

**CITY COMMISSION
AGENDA
REGULAR MEETING
JANUARY 21, 2026
@ 5:45 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 21, 2026, at 5:45 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 Rene Perez
 - b) Pledge of Allegiance
 - c) Welcome Citizens
- 2) **Conflict of Interest:**

"Under State Law, a conflict of interest exists if a commission member, or certain members of that person's family, has a qualifying financial interest in an agenda item. Members with a conflict of interest cannot participate in the discussion nor vote on the agenda item. Are there any known conflicts of interest to disclose at the time?" **(City Attorney)**.
- 3) **Announcements:** *With respect to items not listed elsewhere on this agenda, the City Commission may report on items of community interest, including announcing community events, announcing employee or community recognitions.*
 - a) Mayor's Announcements
 - b) City Manager's Announcements
 - c) City Commission Member Announcements
- 4) **Proclamation/Presentation of Awards:**
 - a) Harlingen Animal Shelter - "Pet of the Week"
 - b) Certificate of Recognition — Harlingen High School South "Hawks" Band
 - c) Certificate of Recognition - Small Business Advisory Committee
 - d) Certificate of Recognition - Nicholas Consiglio
 - e) Mayor's Business of the Month "Tone Up Health & Fitness"
- 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 October 6, 2025
- 7) **Consent Agenda:** *No discussion is anticipated on any of the items in this section because they are routine business, were included in the budget adoption process, or have been previously discussed as a staff report or discussion item. These items will be considered collectively by a single vote, unless a commission member requests an item be removed from the consent agenda.*
 - a) Consideration and possible action to approve a resolution authorizing the Special Projects director to submit a grant application to the office of the governor under the General Victim Assistance Grant Program, FY2027. Attachment. **(Special Projects)**
 - b) Consideration and possible action to approve a resolution authorizing the Special Projects Director to submit a grant application to the Office of Governor under the FY 2027 Rifle Resistant Body Armor Grant Program to fund ballistic plates and carriers for peace officers of the Harlingen Police Department. Attachment **(Special Projects)**
 - c) Consideration and possible action to approve an ordinance on second and final 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**)

- d) Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the Texas Parks and Wildlife's Recreational Trails Program. Attachment (**Special Projects**)
 - e) Consideration and possible action to approve a resolution authorizing the Special Projects director to submit a grant application to the office of the governor under the Criminal Justice Program, FY2027. Attachment (**Special Projects**)
- 8) **Staff Reports and Other Discussion Items:** *Items in this section are not expected to require action by the City Commission and are generally for information only. However, any item listed in this section may become an action item at a future meeting with the request of the Mayor, or after the request of any two Commission members, or the City Manager.*
- a) City Manager's Report
 - b) Staff Reports
 - c) Presentation by the Public Works Department regarding the status and future planning of the Comprehensive Street Lighting Program. (***This item was requested by Commissioner Rene Perez and Commissioner Delia Cavazos-Gamez***)
- 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 imposing a temporary moratorium on the establishment, operation, expansion, or relocation of smoke shops within the city limits to allow for review of potential amendments to City regulations and dealing with related matters. Attachment (**Planning & Development**).
 - b) Public hearing for a Special Use Permit ("SUP") to allow a bar/lounge in a Light Industry ("LI") District located at 2669 North Expressway 77, Building D, bearing a legal description of 0.32 acres out of 5.79 acres out of Lot 2, Block 1, West Harlingen Industrial Park Subdivision. Applicant: Patrick B. McDermott. Attachment. (**Planning & Development**)
 - c) Public hearing for a Special Use Permit (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 1616 N. Ed Carey Drive, bearing a legal description of Lot 9, Medical Subdivision. Applicant: Abdelhadi Al Hatabeh. Attachment. (**Planning & Development**)
- 10) **Action Items:** City Commission will discuss, consider, and take any action deemed necessary on items listed in this section, including the adoption of a resolution or an ordinance.
- Ordinances:**
- a) Consideration and possible action to approve an ordinance imposing a temporary moratorium on the establishment, operation, expansion, or relocation of smoke shops within the city limits to allow for review of potential amendments to City regulations and dealing with related matters. Attachment (**Planning & Development**).
 - b) Consideration and possible action to consider an ordinance on first reading for a Special Use Permit ("SUP") to allow a bar/lounge in a Light Industry ("LI") District located at 2669 North Expressway 77, Building D, bearing a legal description of 0.32 acres out of 5.79 acres out of Lot 2, Block 1, West Harlingen Industrial Park Subdivision. Applicant: Patrick B. McDermott. Attachment (**Planning & Development**)

- c) Consideration and possible action to approve an ordinance on first reading for a Special Use Permit (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 1616 N. Ed Carey Drive, bearing a legal description of Lot 9, Medical Subdivision. Applicant: Abdelhadi Al Hatabeh. Attachment (**Planning & Development**)
- d) Consideration and possible action to approve an ordinance in second and final reading for the deannexation 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**)
- e) 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**) (***This item was tabled on the Regular City Commission meeting of January 7, 2026***)
- f) Consideration and possible action to approve a contract between the City of Harlingen and Dr. Shelly Mitchell, DVM to provide services for the Spay/Neuter program as needed. Attachment (**Health**)
- g) Consideration and possible action to authorize the City Manager to approve the purchase of two (2) residential refuse trucks to replace aging units. Attachment (**Public Works**)
- h) Consideration and possible action to approve a resolution updating the authorized signatory designations for the City of Harlingen's bank accounts, external investment pools, and safekeeping agreements. Attachment (**Finance**)
- i) Consideration and possible action to declare the itemized list of non-real estate personal property as surplus personal property, as recommended by staff, and authorize city personnel to conduct a live/public and online auction of said property. Attachment (**Finance**)
- j) Consideration and possible action to approve a resolution authorizing the City Manager to execute the Advance Funding Agreement (AFA) for the Harlingen Mobility Master Plan with the Texas Department of Transportation (TxDOT) and to approve payment of the required Direct State Costs to TxDOT. Attachment (**Engineering**)
- k) Consideration and possible action to approve a resolution authorizing the City Manager to execute the Advance Funding Agreement (AFA) for the Harlingen Smart Corridors Project with the Texas Department of Transportation (TxDOT) and approve payment of the required Direct State Costs to TxDOT. Attachment (**Engineering**)
- l) Consideration and possible action to approve a resolution authorizing the City Manager to execute the Advance Funding Agreement (AFA) for the Harlingen North-South Link Corridor Planning Project with the Texas Department of Transportation (TxDOT) and to approve payment of the required Direct State Costs to TxDOT. Attachment (**Engineering**)
- m) Consideration and possible action to approve a resolution of support to TG 105 Robinhood, LP's application to the Texas Department of Housing and Community Affairs for the competitive 9% Housing Tax Credit Program for the proposed reconstruction of Robinhood Apartments, a 69-Unit Multi-Family affordable Housing Development in Harlingen, Texas. Attachment (**CDBG**)
- n) 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. (***This item was tabled on the Regular City Commission meeting of January 7, 2026***) (***This item was requested by Mayor Norma Sepulveda and Mayor Pro-Tem Daniel N. Lopez***)

- o) Discussion and possible action to establish specific dates and locations for upcoming Town Hall Meetings and Neighborhood Revitalization Walks for Districts 1 through 5, to promote community engagement, address neighborhood concerns, and support revitalization efforts. **(This item was requested by Mayor Norma Sepulveda)**

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 (3)

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.*

- a) Deliberation pursuant to Government Code Section 551.0-87(a) and (b) regarding economic development negotiations, and pursuant to Texas Government Code 551.072 to deliberate the possible purchase, exchange, lease or value of real estate. **(HEDC)**

- 1. Project Eye
- 2. Project Organic
- 3. Project Roosevelt
- 4. Project Well

- b) Deliberation pursuant to Tex. Government Code 551.074 to discuss personnel matters relating to the duties, employment, evaluation for Assistant City Manager (including but not limited to the form, matrix and procedure to be used for the evaluation of an Assistant City Manager) **(City Manager)**.

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

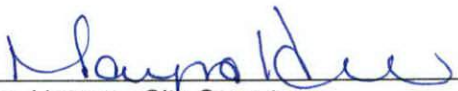
- a) Consideration and possible action on items 12a (1–4) as discussed in executive session.

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

14) **Adjournment:**

I, the undersigned authority, do hereby certify that the above Notice of the Regular Meeting of the Harlingen City Commission is a true and correct copy of said notice posted on the bulletin board at City Hall of said City of Harlingen, Texas in a place convenient and readily accessible to the general public at all times and on the City's Internet Website and said Notice was posted on WEDNESDAY, JANUARY 14, 2026, at or before 3:30 a.m./p.m. and remained so posted for at least three (3) business days preceding the time of said meeting.

Dated 14th day of JANUARY, 2026



Mayra Herrera, City Secretary

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

October 06, 2025

A Regular Meeting of the Harlingen City Commission was held October 06, 2025, at 5:30 p.m. at City Hall, Town Hall Meeting Room, 118 E. Tyler, Harlingen, Texas and providing the public the ability to view the meeting via internet, live streaming and permitting the public to offer citizen communication or participate in items listed on the agenda via videoconferencing or telephonically via www.harlingentx.gov Those in attendance were:

Mayor and Commissioners

Mayor Norma Sepulveda
Mayor Pro-Tem Ford Kinsley
Daniel N. Lopez, Commissioner District 2
Michael Mezmar, Commissioner District 3
Frank Morales, Commissioner District 4
Rene Perez, Commissioner District 5

City Staff

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

1. Call Meeting to Order

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

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:

Mayor's Announcements: None

City Manager's Announcements:

Gabriel Gonzalez, City Manager stated the next Commission Meeting will be on Monday, October 20, 2025, and the City Town Hall meeting will be on October 21, 2025. He also introduced Richard Jones as the new Human Resources Director.

City Commission Member Announcements:

Mayor Pro-Tem Ford Kinsley acknowledges October as Breast Cancer Awareness Month.

Commissioner Daniel N. Lopez recognized staff for a job well done on the walk with a Principal event, Downtown at Sundown, and Rio Fest. Inviting public to Harlingen Mod 75 yr anni. Saturday October 11, 2025.

Commissioner Perez offering condolences to the Harlingen Fire Dept on the loss of a firefighter and to the family of the fallen.

4. Proclamation/Presentation of Awards:

Harlingen Animal Shelter - "Pet of the Week" – Zara presented by Health Director Shannon Harvill – presented the new Harlingen Animal Shelter Manager, Angelica Ramos. Invited the public to come see Zara at the shelter along with many other animals ready for adoption at the shelter located at 1106 Markowsky Ave and available over the phone at 956-216-5250.

Mayor acknowledged the success of the Spay and Neuter grant and Program that deployed on October 1st.

Proclamation: proclaiming October 5-11, 2025, as "Fire Prevention Week"

Jason Moody, Media and Communication Director presented the proclamation of the significance of Fire Prevention Week

Proclamation - Proclaiming October 11, 2025, as "John G. York Day" – Not present

Proclamation - Proclaiming October 12, 2025, as "Alan Y. Taniguchi Day" – Not present

5. Citizen Communication:

1. Joe Mata – Address Commission
2. Ronaldo Lozano – Agenda Items 10(a)&(b)
3. Diana Garcia Padilla – Agenda Item 10(b) Horseshoe Point
4. Ricardo Rubiano – Agenda Item 10(b) Horseshoe Point

6. Approval of Minutes:

- a) Regular meeting of June 18, 2025

Motion was made by Commissioner Lopez and seconded by Commissioner Mezmar to approve minutes for Regular Meeting of June 18, 2025. Motion Carried Unanimously.

7. Consent Agenda:

a) Consideration and possible action to authorize the City Manager to accept a grant award in the amount of \$20,000 and execute the grant and terms and conditions agreement from Petco Love. Attachment (***Special Projects Department***)

b) Consideration and possible action to authorize the City Manager to approve and sign Amendment Four (4), to the Interlocal Agreement Between the City of Harlingen (HPD) and Texas State Technical College (TSTC) for the efficient and effective use of resources regarding the coordination of law enforcement services. Attachment (***Police***)

c) Consideration and possible action to approve the installation of speed hump(s) in the following location(s): (***This item was requested by Commissioner Frank Morales and seconded by Mayor Pro-Tem Ford Kinsley***)

1. 200 Blk of Louisiana St.
2. 1300/1400 Blk of South "G" Street
3. Hale Avenue between New Hampshire and Ed Carey Drive

Motion made by Commissioner Lopez and seconded by Mayor Pro-Tem Kinsley to approve item 7(a-c). Motion carried unanimously.

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

a) City Manager's Report - NONE

b) Staff Reports:

Presentation by Chief of Police Alfredo Alvear on the 2025 Harlingen's crime statistics, community events and collaboration with other agencies.

9. **Public Hearings:**

No items were presented during this meeting.

10. **Action Items**
Ordinances:

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

Motion was made by Commissioner Mezmar and seconded by Commissioner Lopez. Motion carried unanimously.

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

Motion was made by Commissioner Lopez to move item into Executive Session and seconded by Commissioner Perez. Motion carried unanimously.

Mayor Sepulveda announced that the Commission was going into Executive Session at 6:30 pm.

Mayor announced that that Commission was going to reconvene in open session at 7:01pm.

A discussion was held between Ana Hernandez, Planning & Development Director, and City Commission in reference to the variance request to allow one instead of two required entrances for the proposed Horseshoe Point Subdivision.

Mayor Sepulveda stated she had concern about the safety of the distance between the entrance and the exit points.

Andrew Garcia, Director of the Land Development company, explained the process that they have been going through in order to get the variance approved. He did mention that a specific property owner dedicated a portion of their land for the expansion of the road. He also mentioned that the area was "land locked" due to other property owners.

Commissioner Lopez asked if the company had contacted any other property owners surrounding the area.

Mr. Garcia replied that they had not surveyed the other property owners.

Commissioner Morales asked if this variance would help with the future development of the subdivision.

Commissioner Perez stated that now that he knows the company did not reach out to the surrounding neighbors, he has some concerns on the approval of the variance.

Motion was made by Mayor Sepulveda to table item and seconded by Commissioner Mezmar. Motion carried unanimously.

c) Consideration and possible action to authorize the City Manager to enter into an agreement with Shneider Electric with the revisions requested. Attachment (**Public Works**)

Christopher Torres, Public Works Director introduced Aaron Garcia, a representative from Schneider Electric, to present a plan on how to move forwards with the revisions requested.

Aaron Garcia presents the plan on behalf of Shneider Electric.

Commissioner Lopez expressed the concerns about the options that Mr. Garcia is presenting regarding costs from both ends.

Mr. Garcia answers the questions brought forward by commissioner to confirm the concerns about the cost and intentions of the plan presented.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Kinsley to authorize the City Manager to enter into an agreement with Shneider Electric with the revisions requested. Motion carried unanimously.

d) 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**) (**This item was tabled on the Regular City Commission Meeting of September ??, 2025.**)

Motion was made by Commissioner Mezmar to remove the item from the table and it was seconded by Commissioner Morales.

Orlando Campos, Economic Development Director introduced Isidro Ramos to explain the distribution of the \$50,000 the EDC gives them.

Mayor raised concern addressing the request of the breakdown for the funding of 10,000 that was proposed to be allocated to "administrative cost" and not to the students.

Mr. Ramos provided a breakdown and explanation for the allocation of the funds. Which shows the amount each student receives and why there are administrative costs.

Discussion was held regarding the allocation of the funds, how the organization could assist more Harlingen students and if there can be a report sent to the Commission with more details on how many students are enrolled each semester and how many have graduated with successful stories.

Motion was made by Commissioner Mezmar 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 and seconded by Commissioner Lopez. Motion carried unanimously.

e) Consideration and possible action to authorize Harlingen EDC to enter into a contract with Retail Strategies for retail recruitment and consulting services. Attachment (**HEDC**)

Orlando Campos stated the Harlingen EDC Board of Directors had approved the engaging Retail Strategies for the purpose of retail recruitment and consulting services for the HEDC. Retail Strategies works with communities nationwide on retail economic development and downtown revitalization and has

1 developed strong relationships with national retailers, developers, and real estate brokers. The company
2 will work with staff to target national retailers and restaurateurs to attract them to Harlingen.

3
4 Motion was made by Commissioner Lopez and seconded by Commissioner Perez to authorize
5 Harlingen EDC to enter into a contract with Retail Strategies for retail recruitment and consulting services.
6 Motion carried unanimously, Commissioner Mezmar stepped away during this motion.

7
8 f) Presentation of the final report FY 2025 Revitalize Harlingen program and consider approval of
9 funding for the FY 2026 Revitalize Harlingen Matching Grant Program. Attachment (HEDC)

10
11 Mr. Campos stated that for the last three (3) years the Harlingen Economic Development
12 Corporation has provided a matching grant program for local businesses under its Business Retention &
13 Expansion initiatives. This initiative helps provide a matching grant of up to \$10,000 to local businesses
14 improve their building facades and other building improvements to help businesses grow and expand. In
15 the three (3) years since its existence, the program has provided support to 31 local businesses and
16 awarded over \$209,000 for façade and building improvements. Funding from the EDC has helped leverage
17 over \$1 million in total investments made by local businesses for improvements to their establishments.

18
19 Beverly Loftus, Chief Operating Officer, gave further explanation on the plans to be for this FY, as
20 it does not include Downtown, providing that other zones of Harlingen will eventually be eligible for
21 revitalization.

22
23 Motion was made by Commissioner Lopez to approve the presentation given by Harlingen EDC
24 with the consideration to expand Zone 1 to include the other half of the overlay district and seconded by
25 Commissioner Perez. Motion carried unanimously.

26
27 g) Presentation and possible action to approve the funding for Boost Harlingen, a new small
28 business marketing matching grant program developed by the Small Business Advisory Committee of the
29 Harlingen Economic Development Corporation. Attachment (HEDC)

30
31 Motion was made by Commissioner Lopez and seconded by Commissioner Perez to approve the
32 funding for Boost Harlingen, a new small business marketing matching grant program developed by the
33 Small Business Advisory Committee of the Harlingen Economic Development Corporation. Motion carried
34 unanimously.

35
36 h) Consideration and possible action to approve the Harlingen EDC Fiscal Year 2026 Annual Work
37 Plan. Attachment (HEDC)

38
39 Motion was made by Commissioner Morales and seconded by Mayor Pro-Tem Kinsley to approve
40 the work plan. Motion carried unanimously.

41
42 i) Consideration and possible action to authorize the City Manager to award a construction contract
43 with SLR Contractors for RFP NO 2025-11 Dixieland Park Basketball Court Improvements. Attachment
44 (Engineering)

45
46 Mayor Sepulveda asked Roberto Hernandez, City Engineer, about the work history with the
47 contractor themselves.

48
49 Mr. Hernandez confirmed that the contractor in question is the same one currently working on the
50 additions for the Harlingen Animal Shelter.

51
52 Motion was made by Commissioner Mezmar and seconded by Commissioner Morales to authorize
53 the City Manager to award a construction contract with SLR Contractors for RFP NO 2025-11 Dixieland
54 Park Basketball Court Improvements. Motion carried unanimously.

55
56 11. Board Appointments:

Commissioner Lopez – Re-appointed William “Bud” O’Rear to the Construction Board of Adjustments; Re-appointed Heriberto Aguilar to the Harlingen Convention and Visitors Bureau

Commissioner Mezmar – Appointed Yolanda Alexander Brydone to the Museum Advisory Board

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

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:

1. Project Auntie
2. Project Tyler
3. Project Its Thyme
4. Project DC
5. Project Skyline
6. Project Shrimp
7. Project Emerald Green
8. Project Smoke Signals
9. Project Organic
10. Project Beach

b) Pursuant to Tx. Government Code Section 551.071—attorney consultation and contemplated litigation.

c) Pursuant to Tx. Govt Code Section 551.072—deliberation regarding the purchase, exchange or lease of real property.

d) Pursuant to Tx Government Code Section 551.071 - consultation with legal counsel to receive information protected of attorney client communication privilege.

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

At 8:25pm, Mayor Sepulveda announced the City Commission would convene into Executive Session to discuss Item 12 (a-d).

13. Action on Executive Session Items:

At 10:18pm, 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 (1-10) as discussed in executive session.

Motion was made by Commissioner Lopez to approve Items 12a (1,2,5,6) to proceed as discussed in executive session and item 12a (10) Motion was made to approve Resolution No. 2025-61 and additional items discussed and seconded by Commissioner Morales. Motion carried unanimously.

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

Motion was made by Commissioner Perez and seconded by Mayor Pro-Tem Kinsley to proceed as discussed in executive session. Motion carried unanimously.

- 1
2 c) Consideration and possible action on allocating funds for the ADK Consulting and Executive search
3 for a Director of Aviation position.
4

5 Motion was made by Mayor Pro-Tem Kinsley and seconded by Commissioner Perez to approve
6 as discussed in executive session. Motion carried unanimously.
7

8 **14. Adjournment:**
9

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

13 City of Harlingen
14

15
16 ATTEST:

Norma Sepulveda, Mayor

17
18 _____
19 Mayra Herrera, City Secretary

72

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 21, 2026**

Agenda Item:

Consideration and possible action to approve a resolution authorizing the Special Projects director to submit a grant application to the office of the governor under the General Victim Assistance Grant Program, FY2027. Attachment. *(Special Projects)*

Prepared By: Ana Hernandez, Mobility & Special Projects Director

Brief Summary:

The Office of the Governor-General's Victim Assistance Grant Program funds services and assistance directly to victims of crime, thereby speeding their recovery and aiding them throughout the criminal justice process. The Crime Victim Liaison (CVL) position at the Harlingen Police Department assists victims and survivors of crime by providing them with educational material and resources. The grant is effective from 10/01/2026 – 09/30/2027.

A 20% match is required.

OOG request: \$52,943.42

20 % match: \$13,235.85

Total project cost: \$66,179.27

Funding (if applicable):

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

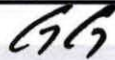
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

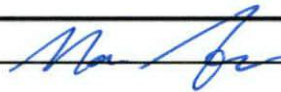
Staff recommends approval of this Resolution.

City Manager approval:



Comments:

City Attorney's approval:



RESOLUTION NO. 2026 - ____

A RESOLUTION OF THE HARLINGEN CITY COMMISSION AUTHORIZING THE SUBMISSION OF A GRANT TO THE OFFICE OF THE GOVERNOR FOR THE GENERAL VICTIM ASSISTANCE GRANT PROGRAM, FY2027 TO FUND THE CRIME VICTIM LIAISON POSITION AT THE HARLINGEN POLICE DEPARTMENT

WHEREAS, the grant program is authorized under the Victims of Crime Act of 1984 (VOCA), as amended and codified in 34 U.S.C. § 20103. VOCA funds are made available through a Congressional appropriation to the U.S. Department of Justice, Office for Victims of Crime, and State funds are authorized under SB30, Section 2.26 passed during the 88th Regular Session for Trusteed Programs within the Office of the Governor; and

WHEREAS, the City of Harlingen finds it in the best interest of the citizens of Harlingen, Texas, and the region to apply for funding from the Office of the Governor to fund the crime victim liaison position at the Harlingen Police Department; and

WHEREAS, the Harlingen City Commission agrees to provide any applicable matching funds for the said project as required by the General Victim Assistance Grant Program, FY2027; and,

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

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

WHEREAS, the City Commission designates the Finance Director as the grantee's financial officer. The financial officer is given the power to submit financial and/or programmatic reports or alter a grant on behalf of the applicant agency.

NOW, THEREFORE, BE IT RESOLVED that the Harlingen City Commission approves the submission of the grant application to the Office of the Governor to fund the crime victim liaison position at the Harlingen Police Department

CONSIDERED AND ADOPTED 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 Government Code Chapter 551, as amended.

Grant Number: 2555212

Norma Sepulveda, Mayor

Mayra Herrera, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 21, 2026**

Agenda Item:
Consideration and possible action to approve a resolution authorizing the Special Projects Director to submit a grant application to the Office of Governor under the FY 2027 Rifle Resistant Body Armor Grant Program to fund ballistic plates and carriers for peace officers of the Harlingen Police Department. Attachment (<i>Special Projects</i>)
Prepared By: Ana Hernandez, Mobility & Special Projects Director
Brief Summary:
The Officer of the Governor FY 2027 Rifle Resistant Body Armor Grant Program provides funds to equip peace officers with rifle-resistant body armor. Body armor, including bullet-resistant vests, ballistic plates, and plate carriers, must be compliant with the National Institute of Justice (NIJ) standard (Ballistic Resistance of Body Armor NIJ Standard-0101.06) type III (rifles) or type IV (armor piercing rifle). State funds for these projects are authorized under the Texas General Appropriations Act, Article I, Rider 25 for Trusteed Programs within the Office of the Governor. The Harlingen Police Department is requesting \$31,137.50 to fund both ballistic plates and plate carriers.
There is no match required on behalf of the City of Harlingen. The grant project period is expected to be from 09/01/2026 to 08/31/2027.
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
Staff recommends approval of this resolution.
City Manager approval: 
Comments:
City Attorney's approval:

RESOLUTION No. 2026 - ____

CONSIDERATION AND POSSIBLE ACTION TO APPROVE A RESOLUTION AUTHORIZING THE SPECIAL PROJECTS DIRECTOR TO SUBMIT A GRANT APPLICATION TO THE OFFICE OF THE GOVERNOR UNDER THE FY 2027 RIFLE RESISTANT BODY ARMOR GRANT PROGRAM TO FUND BALLISTIC PLATES AND CARRIERS FOR PEACE OFFICERS OF THE HARLINGEN POLICE DEPARTMENT

WHEREAS, the grant program is authorized under the Texas General Appropriations Act, Article I, Rider 26 for trusted programs within the Office of the Governor; and

WHEREAS, the City of Harlingen finds it in the best interest of the citizens of Harlingen, Texas, and the region to apply for funding from the Office of the Governor to fund rifle-resistant body armor for officers; and

WHEREAS, the Harlingen City Commission agrees to provide any applicable matching funds for the said project as required by the FY 26 Rifle Resistant Body Armor Grant Program; and,

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

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

WHEREAS, the City Commission designates the Finance Director as the grantee's financial officer. The financial officer is given the power to submit financial and/or programmatic reports or alter a grant on behalf of the applicant agency.

NOW, THEREFORE, BE IT RESOLVED that the Harlingen City Commission approves the submission of the grant application to the Office of the Governor to fund ballistic plates for peace officers of the Harlingen Police Department.

CONSIDERED AND ADOPTED this 21st day of January 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 Government Code Chapter 551, as amended.

Grant Number: 5719101

Norma Sepulveda, Mayor

Mayra Herrera, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

7c

Meeting Date: **January 21, 2026**

Agenda Item:

Consideration and possible action to consider an ordinance on second and final 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/Special Projects 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.

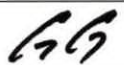
Funding (if applicable):

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

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

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

Staff Recommendation:

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

Comments:

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

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

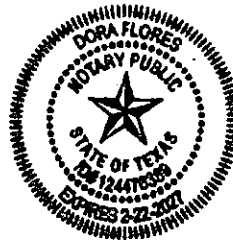
BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED "GUSTAVO ALEX FLORES", KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

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

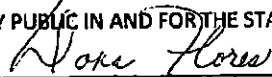
STATE OF TEXAS

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 58 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 66.80 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.

