, Parks and Recreation Master Plan, and Downtown Plan; and

WHEREAS, the City Commission desires to receive advisory recommendations concerning a coordinated ten-year implementation framework; and

WHEREAS, the City Commission finds that a temporary, *ad hoc* advisory committee will assist while preserving all final decision-making authority with the City Commission.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION:

Section 1. Creation.

The City Commission hereby creates a temporary, *ad hoc* advisory committee.

Section 2. Purpose.

The Committee shall review the City's Comprehensive Plan, Parks and Recreation Master Plan, and Downtown Plan and present advisory recommendations for a coordinated ten-year implementation framework.

Section 3. No Delegation of Authority.

The Committee shall have no authority to bind the City, establish policy, expend funds, or direct City staff. Administrative support shall be coordinated through the City Manager.

Section 4. Membership.

The Committee shall consist of the Mayor, the City Commissioner whose district overlaps downtown (District 2) , the City Manager or designee, department heads or staff designated by the City Manager, and approved board representatives.

Section 5. Open Meetings.

Meetings shall comply with the Texas Open Meetings Act.

Section 6. Duration.

The Committee shall dissolve upon submission of its recommendations or twelve months from adoption.

Section 7. Effective Date.

This resolution shall take effect immediately upon adoption.

Approved by the City Commission of the City of Harlingen, Texas on the ____ day of January 2026 at a Regular Meeting of the City Commission at which a quorum was present.

Mayor Norma Sepulveda
City of Harlingen

Attest

Mayra Herrera,
City Secretary, City of Harlingen