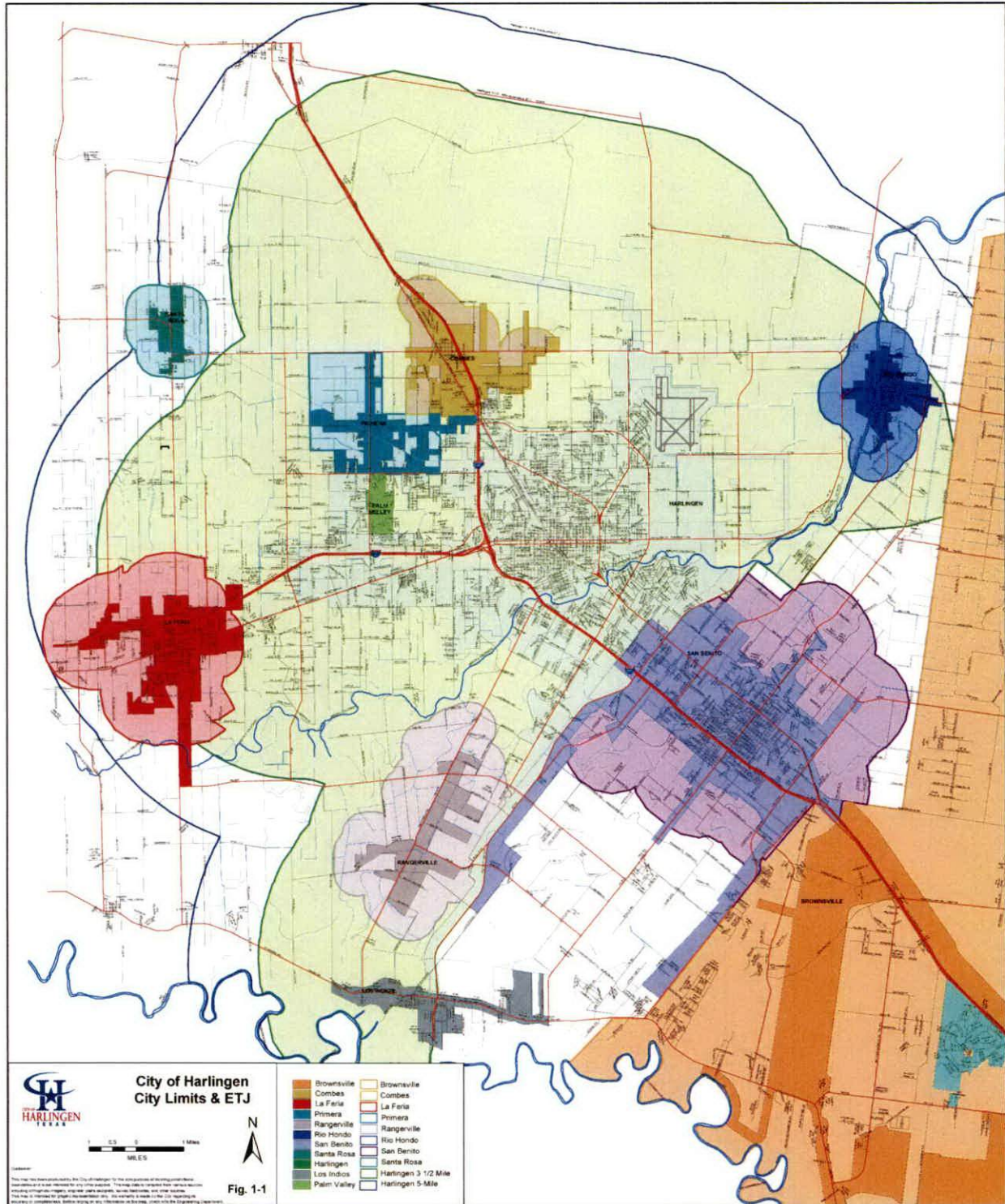
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Attachment IV



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 JURISDICTION (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.

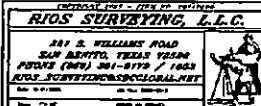
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera City Secretary

UNIT TABLE			
UNIT	SOVEREIGN	SEC. PRICE	SEC. YIELD
1. 1000000	1000000	1000000	1000000
2. 1000000	1000000	1000000	1000000



7d

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 21, 2026**

Agenda Item:

Consideration and possible action to approve a resolution authoring the City Manager to submit a grant application to the Texas Parks and Wildlife's Recreational Trails Program. Attachment
(Special Projects)

Prepared By: Ana Hernandez, Mobility & Special Projects Director

Brief Summary:

The Texas Parks and Wildlife Department (TPWD) administers the Recreational Trails Grant Program, which provides funding for accessible recreational trail projects, including construction of new recreational trails, improvements to existing trails, development of trailhead or trailside facilities, and acquisition of trail corridors. The maximum award for non-motorized trail projects is \$300,000. The City of Harlingen is required to contribute a 20% match towards the total project cost. As required by TPWD, the City Commission's support via a resolution is required for the grant application.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval of this resolution.

City Manager approval:



Comments:

City Attorney's approval:



RESOLUTION NO. - 2026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS AUTHORIZING THE SUBMISSION OF A RECREATIONAL TRAILS GRANT APPLICATION.

WHEREAS, the City of Harlingen is fully eligible to receive assistance under the Texas Parks and Wildlife Department's Recreational Trails Grant Program; and

WHEREAS, the aforementioned grant opportunity is a reimbursement grant program with a 20% local match requirement.

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

Section 1

The City of Harlingen acknowledges that it has the financial resources to meet the grant program requirements.

Section 2

The City of Harlingen acknowledges that, if funded, the project must be maintained and open to the public for a period of at least 20 years after project completion; and

Section 3

The City of Harlingen authorizes the submission of Recreational Trails Program grant to the Texas Parks and Wildlife Department and designates the City Manager and Special Projects Director, as the official points of contact for this grant. The City Manager shall be the official signatory for grant contracts and amendments.

PASSED AND APPROVED on this 21st day of January 2026.

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

7e

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 21, 2026**

Agenda Item:

Consideration and possible action to approve a resolution authorizing the Special Projects director to submit a grant application to the office of the governor under the Criminal Justice Program, FY2027. Attachment (*Special Projects*)

Prepared By: Ana Hernandez, Mobility & Special Projects Director

Brief Summary:

The Office of the Governor solicits applications for projects that promote public safety, reduce crime, and improve the criminal justice system. Federal Funds are authorized under 34 U.S.C. §10152 Edward Byrne Memorial Justice Assistance Grant Program (JAG). JAG funds are made available through a Congressional appropriation to the U.S. Department of Justice, Bureau of Justice Assistance.

The Harlingen Police Department plans to request \$65,585.60 from Motorola to purchase 10 radio systems that include all necessary accessories for patrol cars.

There is no match for the grant.

The grant period is from 10/01/2026 – 09/30/2027.

Funding (if applicable):

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

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

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

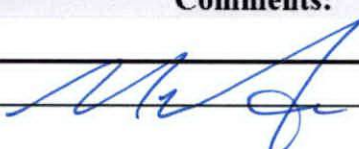
Staff Recommendation:

Staff recommends approval of this Resolution.

City Manager approval:

Comments:

City Attorney's approval:



RESOLUTION NO. 2026 - ____

A RESOLUTION OF THE HARLINGEN CITY COMMISSION AUTHORIZING THE SUBMISSION OF A GRANT TO THE OFFICE OF THE GOVERNOR FOR THE CRIMINAL JUSTICE GRANT PROGRAM, FY2027 TO FUND RADIOS FOR PATROL CARS OF THE HARLINGEN POLICE DEPARTMENT

WHEREAS, the grant program's Federal Funds are authorized under 34 U.S.C. §10152 Edward Byrne Memorial Justice Assistance Grant Program (JAG); and

WHEREAS, the City of Harlingen finds it in the best interest of the citizens of Harlingen, Texas, and the region to apply for funding from the Office of the Governor to fund radios for patrol cars of the Harlingen Police Department; and

WHEREAS, the Harlingen City Commission agrees to provide any applicable matching funds for the said project as required by the Criminal Justice Grant Program, FY2027; and,

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

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

WHEREAS, the City Commission designates the Finance Director as the grantee's financial officer. The financial officer is given the power to submit financial and/or programmatic reports or alter a grant on behalf of the applicant agency.

NOW, THEREFORE, BE IT RESOLVED that the Harlingen City Commission approves the submission of the grant application to the Office of the Governor to fund radios for patrol cars of the Harlingen Police Department

CONSIDERED AND ADOPTED 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 Government Code Chapter 551, as amended.

Grant Number: 5366102

Norma Sepulveda, Mayor

Mayra Herrera, City Secretary

City of Harlingen
Agenda Item Request Form

We hereby request the following item to be added to January 21, 2026, City Commission Agenda:

1. Request for a presentation by the Public Works Department regarding the status and future planning of the Comprehensive Street Lighting Program.



Rene Perez, Commissioner, Dist. 5

Delia Cavazos-Gamez, Commissioner Dist. 1

**AGENDA ITEM
EXECUTIVE SUMMARY**

92

Meeting Date: **January 21, 2025**

Agenda Item:

Public hearing imposing a temporary moratorium on the establishment, operation, expansion, or relocation of smoke shops within the city limits to allow for review of potential amendments to City regulations and dealing with related matters. Attachment (**Planning & Development**)

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

Signature: *Ana Hernandez*

Brief Summary:

The proposed ordinance establishes a temporary moratorium on the establishment, expansion, or relocation of smoke shops within the City. The purpose of the moratorium is to provide the City with adequate time to evaluate the land use, public health, and regulatory impacts associated with smoke shops, including zoning compatibility, licensing requirements, and potential secondary effects.

During the moratorium period, City staff will review existing regulations and assess whether amendments to the City's zoning ordinance, permitting processes, or other applicable codes are necessary to address the operation and concentration of new smoke shops. Existing legally operating businesses will not be affected, provided they do not expand or change their use during the moratorium.

The moratorium is intended to be temporary and limited in scope and will expire unless extended or repealed.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval of this ordinance amendment.

City Manager's approval:

GH

☒ Yes ☐ No ☒ N/A

Comments:

City Attorney's approval:

[Signature]

☒ Yes ☐ No ☐ N/A

**AGENDA ITEM
EXECUTIVE SUMMARY**

96

Meeting Date: **January 21, 2026**

Agenda Item:

Public hearing for a Special Use Permit ("SUP") to allow a bar/lounge in a Light Industry ("LI") District located at 2669 North Expressway 77, Building D, bearing a legal description of 0.32 acres out of 5.79 acres out of Lot 2, Block 1, West Harlingen Industrial Park Subdivision. Applicant: Patrick B. McDermott. 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 04, 2025 – Application for Special Use Permit ("SUP") submitted to the city. (**ATTACHMENT I**)
- December 22, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- December 27, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- January 13, 2026 - Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission (P&Z).
- January 21, 2026 – Public hearing and consideration of requested SUP via 1st ordinance reading scheduled before the City Commission.
- February 07, 2026 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Pursuant to Section 111-62 of the City of Harlingen Code of Ordinances, a bar/lounge in a Light Industry ("LI") District requires the approval of a Special Use Permit by the City Commission.
- Building D is the proposed site for a proposed restaurant/brew pub. The applicant is requesting a Special Use Permit to operate a restaurant/brew pub (bar/lounge) as the business owner at 2669 N. Expressway 77, Building D. The proposed bar will operate under the name, "Texas Brewery Patrol". The Building D floor area consists of approximately 5,500 square feet. The subject property is part of a commercial series of buildings. Other buildings that are occupied or vacant comprise this industrial plaza. The requirement for off-street parking for the proposed Texas Brewery Patrol is 37 spaces. A site plan submitted in 2024 shows 76 parking spaces were proposed for the development on Lot 2. The applicant has indicated compliance with parking requirements through assigned and shared parking. The proposed hours of operation will be seven days a week from 2 PM to 12 AM. The applicant intends to have musical performances only occasionally. (**ATTACHMENT II**).

- Surrounding properties are zoned Light Industry ("LI") District in all directions. Surrounding land uses include Shalom personal training gym, Cisneros Home Rehabilitation, Greater Texas Fence and Supplies, WW Air Conditioning, Innovative Farm and Ranch, other commercial/industrial businesses, as well as vacant commercial buildings. **(ATTACHMENTS VII)**
- The City of Harlingen Building Inspections Division, Fire Prevention Bureau, Health and Police Departments reviewed the SUP application. The departments reported no objection to the proposed request subject to adhering to the Harlingen Code of Ordinances and procedures administered by each department **(ATTACHMENTS VIII-XI)**.
- The applicant must obtain and maintain the proper State and City permits.
- At present, staff have not received any phone calls, letters or e-mails with concerns regarding this business. Staff had sent out two (2) legal notices to surrounding property owners. **(ATTACHMENT VI)**
- In accordance with the zoning ordinance, the P&Z and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

Funding (if applicable):

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

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

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

Staff Recommendation:

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

1. Obtaining and maintaining the proper State and City permits; and,
2. Providing video surveillance with a minimum 30-day retention; and,
3. Complying with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments.
4. Hours of operation are 2 p.m. to 12 a.m. seven days a week.

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

Comments:

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

PLANNING AND ZONING COMMISSION

January 13, 2026

ACTION ITEMS/PUBLIC HEARINGS

- 1. Public hearing and take action to consider a request for a Special Use Permit (SUP) to allow a bar/lounge in a Light Industry ("LI") District located at 2669 North Expressway 77, Building D, bearing a legal description of 0.32 acres out of 5.79 acres, out of Lot 2, Block 1, West Harlingen Industrial Park Subdivision. Applicant: Patrick B. McDermott**

City Planner Rodrigo Sanchez presented the request for an SUP before the Board, as follows:

- The Legal Notice Map for the Subject Property was used to present the item.
- Mr. Sanchez noted that a bar/lounge in this district requires that a Special Use Permit be approved. Today is the first hearing by the Planning and Zoning Board.
- An Aerial View of the Subject Property was presented.
- Mr. Sanchez explained that that one of the buildings that is part of this development will be the home potentially for a restaurant/brew pub to be called "Texas Brewery Patrol". He said it will be housed in building "D".
- A Street View of Building "D" was presented.
- Mr. Sanchez indicated that as seen in the image, there was quite a bit of street access for the commercial industrial Plaza and quite a bit of parking. He said that this specific business requires twenty-three (23) parking spaces according to the floor plan that was submitted. Mr. Sanchez stated that the applicant has indicated that compliance with the parking requirements will be achieved through shared parking. Mr. Sanchez confirmed that Staff did receive a letter from the owner of this development where he does authorize the applicant that if he needs more parking, he can use most of this parking as seen on the image.
- The proposed hours of operation will be seven (7) days a week, and the hours as of right now will run from two (2:00) p.m. to twelve (12:00) a.m. [midnight].
- An image Building "D" Interior Remodel was presented. Mr. Sanchez stated that the building is undergoing some interior remodel to get ready for the Texas Brewery Patrol.
- The Future Land Use Map for the Subject Property was presented.
- Mr. Sanchez stated that the Land Use Map is aligned with the use.
- Building Inspections, Fire Prevention Bureau, the Police Department and Health Department reviewed this request, and none presented any objection to the request.
- Mr. Sanchez reported that Staff have not received any phone calls, no letters nor emails with concerns about this business.
- Staff recommends approval of the request for a Special Use Permit, subject to the conditions noted.—
 - Obtaining and maintaining the proper state and city permits,
 - Providing video surveillance with a minimum 30-day retention and, of course,
 - Complying with the requirements [administered by the various departments].
- Mr. Sanchez reminded the Board that the hours of operation being requested are two (2:00) p.m. to twelve (12:00) a.m. (midnight) and that it will be seven (7) days a week.

- Mr. Sanchez stated that the applicant was present in the event that the Board might have questions for him.

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

Cmr. Cruz-Velázquez asked Mr. Sanchez to expand on the shared parking. She asked if the businesses are going to be open at the same time. Mr. Sanchez said that when he went to the site, he estimated that approximately half of the suites are not occupied so that parking is, as of right now, available. Mr. Sanchez added his observation that the types of businesses that he saw there are the types of business that will either close by approximately five or six (5 or 6) p.m. or they are the type of businesses where you don't see a lot of foot traffic. He described a conditioning business that would go out to the customer and a personal trainer gym that you would make an appointment for. He also said he saw a fence supply company. He said that normally you don't get people in and shopping and noted that those people would get dispatched to go and build fences. He said this was the type of businesses that he saw when he went out there and stated that we should have confidence that, at least as of today, the combination of business and this business achieve satisfactory compliance with parking requirements.

Cmr. Cruz-Velázquez followed up by asking about the future possibility for other business that may come up. She asked if this has been considered and whether that will affect those businesses that come in. Mr. Sanchez said absolutely. He said that it was an evolving thing and ever changing. He said that businesses will come in and businesses will close. He said it was not an impossibility and that once you get started into that situation, you begin to study more precisely what the hours of the businesses are. He said it was a good observation because all of a sudden the available parking is less. He said you have to be more precise learning the specific hours so that they don't conflict with the different businesses.

Cmr. Cruz-Velázquez asked for confirmation about the hours of operation. Mr. Sanchez said they were from two (2:00) p.m. to twelve (12:00) a.m. (midnight). He said this is what has been requested.

Cmr. Cantu asked if the total amount of parking for the entire place was known. Mr. Sanchez said that looking back to when the Site Plan for this development was first reviewed, there were showing approximately seventy-six (76) parking spaces. He added that when he went out there, eleven (11) parking spaces were apparently allocated for this particular building.

Cmr. Cantu asked how many buildings there were. Mr. Sanchez said there were approximately eight (8) buildings. Cmr. Thomas interjected that inside each building, sometimes they are split up into multiple offices and some of these are owned, and some are rented. She asked if this was correct. Mr. Sanchez stated that to his knowledge, all were rented except this one. He said that to his understanding, the property owner bought the spaces, the ground and building, and so he owns that part and the eleven (11) parking spaces in front of his.

Cmr. Thomas asked if we had any ideas what the occupancy would be of this business. She asked for the maximum or whether that had been determined. Mr. Sanchez stated that he wasn't sure if that had been determined. The applicant said that that was still pending with the Fire Marshall. Cmr. Thomas acknowledged this information.

Cmr. Cruz-Velázquez asked what determined that number of spaces. Mr. Sanchez explained that the number of parking spaces is determined by the seating area. He said it was either the floor area or the seating area. He said both are calculated and that the greater number is used. Cmr. Cruz-Velázquez acknowledged the response provided.

Vice Chairman Sanchez acknowledged that there were a lot of good questions. He asked if there any other questions for Staff.

Cmr. Flores indicated that he was not very familiar with the area but noted that there are a lot of green buildings out there. He asked if the buildings were designed for windstorm and what they were designed for. Mr. Sanchez deferred to Deputy Building Official Raul Rodriguez who was present. Mr. Rodriguez stated that they require windstorm plans for every building. Cmr. Flores asked for confirmation that this was true of even the very first ones. He said that the reason he was asking is because he didn't remember the buildings being part of the City and now all of a sudden he sees the building and that stuff all around. Mr. Rodriguez explained that it is required and that they don't issue a building permit unless they have the windstorm plans for the building. Cmr. Flores acknowledged this response.

Vice Chairman Sanchez asked if there were any other questions for Staff. He indicated this item has a Public Hearing for this item and would proceed to it.

The Public Hearing was opened. The Vice Chairman asked if there was anybody present that would like to speak and address the Commission in favor or against this request. Upon seeing and hearing none, the Public Hearing was closed.

Vice Chairman Sanchez said he would entertain a motion. Cmr. Thomas made the motion to approve. Cmr. Cruz-Velázquez seconded the motion. The motion was moved to a vote. The motion passed unanimously.

**AGENDA ITEM
EXECUTIVE SUMMARY**

9c

Meeting Date: **January 21, 2026**

Agenda Item:

Public hearing for a Special Use Permit (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 1616 N. Ed Carey Drive, bearing a legal description of Lot 9, Medical Subdivision. Applicant: Abdelhadi Al Hatabeh. 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 16, 2025 – Application for Special Use Permit ("SUP") submitted to the City. **(ATTACHMENT I)**
- December 22, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- December 27, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- January 13, 2026 - Public hearing and consideration of requested Special Use Permit (SUP) by the Planning and Zoning Commission (P&Z).
- January 21, 2026 – Public hearing and consideration of requested Special Use Permit (SUP) via 1st ordinance reading scheduled before the City Commission.
- February 4, 2026 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Per the City Code of Ordinances, an "adult business" (smoke shop) located in a "GR" (General Retail) District requires approval of a Special Use Permit (SUP) by the City Commission.
- Abdelhadi Al Hatabeh, the applicant, is requesting a special use permit to allow a smoke shop under the name of "Cyberskunk Smokeshop" out of an existing building located at 1616 N. Ed Carey Drive. The building is approximately 2,400 square feet. **(ATTACHMENT II AND III).**
- The property was previously used as a pharmacy.
- Based on the site plan and information submitted by the applicant, the applicant is proposing to operate Monday – Friday from 9am to 12am and Saturday – Sunday from 9am – 2am. The merchandise will consist of tobacco and vape products, hookah accessories, kratom, novelty items, and other adult use merchandise. Six parking spaces are required, and thirty-one parking spaces are provided in the common parking area for the plaza. **(ATTACHMENT II – IV).**
- The surrounding properties are zoned General Retail (GR) District to the south, west, and north, and Office to the east and northeast. Land uses immediately

north, south, and west of the plaza consist of commercial and office uses, while to the east the uses are primarily office and medical. **(ATTACHMENTS V-VII).**

- The City of Harlingen Building Inspections Division, Fire Prevention Bureau, Health Department, and Police Department reviewed the Special Use Permit (SUP) application. The Building Inspections Division and Fire Prevention Bureau reported no objections. The Harlingen Police Department denied the request, citing the need for additional research on the proposed business to ensure community safety. The Harlingen Health Department also denied the request based on the applicant's intent to sell kratom, which has not been approved for medical use by the FDA and has been identified by the DEA as a drug and chemical of concern. **(ATTACHMENTS VII-X).**
- The applicant must obtain and maintain the proper State permits.
- Presently, the Planning and Zoning Department has not received any objections to the request from surrounding property owners.
- In accordance with the zoning ordinance, the P&Z and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends denial of the Special Use Permit (SUP) request due to the nature of the proposed business and associated safety concerns. Additionally, the Health Department has denied the request based on the potential sale of kratom, a substance that has not been approved by the FDA.

City Manager's approval:



☒ Yes

☐ No

☒ N/A

Comments:

City Attorney's approval:



☒ Yes

☐ No

☐ N/A

PLANNING AND ZONING COMMISSION

January 13, 2026

ACTION ITEMS/PUBLIC HEARINGS

2. **Public hearing and take action to consider a request for a Special Use Permit (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 1616 N. Ed Carey Drive, bearing a legal description of Lot 9, Medical Subdivision. Applicant: Al Hatabeh Abdelad**

City Planner Soledad Núñez presented the following information related to the proposed subdivision, as follows:

- The Legal Notice Map was used to present the item. Ms. Núñez shared that the property owners are proposing to name the business Cyber Skunk Smoke Shop out of an existing building.
- The building is approximately twenty-four hundred (2,400) square feet.
- An Aerial View with the Subject Property highlighted in red was presented. Ms. Núñez pointed out surrounding businesses including Valley Baptist Hospital, CVS, Walgreens and some of the medical offices in the area.
- Ms. Núñez explained that the subject property had been previously used as a pharmacy.
- The proposed hours of operation are Monday through Friday, from nine (9:00) a.m. to twelve (12:00) a.m. (midnight), and Saturday and Sunday from nine (9:00) a.m. to two (2:00) a.m.
- The merchandise being proposed consists of tobacco and vape products, hookah accessories kratom, novelty items and other adult merchandise.
- Ms. Núñez reported that six (6) parking spaces are required and that thirty-one (31) are provided in the plaza.
- The Site Plan that was provided by the applicant was presented.
- Surrounding properties are zoned General Retail (GR) District to the south, west and north, and Office (O) to the east and northwest. Land Uses immediately north, south and west of the plaza consist of commercial and office uses. To the east is primarily office and medical use.
- A Street View of the Subject Property was presented. The property used to be the Harlingen Pharmacy.
- The Building Inspections Division and Fire Marshall's Office both reviewed the request and both approved the request. The Harlingen Police Department and Health Department both reviewed the request and both denied the request based on the fact that they selling a product called kratom. Ms. Núñez explained that this product has not been approved by the FDA for medical consumption. She said that the Harlingen Police Department is denying the request based off the fact that they need to do more research on the business to make sure compliance is in order and to make sure the community is safe.
- Staff did not receive any objections from surrounding property owners. Staff did mail off notices to [surrounding property owners].
- Staff is recommending denial of the request.

Vice Chairman Sanchez thanked Ms. Núñez and asked if there were any questions for Staff.

Cmr. Cruz-Velázquez asked if this was the item the Board received an addendum for last minute. Ms. Núñez said yes and that it was because the Police Department just sent Staff their comments this morning. Cmr. Cruz-Velázquez acknowledged this response.

Cmr. Thomas asked if there were any other smoke shops in the area. Ms. Núñez said that there were on two (2) on 77 [Sunshine Strip]. She said they were approved around 2023-2024. She also said that the main concern is not just with the products being sold but the proximity to Valley Baptist Hospital, which is very close and that there are a lot of medical offices in the area as well.

Cmr. Flores made the motion to deny. Vice Chairman Sanchez told the Cmr. to hold because there is a Public Hearing and it needs to be opened for that. He said that if there were no other questions for Staff he would open the Public Hearing.

Vice Chairman Sanchez opened the Public Hearing. He asked if there was anybody present to address the Commission, to please step forward and identify themselves.

Dr. Karl Frey, surrounding property owner

Dr. Frey introduced himself before the Board, identifying that he is an Oral Surgeon and stating that he has been practicing in that medical row for the past forty-five (45) years and owns two (2) lots. Dr. Frey said the [subject property] is a nice location because of the visibility to Ed Carey Drive and 77 Sunshine Strip and that you can walk to work at the hospital. He said that the problem has always been parking in this area and that this was evident to anyone who has ever visited the place. He shared how parking has changed since the fifty's ([19]50s). He shared that TxDOT recently announced their proposal to widen Ed Carey Drive and that it would involve taking the outer row of park spaces that faces directly on Ed Carey. He said that [the spaces] are going to be eliminated and that it is going to make it very hard for people who are going to be coming into the offices there with the narrow throat that exists now. He also mentioned that TxDOT engineers told him that on the entrance to the parking lot off the alley, they will widen the throat because it is going to be difficult to make really tight turns for anyone that has got a big truck to enter there. Dr. Frey stated the applicant this applicant is going to lose the parking spots facing Ed Carey Drive plus others to create the throat along the alley and there are seven (7) parking spots. He also mentioned the alley is full of potholes. He said that when the pharmacy was there, it was difficult for their business for people trying to turn into these parking spots off the alley and trying to back out again. He said that what happens is exactly what you would expect would happen and what you would do. He said people use the CVS parking lot or they use other parking lots for the offices along the street or even sometimes use the Valley Baptist Parking lot although they are subject to being towed there. Dr. Frey reiterated that there are seven (7) spots along the alley and that the rest of the spots in that parking lot are owned individually by the individual offices. He said it is not communal. He said that they bought their second building particularly to pick up more parking spots there because it was so difficult. Dr. Frey summarized that he would recommend not allowing this based on the difficulties with parking. He said he didn't know where [Staff] got that number of thirty-one (31) spots and stated that this was inaccurate and that this could be easily seen by going out and counting the spots. He repeated that he would recommend to deny this based on the parking problem.

Vice Chairman Sanchez thanked the Dr. for his comments. He asked if there was anybody else that would like to address the Commission in favor or against. The applicant indicated he wanted to speak. The Chairman asked him to step forward and identify himself.

Abdelhadi Al-Hatabeh, applicant

Mr. Al-Hatabeh wished the Board a good evening and identified himself before the Board. He said they could call him Abdul. Mr. Al-Hatabeh said he appreciated the opportunity to speak with the Board tonight and said he was here to respectfully request approval for a Special Use Permit for their business "Cyberpunk Smoke Shop" at 1616 N. Ed Carey Drive.

He said that they were proud to be a Texas based company with over 30 smoke shop locations in the state of Texas currently operating throughout the state. He said that their brand, Cyber Skunk, Mr. Puff and Vitrum, are known for the clean, professional and fully compliant environments. He said that they have been in business for over fifteen (15) years and said that he wanted to emphasize that every one of their stores is 100% compliant with local, state, and federal regulations. He said that they operate with zero tolerance for underage entry or sale. He said that no person under the age of 21 is allowed inside of their stores and said that all employees are trained to strictly enforce ID checks and maintain a secure and respectful shopping environment. He said they take pride in being good neighbors and responsible members of every city they have served.

Mr. Al-Hatabeh said that they have already received Special Use Permit approvals in both the cities of McAllen and Laredo. He said they just opened their nearest location to this area in Brownsville, Texas. He said that they did not require a Special Use Permit over there due to the Zoning. Mr. Al-Hatabeh is that their goal in Harlingen is the same, to bring to everyone a well-run, clean, and secure business to the community and one that creates jobs and generate tax revenue and operates with integrity Mr. Al-Hatabeh said he appreciated the Board's time and respectfully asked for their support in approving this request. He said he was available to answer any questions they may have. He said he was open to listen and basically adjust or adapt to any requests or demands from the public.

Vice Chairman Sanchez thanked the applicant.

Cmr. Cantu asked the applicant if he owned the property or if it was a lease. Mr. Al-Hatabeh said they had their broker with them and said it was leased. He mentioned that they [the broker] already applied for a change of zone because it was zoned as Office (O) and was approved as [General] Retail (GR). He said that he believed they discussed parking and everything in that session and that it had been approved mid-December.

Cmr. Cantu said she assumed the lease was not completely finalized until he got approval. Mr. Al-Hatabeh said it was finalized but was based on approval by the Board. He said that if the Board's approval is not there, and the City's approval is not there, then they will not proceed with the lease. Vice Chairman Sanchez asked if it was subject to. Mr. Al-Hatabeh said yes.

Cmr. Cruz-Velázquez indicated she had a question. Before asking, she thanked the applicant for being there and explaining. Cmr. Cruz-Velázquez asked if he had said he had businesses already in McAllen and Laredo. The applicant said yes and mentioned other locations across the state. Vice Chairman Sanchez added Brownsville. Mr. Al-Hatabeh confirmed this saying it was the newest location. Cmr. Cruz-Velázquez continued with her question and asked if other

locations were new hospitals or in similar situations as this one. The applicant said yes. He said that the Laredo location is on Sanders and that it was literally across the street from the Medical Center. He said that they went through the Special Use Permit process and that they were able to get approval for it.

Mr. Al-Hatabeh said that they have done their research. He said that just like a bar, that they make sure to evaluate when someone comes in and they are not in good form to purchase any product. He said they are not going to sell to them and that they ID everybody. He said they are not just here to hurt the community and said they are [selling] responsibly and that it is regulated.

Ms. Núñez asked about the product "kratom" and asked if he had decided that he will be selling that. The applicant said that there are cities that say one thing and others that it is not allowed. He said he was open to whatever the City accepts. He explained that kratom is a plant-based product that is already being sold. He said it is not banned or anything and that it just didn't have FDA approval just like other products that don't have FDA approval. He said that kratom is getting sold in Harlingen in every smoke shop and maybe gas station. Cmr. Cruz-Velázquez said she was familiar with it. Mr. Al-Hatabeh added that if the Council says don't sell it, he will gladly take it off and that it wasn't a problem. Cmr. Cruz-Velázquez said these were all her questions and thanked the applicant.

The applicant thanked her as well and asked if there were any other questions.

Vice Chairman asked the applicant to address the concerns on the parking. The applicant said he heard the Dr.'s note and said he appreciated him speaking up. He said that the average time that somebody was inside a smoke shop is thirty (30) seconds to a (1) minute. He said that seven (7) spots was way too much and said that in every store he has opened, he has only asked for one (1) spot. He said that literally customers are in and out. He remarked on how small a store is, twenty-four hundred (2400) and maybe fifteen hundred (1500) square feet is a showroom. He said that customers come in and already know what they need and that it is an in and out transaction. He said that he would address any issues that may arise in the future as the business owner to abide and ensure everyone's safety. He remarked that the store was open as a pharmacy before and that it was pretty busy. He mentioned CVS across the street and that it was retail based now so that it would just be another retail location that opens. He asked for an opportunity to work around any issues and find solutions. He said he was willing to pitch in to find solutions and contribute as well.

Cmr. Cantu asked, as a business owner and having multiple locations throughout Texas and in this particular business, what he looked for in a location. She said he had mentioned research and asked, when looking for a place, why this one. The applicant said vehicles per day. He said it was the busiest street and that it's the main hub. He said that there were literally smoke shops within a 5-minute radius of them. He said that all the stores that they have opened, mentioning Sanders (in Laredo) or 10th Street in McAllen, are on main streets in that city and that this is what they look for. He said they don't look to attract young adults or young kids or any of that. He said they stay away from schools. He encouraged the Board to visit their locations and talk to their employees. He added that they also don't bring their own employees from Houston or San Antonio. He said they hire locally so it will open up a lot of opportunities

for people that want to work with them and start a career and grow with the business. Cmr. Cantu thanked the applicant.

Vice Chairman Sanchez asked if there were any other questions or comments for the applicant. Upon hearing none, the Vice Chairman thanked Mr. Al-Hatabeh. The applicant thanked the Board for their time and expressed appreciation.

Vice Chairman Sanchez asked if there was anybody else that would like to speak in favor or against this item. He asked them to step forward.

Luis Sanchez, realtor

Mr. Sanchez presented himself before the Board and identified himself as the realtor helping out with this project. He said that directly in front of the building, there were about eight (8) or nine (9) parking spaces directly in front of the building. He said that he thought they had said six (6) spots were needed and stated that this would cover their parking. He also said that like the Dr. was saying, most of the people for the other buildings park on their side of that row. He repeated that this one has eight (8) or nine (9) spaces directly in front of the business and that most people would park there because they are going to that business and not to walk around to other ones. Mr. Sanchez added that although not seen in the image shown, there were two (2) smoke shops within point three (0.3) miles of this one. He said they were in very close proximity to this location and said he just wanted to bring it up so that the Board would have the visual. The Vice Chairman thanked Mr. Sanchez.

Cmr. Cruz-Velázquez indicated she had one more question for the owner and asked him to please come forward. Cmr. Cruz-Velázquez told the applicant she was familiar with the location because she works in the area. She said that the specific area doesn't look so pretty right now. She asked if he had any plans for maybe improving the aesthetics of the building. The applicant addressed not having found out that the Police Department had denied the request until this morning. He said that he always loves to reach out to the Police Department and local enforcement to make sure that they are aligned with them. He said that one (1) of the concerns was the lighting in that business, that it was too dim. He said he was willing to improve the outside, paint it and make sure that it's more presentable because it is an old building. Mr. Al-Hatabeh said he was willing to fix it and make it look prettier and, on top of that, make sure that the lighting is fixed so that way it's safer for the customers at night and the drivers, to make sure that there's enough lights. He said that would be out of his cost. He said he hadn't even talked to the landlord and that it would be from him. He said he would be willing to add that.

Cmr. Cantu asked the applicant if he had a particular exterior design for all his businesses that are uniform or whether all the exteriors of each business were different. She asked if he had something. Mr. Al-Hatabeh said that they were all different, explaining that some stores are withing a plaza and others are in a stand-alone building. He said that when it is stand-alone, there is more freedom to do stuff on the outside to make it nicer. He said that usually they will put murals of the City they are opening in, so what does Harlingen stand for. He said they will bring local artists and have them do that with the approval of the City and make sure it is regulated and they are good to go. He said that this is what they usually go for – something that speaks on behalf of the City and not the business. The Board thanked the applicant.

Vice Chairman Sanchez asked again if there was anybody else that would like to speak and indicated that if not, he would close the Public Hearing. The Public Hearing was closed.

Vice Chairman Sanchez addressed the Staff regarding the recommendation from the Police Department, and he thought also the Health Department who recommended denial. He asked if anyone from those departments was present to address this. Ms. Núñez said that they were unfortunately not. The Vice Chairman continued and asked if it was worth considering tabling the item so that the Police Department can come and address. Cmr. Cruz-Velázquez said she would move to table so that she could find out a little bit more. Ana Hernandez, Director for Planning and Development, addressed the questions and told the Board that it was their option to table the item. She mentioned that sometimes the applicant has a timeline that they need to follow. She said she also wanted to let the Board know that about two (2) or three (3) City Commission Meetings ago, Staff had received direction from City Commission to work on an ordinance to ban additional smoke shops or at least restrict the opening of additional smoke shops in a certain area to avoid the clustering of these types of businesses. She said that this was something they were working on. She said she was working with Attorney Sossi to create an ordinance amendment to do that. She said that they had on the agenda for the next upcoming City Commission an ordinance for consideration for the City Commission to do a moratorium for at least six (6) months on smoke shops. Director Hernandez said she wanted to let them know that based on City Commission, this was the new policy direction that we are taking on smoke shops. Cmr. Cruz-Velázquez asked the Vice Chairman whether if they approved this today, this would still have to go to City Commission. The Vice Chairman said that was correct. Director Hernandez addressed the Board and told them that if it is tabled, it will not go to City Commission. The Vice Chairman told her the question had been that if they approved it, the next step would be to go to City Commission. Cmr. Cruz-Velázquez asked Director Hernandez if she was implying that they will likely deny it. Director Hernandez said that was correct. Cmr. Flores indicated he wanted to add something. He said that when they go in to widen Ed Carey, they will affect a lot of businesses in that area. He asked why they were spending their time on this little building where he won't have parking. Cmr. Thomas added that it was her understanding that it could be ten (10) years away. Vice Chairman Sanchez indicated the City Engineer was coming forward.

Roberto Hernandez, City Engineer

Mr. Hernandez introduced himself before the Board. He stated that at the moment, they [TxDOT] had reached out to the City and to the people that are right next to the area. He said that right now they are doing open comments [and] getting feedback. Mr. Hernandez said it was not guaranteed that they are going to do the improvement. He added that most of the improvement was going to be adding a median and not necessarily widening the road, especially in this area. He said its already three (3) lanes each way with the center lane. He said they would be adding a median to prevent accidents in the area. He also said that the area that was going to be expanded was going more on the east side of Sunshine 77, closer to the Arroyo Colorado. He said that going over the bridge there was only two (2) lanes in each direction and they were proposing to widen it to three (3) lanes in each direction not necessarily [in the area of the subject property]. Mr. Hernandez said that the moment they start going into private property, TxDOT or even Harlingen as a municipality, they would have to acquire the right of way and get easements. He said these concerns would be addressed by the municipality or the agency during

improvements. Cmr. Flores said he agreed with that and said he was familiar. Vice Chairman Sanchez thanked Mr. Hernandez.

Vice Chairman regrouped and stated there was a motion to table and asked if we would want to continue with that. Cmr. Cruz-Velázquez said she wanted to take that back and actually wanted to move to approve it based on the fact that there is no otherness at the present moment that exists. Cmr. Thomas seconded the motion. The motion to approve the SUP passed by a margin of three (3) to two (2), with the Vice Chairman and Cmr. Flores voting against it.

**AGENDA ITEM
EXECUTIVE SUMMARY**

102

Meeting Date: **January 21, 2025**

Agenda Item:

Consideration and possible action to approve an ordinance imposing a temporary moratorium on the establishment, operation, expansion, or relocation of smoke shops within the city limits to allow for review of potential amendments to City regulations and dealing with related matters. Attachment **(Planning & Development)**.

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

Signature: *Ana Hernandez*

Brief Summary:

The proposed ordinance establishes a temporary moratorium on the establishment, expansion, or relocation of smoke shops within the City. The purpose of the moratorium is to provide the City with adequate time to evaluate the land use, public health, and regulatory impacts associated with smoke shops, including zoning compatibility, licensing requirements, and potential secondary effects.

During the moratorium period, City staff will review existing regulations and assess whether amendments to the City's zoning ordinance, permitting processes, or other applicable codes are necessary to address the operation and concentration of new smoke shops. Existing legally operating businesses will not be affected, provided they do not expand or change their use during the moratorium.

The moratorium is intended to be temporary and limited in scope and will expire unless extended or repealed.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval of this ordinance amendment.

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

Comments:

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

ORDINANCE NO. 2026 - _____

AN ORDINANCE OF THE CITY OF HARLINGEN CITY COMMISSION IMPOSING A TEMPORARY MORATORIUM ON THE ESTABLISHMENT, OPERATION, AND EXPANSION OF SMOKE SHOPS; ALLOWING THE CITY TIME TO STUDY IMPACTS AND CONSIDER REGULATORY AMENDMENTS; PROVIDING FOR DEFINITIONS, DURATION, SEVERABILITY, AND AN EFFECTIVE DATE; AND ORDAINING OTHER MATTERS RELATED THERETO.

WHEREAS, the City Commission of the City of Harlingen desires to protect and promote the public health, safety, morals, and general welfare of the community; and

WHEREAS, the City has experienced an increase in the number and concentration of businesses commonly referred to as "smoke shops," including establishments selling tobacco products, vaping devices, and hemp-derived products; and

WHEREAS, the City desires time to study the land-use impacts and regulatory framework associated with such businesses, including but not limited to zoning compatibility, youth access, public health concerns, and neighborhood impacts; and

WHEREAS, the City Commission finds that a temporary moratorium is necessary to maintain the status quo while the City evaluates whether amendments to its zoning ordinance, licensing requirements, or other regulations are warranted; and

WHEREAS, the temporary moratorium authorized herein is intended to be of limited duration and scope and is enacted in the interest of sound planning and responsible governance.

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

SECTION I. TEMPORARY MORATORIUM

No person, firm, corporation, or other business entity shall establish, open, relocate, expand, or commence operation of a smoke shop within the City of Harlingen during the period of this temporary moratorium.

During the moratorium period, the City shall not accept, process, or approve any applications for permits, licenses, zoning approvals, or certificates of occupancy related to a new smoke shop or the expansion of an existing smoke shop.

SECTION II. DEFINITIONS

For the purposes of this Ordinance, the following terms shall have the meanings set forth below:

Smoke Shop shall mean any business, whether retail, wholesale, or otherwise, whose primary or substantial business purpose includes the sale of one or more of the following:

- a) Tobacco products or nicotine products;
- b) Electronic smoking devices, vaping devices, or e-liquids;
- c) Hemp-derived or cannabinoid products intended for inhalation or consumption;
- d) Smoking accessories, including pipes, rolling papers, vaporizers, or similar items.

Expansion shall mean an increase in floor area, inventory, product offerings, or operational scope of an existing smoke shop that requires a new or amended permit or license.

SECTION III. EXEMPTIONS

This moratorium shall not apply to:

- a) Smoke shops lawfully operating with all required permits and licenses prior to the effective date of this Ordinance, provided that such businesses do not expand or change their use during the moratorium period.
- b) Enforcement actions, inspections, or compliance measures undertaken by the City.

SECTION IV. DURATION OF MORATORIUM

The moratorium imposed by this Ordinance shall be in effect for a period of **180 days** from the effective date of this Ordinance, unless earlier repealed or extended by action of the City Commission.

SECTION V. SEVERABILITY

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION VI. 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.

CITY OF HARLINGEN

ATTEST:

Norma Sepulveda, Mayor

Mayra Herrera, City Secretary

Approved as to form:

Mark Sossi, City Attorney

**AGENDA ITEM
EXECUTIVE SUMMARY**

106

Meeting Date: **January 21, 2026**

Agenda Item:

Consideration possible action to approve an ordinance on first reading for a Special Use Permit ("SUP") to allow a bar/lounge in a Light Industry ("LI") District located at 2669 North Expressway 77, Building D, bearing a legal description of 0.32 acres out of 5.79 acres out of Lot 2, Block 1, West Harlingen Industrial Park Subdivision. Applicant: Patrick B. McDermott. 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 04, 2025 – Application for Special Use Permit ("SUP") submitted to the city. (**ATTACHMENT I**)
- December 22, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- December 27, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- January 13, 2026 - Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission (P&Z).
- January 21, 2026 – Public hearing and consideration of requested SUP via 1st ordinance reading scheduled before the City Commission.
- February 07, 2026 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Pursuant to Section 111-62 of the City of Harlingen Code of Ordinances, a bar/lounge in a Light Industry ("LI") District requires the approval of a Special Use Permit by the City Commission.
- Building D is the proposed site for a proposed restaurant/brew pub. The applicant is requesting a Special Use Permit to operate a restaurant/brew pub (bar/lounge) as the business owner at 2669 N. Expressway 77, Building D. The proposed bar will operate under the name, "Texas Brewery Patrol". The Building D floor area consists of approximately 5,500 square feet. The subject property is part of a commercial series of buildings. Other buildings that are occupied or vacant comprise this industrial plaza. The requirement for off-street parking for the proposed Texas Brewery Patrol is 37 spaces. A site plan submitted in 2024 shows 76 parking spaces were proposed for the development on Lot 2. The applicant has indicated compliance with parking requirements through assigned and shared parking. The proposed hours of operation will be seven days a week from 2 PM to 12 AM. The applicant intends to have musical performances only occasionally. (**ATTACHMENT II**).

- Surrounding properties are zoned Light Industry ("LI") District in all directions. Surrounding land uses include Shalom personal training gym, Cisneros Home Rehabilitation, Greater Texas Fence and Supplies, WW Air Conditioning, Innovative Farm and Ranch, other commercial/industrial businesses, as well as vacant commercial buildings. **(ATTACHMENTS VII)**
- The City of Harlingen Building Inspections Division, Fire Prevention Bureau, Health and Police Departments reviewed the SUP application. The departments reported no objection to the proposed request subject to adhering to the Harlingen Code of Ordinances and procedures administered by each department **(ATTACHMENTS VIII-XI)**.
- The applicant must obtain and maintain the proper State and City permits.
- At present, staff have not received any phone calls, letters or e-mails with concerns regarding this business. Staff had sent out two (2) legal notices to surrounding property owners. **(ATTACHMENT VI)**
- In accordance with the zoning ordinance, the P&Z and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

Funding (if applicable):

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

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

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

Staff Recommendation:

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

1. Obtaining and maintaining the proper State and City permits; and,
2. Providing video surveillance with a minimum 30-day retention; and,
3. Complying with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health and Police Departments.
4. Hours of operation are 2 p.m. to 12 a.m. seven days a week.

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

Comments:

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

Attachment I

CITY OF HARLINGEN PLANNING AND ZONING DIVISION MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 2669 Bldg D N. Hwy 77 78550 Nearest Intersection Hwy 77 southbound frontage/Wilson Rd
(Proposed) Subdivision Name _____ Lot _____ Block _____
Existing Zoning Designation LI Future Land Use Plan Designation _____

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Patrick B. McDermott Phone (956)491-8165 FAX _____
Email Address (for project correspondence only): Texasbrewerypatrol@gmail.com
Mailing Address 1609 Fairfield Ct City Harlingen State Texas Zip 78550
Property Owner Patrick B. McDermott Phone (956)491-8165 FAX _____
Email Address (for project correspondence only): texasbrewerypatrol@gmail.com
Mailing Address 1609 Fairfield Ct City Harlingen State Texas Zip 78550

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: 2669 BLDG D North Highway 77 Harlingen, Tx 78552
will be used as a Brewpub. Beer and ale will be manufactured on site. The beer produced will be sold for
consumption on site. Food items will be prepared for sale and consumption on site as well.

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: Patrick B. McDermott Date: 12-04-2025

Property Owner(s) Signature: Patrick B. McDermott Date: 12-04-2025

Accepted by: F. Sanchez Date: 12-04-25

Attachment I

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

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

Complete

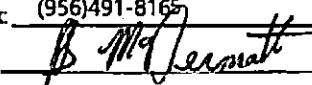
- ☐ One (1) copy of a comprehensive site plan showing the proposed development of the property. The site plan shall consist of the following items, as applicable:
 - Existing/proposed building footprints and building heights (or buildable areas for single and two-family residential); and
 - Locations of proposed uses; and
 - Ingress and egress to/from property;
 - Existing/proposed streets in compliance with the City of Harlingen Long Range Thoroughfare Plan; and
 - Existing/proposed sidewalks; and
 - Existing/proposed utilities; and
 - Existing/proposed drainage; and
 - 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:
 - A notice will be published in the Valley Morning Star describing the request and the date, time, and location of the public hearing; and
 - Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.
 - I understand that while all requirements for the submittal of a 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: Patrick B. McDermott

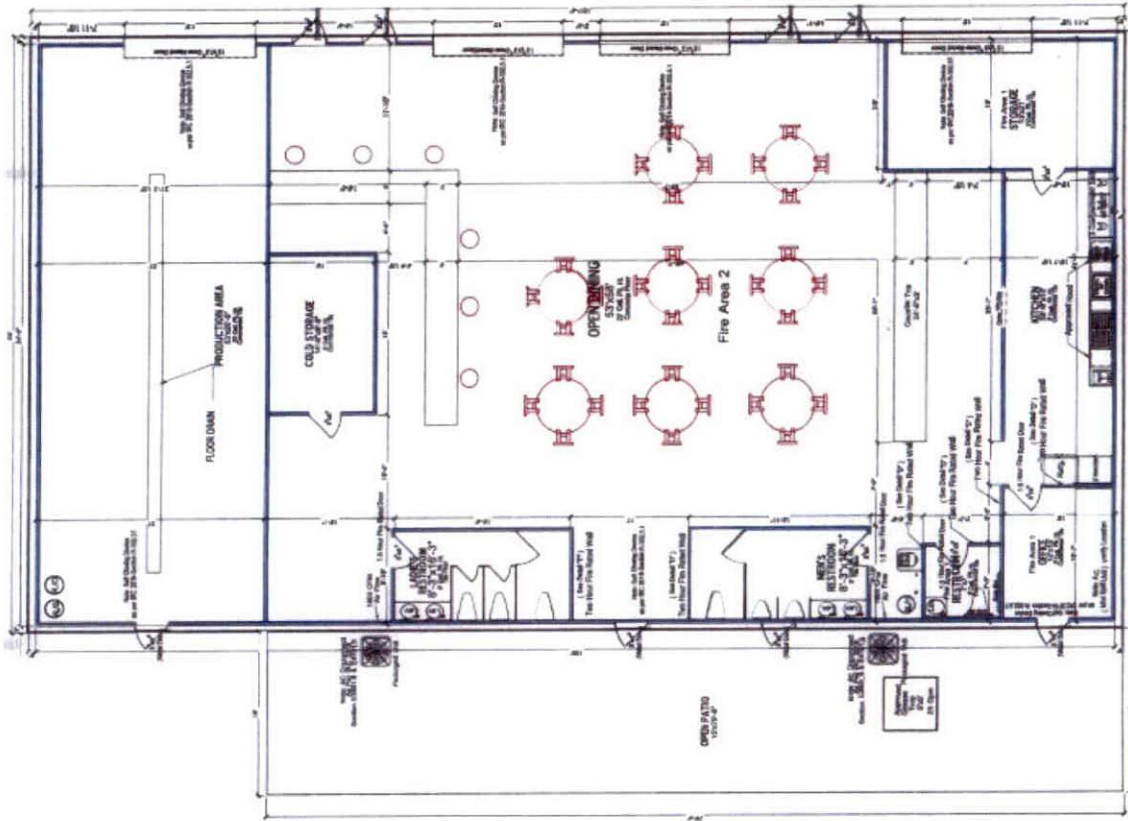
Date: 12-04-2025

Owner Address: 1609 Fairfield Ct Harlingen, Tx 78550

Phone/Fax: (956)491-8165

Signature: 

Attachment II



FLOOR PLAN Scale : 3/16" = 1'-0"
Building D

Building "D"



Attachment IV

Shared access for commercial/industrial plaza

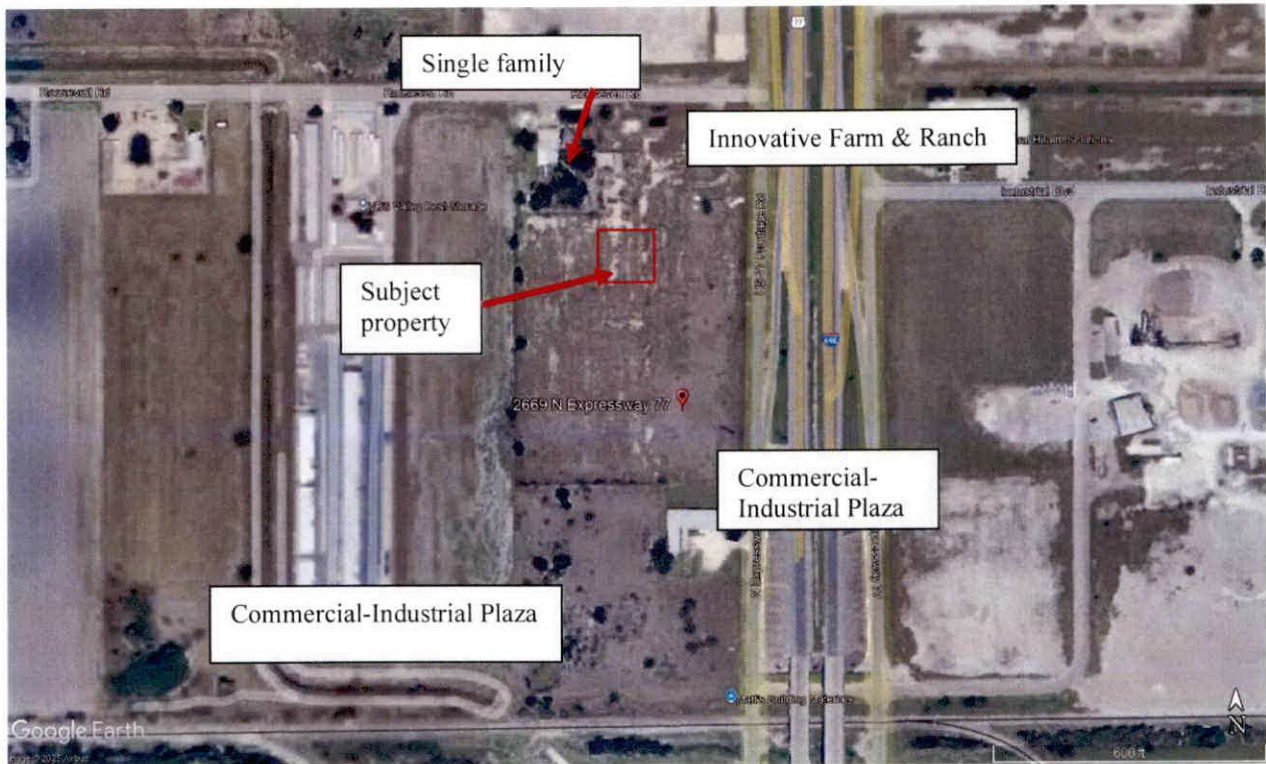


Attachment V

Building "D" interior remodel



Attachment VII





Specific Use Permit ("SUP") Routing Slip

Applicant: Patrick B. McDermott

Phone No.: (956) 491-8165

Location: 2669 N Expressway 77, Building D

Project Description: Request for a Special Use Permit (SUP) to allow a bar/lounge in a Light Industry ("LI") District located at 2669 North Expressway 77, Building D, bearing a legal description of 0.32 acres out of 5.79 acres out of Lot 2, Block 1, West Harlingen Industrial Park Subdivision.

Department: Fire Prevention Bureau

Approval: X YES NO

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

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr.

Date: December 19, 2025

Attachment IX



Special Use Permit ("SUP") Routing Slip

Applicant: Patrick B. McDermott

Phone No.: (956) 491-8165

Location: 2669 N. Expressway 77, Building D

Project Description: Request for a Special Use Permit (SUP) to allow a bar/lounge in a Light Industry ("LI") District located at 2669 North Expressway 77, Building D, bearing a legal description of 0.32 acres out of 5.79 acres out of Lot 2, Block 1, West Harlingen Industrial Park Subdivision.

Department: Building Permits and Inspections Department

Approval: ☐ YES ☐ NO ☒ PENDING

Comments:

If request is approved by the Planning Department, A Building Permit application, a site plan, existing floor plan and proposed floor plan with a code analysis for the proposed use must be submitted to the Building Department. The construction documents must comply with the 2024 International Building Code and Family of Codes.

Raul Rodriguez

Signature

12/19/2025

Date



Special Use Permit ("SUP") Routing Slip

Applicant: Patrick B. McDermott

Phone No.: (956) 491-8165

Location: 2669 N. Expressway 77, Building D

Project Description: Request for a Special Use Permit (SUP) to allow a bar/lounge in a Light Industry ("LI") District located at 2669 North Expressway 77, Building D, bearing a legal description of 0.32 acres out of 5.79 acres out of Lot 2, Block 1, West Harlingen Industrial Park Subdivision.

Department: HARLINGEN POLICE DEPARTMENT

Approval: ✓ YES NO

Comments:


Alfredo Alvear, BSCJ, CPM
Chief of Police

12/19/25
Date

Attachment XI



Special Use Permit ("SUP") Routing Slip

Applicant: Patrick B. McDermott

Phone No.: (956) 491-8165

Location: 2669 N. Expressway 77, Building D

Project Description: Request for a Special Use Permit (SUP) to allow a bar/lounge in a Light Industry ("LI") District located at 2669 North Expressway 77, Building D, bearing a legal description of 0.32 acres out of 5.79 acres out of Lot 2, Block 1, West Harlingen Industrial Park Subdivision.

Department: Health

Approval: ☒ YES ☐ NO

Comments: **Meets all health requirements at this time. HWWS may need to be contacted for grease trap or grease interceptor if one not on site currently.**

Approved...

Signature 

Date 12-18-25

ORDINANCE NO. 26-_____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (ORDINANCE NO. 16-8) OF THE CITY OF HARLINGEN: TO ISSUE A SPECIAL USE PERMIT (SUP) TO PATRICK B. MCDERMOTT TO ALLOW A BAR/LOUNGE IN A LIGHT INDUSTRY ("LI") DISTRICT LOCATED AT 2669 NORTH EXPRESSWAY 77, BUILDING D, BEARING A LEGAL DESCRIPTION OF 0.32 ACRES OUT OF 5.79 ACRES OUT OF LOT 2, BLOCK 1, WEST HARLINGEN INDUSTRIAL PARK .

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

BE IT ORDAINED BY THE CITY OF HARLINGEN

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

Special Use Permit (SUP) to Patrick B. McDermott to allow a bar/lounge in a Light Industry ("LI") District located at Located at 2669 North Expressway 77, Building D, bearing a legal description of 0.32 acres out of 5.79 acres out of Lot 2, Block 1, West Harlingen Industrial Park.

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

The Special Use Permit is made contingent upon construction being complied in accordance with the site plan, a true and correct copy of which is attached hereto and

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

1. Obtaining and maintaining the proper State and City permits; and,
2. Providing video surveillance with a minimum 30-day retention; and,
3. Complying with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health, Downtown Improvement District, and Police Departments.
4. Hours of operation are 2 p.m. to 12 a.m. seven days a week.

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

FINALLY ENACTED this ____ day of _____, 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"

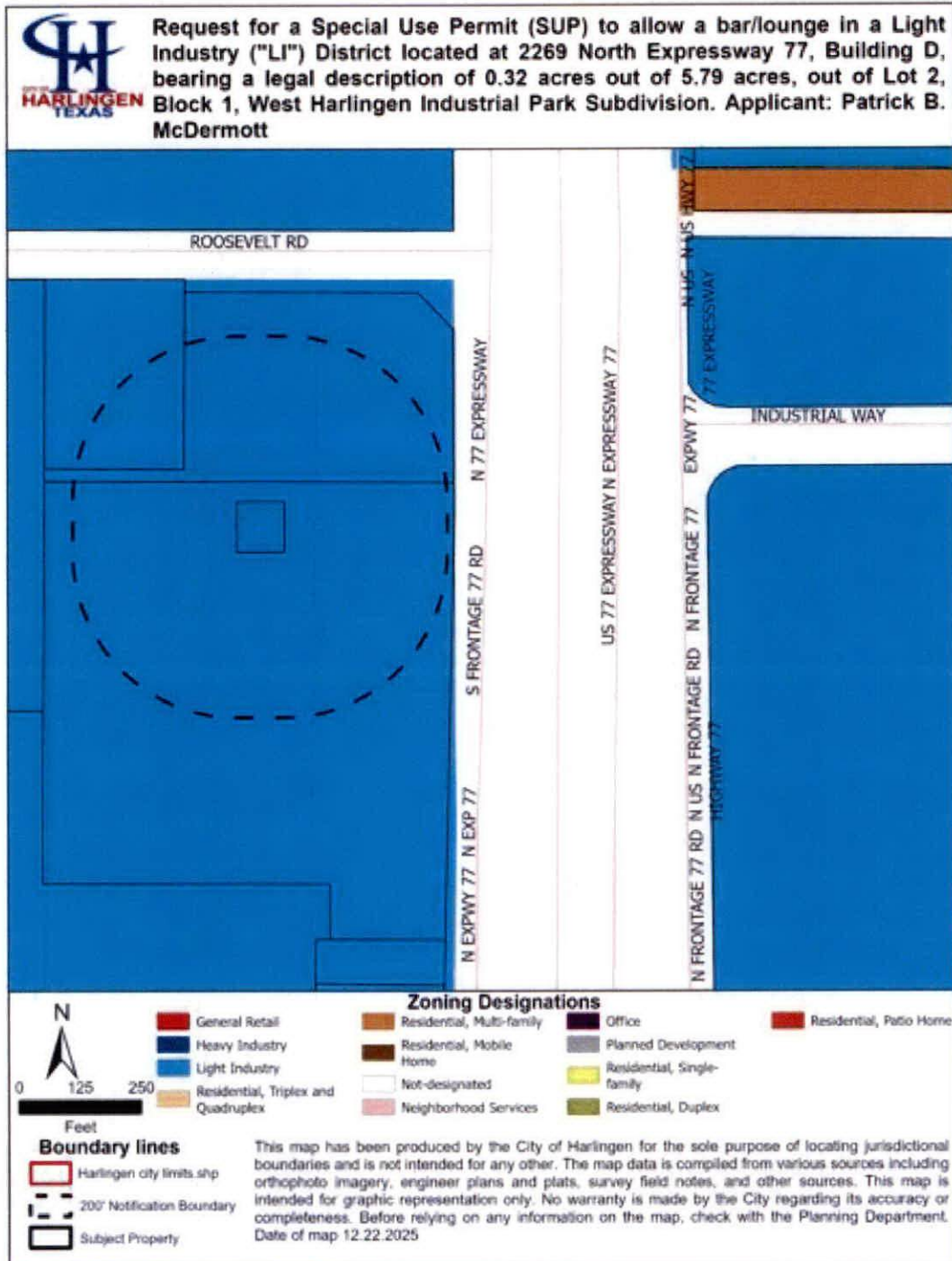
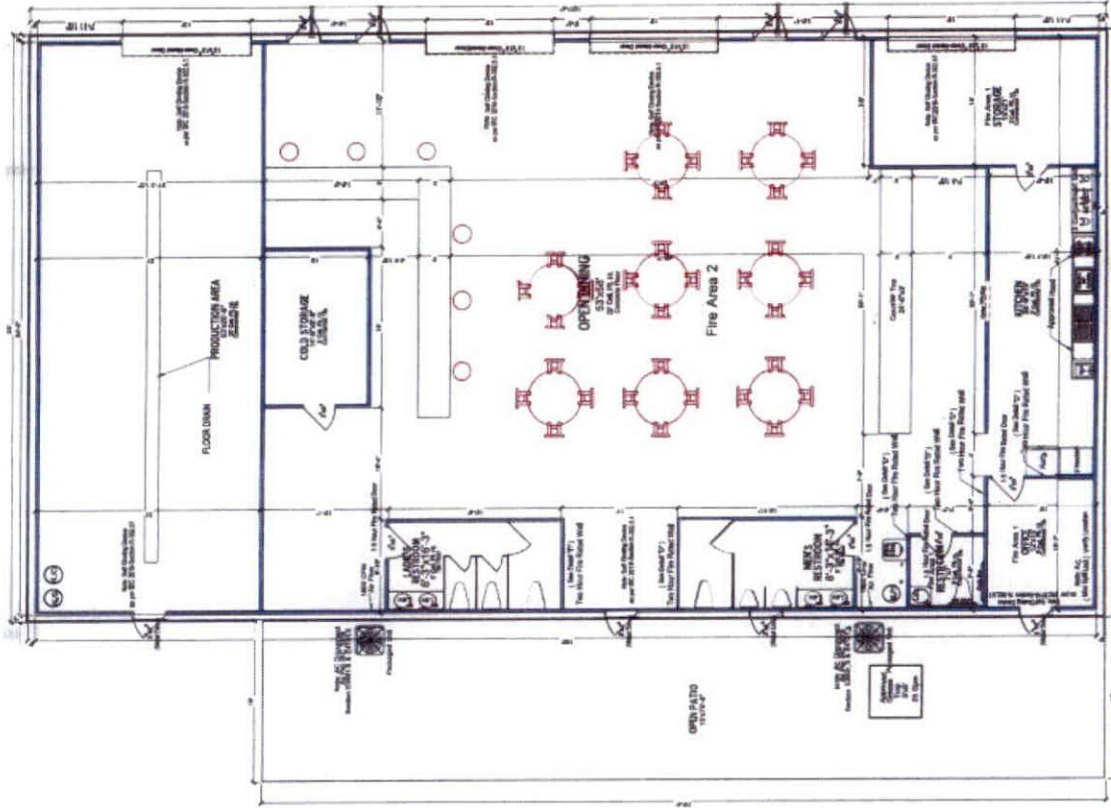


EXHIBIT "B"



FLOOR PLAN Scale : 3/16" = 1'-0"
Building D

**AGENDA ITEM
EXECUTIVE SUMMARY**

100

Meeting Date: **January 21, 2026**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading for a Special Use Permit (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 1616 N. Ed Carey Drive, bearing a legal description of Lot 9, Medical Subdivision. Applicant: Abdelhadi Al Hatabeh. 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 16, 2025 – Application for Special Use Permit ("SUP") submitted to the City. (**ATTACHMENT I**)
- December 22, 2025 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- December 27, 2025 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- January 13, 2026 - Public hearing and consideration of requested Special Use Permit (SUP) by the Planning and Zoning Commission (P&Z).
- January 21, 2026 – Public hearing and consideration of requested Special Use Permit (SUP) via 1st ordinance reading scheduled before the City Commission.
- February 4, 2026 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Per the City Code of Ordinances, an "adult business" (smoke shop) located in a "GR" (General Retail) District requires approval of a Special Use Permit (SUP) by the City Commission.
- Abdelhadi Al Hatabeh, the applicant, is requesting a special use permit to allow a smoke shop under the name of "Cyberskunk Smokeshop" out of an existing building located at 1616 N. Ed Carey Drive. The building is approximately 2,400 square feet. (**ATTACHMENT II AND III**).
- The property was previously used as a pharmacy.
- Based on the site plan and information submitted by the applicant, the applicant is proposing to operate Monday – Friday from 9am to 12am and Saturday – Sunday from 9am – 2am. The merchandise will consist of tobacco and vape products, hookah accessories, kratom, novelty items, and other adult use merchandise. Six parking spaces are required, and thirty-one parking spaces are provided in the common parking area for the plaza. (**ATTACHMENT II – IV**).
- The surrounding properties are zoned General Retail (GR) District to the south, west, and north, and Office to the east and northeast. Land uses immediately

north, south, and west of the plaza consist of commercial and office uses, while to the east the uses are primarily office and medical. **(ATTACHMENTS V-VII).**

- The City of Harlingen Building Inspections Division, Fire Prevention Bureau, Health Department, and Police Department reviewed the Special Use Permit (SUP) application. The Building Inspections Division and Fire Prevention Bureau reported no objections. The Harlingen Police Department denied the request, citing the need for additional research on the proposed business to ensure community safety. The Harlingen Health Department also denied the request based on the applicant's intent to sell kratom, which has not been approved for medical use by the FDA and has been identified by the DEA as a drug and chemical of concern. **(ATTACHMENTS VII-X).**
- The applicant must obtain and maintain the proper State permits.
- Presently, the Planning and Zoning Department has not received any objections to the request from surrounding property owners.
- In accordance with the zoning ordinance, the P&Z and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

Funding (if applicable):

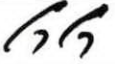
Are funds specifically designated in the current budget for the full ☐ Yes ☐ No*

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

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

Staff Recommendation:

Staff recommends denial of the Special Use Permit (SUP) request due to the nature of the proposed business and associated safety concerns. Additionally, the Health Department has denied the request based on the potential sale of kratom, a substance that has not been approved by the FDA.

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

Comments:

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

Attachment I

CITY OF HARLINGEN PLANNING AND ZONING DIVISION MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1616 N. ED CAREY Nearest Intersection 717 Sunshine Strip
(Proposed) Subdivision Name Harlingen Pharmacy Sub Lot # Block
Existing Zoning Designation Pharmacy Future Land Use Plan Designation Smoke Shop

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent AL HATA BEH ABOLAN Phone 832-684-1808 FAX
Email Address (for project correspondence only): Abdul.fumo1@gmail.com
Mailing Address 20722 Randmill Ln, City Cypress State TX Zip
Property Owner RGV PLAZA, LLC Phone 845-444-0320 FAX
Email Address (for project correspondence only): heidigamble23@yahoo.com
Mailing Address 12055 Central Blvd City Brownsville State TX Zip 78520

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:

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: 12/15/2025

Property Owner(s) Signature: [Signature] Date: 12/15/2025

Accepted by: _____ Date: _____

Attachment I

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

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

Complete

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

- ☐ Existing/proposed building footprints and building heights (or buildable areas for single and two-family residential); and
- ☐ Locations of proposed uses; and
- ☐ Ingress and egress to/from property;
- ☐ Existing/proposed streets in compliance with the City of Harlingen Long Range Thoroughfare Plan; and
- ☐ Existing/proposed sidewalks; and
- ☐ Existing/proposed utilities; and
- ☐ Existing/proposed drainage; and
- ☐ 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:
 - ☐ A notice will be published in the Valley Morning Star describing the request and the date, time, and location of the public hearing; and
 - ☐ Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.
- ☒ I understand that while all requirements for the submittal of a 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: RCN PLAZA, LLC Date: 12/15/2015
Owner Address: 1205 Central Blvd, Brownsville, TX 78520
Phone/Fax: 845-444-0320
Signature: Diana Hernandez

Approx 2600 sq ft.

Important information to include on your plan:

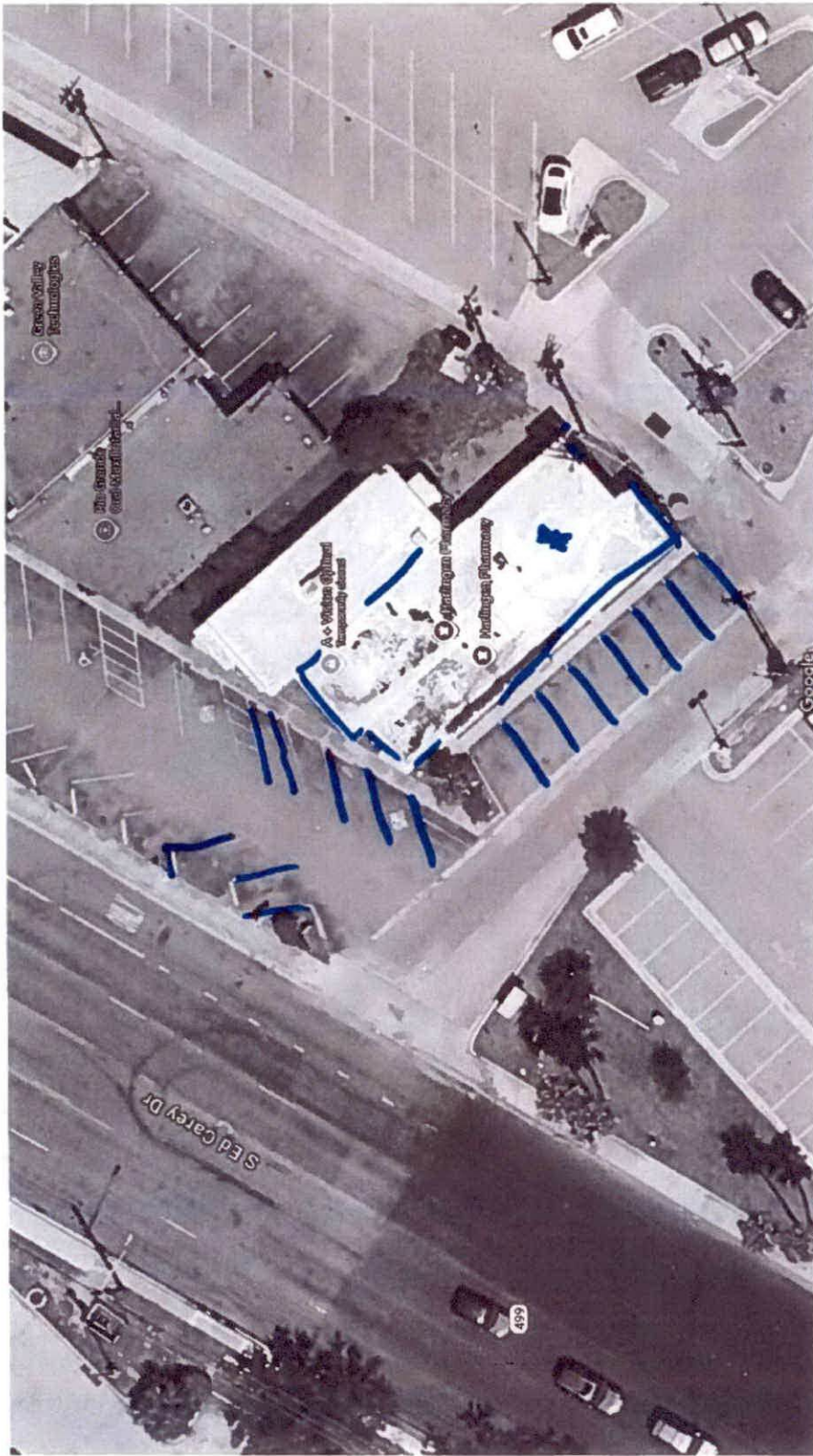
- Overall dimensions
- Dimensions & labels of each space
- Location & size of all exits

- Layout of spaces including kitchen equipment, tables, chairs, display racks, and any other applicable equipment or fixture.

PERMIT NO:
PROP. USE:
ZONING DIST:
REVIEWED BY:

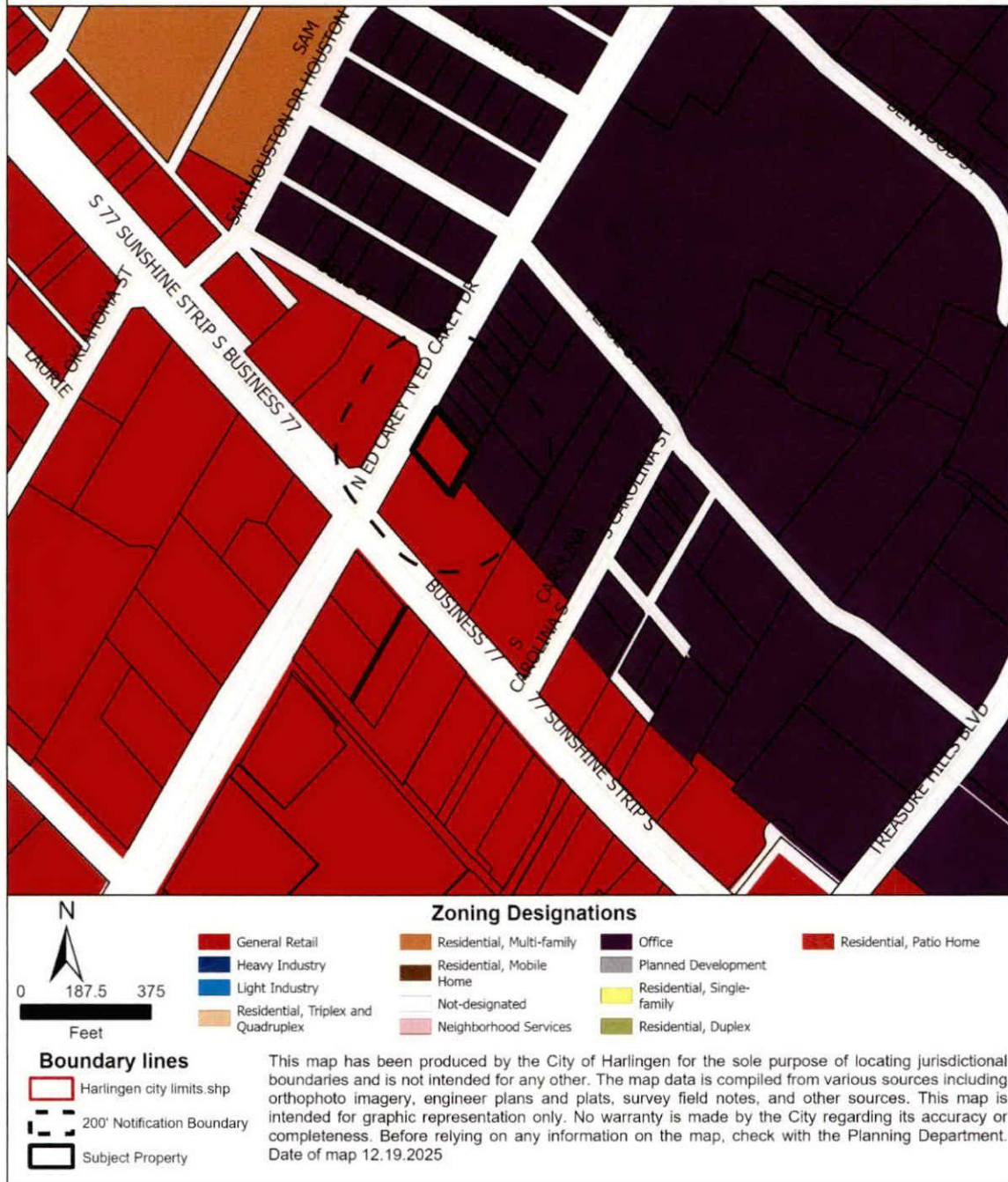
REV #: _____
DATE: _____

Attachment III



cus

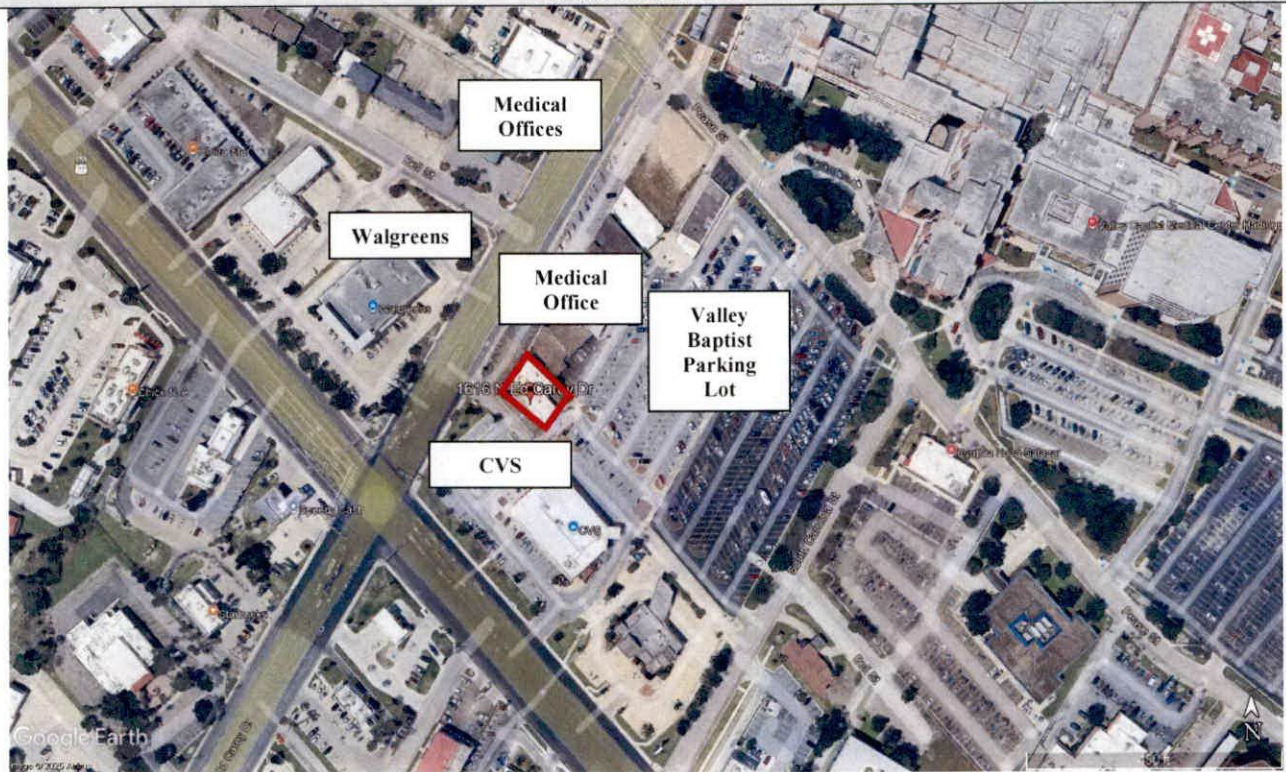
S 77 Surchna Clap



Attachment V



Attachment VI





Specific Use Permit ("SUP") Routing Slip

Applicant: Abdelhadi Al-Hatabeh

Phone No.: (832) 684-1808

Location: 1616 North Ed Carey Drive

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 1616 N. Ed Carey Drive, bearing a legal description of Lot 9, Medical Subdivision.

Department: Fire Prevention Bureau

Approval: ☒ YES ☐ NO

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

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr.

Date: December 23, 2025



Specific Use Permit ("SUP") Routing Slip

Applicant: Abelhadi Al Hatabeh

Phone No.: (252) 915-1004

Location: 1616 N Ed Carey Drive

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 1616 N. Ed Carey Drive, bearing a legal description of Lot 9, Medical Subdivision.

Department: Building Permits and Inspections Department

Approval: ☐ YES ☐ NO ☒ PENDING

Comments: If request is approved by the Planning Department, A Building Permit application, a site plan, existing floor plan and proposed floor plan with a code analysis for the proposed retail use (Sell of Product Only) must be submitted to the Building Department. The construction documents must comply with the 2024 International Building Code and Family of Codes. Mechanical Ventilation shall be provided on smoking areas as per 2024 International Mechanical Code. Please provide exhaust fan specifications and details as part of mechanical engineer plans (If Applicable).

Raul Rodriguez

Signature

12/26/2025

Date

Attachment IX

Pending HPD



Specific Use Permit ("SUP") Routing Slip

Applicant: Abelhadi Al Hatabeh

Phone No.: (252) 915-1004

Location: 1616 N Ed Carey Drive

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 1616 N. Ed Carey Drive, bearing a legal description of Lot 9, Medical Subdivision.

Department: Health

Approval: YES X NO

Comments: Harlingen Health Dept. does not regulate smoke shop businesses, this is done through TDLR Texas Department of Licensing and Regulations. However, the applicant plans to sell a leaf product called Kratom which the FDA has NOT approved for any medical use and the DEA has listed Kratom as a drug and chemical of concern. So at this time the health department will not approve the application.


Signature

1-5-2026
Date



Kratom

WHAT IS KRATOM?

Kratom is a tropical tree native to Southeast Asia. Consumption of its leaves produces both stimulant effects (in low doses) and sedative effects (in high doses), and can lead to psychotic symptoms, and psychological and physiological dependence. Kratom leaves contain two major psychoactive ingredients (mitragynine and 7-hydroxymitragynine). These leaves are crushed and then smoked, brewed with tea, or placed into gel capsules. Kratom has a long history of use in Southeast Asia, where it is commonly known as thang, kakuam, thom, ketum, and biak. In the U.S., the abuse of kratom has increased markedly in recent years.

How is it abused?

Mostly abused by oral ingestion in the form of a tablet, capsule, or extract. Kratom leaves may also be dried or powdered and ingested as a tea, or the kratom leaf may be chewed.

What are the effects?

At low doses, kratom produces stimulant effects with users reporting increased alertness, physical energy, and talkativeness. At high doses, users experience sedative effects. Kratom consumption can lead to addiction.

Several cases of psychosis resulting from use of kratom have been reported, where individuals addicted to kratom exhibited psychotic symptoms, including hallucinations, delusion, and confusion.

What does it do to the body?

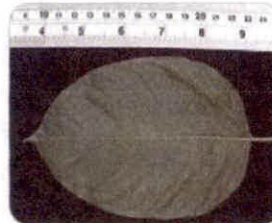
Kratom's effects on the body include nausea, itching, sweating, dry mouth, constipation, increased urination, tachycardia, vomiting, drowsiness, and loss of appetite. Users of kratom have also experienced anorexia, weight loss, insomnia, hepatotoxicity, seizure, and hallucinations.

What is its legal status?

Kratom is not controlled under the Controlled Substances Act; however, there may be some state regulations or prohibitions against the possession and use of kratom. The FDA has not approved Kratom for any medical use. In addition, DEA has listed kratom as a Drug and Chemical of Concern.



Kratom tree



Leaf of kratom tree



Kratom capsules

**AGENDA ITEM
EXECUTIVE SUMMARY**

10d

Meeting Date: **January 21, 2026**

Agenda Item:

Consideration and possible action to approve an ordinance on second and final 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 Tamez 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:

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

Comments:

City Attorney's approval: *mb* ☒ 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 COUNTY, 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

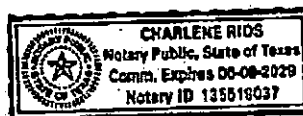
BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, ON THIS DAY PERSONALLY APPEARED "MANUEL TAMEZ III", KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

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

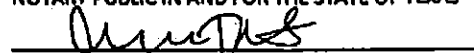
STATE OF TEXAS

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.

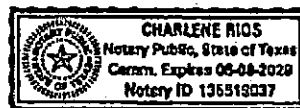
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 8TH DAY OF October 2025

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS



PRINTED NAME: Charlene Rios

MY COMMISSION EXPIRES: 06-09-2029



Attachment
II

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.

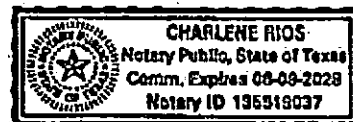
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 8th DAY OF October 2025

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, BRUGGS & 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 236, 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.

COMPUED BY: M.R.

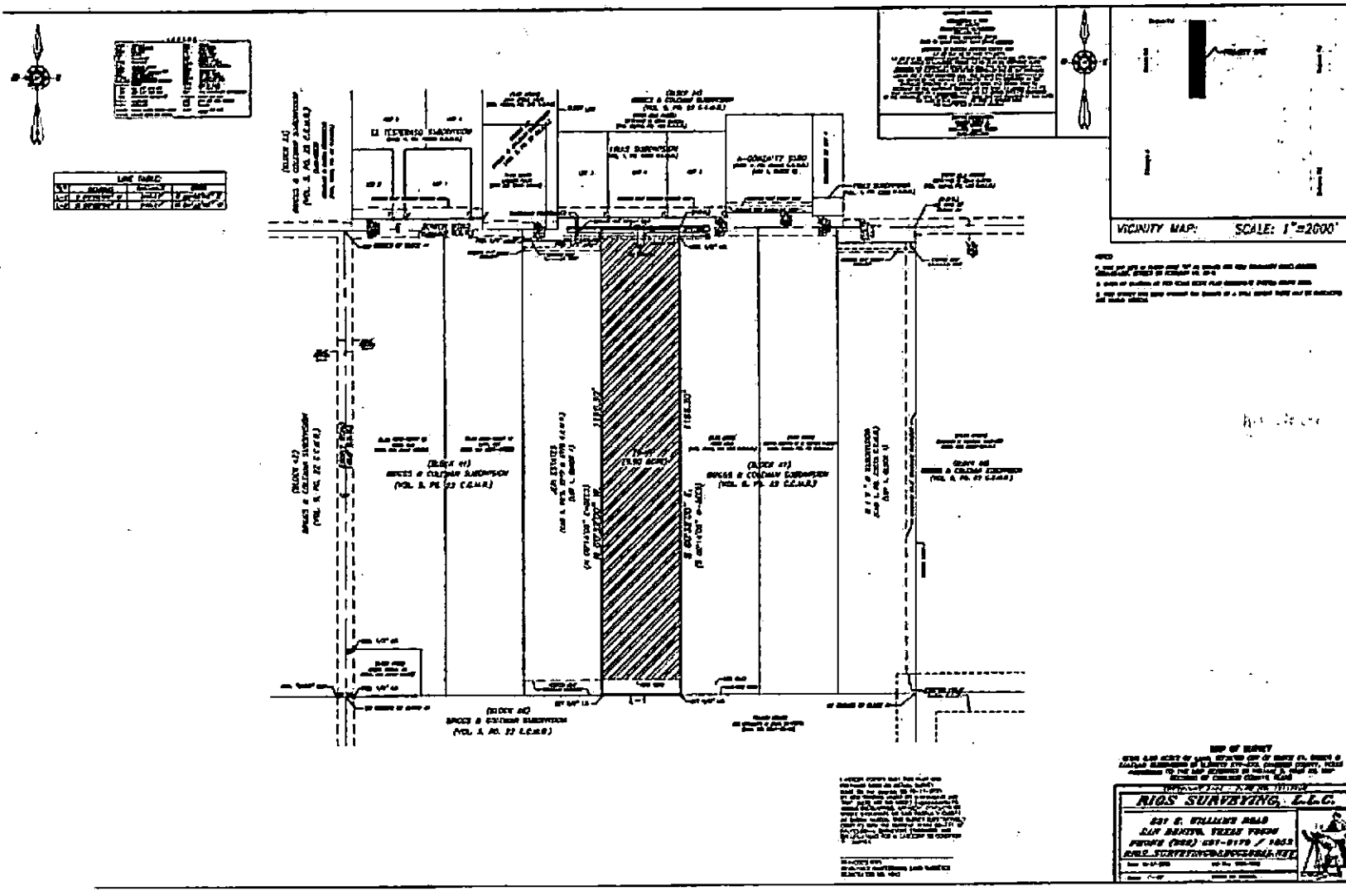
DATE: 11-03-2025

JOB NO: 2025-0923



Francisco Rios, PLS

Attachment III



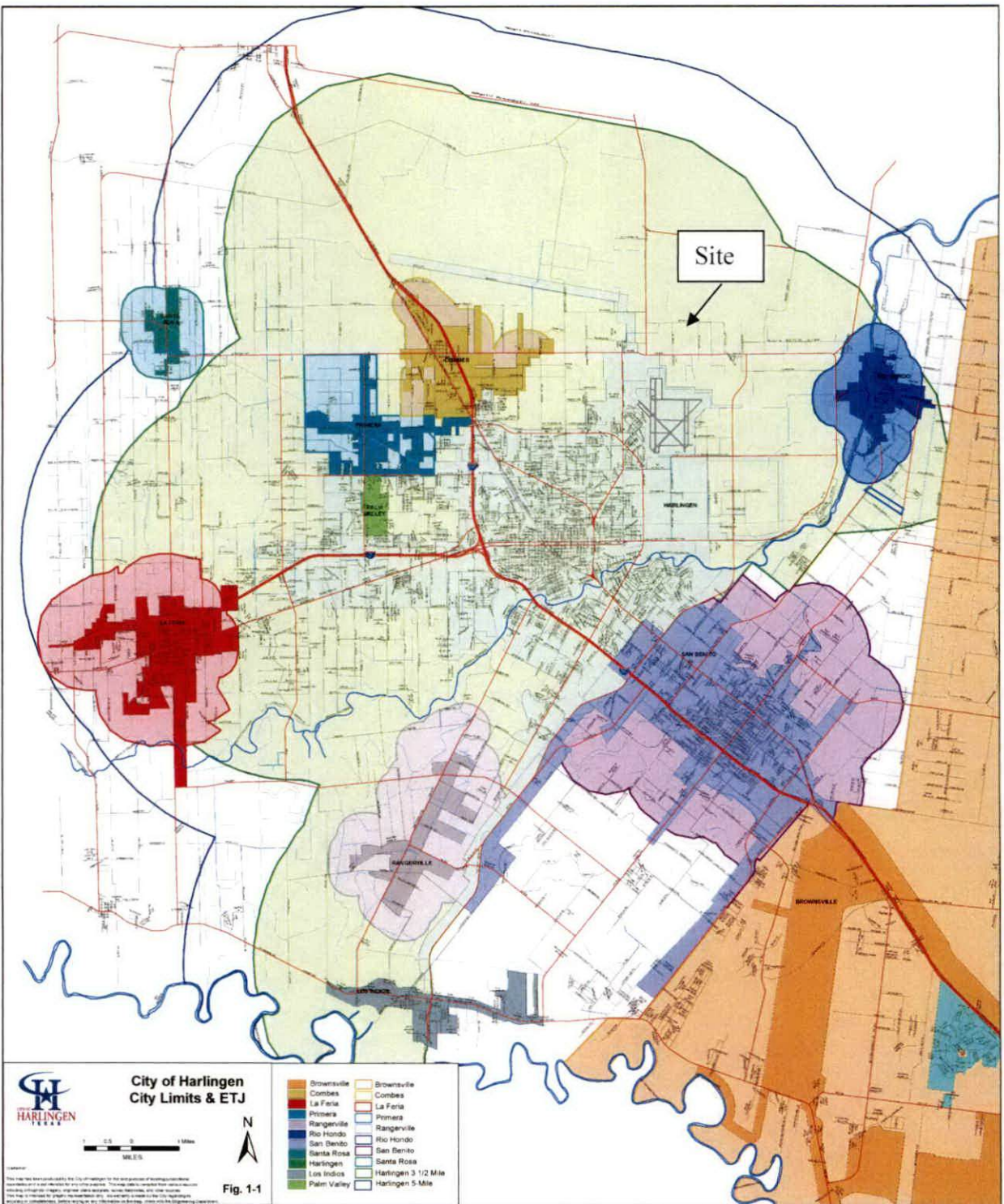
Attachment IV



Attachment V



Attachment VI



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.

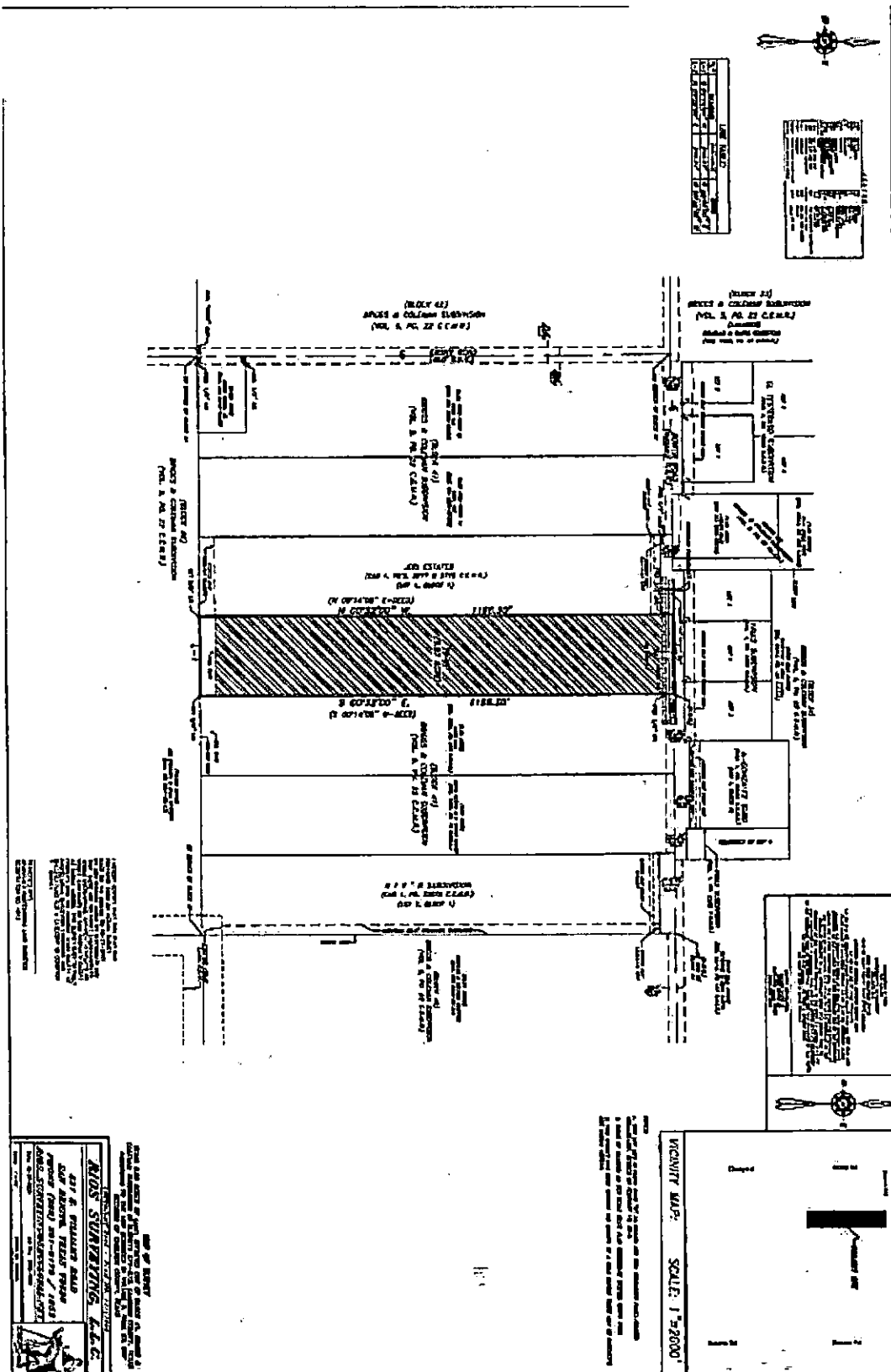
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera City Secretary

EXHIBIT "A"



10e

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 21, 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.

The Planning & Zoning Commission recommended approval at its regular meeting on November 5, 2025. A City Commission workshop was held on December 17, 2025, to review and discuss the ordinance in detail. The ordinance, as presented during the workshop, was amended during the December 17, 2025, regular City Commission meeting and tabled to allow the changes to be incorporated into the final ordinance.

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 recommends approval of this ordinance.

City Manager's approval:

77

☒ Yes☐ No

☐ N/A

Comments:

City Attorney's approval:

 ☒ Yes

☒ Yes☐ No

☐ N/A

ORDINANCE NO. 2025 - _____

**AN ORDINANCE OF THE CITY OF HARLINGEN, TEXAS, AMENDING
CHAPTER 111 ZONING, BY ADDING THE NEW ARTICLE XXII – HISTORIC
PRESERVATION, AND DEALING WITH RELATED MATTERS.**

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 Antiquities 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 ~~contributing structure historic resource~~ as required by this Article.
- (b) Contributing resource means a building, structure, site, or object within a historic district that ~~are-is~~ at least fifty (50) years old, ~~were-was~~ substantially constructed within the district's period of significance, and retains a recognizable degree of integrity.
- (c) Demolition by neglect is the gradual deterioration of a historic property caused by failure to perform ordinary or minimum maintenance.
- (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 111-725. (Reserved).

DIVISION II. HISTORIC PRESERVATION ADMINISTRATION

Sec. 111-726. –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 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.
- (2) A member's term shall expire upon the expiration, resignation, or removal from office of the appointing City Commission member, provided that the member may continue to serve until reappointed or replaced by the succeeding City Commission member.
- ~~(4) Members shall serve until a successor is appointed and qualified and may be reappointed to no more than two (2) consecutive terms, to unlimited consecutive terms.~~
- (3) Vacancies shall be filled by the City Commission for the remainder of the unexpired term.
- ~~(2)(4) Service by a member for more than one (1) year of a term may be counted as a full term for purposes of term-limit calculations, as determined by the City Commission.~~
- (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. 111-727. – 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 HPC 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 HPC has oversight under the delegation of duties or otherwise.

- vii. Ensure proper posting and noticing of all HPC meetings, schedule applications for HPC 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 HPC 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. 111-728. – 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. 111-729. – 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.

Sec. 111-730 through 111-750. (Reserved).

DIVISION III. DESIGNATION OF LOCAL HISTORIC LANDMARKS

Sec. 111-751. – 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. 111-752. – 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. 111-753. – Initiation of Applications.

~~(+)(a)~~ A designation application may be initiated by any of the following:

- ~~(2)~~ The property owner(s);
- ~~(1)~~
- ~~(+)(2)~~ The Historic Preservation Officer (HPO);
- ~~(3)~~ The Historic Preservation Council (HPC);
- ~~(3)~~
- ~~(+)(4)~~ The City Commission; or
- ~~(4)~~
- ~~(5)~~ Any other person or organization with written consent of the property owner.
- ~~(5)~~

~~(+)(b)~~ 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.

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Sec. 111-754. – Applications Requirements.

~~(a)~~ Applications shall be submitted to the HPO on forms provided by the City.

~~(b)~~ A complete application shall include:

~~(a)~~

- ~~(+)~~ Applicant and property owner information;
- ~~(1)~~
- ~~(2)~~ Legal description and physical address of the property;
- ~~(2)~~
- ~~(3)~~ Owner signature(s) or authorized agent signature;
- ~~(3)~~
- ~~(4)~~ Site plan showing all buildings, structures, and objects on the property;
- ~~(4)~~
- ~~(5)~~ Current photographs of the property and its features;
- ~~(5)~~
- ~~(+)(6)~~ Historic information, including:
 - i. Narrative history
 - ii. Historic photographs, if available
 - iii. Architectural description.
 - iv. Statement of significance addressing the criteria in Sec. 111-70xx752; and
 - v. Any additional information requested by the HPO, HPC, or Planning and Zoning (P&Z) Commission necessary to complete the evaluation.

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(2)(b) Applications that do not contain all required information may be deemed incomplete and returned by the HPO.

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Sec. 111-755. – 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. 111-756. 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. 111-757. 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. 111-758. 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

Sec. 111-759 through 111-779. (Reserved).

DIVISION IV. DESIGNATION OF LOCAL HISTORIC DISTRICTS

Sec. 111-780. – 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. 111-781. – 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 craftsmen, 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. 111-782. – 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. 111-783. – 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. 111-781;
 - (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. 111-784. – 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. 111-781 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. 111-785. – 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. 111-786. – 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. 111-787. – 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.

Sec. 111-788 through 111-808. (Reserved).

DIVISION V. HISTORIC OVERLAY (H)

Sec. 111-809. – 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. 111-810 – 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. 111-811. – 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. 111-812. – 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.

Sec. 111-813 through 111-833. (Reserved).

DIVISION VI. CERTIFICATE OF APPROPRIATENESS (COA).

Sec. 111-834. – 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. 111-835. – 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. 111-836. – 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. 111-837. – 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 15 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. 111-838. – 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 15 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. 111-839. – 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 meets the Secretary of the Interior's Standards, is historically compatible, and it does not adversely affect the historic district or landmark.

Sec. 111-840. – Appeals.

- (a) Appeal of HPO Decision.
 - (1) Applicants may appeal administrative decisions to the HPC within 15 days.
- (b) Appeal of HPC Decision.
 - (1) Applicants may appeal HPC decisions to the City Commission within 15 days. The City Commission shall review the record and may affirm, modify, overturn, or remand the decision.

Sec. 111-841. – 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. 111-842. – 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 HPO and the 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 irreparably 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 irreparably 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 the 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 this Article.
- 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 the 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.

Sec. 111-843 through 111-863. (Reserved).

DIVISION VII. HISTORIC DESIGN STANDARDS AND GUIDELINES

Sec. 111-864. – 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.

Sec. 111-865 through 111-885. (Reserved).

DIVISION VIII. MINIMUM MAINTENANCE STANDARDS AND DEMOLITION BY NEGLECT

Sec. 111-886. – 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. 111-887. – 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 111-840.
- (i) Enforcement.
 - (1) Violations of this Section are subject to the enforcement and penalty provisions of Division x.

Sec. 111-888 through 111-908. (Reserved).

DIVISION IX. INCENTIVES FOR PRESERVATION

Sec. 111-909. – Historic Preservation Incentive Programs

- (a) Purpose.

The City of Harlingen recognizes the importance and value of historic buildings, structures, and objects to 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. 111-910. – Historic Property Tax Exemption (Authorized under Texas Tax Code §11.24).

- (a) Purpose.

- (1) The purpose of this section is to encourage the preservation, rehabilitation, and continued use of historic properties through the provision of ad valorem tax exemptions authorized under Texas Tax Code §11.24. This incentive is intended to promote reinvestment in historic resources, support heritage-based economic development, and further the goals of this Article.
- (b) Authorization.
- (1) Pursuant to Texas Tax Code §11.24, the City Commission may grant a partial tax exemption for a structure or archaeological site that is of historic significance as designated under this Article. The exemption may apply to all or part of the assessed value of the property, subject to conditions established by the City.
- (c) Eligibility.
- (1) A property may qualify for consideration under this section if:
 - i. It is identified as a local historic landmark or as a contributing resource with a designated historic district; and
 - ii. It is properly maintained in accordance with the requirements of this Article, including minimum maintenance standards and any adopted design guidelines; and
 - iii. It meets any additional eligibility requirements established through the administrative program guidelines authorized under subsection (g).
- (d) Types of Exemptions.
- (1) The City Commission may authorize one or more of the following general categories of tax exemptions:
 - i. Preservation/Restoration Exemption, for work that preserves, restores, or stabilizes historic architectural features.
 - ii. Rehabilitation Exemption, for substantial rehabilitation that extends the life of the property or returns the property to a state of usefulness.
 - iii. Heritage Tourism / Public Benefit Exemption, for properties providing public access, interpretation, or other community benefits.
 - iv. Other Exemptions, any additional exemption structure consistent with Texas Tax Code §11.24 and adopted by the Harlingen City Commission policy.
 - (2) Specific exemption percentages, durations, or conditions are not established in this ordinance and shall be administered through guidelines adopted pursuant to subsection (g).
- (e) Application Procedure.
- (1) Applications for a historic property tax exemption shall be filed with the HPO on forms approved by the City.
 - (2) The application shall include documentation demonstrating compliance with this Article and any administrative program requirements.
 - (3) Incomplete applications may be returned or denied.
- (f) HPC Review.
- (1) The HPO shall review the application for completeness and eligibility.
 - (2) The HPC shall review and make a recommendation to the City Commission on whether the property qualifies for the exemption under the adopted program guidelines.
 - (3) Recommendations shall be based on compliance with:
 - i. This Article;
 - ii. Texas Tax Code §11.24;
 - iii. Any applicable administrative guidelines adopted under subsection (g).
- (g) Administrative Program Guidelines.
- (1) The City Manager, through the HPO, is authorized to develop, implement, and amend administrative program guidelines governing:
 - i. Eligibility criteria;
 - ii. Application procedures;
 - iii. Required documentation;
 - iv. Evaluation and scoring standards;

- v. Exemption percentages or levels;
 - vi. Duration of benefits;
 - vii. Inspection or compliance requirements.
- (2) Program guidelines need not be adopted by ordinance and may be updated as needed to implement this Section, provided they remain consistent with this Article and Texas Tax Code §11.24.
- (3) Program guidelines shall be made publicly available and provided to applicants upon request.
- (h) Approval by City Commission.
 - (1) The City Commission shall make the final decision to grant, deny, modify, or rescind any tax exemption authorized under this Section.
 - (2) The City Commission may attach conditions to ensure continued preservation, maintenance, and public benefit.
 - (3) The exemption shall not take effect until formally approved by the City Commission and reflected in City tax records.
- (i) Ongoing Compliance; Revocation.
 - (1) Properties receiving an exemption remain subject to all provisions of this Article, including minimum maintenance standards and COA requirements.
 - (2) Failure to maintain the property, falsification of application information, or violation of any condition of approval may result in:
 - i. Revocation of the exemption; and
 - ii. Repayment of exempted taxes, if required by program guidelines or City Commission action.
 - iii. The HPO may conduct inspections or request documentation to verify compliance.
 - (3) Appeals.
 - i. Any applicant aggrieved by a denial, revocation, or modification of a tax exemption may appeal to the City Commission. The City Commission may affirm, modify, or overturn the decision.

Sec. 111-911 through 111-931. (Reserved).

DIVISION X. ENFORCEMENT AND PENALTIES

Sec. 111-932. –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 Code Compliance Officer 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 HPC.
- (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. 111-933. – 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.111-704.

(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.

Sec. 111-934 through 111-984. (Reserved).

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**

104

Meeting Date: **January 21, 2026**

Agenda Item:

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

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

Signature: 

Brief Summary:

The City of Harlingen Health Department is requesting approval for a contract with Dr. Shelly Mitchell, DVM to provide spay and neuter services as specified in the Petco Love Grant. The length of the contract is for 6 months starting January 1, 2026 thru June 30, 2026. Rates for payment will be paid as listed on contract.

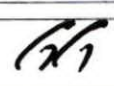
Funding (if applicable):

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

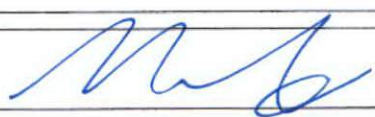
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

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

Comments:

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

GENERAL SERVICES CONTRACT

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

I. PARTIES

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

II. PURPOSE

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

III. SCOPE OF SERVICES

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

- **Cats**
 - Male: \$92.00
 - Female: \$156.00
- **Dogs (Neuter – Male)**
 - 0–25 lbs: \$152.00
 - 26–50 lbs: \$172.00
 - 51–75 lbs: \$188.00
 - 76–100 lbs: \$204.00
- **Dogs (Spay – Female)**
 - 0–25 lbs: \$172.00
 - 26–50 lbs: \$200.00
 - 51–75 lbs: \$216.00
 - 76–100 lbs: \$244.00

Heat/Pregnant Charge \$30.00

IV. PAYMENT

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

V. TERM

This Contract shall commence on **January 1st, 2026** and shall remain in effect until **June 30th, 2026** unless terminated earlier as provided herein.

VI. TERMINATION

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

VII. INDEPENDENT CONTRACTOR

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

VIII. LIABILITY & INSURANCE

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

coverage of the City's workers' compensation insurance, health insurance, liability insurance or any other insurance that the City from time to time may have in force and effect. The City specifically reserves the right to reject any and all of Contractor's employees, representatives or subcontractors and/or their employees for any cause, should the presence of any such person on City property or their interaction with City employees be found not to be in the best interest of the City, be found to be harassing to any City employee or third person, or is found to interfere with the effective and efficient operation of the City or the City's workplace.

IX. GOVERNING LAW

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

X. ENTIRE AGREEMENT

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

XI. AUTHORIZATION

City of Harlingen

By: _____
Name: _____
Title: _____
Date: _____

Veterinarian

By: _____
Dr. Shelly Mitchell, DVM
Date: _____

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: January 21, 2026

Agenda Item:

Consideration and possible action to approve the City Manager to approve the purchase of two residential refuse trucks to replace aging units using the enterprise fund.

Prepared By (Print Name): Ruth Trevino
Title: Assistant Public Works Director

Signature: 

Brief Summary:

Residential refuse trucks have a recommended service life of 5-7 years. Four trucks in the current fleet have exceeded their useful life and are experiencing frequent mechanical failures. These breakdowns have resulted in delays, increased downtime, and repeated service disruptions to residents. The continued operation of these aging vehicles is negatively impacting daily sanitation operations and increasing maintenance demands. Replacing two refuse units, that have exceeded their service life is necessary to ensure consistent service delivery and operational efficiency.

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:

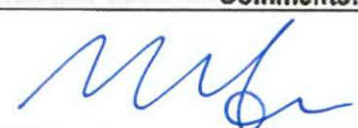
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of Mr. Remi Garza's request.

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

Comments:

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

Comments:

TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE--BUYBOARD

Remit P.O.'s To: munisales@rushenterprises.com

Vendor	RUSH TRUCK CENTER	Date Prepared	12/31/2025
Contact for Vendor:	COLTON KRUSE	Phone	(830) 320-5219
End User:	City of Harlingen		
End User Contact:	Ruth Trevino	Phone/Fax	(210) 224-5200
Product Description:	Peterbilt 520 Heil Residential ASL		

A: Base Price in Bid/Buyboard ID Number: 723-23		Series: 520	\$ 145,589.00
B: Published Options(<i>Itemize Below</i>)			
	DESCRIPTION	AMOUNT	
Peterbilt	Frame & Equipment	\$ 2,753.00	
Peterbilt	Front/Rear Axle & Equipment	\$ 15,015.00	
Peterbilt	Engine/Transmission & Equipment	\$ 36,290.00	
Peterbilt	Air & Trailer/Tires & Wheels	\$ 6,417.00	
Peterbilt	Fuel Tanks/Battery Box & Bumper	\$ 1,851.00	
Peterbilt	Cab & Equipment	\$ 8,310.00	
Subtotal Column 1: \$ 70,636.00		Subtotal Column 2: \$ 212,313.00	
Published Options added to Base Price(<i>Subtotal of "Col 1" & "Col 2"</i>)			\$ 282,949.00

C: Subtotal of A + B		\$ 428,538.00
D: Non Published Options		
Subtotal Column 1: \$ -	Subtotal Column 2: \$ -	

Unpublished Options added to Base price (<i>Subtotal "Col 1 + Col 2"</i>)	\$ -
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E: Contract Price Adjustment (<i>If any, explain here</i>)	
Paccar Municipal Concession	\$ (2,970.45)

F: Total of C + D +/- E	\$ 425,567.55
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G: Quantity ordered	<u>2</u> x	\$ 851,135.10
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H: BUYBOARD Administrative Fee	\$ 400.00
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I: Non-Equipment Charges & Credits (<i>I.e.: Ext. Warranty, Trade-In, Delivery, etc.</i>)					
		x	1	\$ -	
		x	1	\$ -	
		x	1	\$ -	
					\$ -

J: TOTAL PURCHASE PRICE INCLUDING (G+H+I)	\$ 851,535.10
---	---------------

Residential Units				
Unit #	Year	Make	VIN #	Mileage
624	2018	Peterbilt	3BPDLJ0X9KF102834	120268
670	2019	Peterbilt	3BPDLK0X1LF109588	77854
671	2019	Peterbilt	3BPDLK0X3LF109589	85189
672	2018	Mack	1M2LR2GC8KM001113	109006
711	2021	Peterbilt	3BPDLJ0X5NF111678	85300
712	2021	Peterbilt	3BPDLJ0X7NF111679	86256
715	2021	Mack	1M2LR2GC2NM005226	89265
764	2023	Heil	1M2LR2GC0RM008700	57944
765	2023	Heil	1M2LR2GC6RM008698	59098
766	2023	Heil	1M2LR2GC8RM008699	60367
877	2023	Battle Motors	1CYAADAJ7R1004021	7078
878	2023	Battle Motors	1CYAADAJ9R1004022	8227

10 h

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **January 21, 2026**

Agenda Item:

Consideration and possible action on a resolution updating authorized signatory designations for the City of Harlingen's bank accounts, external investment pools, and safekeeping agreements.

Prepared By (Print Name): Robert Rodriguez

Title: Finance Director

Signature: 

Brief Summary:

Background:

From time to time, the City Commission adopts resolutions designating authorized signatories for the City's bank accounts, external investment pools, and safekeeping agreements. As part of routine administrative oversight and internal control maintenance, these authorizations are periodically reviewed and updated to ensure they reflect current organizational and operational needs.

Purpose:

The purpose of this agenda item is to update the City's authorized signatory designations by removing Kareem Abdullah as an authorized signatory, while maintaining appropriate financial controls and continuity of financial operations.

Fiscal Impact:

There is no fiscal impact associated with this action.

Recommendation:

Staff recommends approval of the resolution updating authorized signatory designations for the City's bank accounts, external investment pools, and safekeeping agreements.

Funding (if applicable):

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

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

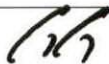
Finance Director's approval:

☒ 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

RESOLUTION NO. 2026 - _____

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS
UPDATING AUTHORIZED SIGNATORY DESIGNATIONS FOR THE CITY OF
HARLINGEN'S BANK ACCOUNTS, EXTERNAL INVESTMENT POOLS, AND
SAFEKEEPING AGREEMENTS; REMOVING KAREEM ABDULLAH AS AN
AUTHORIZED SIGNATORY; AND PROVIDING FOR RELATED MATTERS.**

WHEREAS, The City Commission of the City of Harlingen is authorized to designate individuals to act on behalf of the City for banking, investment, and safekeeping purposes; and

WHEREAS, the City Commission periodically reviews authorized signatory designations to ensure appropriate internal controls, operational continuity, and alignment with current administrative needs; and

WHEREAS, the City Commission finds it necessary and desirable to update the City's authorized signatory designations by removing Kareem Abdullah, Deputy Finance Director, as an authorized signatory for the City's bank accounts, external investment pools, and safekeeping agreements;

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

1. Kareem Abdullah, former Deputy Finance Director, is hereby removed as an authorized signatory for the City of Harlingen's bank accounts, external investment pools, and safekeeping agreements.
2. Gabriel Gonzalez, City Manager, and Robert Rodriguez, Finance Director, are hereby designated and authorized, by original signature, to act on behalf of the City of Harlingen with respect to the City's bank accounts, external investment pools, and safekeeping agreements.
3. Any prior resolutions, actions, or authorizations inconsistent with this resolution are hereby superseded to the extent of such inconsistency.
4. This resolutions shall remain in full force and effect until amended or repealed by action of the City Commission.

CONSIDERED AND ADOPTED this ____ day of _____, 2026, at a regular meeting of the City Commission of the City of Harlingen, Texas, at which a quorum was present and which was held in accordance with Texas Government Code, Title 5, Subchapter A, Chapter 551, as amended.

CITY OF HARLINGEN, TEXAS

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

(CITY SEAL)

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(i)

Meeting Date: **January 21, 2026**

Agenda Item:

Consider and take action to declare the itemized list of non-real estate personal property as surplus personal property, as recommended by staff, and authorize city personnel to conduct a live/public and online auction of said property.

Prepared By (Print Name): Robert Rodriguez

Title: Finance Director

Signature:



Brief Summary:

Once a year, unsalvageable surplus materials, vehicles, and heavy equipment from City departments are turned in as surplus to be considered for sale by auction (see attached Exhibit "A"). If the sale of these items is approved by the City Commission, the Auction, to be conducted by a professional auctioneer, will be held on (tentative date) Saturday, February 21, 2026. The Harlingen Housing Authority and Valley International Airport surplus lists are included in the City's auction and in Exhibit "A". The proceeds from the auction will go back into the respective funds.

Funding (if applicable):

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

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

Finance Director's approval:

☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the sale of surplus personal property by a Live Public and Virtual Online Auction.

City Manager's approval:



☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:



☒ Yes ☐ No ☐ N/A



Auction List

Saturday, February 21, 2026
(Tentative Date)

Exhibit “A”

Exhibit "A"
City of Harlingen

Dept.		Building Inspections	By:		Sabina Ramirez	(956) 216-5101
Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.
1	1	Desk, L-Shaped - Black (2) pieces				
2	45	Jewel Cases, Slim - Clear				
3	2	Laminating Pouch Film, 25 count (Open)				
4	2	Vinyl Tabs w/Inserts, 2" Clear, 25ct			ODP	
5	3	Vinyl Tabs w/Inserts, 3 1/2" Clear, 25ct			ODP	
6	2	Vinyl Tabs, File Folder unlabeled				
7	1	Vinyl Tabs w/Inserts, 1 zip bag				
8	1	ICC Report of the Public Hearing 2009-10			2009 Editions	
9	1	2006 UL Directories, Classifications			effective 8/11/06	
10	1	2009 UL Directories, Classifications			effective 8/14/09	
11	1	CD case - clear				
12	2	CD, ICC Seismic Design Parameters			2000 Code/1997 NEHRP	
13	1	CD, ICC I-Code & Innovation Toolbox			2009	
14	1	CD, Schluter - Kerdi Board				
15	1	CD, AWC Wood Design & Construction			2004	
16	1	CD, Logitech SetPoint 2.4a			Logitech	
17	1	CD/DVD Organizer Sheets, 10/Pack				
18	4	Counterfeit Detector, Tri-Test Portable				
19	1	Index Tabs w/Inserts, 25ct				
20	2	1" Paper Fasteners, 50/box				
21	1	Laminating Puch Film Box, 100 Pc				
22	1	Bostitch Heavy Duty Stapler			Bostitch	
23	1	Clear, 8 slot business card holder				
24	1	Cable Ties, 18" 5-Pack				
25	1	Bungee Cords, 2pc - yellow			SmartStraps	
26	1	Q43 Dater, Self-Inking, custom			Maxmark	
27	1	Deposit Stamper, custom				
28	2	File folders, legal size, - brown				
29	2	Binders, 1" - black				
30	2	Card Holder, single - black				
31	1	Stamp Insert, accessory				
32	1	Q43 Dater, Self-Inking, Personalized			COLOp Marking Solutions	
33	1	Paper Clip Dispenser, Wood - black				
34	1	Presentation Covers, - Clear, 100ct			GBC VeloBind	
35	3	Dividers, Untabbed Double Pocket			Avery	
36	1	Box of Name Badge Holders & clips				
37	1	Vinyl Tab Inserts, A-Z			Smead	
38	1	Classification folder w/dividers - red			Universal	
39	1	Report Cover, letter - gray/green			Smead	
40	1	Présentation Cover - Blue			Doutang	
41	3	CD/DVD Organizer Sheets, 5Pk			C-Line Products	

Exhibit "A"
City of Harlingen

42	1	File Folder, letter size - brown				
43	1	Self Inking Stamp S260			2000 Plus	
44	1	Self Inking Stamp Refill				
45	4	5260 Laser White Mailing Labels			Avery	
46	1	Shipping Labels, 2x4"			ODP	
47	1	File Folder, letter size - red				
48	4	Dividers, 2 Pocket, 5 Dividers/10 Pk			Avery	
49	1	Hanging File Holder, plastic - black				
50	6	File Holder, Wire incline - silver				
51	1	Self Inking Stamp, "Emailed"				
52	1	Receipt Book, Money/Rent			Adams	
53	1	Shipping Labels, 8164 TrueBlock			Avery	
54	1	Calculator, Printing - Blk			Casio HR-170RC	
55	2	Computer Stand, Black Mesh			Rolodex	
56	6	File Wall Pockets w/3 hanger sets				
57	1	Wall File Holder, 3 Tier - Black				
58	2	Paper Tray, Legal - Black				
59	1	Paper Tray, Standard - Black				
60	3	File Holder, Wire incline - Black				

Dept. **C.V.B.** **By:** **Sylvia Arizmendez** **(956) 216-5053**

Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.
1	1	Chair, Desk, High Back Swivel - Faux Leather			GO-2286H-BK-GG	889142075523

Dept. **Code Compliance Dept.** **By:** **Monica James** **(956) 216-5200**

Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.
1	1	Cash Box, Steelmaster - black				
2	1	Safe, Sentriesafe - black				X031AC1953003044
3	1	Paper Shredder, Aurora - black			AS618SB	AEI0618009225
4	1	Chair, Office - black				FDW11656
5	1	Binder, D-ring - blue			ODP	1016
6	2	Desk, L-shaped - Light gray				
7	1	Table w/drawer, Large - brown				
8	1	Wall file holder, 2-pocket - black				
9	2	Wall file holder, 3-pocket - black				
10	1	Book ends - black				
11	1	Coat hook, plastic - black				
12	1	Dry erase & cork board - silver				
13	2	Folder Holder, Wire 3-Tier - Black				
14	1	Brochure Holder, 4-Tier - Clear				
15	1	Dry Erase Board, 3' x 4'				
16	1	Seat cushion, Square - blue			Therapist's Choice	
17	3	Executive chairs w/State of Texas - maroon				

Exhibit "A"
City of Harlingen

18	1	Dry Erase Board, 23" x 34"				
19	1	Brochure Holder, 4-Tier - black				
20	1	Keyboard, wired - black			Dell	CNORKRONLO30016C1VDAC04
21	1	Dry Erase Board, 16" x 11"				
22	1	Dry Erase Board, 18" x 24"				
23	1	Cork Board, 23" x 34" - black				
24	1	Dry Erase Board, 35" x 23" x-large				63149
25	1	Fake potted plant				
26	4	Poster frames - black				
27	1	Bookend - brown				
28	1	Rolling cart, Collapsible - black				
29	1	Desktop File Holder, wire - black				
30	1	Chair Mat 36" x 48" - clear				
31	1	Pen Holder accessory - black				
32	1	Box of Pencils				
33	2	Glass Vases, Large - clear				
34	1	Chair - black				702-20-266
35	1	L-shaped Desk, Large - brown				475-994

Dept.		Finance Department		By:		Nanette Fox		(956) 216-5052	
Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.			
1	2	Chair, Office Allsteel			ESW-MWNO	8Q7BXP			
2	1	Printer, HP Laser Jet Pro M451dn -color	6825	4440	CE957A	JPBD02014			
3	1	Printer, HP Laser Jet Pro M451dn -color		5100	CE957A	CNDG314559			
4	1	Printer, HP Laser Jet Enterprise M608			K)Q18A	CNBCM181KC			
5	1	Cabinet, Steel Case Overhead			P333615				
6	1	Table w/wheels - small							
7	1	Shelf w/dividers - wood							
8	7	Boxes of office supplies & desk organizers							
9	1	Xerox Toner waste container			008R13061				
10	1	Letter Opener - Electric			Martin Yale 1616	39605.02055.S38			
11	1	Money Bill Counter machine			AL-1000				
12	2	Trays, Cash drawer							
13	1	Calculator, Sharp			EL-2196BL				
14	1	Speakers, Dell computer			N889	CNOR126K4822029M02F8			
15	2	Boxes of assorted legal size files							
16	1	Credit Card Machine wireless - Clover			K405	K045UT32650909			
17	1	Credit Card Machine wireless - Clover			K405	K045UT32650960			
18	1	UPS Battery Backup APC 1500			BX1500M	3B2007X70807			
19	2	Toner, HP3010/P3015 Micro			55ALL				
20	1	Armchair - black							

Exhibit "A"
City of Harlingen

Dept. Harlingen Fire Department By: Samuel J. Albritton (956) 230-8054

Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.
1	1	Sofa - 3 Seat		FIRE Sta. 1		
2	2	Nozzles, FOAM		FIRE Sta. 3		
3	1	Hose Jacket		FIRE Sta. 3		
4	1	Truck Bed Cover		FIRE Sta. 3		
5	1	Pressure Washer		FIRE Sta. 6		
6	1	Compartment Roll Up Door		FIRE Sta. 6		
7	1	Seat for Pierce Truck		FIRE Sta. 6		
8	1	Fan, Negative Pressure		FIRE Sta. 6		
9	1	Dryer, Maytag		FIRE Sta. 2	Maytag	
10	1	Push Mower		FIRE Sta. 2	Poulon Pro	
11	1	Dishwasher, Tappan		FIRE Sta. 8	Tappan	
12	1	Set of Rubber Compartment Mats		FIRE Sta. 8		
13	1	Chain Saw, Univent		FIRE Sta. 8	Univent	
14	1	Chain Saw, Vent Master		FIRE Sta. 8		
15	1	Fan, Positive Pressure - Tempest		FIRE Sta. 8	Tempest	
16	1	RIT Pack		FIRE Sta. 4		
17	2	Hose Ramps		FIRE Sta. 4		
18	3	Chargers, Motorola		FIRE Sta. 4	Motorola	
19	1	Antenna, New Hampshire		FIRE Sta. 4		
20	3	Carts, Metal		FIRE Sta. 4		
21	1	Shelter, Decon - Plastic		FIRE Sta. 4		
22	1	Vaccum, HazMat		FIRE Sta. 4		
23	6	Shelter Doors, Decon - Rigid		FIRE Sta. 4	Rigid	
24	36	Backboards, Disposable		FIRE Sta. 4		
25	1	DC Power Switch		FIRE Sta. 4	Powerware	
26	1	Systems Panel		FIRE Sta. 4	TXRX	
27	1	UPS Bypass Switch		FIRE Sta. 4	Powerware	
28	1	DC Power Switch Cabinet		FIRE Sta. 4	Powerware	
29	1	UPS Controller		FIRE Sta. 4	Ferr	FE18KVA
30	1	Dryer, Whirlpool		FIRE Sta. 1	Whirlpool	
31	1	Freezer, Kenmore		FIRE Sta. 1	Kenmore	
32	1	Refrigerator, Kenmore		FIRE Sta. 1	Kenmore	
33	1	Compressor AC0404325110		FIRE Sta. 1	Scott	
34	1	Refrigerator, Fridigaire		FIRE Sta. 1	Fridigaire	
35	1	Dryer, Kenmore		FIRE Sta. 1	Kenmore	
36	1	Washer, Maytag		FIRE Sta. 1	Maytag	
37	1	Pressure Washer		FIRE Sta. 1		
38	1	Blower, Stihl		FIRE Sta. 1	Stihl	
39	1	Stove, Fridigaire		FIRE Sta. 1	Fridigaire	
40	3	Recyliners		FIRE Sta. 1		
41	2	Positive Pressure Fans		FIRE Sta. 8		

Exhibit "A"
City of Harlingen

42	3	Piston Intake Vales		FIRE Sta. 8	Akron	
43	1	1" Booster Hose Reel		FIRE Sta. 8		
44	1	14' Roof Ladder		FIRE Sta. 8		
45	1	30' Extension Ladder		FIRE Sta. 8		
46	2	Supply Hose Bridge Sets		FIRE Sta. 8		
47	1	Ice Maker		FIRE Sta. 8	Manitowoc	B970
48	2	Hose Rollers		FIRE Sta. 8		
49	1	Power Inverter		FIRE Sta. 8	B24-500	
50	2	S.C.B.A. Black Carriers		FIRE Sta. 8		
51	11	Scott S.C.B.A.s		FIRE Sta. 8		
52	3	Circular Steel Saws		FIRE Sta. 8	Evolution	
53	3	CG Detector		FIRE Sta. 8	TIF	8800A
54	1	Raytek		FIRE Sta. 8	ST-80-IS	
55	3	RIT Drag Bags		FIRE Sta. 8		
56	23	Fire Helmet Soft Goods		FIRE Sta. 8		

Dept. **Health/Animal Control** By: **Carolina Garcia** (956) 216-5220

Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.
1	1	Keyboard			Logitech	
2	1	Monitor, Black			Viewsonic	
3	3	Chairs, Office - black				
4	1	Cat tong				
5	1	Live Animal Trap (small)	6854			
6	1	Coffee Maker, Keurig			Keurig	401.0400.0079930
7	1	Shredder Aurora - black			AS600SB	
8	1	Shredder Activa - grey			DQ60M	
9	1	Printer HP Officejet Pro 8610	6750		HP	CN61GFx0KP
10	1	Keyboard, Adesso			K2405000581	
11	2	Jackets - black				
12	15	Uniform Shirts - maroon		Health		
13	9	Uniform Shirts - grey		Animal Control		
14	1	Headlights			2007 F150	
15	2	Pump Solenoids				
16	1	Filter				
17	4	Fluid Pampners				
18	4	Fuel Pumps				
19	1	Hand held Controller for ULV				
20	1	pressure hoses for obsolete ULV				
21	4	Pants, 44x30				
22	4	Pants, 40x32				
23	1	Pants, 38x32				
24	1	Call Phone Clip				
25	1	Mini Light ports				

Exhibit "A"
City of Harlingen

26	4	Uniform Shirts		Vital Statistics		
27	1	Battery Charger - parts				
28	1	Flashlights				
29	1bx	Cable Wires				
30	1	Printer, HP Officejet 8020			HP	1KR57-64001
31	3	Cover Tarps for ULV				
32	2	File Holder, Magnetic Wall				
33	1	Ticket Holder - black metal				
34	1	Monitor Stand - grey			Fellows	
35	8	Uniform Shirts - blue		Animal Shelter		
36	1	Chair, Wooden				
37	1	Chair, Mesh - black				

Dept.		Health	By:		Animal Shelter	(956) 216-5250
Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.
1	1	Washer (Samsung Active Waterjet)			WA50R5200AV/A4	0J595DDWA015442E

Dept.	Library	By:	Naomi Pena	(956) 216-5801		
Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.
1	1	Battery (replacement for UPS)				
2	36	Chairs, plastic & metal - teal (kindergarten)				
3	8	Chairs, Wood (kindergarten)				
4	2	Chairs, Wood (adult)				
5	2	Tables, Wood (kindergarten)				
6	1	Area Rug - blue, green, & brown				
7	1	Table, Train table				
8	1	Wall Decoration, sunflower				
9	1	Box of assorted toys				
10	1	Box of XBox 360, games & accessories			XBOX	
11	2	Acrylic desk barrier				
12	39	Light fixtures				
13	1	Chair, Office w/out arm handles - maroon				
14	3	Chairs, Office - black				
15	1	Cash Register			TE-2200	5211833
16	1	Cash Register			TE-2200	5208405
17	3	Book Cart Small - beige				
18	1	Popcorn Machine				
19	3	Boxes of Board Games				
20	1	Book Drop, Silver				
21	1	Microfilm Monitor, Beige				
22	1	Desk Chair, Black				
23	1	Book Cart, Beige				
24	1	Box of Audiobook Cases				

Exhibit "A"
City of Harlingen

25	1	Box of Cd Cases				
26	1	Wooden two-sided 6 tier shelve				
27	2	Box of Toys - assorted				
28	1	Box of Kitchen Items - assorted				
29	1	Box of Office Supplies - assorted				
30	1	Pink metal bucket				
31	1	Box of assorted screws, nails, tiles, etc.				
32	1	lots of assorted pieces of shelve parts				
33	1	Pin Board - pink				
34	1	Rocking Chair, light blue				
35	1	Rocking Chair, lime green				
36	1	Chair, Oak Wood Oak - brown	111			
37	1	Chair, Oak Wood Oak - brown	142			
38	1	Chair, Oak Wood Oak - brown	104			
39	1	Chair, Oak Wood Oak - brown	101			
40	1	Chair, Oak Wood Oak - brown	116			
41	1	Paper Cutter				
42	1	Shelf, Wood Flyer				
43	1	File Cabinet				
44	2	Metal Signs				
45	1	Chair, black 8F8LU06			HON	
46	1	Sign, Metal with Arrow				
47	2	Sign, Metal				
48	2	Plastic Stands				
49	1	Metal Part				
50	1	Book Shelf, metal (8) 2-sided w/oak end panels				
51	1	Book Shelf, metal (5) 2-sided w/oak end panels				
52	1	Bag w/8 yoga mats & 4 yoga blocks				
53	1	Baby gym				
54	1	Box of Kids Board Games				
55	1	Box of Kids Board Games & Toy Pots/Pans				
56	1	Kids Bowling Set				
57	1	2 Seat Table black base w/wood top				
58	6	Monitor, 20"			Dell E2011H	
59	4	Monitor, 20"			Dell E1911	
60	1	Monitor, 20"			Dell E1913	
61	4	Monitor, 20"			Dell E1912H	
62	3	Monitor, 20"			Dell 1909W	
63	1	Monitor, 20"			Dell E1709W	
64	13	Computer, Dell Optiplex			OptiPlex 7010	
65	4	Computer, Dell Optiplex			OptiPlex 390	
66	2	Computer, Dell Optiplex			OptiPlex 3020	

Exhibit "A"
City of Harlingen

Dept.		M.I.S.	By: Robert Caldera (956) 238-8834			
Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.
1	3	Monitors, HP 32"			N32Oc	
2	1	Computer, Dell Optiplex	1785		Optiplex 7020	
3	1	Computer, Dell Optiplex	1117		Optiplex 9020	
4	1	Computer, Dell Optiplex	1045		Optiplex 7020	
5	1	Computer, Dell Optiplex	2193		Optiplex 7020	
6	1	Computer, Dell Optiplex	1108		Optiplex 7020	
7	1	Computer, Dell Optiplex	1788		Optiplex 7010	
8	1	Computer, Dell Optiplex	4462		Optiplex 7020	
9	1	Computer, Dell Optiplex	1073		Optiplex 390	
10	1	Computer, Dell Optiplex	1223			
11	1	Dolly - orange & black				
12	1	Dolly, Foldable				
13	2	Monitor Stands			Dell	
14	1	Scanners, Box with 3 Fujitsu Scanners			Fujitsu	
15	1	Routers, Box with 13 Cysco Routers			Cysco	
16	2	UPS				
17	1	UPS			Cyberpower	
18	1	Dry Erase Board - white				
19	1	Server, HP ProLiant			DL30G7	
20	1	Box of Phones, Grandstream			Grandstream	
21	1	Box of power adapters, 40 misc				
22	1	Box of phone cables, 47				
23	1	Box of Power cables				
24	1	Box of USB Printer Cables				
25	1	Box of 12VGA 4DVI Splitter Adapters				
26	1	Box of Speaker Cables, 1/16"				
27	1	Box of VGA to DVI adapters, 26 pcs				
28	1	Box of VGA cables, 54 pcs				
29	1	Box of DVI Cables				
30	1	Box of misc. long VGA and DVI cables				
31	1	Box of misc. Laptops, 5 pcs				
32	1	Box of misc. Computer Keyboards				
33	1	Box of misc. Video Cards				
34	1	Box of misc. Ink Cartridges				
35	1	Box misc. Mouses, Speakers, Electronics				
36	1	Box of misc. Computer Wire Harnesses				
37	1	Security Box, Plastic				
38	1	Processor Module, Mitel	1708		HX	
39	1	2 pcs Theater Light Breakers				
40	1	Box of misc. Hotspots				
41	1	Computer, Dell Optiplex	1927		Optiplex 3010	

Exhibit "A"
City of Harlingen

42	1	ICRealtime DVR				
43	1	32ch DVR			LTN6432	
44	1	LUX 8ch DVR				
45	1	Box 3 signature 1 business card readers				
46	1	Box misc. iPhone, iPad accessories				
47	1	Box with 3 small switches				

Dept. **M.I.S. - LCH** By: **Robert Caldera** (956) 238-8834

Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.
1	1	Box of Phones, Grandstream			Grandstream	
2	1	Box of keyboards and mice				
3	1	Box of misc. DVI VGA cables				
4	1	Printer, HP			M749fdw	
5	1	Computer, Dell Optiplex PC	2456		Optiplex 3010	
6	1	Monitor, Dell			E1909Wf	
7	1	Monitor, Dell			E1909Wf	
8	1	UPS Battery Backup, APC			APC	
9	1	Box of Video Cards				
10	1	Monitor, Viewsonic			VA2747-MH	
11	1	Box of misc. Electronics				

Dept. **Municipal Court** By: **Chelsea Sifuentes** (956) 216-5123

Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.
1	1	Printer, HP LaserJet			M602	JPBCD1D1SP
2	1	Microwave, Panasonic			Panasonic	
3	1	TV, JVC			JVC	
4	1	Monitor, Acer			Acer	
5	1	Player, LG BluRay			BluRay	
6	1	Monitor, LG			LG	
7	3	Toner Cartridges, 90A				
8	1	Walkie Talkie			Retevis	
9	2	Chairs, Mesh - grey				
10	1	Chair - black/grey				

Dept. **Museum** By: **Angela Anderson** (956) 216-4903

Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.
1	1	Display Case 3'Hx2'Wx7'L wood w/glass				
2	1	Monitor, ADI Microscan - beige			ADI	339024T02DA0022A
3	1	Register, Cole's Cash - beige	4636		TEC MA-516	
4	1	Table, Metal 18.5"Wx21"Hx21" - black				
5	1	CD rack 18.5"Hx6"Wx6"I - black/wood				
6	1	TV CD/VHS Player -silver			Sylvania	V4750459
7	1	Roll-o-card w/handle			Rubbermaid	

Exhibit "A"
City of Harlingen

8	1	Organizer, MDF Board, 12 Shelf 29"x12"x13"				
9	1	Computer, Dell Optiplex 7010	1242		Dell Optiplex	
10	1	Monitor, Acer - black			V223W	4802931342
11	1	Keyboard, Wireless - black				908613387787
12	2	Keyboard & mouse, Dell			K: 869-09M9-A03	M: 0KW2YH-7161656J-17XJ
13	1	Keyboard, Logitech Internet 350			Y-UM76A	867771-0403
14	1	TV, Insignia LCD			NS-19E310A13	B336EP500421
15	17	Chairs, metal/plastic - blue				
16	1	Wood Painted photo w/face cut-out				
17	1	Mounting Press, McDonald Pro IV, Manual			M-405	
18	1	Dell Windows XP professional	2844		DHS	JVL5361
19	12	Track Light Fixtures, metal - black				
20	2	Yellow Crate Containers				
21	1	Picture Frame, Liverpool Legends poster				
22	1	Picture Frame, Smokey Joe's Café 1999 poster				
23	1	Box of misc. Musicals VHS tapes				
24	1	Box of electrical wires				
25	3	Metal Easels - gold				
26	1	Box of Cassettes variety				
27	2	Faux Green Leaf Plants				
28	1	5 Divider Organizer, wood - small				
29	1	Box w/variety of Cassettes - plastic			blue	
30	1	3 File Drawer - black plastic/brown				
31	2	Display Cases			wood/glass	
32	3	Glass Shelves - clear				
33	2	2 file drawer vertical cabinets			black	
34	1	Wastebasket, Rubbermaid 2.3 gallon			black	
35	16	Canister Light fixtures			beige	
36	1	Small Wood Podium				
37	1	Sewing Machine Treadle, Vintage Singer			Singer	
38	1	Dry Easeboard			white	
39	1	Japanese doll geisha w/glass case				
40	1	Small - Fido Dido doll				

Dept.		Parks & Recreation		By: Juan Hernandez		(956) 216-5951	
Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.	
1	1	Sawzall Milwaukee Red	2011		Milwaukee	9.62E.30	
2	1	Drill, Master Mechanic			Master Mechanic	60745-1	
3	1	Drill Driver, Cordless			Dewalt		
4	1	Drill Driver, Cordless			Dewalt		
5	1	Drill Driver, Cordless			Ridgid	CS15370DB20127	
6	1	Drill Driver, Cordless			Dewalt		
7	1	Hammerdrill, Cordless			Dewalt DW006		

Exhibit "A"
City of Harlingen

8	1	Angle Grinder, Electric			Dewalt D28115	257288
9	1	Jigsaw, Electric			Milwaukee 820	749B499210001
10	1	Hammerdrill, Electric			Makita	
11	1	Handsaw, 12"			STILLMS193T	
12	1	Battery, 20v 2ah			Dewalt DCB203	
13	1	Battery, 18v			Dewalt DC9096	
14	2	Battery, 24v Fan Cooled		DW0242	Dewalt 24VXRNICD	
15	1	Battery, 24v Fan Cooled		DW242	Dewalt 24VXRNICD	
16	1	Battery, 18v Lithium			Ridgid R840085	CS1533
17	1	Impact Driver, Cordless			Ridgid	CS16835D57013
18	1	Impact Driver, Cordless			Ridgid	
19	2	Paint Machine			Pioneer	
20	1	Sod Cutter Machine		GX160		
21	2	Paint Sprayer, Airless		LTS15	Magnum	
22	1	Backpack Blower	2052		STILL, BR600	507353032
23	1	Backpack Blower	2067		STILL, BR600	
24	1	Backpack Blower			STILL, BR600	524332177
25	1	Cub Cadet		FS730V	ZT3 60	FS730VE33186

Dept.		Planning & Development		By: Sabina Ramirez		(956) 216-5101
Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.
1	1	Printer, HP Officejet Pro			HP 8710	CN87RBT1MF
2	1	Mouse, Wireless - black & white Paisley			LogiTech	
3	1	Mouse, Wireless - Soic Black			LogiTech	
4	1	CD-R CD Spindle (Half Full)			MaxWell	
5	3	DVD-R - Blank			Momorex	
6	1	GBC Comp Bind C20			Swingline	
7	1	Pencil Sharpener			Panasonic	
8	1	Scanner w/Installment CD & Cords	4459		Fujitsu F1-7160	
9	1	Printer Cart - wood				
10	1	Executive Chair - black				
11	2	Presentation Easel Pads, large				
12	3	Presentation Easel Pads, large				
13	3	Bookends, large - black/tan/gray				
14	1	Bookends, large - gray				
15	1	Bookends, pair, large - gray				
16	1	Keyboard, DI Wireless				
17	4	Keyboards, Wired			Dell	
18	1	Keyboard, Wireless			Artek	
19	1	Mouse, Wired				
20	2	Phone Car Chargers				
21	1	Web Cam, D-Link			D-Link	
22	1	Display Rack, - Ornate Metal				

Exhibit "A"
City of Harlingen

23	1	Computer Bag				
24	1	Computer Bag, COH				
25	1	Headphones, Noise Cancelling			Hamilton Buhl	
26	1	TCL Remote			TCL	
27	1	Otter Box				
28	1	Earbuds, Samsung Galaxy S10e			Samsung	
29	1	AC Adapter, black				
30	1	Paper Measuring/Folding Unit				
31	1	Desk Accessories -2 Pcs			Costco	
32	1	Printer Cable - black				
33	1	Printer Cable - putty				
34	1	Printer Cable - gray				
35	1	Printer Cord - putty				
36	1	Internet Cable, Short - black				
37	1	Phone Cord, Long - putty/gray				
38	1	Phone Cord, Short - putty				
39	50	Hanging Files, Legal Size - blue				
40	40	Envelopes, CD/DVD Tuck Flap			ODP	
41	1	Printer, HP Officejet Pro	6222		HP 8600 Plus	CN25CBR30S
42	2	Frosted White Letter Tray				
43	1	2 - hole punch, black				
44	1	pencil cup				
45	4	stapler, red				
46	1	Preserve Toner Catridge (Cyan)	n/a		HP Color LJ 5500/5550	
47	1	Fuser Module, Ozone Filter	n/a		(Work) Centre* models	
48	2	Black Legal Paper Tray				
49	1	Brown Legal Paper Tray				
50	1	Silver Wire File Sorter				
51	4	Partition half walls -2 round corner/2 plain			Front Counter & desk	
52	6	Partitions Walls, 5 ft				
53	12	Partition Walls, 4 ft				
54	2	Partition Walls, 3 ft				
55	2	Partition Desks				
56	1	Partition Table				
57	3	Partition Shelves w/light				
58	1	Partition Hardware				

Dept.		Police Department	By:		Sgt. Larry Moore	(956) 367-5170
Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.
1	1	Keyboard & Mouse, Wireless, Logitech			MK710	
2	1	Keyboard & Mouse, Wireless, Backlit			KL15	
3	2	Rear Door Panels OEM (Dodge Durango)			Dodge Durango	
4	4	Rear Door Panels OEM (Chevrolet Tahoe)			Chevrolet Tahoe	

Exhibit "A"
City of Harlingen

5	1	Rear Partition			Chevrolet Tahoe	
6	1	Center Console OEM			Chevrolet Silverado	
7	4	Folding Table Dolly, Rectangular				
8	2	Chair Dolly				
9	1	Truck Bed Cover, Aftermarket (tom)				
10	2	Dry Erase Boards - white				
11	2	Car Seats, 3rd Row			Chevrolet Tahoe	
12	1	Metal Bench, 4 seat, Outdoor - silver				
13	8	Office Chairs - black				
14	1	Tool Box Full Size Truck - chrome				
15	2	Tires, All Terrain LT275/55R20			BF Goodrich	
16	1	Rear Window Louver - black			2017 Cheverolet Camaro	
17	1	Dometic Patio Awning - damaged				
18	3	Emergency Equipment, misc.				
19	2	Brush Guards - damaged				
20	1	Bike - blue and silver	37381		Motiv	HI096712
21	1	Bike - blue	39596		Aero 500	u/n
22	1	Bike - black and red	40336		Mongoose	u/n
23	1	Bike - black and white bike	41490		DOP	u/n
24	1	Bike - black and blue	42906		Shimano shocker 20	TA20H02326
25	1	Bike - 10 speed	42998		Side Winder	S2792WM
26	1	Stroller	43409			u/n
27	1	Tool Case, Plastic, small - gray	44925		Ryobi	u/n
28	1	Tool Case - brown	44926		Smith-Corona	u/n
29	1	Tool Case - black	44923		Bauer	u/n
30	1	Tool Case - black	44922		Craftsman	u/n
31	1	Tool Case - green	44924		Metabo HPT	u/n
32	1	Bike - electric	45323		Swagtron	S9EB070210301493
33	1	Bike - red/chromo	46452		Mongoose	u/n
34	1	Bike - blue	46522			u/n
35	1	Bike - pedal	46627		Motobecane France	u/n
36	1	Bike - Shimano	47373		Shimano	u/n
37	1	Bike - Cruiser, all terrain	48387		Flying-O	L486629515
38	1	Bike - blue	48007		Magna Excitor	49589197
39	1	Car Speaker Box, Kicker - gray	48070			u/n
40	1	Bike - purple	49044		Roadmaster	u/n
41	12	Necklaces, Costume	49232			u/n
42	1	Purse - grey	49233		Michael Kors	u/n
43	10	Necklaces, Costume	49234			u/n
44	1	Bike - blue	49303		Huffy	u/n
45	1	Bike, Cruiser - Green and Silver	49528		Schwinn	u/n
46	1	Razor Scooter	49705		Razor	u/n
47	1	Bike - gray with orange	49773		Huffy Scout	5432921021A

Exhibit "A"
City of Harlingen

48	1	Bike - black & red	49805		Hyper Shock	u/n
49	1	Bike - red	49907		Canyon	B6027554
50	1	TV, Sony	49990		sony	u/n
51	1	Bike - 10 speed	50032			u/n
52	1	Bike - Mongoose	50112		Mongoose	u/n
53	1	Bike	50141			u/n
54	1	Air Conditioner, Frigidaire	50378		Frigidaire	FFRE153WAE
55	1	Vaccuum, Hoover brand	50577		Hoover	u/n
56	1	Heater, Lasko brand	50575		Lasko	u/n
57	1	Bike - Black	50579		Schwinn	SNFSD120N3263
58	1	Bike - Ozone 500 Bicycle	50578		Ozone	6S2309013401
59	1	Fire Extinguisher	50581			u/n
60	1	Air Heater, Midea brand	50576		Midea	u/n
61	1	Lunch Box, Ozark Trail	50574		Ozark Trail	u/n
62	1	Drill, Corded, Black & Decker brand	50573		Black & Decker	u/n
63	1	Bike - black and red	50644			u/n
64	1	Bike - mt sport sx	50969		Roadmaster	u/n
65	1	Bike - 24" Genesis Shimano	50972		Shimano	u/n
66	1	Bike - silver and black	51051		Rock Creek	SNHTL23J18171
67	1	Bike - pink and lime green	51318			u/n
68	1	Bike, Rock Creek	51431		Huffy	u/n
69	1	Bike, Pacific XL2	51748		Pacific	u/n
70	1	Bike - orange	52201			u/n
71	1	Bike, 29" Mens Genesis Onex - black	52467		Genesis	GS12988
72	1	Bike - purple	52703		Roadmaster	u/n
73	1	Purse, Kate Spade - blue/ brown	52705		Kate Spade	u/n
74	1	Air Compressor, Hyper Tough	52903		Hyper Tough	u/n
75	1	Bike - Novara Black Bonanza	54472		Novara	u/n
76	1	Bike - black with red lettering "Hyper"	53264		Hyper	u/n
77	1	Bike - blue Huffy Cranbrook	53365		Huffy	u/n
78	1	Bike - red	53465		Next	u/n
79	1	TV, Flat Screen	53573			u/n
80	1	TV, Flat Screen	53572			u/n
81	1	Bike, "Huffy" Rockcreek - cyan	53609		Huffy	SNHLT23M40390
82	1	Bike - blue Shimano Ozone	53675		Shimano	u/n
83	1	Bike - teal	54154		Huffy	21D8815
84	1	Red Medical Bag with CPR supplies	54208			u/n
85	1	Impact Wrench, Craftsman	50564		Craftsman	u/n
86	1	Backpack with boxing gloves	50423			u/n
87	1	Religious Cross	43943			u/n
88	1	Apple Pen	43945		Apple	u/n
89	1	Lamp, Powerlight 2 Set	36360			u/n
90	1	Computer, Dell Optiplex PC	4595		Optiplex 3050	

Exhibit "A"
City of Harlingen

91	1	Computer, Dell Optiplex PC	1876		Optiplex 3050	
92	1	Computer, Dell Optiplex PC	5244		Optiplex 3050	
93	1	Computer, Dell Optiplex PC	1886		Optiplex 3040	
94	1	Computer, Dell Optiplex PC	2442		Optiplex 390	
95	1	Computer, ProDesk PC	250		ProDesk	
96	1	Computer, Dell Optiplex PC	2322		Optiplex 7010	
97	1	Computer, EliteDesk PC	5274		EliteDesk	
98	1	Computer, Dell Optiplex PC	4579		Optiplex 3050	
99	1	Computer, Dell Optiplex PC	4427		Optiplex 3050	
100	1	Computer, Dell Optiplex PC	4428		Optiplex 3050	
101	1	Computer, Systemax PC	1861		Systemax	
102	1	Computer, Dell Optiplex PC	4577		Optiplex 3050	
103	1	Barracuda Web filter			310	
104	1	Cisco	2179		2800 Series	
105	1	Cisco ASA			5510 Series	
106	1	Panasonic Charging station			FZ-VCBN121M	
107	1	Panasonic Charging station			FZ-VCBN121M	
108	1	Panasonic Charging station			FZ-VCBN121M	
109	1	Panasonic Charging station			FZ-VCBN121M	
110	1	Box of 3 Zebra Quad charger			UCL172-4	
111	1	Dell PC	1889		Optiplex 3040	
112	1	Box of 3 Xerox Scanners			DocuMate152i	
113	1	Dell Montor			E2209WF	
114	1	Box Grandstream Phones			Grandstream	
115	1	Dell Monitor			P2214Hb	
116	1	Box of Zebra Ticket Writer Printers			Zebra	

Dept.	Public Works		By:		Tanya Lugo	(956) 216-5304	
Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.	
1	1	Tire Balancing Machine	Fleet		Coats 1000		
2	27	Tires ranging different sizes	Fleet				
3	1	Saw, Milwaukee	Fleet		Milwaukee		
4	1	Scanner, JPRO	Fleet		JPRO		
5	1	Scan Tool, Genisys	Fleet		Genisys		
6	1	Box of miscellaneous parts	Fleet				
7	1	U-Shaped Desk	PW Admin.				
8	5	Blowers, Stihl BG50	St. Maint.		Stihl BG50		
9	4	Weed Eaters, SRM-3020T	St. Maint.		SRM-3020T		
10	2	Misc. Radios	St. Maint.				
11	1	Misc. Phone	St. Maint.				
12	1	Pole Saw PPE225	St. Maint.		PPE225		
13	1	Pole Saw PPF2620 Echo	St. Maint.		PPF2620 Echo		
14	1	Pole Saw HT101 Stihl	St. Maint.		HT11 STIHL		

Exhibit "A"
City of Harlingen

15	2	Chainsaw Echo	St. Maint.		Echo	
16	3	Drill, Makita	St. Maint.		Makita	
17	2	Misc. Back Window Guard	St. Maint.			
18	1	Paint Machine, Graco	St. Maint.		Graco	
19	1	Water Pump 3" AW80C	St. Maint.		AW80C	
20	5	Ladders	St. Maint.			
21	1	Grinder, Makita	St. Maint.		Makita	
22	2	Laser Leveler	St. Maint.			
23	1	Desk	St. Maint.			
24	1	Misc. Radio	PW Admin.			
25	1	Electric Saw, Milwaukee	Public Bldgs.		Milwaukee	983ED11010419
26	1	Brushless Drill, Milwaukee	Public Bldgs.		Milwaukee	N67AH243203124
27	6	Chairs	Public Bldgs.			
28	2	Storage Cabinets - small	Public Bldgs.			
29	5	Metal Cabinets - large	Public Bldgs.			
30	1	Table	Public Bldgs.			
31	1	Hammer Drill, Makita	Public Bldgs.		Makita	133068
32	1	Power Wash Equipment (w/o trailer)	Public Bldgs.			
33	1	Veeder Root Fuel Tank Monitoring ECPU	Public Bldgs.		Veeder Root TLS-50	
34	2	White Boards	PW Admin.			
35	5	Computer Monitors	PW Admin.			
36	1	Printer	PW Admin.			
37	1	Projector	PW Admin.			
38	4	Computers, Dell PC	PW Admin.		Dell	
39	4	PTO Driving Pumps				
40	3	Locker Sections - large pieces				
41	310	Solar Panels				

Dept. **Tony Butler Golf Course** By: **Kassandra Bocanegra** (956) 216-5973

Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.
1	1	Single Seat Couch - blue				
2	2	Dyson Vacuum - gray/purple			Dyson	
3	6	Computers, Dell			Dell	
4	1	Monitor, Acer			Acer	
5	1	Monitor, Dell			Dell	
6	1	Monitor, POSX			POSX	
7	1	Monitor, Elo			Elo	
8	1	DVD Player w/Remote				
9	1	Box of Fulree DC/DC Converter				
10	1	Box of Misc. Pots, Pans, ect.				
11	1	Box of Wires				

Exhibit "A"
City of Harlingen

Dept.		Warehouse/ Materials Mgmt.	By:		Mari Leal	(956) 216-5321
Item	Qty	Description	City ID#	RCI S/N	Model No.	Serial No.
1	1	Desk, Cherry Wood, 2 Drawers				
2	1	Hutch, Cherry Wood				
3	1	Drawer/Filing Cabinet - brown				
4	3	Chairs Metal - light brown				
5	2	Monitors, Computer				
6	1	Printer - black				
7	1	Fax Machine - grey				
8	1	Steel Frame Canopy w/beige Tarp				
9	1	Keyboard Wired - black				
10	4	Jeans, Levi's 541 - 42W X 30L			Levi's	
11	4	Jeans, Levi's Classic Bootcut Size: 12			Levi's	
12	10	Shirts, Polo - assorted colors				
13	1	Water Pump Honda GC160 5.0			Honda	
14	1	Table, Round - light brown				
15	1	Coffee Maker, FlexBrew			Hamilton Beach	
16	2	Filing Cabinets - Beige				
17	1	32" Standing Desktop Converter - black				
18	1	Bookcase w/3 shelves, cherry wood				
Warehouse Obsolete Stock Items - Mari Leal (956) 216-5321						
1	336	Gallons, Hand Sanitizer Foam, Maxim	\$ 18.38	\$ 6,175.68	485 014 00005	
2	7	Lamp Head, High Beam H4651	\$ 6.85	\$ 47.95	055 037 0025	
3	3	Light Stop Assembly 50975 w/pigtail	\$ 16.85	\$ 50.46	055 037 0035	
4	7	Pigtail Connector Light Socket 84791	\$ 10.66	\$ 74.62	055 037 0048	
5	1	Brake Pads DE-1363 Front	\$44.99	\$ 44.99	060 021 0005	
6	2	Brake Pads DE-1707 Rear	\$42.89	\$ 85.78	060 021 0006	

Exhibit "A"

CITY OF HARLINGEN

Dept.: Internal Services/ Fleet Department

By: Tanya Lugo (956) 216-5304

#	Department	Unit #	Year	Make/Model	VIN#	Title Y/N	Keys Y/N	Odometer
1	Animal Cont.	130	2008	Ford F-150 Pickup Truck	1FTRF12278KC52290			188,504
2	Building Insp.	074	2007	Ford F-150 Pickup Truck	1FTRF12257KB92394			114,080
3	Health	134	2008	Ford F-150 Pickup Truck	1FTRF12248KC52294			68,286
4	Sanitation	530	2016	Freightliner 108SD Garbage Truck	1FVHG5CY8GHM8303			N/A
5	Sanitation	441	2014	Peterbilt 320 FL Garbage Truck	3BPZLJ0X7EF248742			13,834 HRS
6	Sanitation	445	2014	Freightliner 108SD Garbage Truck	1FVHG5CY5EHFZ2332			157,464
7	Sanitation	446	2014	Freightliner 108SD Garbage Truck	1FVHG5CY7EHFZ2333			138,088
8	Sanitation	447	2014	Freightliner 108SD Garbage Truck	1FVHG5CY3EHFZ2331			123,130
9	St. Maint.	176	2008	International SA615 Propatcher	1HTZZAAN48J697176			160,697
10	St. Maint.	187	2009	Ford F-150 Pickup Truck	1FTRF12W09KA89146			190,163
11	Parks	128	2008	Ford F-150 Pickup Truck	1FTRF12298KC52288			184,835
12	Parks	287	2010	Ford F-750 Brush Truck	3FRPF7FC0AV274785			13,020
13	Parks	472	1992	Ford Dump Truck	1FDWK74P2NVA17750			
14	Police Dept.	301	2010	Chevrolet Tahoe	1GNMCAE01AR239326			137969
15	Police Dept.	538	2009	Ford Crown Victoria	2FAHP71V89X135961			120000
16	Police Dept.	374	1991	Humvee AM General M998 Hummer	111094			38112
17	Police Dept.	375	1991	Humvee AM General M998 Hummer	111660			3085
18	Police Dept.	376	1991	Humvee AM General M998Hummer	118637			1906
19	Police Dept.	514	2007	Ford Crown Victoria	2FAFP71W77X107727			106977
20	Police Dept.	469	2015	Ford Taurus	1FAHP2MK9FG140799			146465
21	Police Dept.	540	2006	Ford Expedition	1FMPU15506LA72591			106337
22	Police Dept.	306	2011	Chevy Tahoe	1GNSKAE06BR166904			171016
23	Police Dept.	269	2010	Ford F-150 Pickup Truck	1FTEX1CW3AFA89729			111424
24	Police Dept.	555	2006	Nissan Sentra	3N1CB51D36L463299			187199
25	Police Dept.	474	2015	Ford Taurus	1FAHP2MK7FG140803			113199
26	Police Dept.	481	2015	Ford Taurus	1FAHP2MK8FG140809			152779
27	Police Dept.	48	2007	Ford F-150 Pickup Truck	1FTRX12W57NA18971			117310
28	Police Dept.	942	2004	Ford F-150 Pickup Truck	1FTRW12W04KB91880			119254
29	Police Dept.	049	2007	Ford F-150 Pickup Truck	1FTRX12W77NA18972			128280
30	Police Dept.	010	2006	Ford 500 Five Hundred	1FAFP23116G102533			94678
31	Police Dept.	041	2011	Ford Crown Victoria	2FABP7BV9BX152116			99137
32	Police Dept.	471	2015	Ford Taurus	1FAHP2MK3FG140801			159189
33	Police Dept.	845	2001	Pierce Manufacturing Tilt Cab Pumper	4P1CT002S91A001475			
34	Police Dept.	627	1996	Pierce Manufacturing Tilt Cab Rescue Truck	4P1CT02D4TA000514			
35	Fire Dept.	846	2001	Pierce Manufacturing Tilt Cab Pumper	4P1CT02S01A001574			
36	Fire Dept.	189	2009	Ford Explorer	1FMEU63E79UA17089			
37	T.B. Golf Course	945	2004	Ford F-150 Pickup Truck	2FTRF17W44CA35936			

Exhibit "A"

Heavy Equipment List								
1	Police Dept.	810		C-Force 4 Wheeler	LCELDUZBXM000233			N/A
2	Landfill	436	2015	Travis Body & AMP Trailer	48XAR5323F10093		N/A	N/A
3	Landfill	523	2016	Wilkens Industries Trailer	1W91A5325GM288678		N/A	N/A
4	Landfill	458	2014	John Deere Gator	1M04X2SJPEM090507			N/A
5	Sanitation	556	2010	JLG 800A Aerial Lift	300140799			N/A
6	St. Maint.	116	2003	Bomag Vibratory Roller	101650171209			N/A
7	St. Maint.	135	2008	Caterpillar Backhoe	CAT0420EJHLS06250			11,569 HRS
8	Brush & Debris	551	2017	Air Burner Incinerator	S27FDN16680		N/A	N/A
9	Brush & Debris			30 CYD Roll off Container			N/A	N/A
10	Brush & Debris			30 CYD Roll off Container			N/A	N/A
11	Brush & Debris			30 CYD Roll off Container			N/A	N/A
12	Brush & Debris			30 CYD Roll off Container			N/A	N/A
13	Code Compliance		2012	Rhino 172 Rotary Cutter Shredder w/no gear box				

Exhibit "A"
Harlingen Housing Authority

Dept. (COCC) Accounting

By:

Sarah P

(956) 423-2521

Item	Qty	Description	Asset #	Brand/Make	Model No.	Serial No.
1	1	Black Rolling Chair	4698			
2	1	Printer, HP Laserjet Pro M118dw	4788	HP		VNB5H08561
3	1	Printer, HP Laserjet Pro M118dw	4729	HP		VNB5H06371
4	1	Printer, HP Laserjet Pro M118dw	4786	HP		VNB5H08540
5	1	Scanner, ScanSnap S1300i		Fujitsu		A0BCC23760
6	1	Scanner, ScanSnap S1300i	4728	Fujitsu		A0BCC19020
7	1	Digital Weather Radio	30461	Midland	WR-100	8040051987
8	1	Wireless Keyboard				
9	1	File Organizer Stand				
10	1	Printer, HP Laserjet Pro 3201dw	4697	HP	499Q9F	VNB1G32077
11	1	Avaya Phone	2459	Avaya		12WZ1336058N
12	1	Avaya Phone		Avaya		12WZ2056062R
13	1	Avaya Phone Communication Accessary		Avaya	DBM32	12WZ17460320
14	1	Avaya Phone		Avaya		12WZ2056061Q
15	1	Avaya Phone Power Supply		Avaya	DPSN-27BBA	12DT17006108
16	1	Avaya Phone		Avaya		12WZ20560624
17	1	Avaya Phone		Avaya		12WZ14360361
18	1	Avaya Phone	2461	Avaya		12WZ20560621
19	1	Avaya Phone	2501	Avaya		12WZ143603M0
20	1	Keyboard, Logitech		Logitech		
21	1	Keyboard, Logitech K200		Logitech		19275Y00PXV8
22	1	Keyboard, Logitech K200		Logitech		1850SY01KMB8
23	1	Keyboard, Microsoft 400		Microsoft		66905826454
24	1	Keyboard, Logitech K200		Logitech		17345Y03KJM8
25	1	Keyboard, Microsoft 400		Microsoft		66906768940
26	1	Calculator, Staples	4616	Staples	44780	
27	1	ScanSnap Scanner S1300i	4774	Fujitsu		A0BCC23213
28	1	HP Wired Mouse		HP	TPC-C002M	
29	1	Microsoft Wired Mouse		Microsoft	1113	
30	1	Canon Calculator	4849	Canon	P23-DHV-3	
31	1	Logitech Speakers		Logitech	Z130	880-000146
32	1	Web Camera		Logitech		2012LZ51RM58
33	1	Conference Speaker		Acoustimagic		
34	1	Digital Camera		Kodak	Easysshare	KCYJT841K4007
35	1	Logitech Keyboard		Logitech	K235	
36	1	Microsoft Wireless Mouse 5000		Microsoft	1387	X820593-005
37	1	Microsoft Keyboard 3050		Microsoft	1729	924101033409
38	1	Logitech Keyboard		Logitech	Y-R0042	ESD-1307344C

Exhibit "A"
Harlingen Housing Authority

(COCC) Admin. Asst. by Ariana Valle Phone#: (956) 423-2521						
1	1	Desk U Shape Burgundy	30197			
2	1	Board room table (wood)	4496			
3	1	Desk with book shelf	1700			
4	1	Chair	1077			
5	1	File Cabinet 4 Drawer	1754	HON		
6	1	File Cabinet 4 Drawer	1755	HON		
7	1	Desk	4538			
8	1	File Cabinet 4 Drawer - legal	1815	HON		
9	1	File Cabinet 4 Drawer - legal	1814	HON		
10	1	File Cabinet 4 Drawer - legal	1813	HON		
11	1	File Cabinet 4 Drawer - legal	1812	HON		
12	1	Desk	4538			
13	1	Credenza	1816			
14	1	Credenza	1817			
15	1	File Cabinet 4 Drawer - legal	1815	HON		
16	1	File Cabinet 4 Drawer - legal	1814	HON		
17	1	File Cabinet 4 Drawer - letter	1813	HON		
18	1	File Cabinet 4 Drawer - letter	1812	HON		
19	1	File Cabinet 2 Drawer - letter	4527	HON		
20	1	Table	4542			
21	1	6 Black Leather Chairs	4528- 4522			
22	1	Executive Chair - black/gray leather	3028			
23	1	Executive Chair - black/gray leather	30283			
24	1	Executive Chair - black/gray leather	30285			
25	1	Executive Chair - black/gray leather	30291			
26	1	Executive Chair - black/gray leather	30292			
27	1	Executive Chair - black/gray leather	30293			
28	1	Executive Chair - black/gray leather	30294			

Housing - Section 8 by Nancy Garza (956) 423-2521 ext. 133						
1	1	Mail Sorter	1853	COCC warehouse	by Joe M. & Adrian	
2	1	Mail Sorter	10300	COCC warehouse	by Joe M. & Adrian	
3	1	Printer, Laser Jet Pro M102W	4642			S8 volt
4	1	Fax Machine	4284	Canon		S8 volt
5	1	Shredder, Fellowes	1868	COCC warehouse	by Joe M. & Adrian	
6	1	Printer, Color Laser Jet Pro M254dw	4860			S8 volt
7	1	Printer, HP Laser Jet Pro M118dw	4800	HP		
8	1	Laptop Computer, HP	4781	5CG9415P31	17by1953cl	S8 volt
9	1	S8 Ipad	n/a			
10	1	Shredder, Fellowes	1834	COCC warehouse	by Adrian	
11	1	Fujitsu Fi 7030	30001			
12	1	Scanner, Fujitsu Fi 7030 Scanner	4620			
13	1	Scanner, Fujitsu Fi 7030 Scanner	4845			

Exhibit "A"

Harlingen Housing Authority

14	3	Toner, Laser Jet 05All Black	n/a			
15	2	Toner, LaserLux Canon 128	n/a			
16	2	Toner, HP 17A CF217A	n/a			
17	1	Toner, LaserLux HE-CF503X-N	n/a			
18	1	Toner, LaserLux HE-CF501X-N	n/a			
19	4	Toner, Laser Jet 90A Black	n/a			
20	1	Bookshelf, Small Oak	4558			
21	1	Chair	30486			Yvonne
22	1	Chair	30225			Anita
23	1	Chair	30212			Elva

Housing - Los Vecinos by Diana C./Adrian Phone#: (956) 423-6213						
1	1	Refrigerator, GE	5357	GE	GPE160THLRWW	AL735957
2	1	Refrigerator, GE	4938	GE	GPE17CTNDRWW	FS746424
3	1	Refrigerator, GE	4985	GE	GPE16DTHMRWW	AM757696
4	1	Refrigerator, GE	6288	GE	GPE17CTNDRWW	DS741902
5	1	Refrigerator, Hotpoint	2632	HOTPOINT	HTR16BBEJRWW	SA768155
6	1	Refrigerator, GE	6263	GE	GPE17CTNERWW	ZS751959
7	1	Refrigerator, GE	3956	GE	GPE17CTNERWW	FT828848
8	1	Refrigerator, GE	6328	GE	GPE17CTNERWW	MS751389
9	1	Refrigerator, GE	5394	GE	GPE16DTH	AL735881
10	1	Refrigerator, GE	4976	GE	GPE17CTNDRWW	G5742482
11	1	Refrigerator, GE	30125	GE	GPE17CTNERWW	VS783890
12	1	Refrigerator, GE	5652	GE	GPE16DTHMRWW	AM727145
13	1	Refrigerator, GE	5529	GE	GPE16DTHCRWW	HR846880
14	1	Refrigerator, GE	6765	GE	GPE17CTNERWW	ZS751946
15	1	Refrigerator, GE	5283	GE	GPE16DTHCRWW	RH846892
16	1	Refrigerator, GE	6331	GE	GPE17CTNBRWW	SM725050
17	1	Refrigerator, GE	N/A	GE	GPE17CTNERWW	LS761439
18	1	Refrigerator, GE	4987	GE	GPE17CTNERWW	MS751419
19	1	Refrigerator, GE	30647	GE	GPE17CTNERWW	FT839215
20	1	Refrigerator, GE	4991	GE	GPE17CTNRWW	MS746909
21	1	Refrigerator, GE	6340	GE	GPE17CTNRWW	MS751383
22	1	Refrigerator, GE	5654	GE	GPE16DTHWW	AM721286
23	1	Refrigerator, GE	5632	GE	GPE16DTHWW	AM810628
24	1	Refrigerator, GE	30120	GE	GPE17CTNRWW	AV770800
25	1	Refrigerator, GE	5523	GE	GPE16DTHMRWW	DM704521
26	1	Refrigerator, GE	5612	GE	GPE16DTHMRWW	AM757682
27	1	Refrigerator, Hotpoint	3008	HOTPOINT	HTN16BBEFRWW	AD834693
28	1	Refrigerator, GE	30107	GE	GPE17CTNERWW	BS783915
29	1	Refrigerator, Hotpoint	3868	HOTPOINT	HPS18BTHJRWW	HG793099
30	1	Refrigerator, GE	5614	GE	GPE16DTHMRWW	DM704493
31	1	Battery Backup	7028	APC	9B1946A03351	BE425SM
32	1	Laptop, Acer	N/A	ACER	NXGA1AA003601021417600	

Exhibit "A"
Harlingen Housing Authority

33	1	VivoBook	6571	ASUS		
34	1	Monitor	5240	ACER	MMT2BAA0036300818B4216	
35	1	Shredder	2557	STAPLES PRO SERIES	SPL-TXC24A	132540272
36	1	Shelves/Bookcase	5566			
37	1	Shelves/Bookcase	5567			
38	1	Shelves/Bookcase	4753			
39	1	Shelves/Bookcase	2559			
40	1	Shelves/Bookcase	7798			
41	1	Headphones	30085			
42	1	Headphones	30086			
43	1	Headphones	30087			
44	1	Headphones	30077			
45	1	Monitor	478	HP	CNC045PCFD	
46	1	Computer, Intel CPU	5352	INTEL	11147166011900400	
47	1	Keyboard	5350	LOGITECH		
48	1	Keyboard	30083	HP	BDMGH0CWV8FEK4	
49	1	Keyboard	30071			9CG5271BMR
50	1	Keyboard	30082			9CG5271BMN
51	1	Keyboard	5440			MXL9235GXS
52	1	Keyboard	30068			9CG5271BM7
53	1	Keyboard	30061			9CG5271BM3
54	1	Camera	30070			
55	1	Camera	30067			
56	1	Monitor	4895			1CR11216R3
57	1	Weed Eater	5538	STIHL		
58	1	Weed Eater	N/A	ECHO		
59	1	General Speedroder	5356	BIG MAMA		
60	1	General Mini Roder	5322	PRO		
61	1	Edger, Little Wonder	5178			
62	1	Chair, Desk	4903			
63	1	Mower, Zero-Turn, Red Snapper	N/A	Red Snapper		
64	1	Mower, Zero-Turn, John Deere	4889	John Deere		
65	1	Tiller, Troy Bilt	5179	Troy Bilt		
66	1	Weed Eater	5537	STIHL		
67	1	Weed Eater	2945	ECO		
68	1	Chainsaw	2107	STIHL		
69	1	Hedge Trimmer	5293	STIHL		
70	9	Weed Eater Heads	700-053LA	STIHL		
71	2	Oil Filters, Riding Mower	700-013LA	BRIGGS & STRATON		
72	1	Printer, Laserjet Pro 402	5370	HP		
73	1	Printer, Laserjet Pro 403	5542	HP		
74	1	TV Monitor	482	MAGNAVOX		
75	1	Copier, Sharp MX B402	5383	SHARP		
76	1	Hole Puncher, 3-hole	1098	SWINGLINE		

Exhibit "A"
Harlingen Housing Authority

77	1	Podium	5562			
78	1	Chainsaw	2942	STIHL		
79	1	Edger	5178	LITTLE WONDER		
80	1	Blower	5587	LITTLE WONDER		

Bonita Park AMP#20 by Evelyn Castillo Phone#: (956) 423-2341						
1	1	HP Computer Monitor	5932	HP	9TT20AA	1CR114042C
2	1	Sharp TV	4054	SHARP	LC50LB3714	JMVFAYA0277908
3	1	HP Printer	4039	HP	C5F93A	PHBHD44938
4	1	Element TV	6117	ELEMENT		
5	1	HP Computer Monitor	3957	HP		
6	1	HP Keyboard	2933	HP		
7	1	HP Laptop	3960	HP	15W29MS	8CG7037P7
8	1	HP Laptop	30741	HP	14DQ1039WM	5CD0120X5P
9	1	LG Tower	3682	LG		
10	1	LG Tower	4052	LG		
11	1	FI-7030 SCANNER	4041			
12	1	Epson Scanner	30742	Epson		
13	1	Wood Desk	5823			
14	1	Refrigerator	3852	GE	GPE16DThMRWW	TL712529
15	1	Refrigerator	4220	GE	GPE16DTHMRWW	DM704536
16	1	Refrigerator	3806	GE	GPE16DTHMRWW	VH815854
17	1	Refrigerator	4197	GE	GPE16DTHMRWW	DM70447
18	1	Refrigerator	4196	GE	GPE16DTHMRWW	DM704523
19	1	Refrigerator	3853	GE	GPE16DTHMRWW	TL7474976
20	1	Refrigerator	30413	GE	GPE17CTNERWW	DV735664
21	1	Refrigerator	4428	HOT POINT	HTR16BBERWW	SA760884
22	1	Refrigerator	3799	GE	GPE16DThMRWW	WH815858
23	1	Refrigerator	3847	GE	GPE16DTHLRWW	GL755073
24	1	Refrigerator	3923	GE	GPE16DTHLRWW	Vh815866
25	1	Refrigerator	5913	GE	GPE17CTNEPWW	SM738408
26	1	Refrigerator	6130	GE	GPE17CTNERWW	LT828426
27	1	Refrigerator	3811	GE	GPE16DTHCRWW	TH813767
28	1	Refrigerator	4385	HOT POINT	HPS15BTHCLWW	FF784960
29	1	Refrigerator	3813	GE	GPE16DTHMRWW	GLL730071
30	1	Refrigerator	4195	GE	GPE17CTNBRWW	SM738386
31	1	Refrigerator	5908995	GE	GPE17CTNDRWW	DS755056
32	1	Refrigerator	3900	GE	GPE16DTHCRWW	FH766
33	1	Refrigerator	5911	GE	GPE16DTHCRWW	AM757695
34	1	Refrigerator	716	KENMORE	25361702406	BA91003742
35	1	Refrigerator	4206	GE	GPE16DTHMRWW	AM757702
36	1	Refrigerator	6754	GE	GPE17CTNERWW	DT830940
37	1	Refrigerator	5762	HOT POINT	HPS188THJRWW	GG842273
38	1	Refrigerator	30100	GE	GPE17CTNERWW	DT830944

Exhibit "A"
Harlingen Housing Authority

39	1	Refrigerator	2983	HOT POINT	HTN16BBEDRWW	VA787133
40	1	Refrigerator	6726	GE	GPE17CTNERWW	DT830945
41	1	Refrigerator	3809	HOT POINT	HPS18BTHJRWW	GG837126
42	1	Refrigerator	4226	GE	GPE17CTNBRWW	SM724999
43	1	Refrigerator	6160	GE	GPE17CTNERWW	DT830957
44	1	Refrigerator	3914	GE	GPE16DTHMRWW	VH815870
45	1	Refrigerator	4102	GE	GPE16DTHMRWW	TL816328
46	1	Refrigerator	3906	GE	GPE16DTHCRWW	AH856734
47	1	Refrigerator	30709	GE	GPE17CTNFRWW	AZ812490
48	1	Refrigerator	4433	HOT POINT	HPS15BTHCLWW	HF742404
49	1	Refrigerator	6281	GE	GPE17CTNDRWW	VR752508
50	1	Refrigerator	3844	GE	GPE16DTHMRWW	TL816328
51	1	Refrigerator	3898	GE	GPE16DTHCRWW	FH76019
52	1	Refrigerator	30712	GE	GPE17CTNFRWW	AZ812520
53	1	Book shelf	5661			
54	1	Office metal desk	4187			
55	1	Copier, printer, fax	4042	sharp	MX-C5X1	6500214X
56	1	36" TV	4490	SAMSUNG	UN40H5201AFXZA	02ZV3CSH110857P
57	1	TV Monitor	6118	HP	P27VG4FHD	1CR114042G
58	1	TV Monitor	6119	HP	P27VG4FHD	1CR114042G
59	1	TV Monitor	5741	SAMSUNG	UN4DH5201AKXZA	02ZV33CSH110857P
60	1	TV Monitor	5931	HP	P27VG4FHD	1CR114042L
61	1	TV Monitor	2140	V7	M1850AL	VL0IN22600363
62	1	Keyboard	5749	HP	KU-1156	BDMGHOCWU8FE18
63	1	Keyboard	4036	HP	KB1M	7CH6351WTK
64	1	Keyboard	4038	HP	KB1M	7CH7012RT9
65	1	Keyboard	5745	HP	KU-1156	BDMGHOCWU48FEKQ
66	1	Keyboard	5743	HP	KU-1156	BDMGHOCWU8RMB5
67	1	Keyboard	5740	HP	KU-1156	BDMGHOCWU8RMB5
68	1	Keyboard	30583	LENOVO	SD51B37218	22J0FZC
69	1	Keyboard	30551	LOGITECH	820-003180	1829SYO5DQW8
70	1	Rizer	5746	HP	K6Q84UT#ABA	9CG5271DM5
71	1	Rizer	5748	HP	K6Q84UT#ABA	9CG5262WY11
72	1	Rizer	5742	HP	K6Q84UT#ABA	9CG5271BMD
73	1	Rizer	5750	HP	K6Q84UT#ABA	9CG5271BLX
74	1	Rizer	5744	HP	K6Q84UT#ABA	9CG5262WYO
75	1	Kubota Tractor		Kubota	L3000F	10806
76	1	Push Blower	4020	little wonder	1150064406	92700201
77	1	Generator	3742	centurion	55771	5516690a
78	1	Power Washer	4103	pulsar	PGPW3100H	PPW3114024
79	1	Edger	3746	little wonder	DJDGS-12714A	1305211600425
80	1	Push Mower	4021	husqarna	GJAAA8113926	GCV190LA-NHH1
81	1	Weed Eater	3787	STIHL	FS91R	513110915
82	1	Weed Eater	8753	STIHL	FS100RX	441809673404

Exhibit "A"
Harlingen Housing Authority

83	1	Drill 1/2 " 18v Cordless	30582	Rigid	R86008b	737669728852
84	1	Impact Driver	30451	Rigid	R86034	13433N020594
85	1	Reciprocrating Saw 18v	30452	Dewalt	dw938	430860
86	1	Reciprocrating Saw	30449	craftsman	315-17102	1555162568998
87	1	Hand Blower	3751	STIHL	4241-011-1707	503442884
88	1	Finishing Sander Y6hp	30455	Craftsman	315-116151	334652315003
89	1	Heat Gun	30453	ACE	20176	375618285119
90	1	Backpack Sprayer	4251	STIHL	SG20	979925720
91	1	Office Chair - black	4178	Haydn	28240	1635587
92	1	Refrigerator	4428	HOT POINT	HTR16BBERWW	SA760884
93	1	Refrigerator	3799	GE	GPE16DThMRWW	WH815858
94	1	Refrigerator	3847	GE	GPE16DTHLRWW	GL755073
95	1	Refrigerator	3923	GE	G[E16DTHLRWW	Vh815866
96	1	Refrigerator	5913	GE	GPE17CTNEPWW	SM738408
97	1	HP Computer Monitor	5932	HP	9TT20AA	1CR114042C
98	1	Sharp TV	4054	SHARP	LC50LB3714	JMVFAYA0277908
99	1	HP Printer	4039	HP	C5F93A	PHBHD44938
100	1	Element TV	6117	ELEMENT		
101	1	HP Computer Monitor	3957	HP		
102	1	HP Keyboard	2933	HP		
103	1	HP Laptop	3960	HP	15W29MS	8CG7037P7
104	1	HP Laptop	30741	HP	14DQ1039WM	5CD0120X5P
105	1	LG Tower	3682	LG		
106	1	LG Tower	4052	LG		
107	1	Scanner, FI -7030	4041			
108	1	Scanner, Epson	30742	Epson		
109	1	Wood Desk	5823			
110	1	Refrigerator	3852	GE	GPE16DThMRWW	TL712529
111	1	Refrigerator	4220	GE	GPE16DTHMRWW	DM704536
112	1	Refrigerator	3806	GE	GPE16DTHMRWW	VH815854
113	1	Refrigerator	4197	GE	GPE16DTHMRWW	DM70447
114	1	Refrigerator	4196	GE	GPE16DTHMRWW	DM704523
115	1	Refrigerator	3853	GE	GPE16DTHMRWW	TL7474976
116	1	Refrigerator	30413	GE	GPE17CTNERWW	DV735664
117	1	Refrigerator	4428	HOT POINT	HTR16BBERWW	SA760884
118	1	Refrigerator	3799	GE	GPE16DThMRWW	WH815858
119	1	Refrigerator	3847	GE	GPE16DTHLRWW	GL755073
120	1	Refrigerator	3923	GE	G[E16DTHLRWW	Vh815866
121	1	Refrigerator	5913	GE	GPE17CTNEPWW	SM738408

Housing Le Moyne Gardens by Eneida Alonso Phone#: (956) 425-4248

1	1	Shop-Vac	6715		SE16650C	
2	1	Lawn Mower Honda	6717	Honda	HRS216K55	
3	1	Chainsaw 25" Stihl	3476	Stihl		

Exhibit "A"
Harlingen Housing Authority

4	1	Chainsaw 16" Echo	3477	Echo	CS352	
5	1	Hedge Trimmer Stihl	3478	Stihl	HS45	
6	1	Edge Trimmer Stihl	3470	Stihl	FC95	
7	1	Riding Lawnmower Snapper Pro	3446	Snapper	S200XT	
8	1	File Cabinet	4955	HON	SG20	
9	1	Sprayer Stihl		Stihl		
10		Laptop Lenovo	2117	Lenovo		
11	1	Keyboard	3630	Staples		
12	1	Keyboard	6785	Staples		
13	1	Keyboard				
14	1	Keyboard MS		MS		
15	2	Mouse				
16	2	Keyboard HP		HP		
17	2	Keyboard Logitech		Logitech		
18	1	Keyboards Kensington		Kensington		
19	2	Speakers Logitech		Logitech		
20	1	Scanner	3631			
21	1	Scanner	6948			
22	1	Powerbox APC	3633	APC		
23	1	Cyberpower-Powerox				
24	1	Wireless Headset				
25	1	Scanner	3645			
26	1	File Cabinet 2 Door - black	2238			
27	1	File Cabinet 2 Door	3369	HON		
28	1	File Cabinet 2 Door	3376	HON		
29	1	File Cabinet 2 Door	5008	HON		
30	1	File Cabinet 4 Door	5018	HON		
31	1	File Cabinet 4 Door AH	2268			
32	1	File Cabinet 4 Door	3215	Cole		
33	1	File Cabinet 4 Door		HON		
34	1	File Cabinet 2 Door		ODP		
35	1	File Cabinet 4 Door - black	2280			
36	1	Refrigerator, Frigidare - white	3031	Fridgidaire	FRT1764BW9	BA70828257
37	1	Refrigerator - white	6422	GE	GPE16DTHTCRWW	AH812634
38	1	Refrigerator, GE - white	6477	GE	GPE10DTHCRWW	MH816385
39	1	Refrigerator, GE - white	6592	GE	GPE17CTNBRWW	SM738398
40	1	Refrigerator, GE - white	6435	GE	GPE16DTHCRWW	AH784262
41	1	Refrigerator, GE - white	6776	GE	GPE17CTNERWW	DT830951
42	1	Refrigerator, GE - white	7177	GE	GPE16DTHCRWW	GL814264
43	1	Refrigerator, GE - white	2048	GE	GPE16DTHCRWW	MH764857
44	1	Refrigerator, GE - white	30112	GE	GPE17CTNERWW	P1839216
45	1	Refrigerator, GE - white	6389	GE	GPE16DTHCRWW	6L853748
46	1	Refrigerator, GE - white	30438	GE	GPE16DTHCRWW	TT835670
47	1	Refrigerator, GE - white	7310	GE	GPE16DTHCRWW	AH812619

Exhibit "A"
Harlingen Housing Authority

48	1	Refrigerator, GE - white	3785	GE	GPE16DTHCRWW	GL853753
49	1	Refrigerator, GE - white	6829	GE	GPE17CTNERWW	DV735591
50	1	Refrigerator, Kenmore	1423	Kenmore	253.6172201A	BA23605776
51	1	Refrigerator, Galaxy - white	1145	Galaxy	253.647024	BA45016131
52	1	Refrigerator, Hotpoint - white	2313	Hotpoint	HTR16BBEJRWW	SA768150
53	1	Refrigerator, Hotpoint - white	2985	Hotpoint	HTR16BBEJRWW	SA748218
54	1	Refrigerator, Hotpoint - white	5052	Hotpoint	HTR16BBEJRWW	SA761103
55	1	Refrigerator, Hotpoint - white	5048	Hotpoint	HPS15BTHCCLW	HF742385
56	1	Refrigerator, Hotpoint - white	3249	Hotpoint	HTR16BBEJRWW	VA798511
57	1	Refrigerator, Hotpoint - white	2956	Hotpoint	HTR16BBEJRWW	SA768177
58	1	Refrigerator, Hotpoint - white	2305	Hotpoint	HTR16BBEJRWW	SA761100
59	1	Refrigerator, Whirlpool - white	1434	Whirlpool	ET6WSKXQ00	VS42836206
60	1	Refrigerator, Estate - white	917	Estate	T6TXNWFQ01	VS00894948
61	1	File Cabinet 4 Door	7279	HON		
62	1	File Cabinet 4 Door	2282	HON		
63	1	File Cabinet 4 Door	7270	HON		
64	1	File Cabinet 4 Door	7280	HON		
65	1	File Cabinet 4 Door	1807	HON		
66	1	File Cabinet 4 Door	7282	HON		
67	1	File Cabinet 4 Door	7283	HON		
68	1	File Cabinet 4 Door	7284	HON		
69	1	File Cabinet 4 Door	7285	HON		
70	1	File Cabinet 2 Door	7281	HON		

Exhibit "A"

Valley International Airport

Dept.		Maintenance	By: Albert Cano		
Item	Qty	Description	City Tag No.	Model No.	Serial No.
1	1	Factory Rear Bumper		2022 Ford F250	
2	1	Factory Rear Bumper		2024 Ford F250	
3	4	Factory Wheels		Ford F250	
4	2	90" tool boxes trk		Northern Tool	
5	1	Power Probe tool boxes		Husky	
6	1	Box of assorted test equipment			

Heavy Equipment List				
#	Department	Year	Make/Model	VIN#
1	Maintenance	1995	Tennant 385 Sweeper	385-6863
2				
3				
4				
5				

**AGENDA ITEM
EXECUTIVE SUMMARY**

103

Meeting Date: **January 21st, 2026**

Agenda Item:

Consideration and possible action to authorize the City Manager to execute the Advance Funding Agreement (AFA) for the Harlingen Mobility Master Plan Project with the Texas Department of Transportation (TxDOT) and approve payment of the required Direct State Costs to TxDOT.

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

Signature: *Roberto Hernandez*

Brief Summary:

The Texas Department of Transportation (TxDOT) is partnering with the City of Harlingen on the Harlingen Mobility Master Plan, a \$450,000 planning grant project funded on an 80/20 match basis (City match \$90,000). TxDOT has determined the Direct State Costs for this project to be \$67,500. Execution of the Advance Funding Agreement (AFA) is required to establish project responsibilities and funding participation. See attached Draft AFA.

The Mobility Plan will serve as a comprehensive, multimodal framework guiding the future development of Harlingen's transportation system, including roadways, public transit, bicycle and pedestrian infrastructure, freight movement, and emerging transportation technologies.

The plan will address existing and future transportation challenges by improving safety, efficiency, connectivity, and access to key destinations such as neighborhoods, commercial areas, schools, healthcare facilities, the Valley International Airport, and the Port of Harlingen. The effort will align with regional transportation goals established by the Rio Grande Valley Metropolitan Planning Organization (RGVMPO) and incorporate robust public engagement to reflect community priorities.

Approval of this item authorizes the City Manager to execute the AFA with TxDOT and issue the required Direct State Costs, allowing the planning effort to proceed.

Funding (if applicable):

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

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

General Fund

Finance Director's approval:

☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval.

[Signature]

City Manager's approval:	<i>6/6</i>	☒ Yes	☐ No	☐ N/A
Comments:				
City Attorney's approval:		☐ Yes	☐ No	☐ N/A

RESOLUTION NO. 2026-__

RESOLUTION AUTHORIZING EXECUTION OF AN
ADVANCE FUNDING AGREEMENT (AFA) WITH THE
TEXAS DEPARTMENT OF TRANSPORTATION FOR HARLINGEN MOBILITY MASTER
PLAN CSJ:0921-06-396

WHEREAS, on August 22nd, 2024, via Minute Order 116752, the Texas Transportation Commission authorized the Harlingen Mobility Master Plan project (the "Project") to receive Category 7 funds to develop a comprehensive, multimodal transportation framework intended to improve safety, connectivity, and efficiency across all modes of travel, subject to oversight by the Texas Department of Transportation (TxDOT); and

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

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

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

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

PASSED AND APPROVED on the 21st day of January, 2026.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

TxDOT:				Federal Highway Administration:	
CCSJ #	0921-06-396	AFA ID	Z00012343	CFDA No.	20.205
AFA CSJs	0921-06-396			CFDA Title	Highway Planning and Construction
District #	21	Code Chart 64#	18200		
Project Name	Harlingen (HRL) Mobility Master Plan			AFA Not Used For Research & Development	

STATE OF TEXAS §

COUNTY OF TRAVIS §

**NON-CONSTRUCTION
ADVANCE FUNDING AGREEMENT
For A Surface Transportation Program
Metropolitan Mobility and Rehabilitation Project
Off-System**

THIS AGREEMENT (Agreement) is made by and between the State of Texas, acting by and through the **Texas Department of Transportation**, called the "State", and the **City of Harlingen**, acting by and through its duly authorized officials, called the "Local Government". The State and Local Government shall be collectively referred to as "the parties" hereinafter.

BACKGROUND

Federal law establishes federally funded programs for transportation improvements to implement its public purposes, including the **Metropolitan Mobility and Rehabilitation** program.

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

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

The Texas Transportation Commission passed Minute Order Number **116752**, which provides for development of and funding for the project identified in this agreement.

The Governing Body of the Local Government has approved entering into this agreement by resolution, ordinance, or commissioners court order dated **{Enter Date of Resolution}**, which is attached to and made a part of this Agreement as Attachment C, Resolution, Ordinance, or Commissioners Court Order (Attachment C).

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

AGREEMENT

1. Period of the Agreement

This Agreement becomes effective when signed by the last party whose signing makes the Agreement fully executed. This Agreement shall remain in effect until the close of ordinary business on **May 02, 2028**.

2. Scope of Work

TxDOT:				Federal Highway Administration:	
CCSJ #	0921-06-396	AFA ID	Z00012343	CFDA No.	20.205
AFA CSJs	0921-06-396			CFDA Title	Highway Planning and Construction
District #	21	Code Chart 64#	18200		
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The scope of work is the project (Project) as detailed in Attachment A, Scope of Work (Attachment A), which is attached to and made part of this agreement.

3. Project Sources and Uses of Funds

The total estimated cost of the Project is shown in Attachment B, Project Budget Estimate (Attachment B), which is attached to and made a part of this Agreement.

- A. If the Local Government will perform any work under this Agreement for which reimbursement will be provided by or through the State, the Local Government must complete training. If federal funds are being used, the training must be completed before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled "Local Government Project Procedures and Qualification for the Texas Department of Transportation" and retains qualification in accordance with applicable TxDOT procedures. Upon request, the Local Government shall provide the certificate of qualification to the State. The individual who receives the training certificate may be an employee of the Local Government or an employee of a firm that has been contracted by the Local Government to perform oversight of the Project. The State in its discretion may deny reimbursement if the Local Government has not continuously designated in writing a qualified individual to work actively on or to directly oversee the Project.
- B. The expected cash contributions from the federal government, the State, the Local Government, or other parties are shown in Attachment B. The State will pay for only those Project costs that have been approved by the Texas Transportation Commission. For projects with federal funds, the State and the federal government will not reimburse the Local Government for any work performed before the federal spending authority is formally obligated to the Project by the Federal Highway Administration (FHWA). After federal funds have been obligated, the State will send to the Local Government a copy of the formal documentation showing the obligation of funds including federal award information. The Local Government is responsible for 100% of the cost of any work performed under its direction or control before the federal spending authority is formally obligated.
- C. The State will be responsible for securing the federal and State share of the funding required for the Project. If the Local Government is due funds for expenses incurred, these funds will be reimbursed to the Local Government on a cost basis.
- D. The Local Government will be responsible for all non-federal and non-State participation costs associated with the Project. If the State determines that additional funding by the Local Government is required at any time during the Project, the State will notify the Local Government in writing. The Local Government shall make payment to the State within thirty (30) days from receipt of the State's written notification.
- E. The budget in Attachment B will clearly state all items subject to fixed price funding, specified percentage funding and the periodic payment schedule, when periodic payments have been approved by the State.

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- F. If the Local Government is an Economically Disadvantaged County (EDC) and if the State has approved adjustments to the standard financing arrangement, Attachment B reflects those adjustments.
- G. Whenever funds are paid by the Local Government to the State under this Agreement, the Local Government shall remit a check or warrant made payable to the "Texas Department of Transportation" or may use the State's Automated Clearing House (ACH) system for electronic transfer of funds in accordance with instructions provided by TxDOT's Finance Division. The funds shall be deposited and managed by the State and may only be applied by the State to the Project.
- H. The State will not pay interest on any funds provided by the Local Government.
- I. The Local Government is authorized to submit requests for reimbursement by submitting the original of an itemized invoice, in a form and containing all items required by the State, no more frequently than monthly and no later than ninety (90) days after costs are incurred. If the Local Government submits invoices more than ninety (90) days after the costs are incurred and if federal funding is reduced as a result, the State shall have no responsibility to reimburse the Local Government for those costs.
- J. Upon completion of the Project, the State will perform a final accounting of the Project costs for all items of work with specified percentage funding. Any funds due by the Local Government, the State, or the federal government for these work items will be promptly paid by the owing party.
- K. The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under this Agreement or indirectly through a subcontract under this Agreement. Acceptance of funds directly under this Agreement or indirectly through a subcontract under this Agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.
- L. Payment under this Agreement beyond the end of the current fiscal biennium is subject to availability of appropriated funds. If funds are not appropriated, this Agreement shall be terminated immediately with no liability to either party.

4. Termination of This Agreement

This Agreement may be terminated:

- A. By written mutual consent of the parties;
- B. By one party because of a material breach by the other party, in which case any costs incurred because of the breach shall be paid by the breaching party;
- C. By the State if the Local Government elects not to provide its share of funding, in which case the Local Government shall pay for the State's reasonable actual costs during the Project;
- D. By the State because the parties are not able to execute a mutually agreeable amendment when the costs for Local Government requested items increase significantly due to differing site conditions, determination that Local government requested work is ineligible for federal or state cost participation, or more thorough definition of the Local Government's proposed work scope identifies

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greatly differing costs from those estimated. The State will reimburse Local Government remaining funds to the Local Government within ninety (90) days of termination; or

- E. If the Project is inactive for thirty-six (36) consecutive months or longer and no expenditures have been charged against federal funds, in which case the State may in its discretion terminate this Agreement.

5. Amendments

Amendments to this Agreement shall be in writing and shall be executed by both of the parties.

6. Remedies

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

7. Notices

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

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

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

8. Legal Construction

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

9. Responsibilities of the Parties

The State and the Local Government agree that neither party is an agent, servant, or employee of the other party, and each party agrees it is responsible for its individual acts and deeds as well as the acts and deeds of its employees, representatives, and agents.

10. Ownership of Documents

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

11. Compliance with Laws

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

12. Sole Agreement

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

13. Cost Principles

In order to be reimbursed with federal funds, the parties shall comply with the cost principles established in 2 CFR 200 that specify that all reimbursed costs are allowable, reasonable, and allocable to the Project.

14. Procurement and Property Management Standards

The parties to this Agreement shall adhere to the procurement and property management standards established in 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and to the Texas Uniform Grant Management Standards. When required by state or federal statute or regulation, the State must pre-approve the Local Government's procurement procedures for purchases to be eligible for reimbursement with state or federal funds.

15. Inspection of Books and Records

The parties to this Agreement shall maintain all books, documents, papers, accounting records, and other documentation relating to costs incurred under this Agreement and shall make such materials available to the State, the Local Government, and, if federally funded, the FHWA and the U.S. Office of the Inspector General or their duly authorized representatives for review and inspection at its office during the Agreement period and for seven (7) years from the date of final reimbursement by FHWA under this Agreement or until any impending litigation or claims are resolved. Additionally, the State, the Local Government, and the FHWA and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this Agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

16. Civil Rights Compliance

The parties to this Agreement are responsible for the following:

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- A. Compliance with Regulations: Both parties will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (USDOT), the Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made part of this Agreement.
- B. Nondiscrimination: The Local Government, with regard to the work performed by it during the Agreement, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Local Government will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the Agreement covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
- C. Solicitations for Subcontracts, Including Procurement of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the Local Government for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier will be notified by the Local Government of the Local Government's obligations under this Agreement and the Acts and Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
- D. Information and Reports: The Local Government will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and facilities as may be determined by the State or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations or directives. Where any information required of the Local Government is in the exclusive possession of another who fails or refuses to furnish this information, the Local Government will so certify to the State or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.
- E. Sanctions for Noncompliance: In the event of the Local Government's noncompliance with the Nondiscrimination provisions of this Agreement, the State will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
1. withholding of payments to the Local Government under the Agreement until the Local Government complies and/or
 2. cancelling, terminating, or suspending of the Agreement, in whole or in part.
- F. Incorporation of Provisions: The Local Government will include the provisions of paragraphs (A) through (F) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Local Government will take such action with respect to any subcontract or procurement as the State or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Local Government becomes involved in, or is threatened with, litigation with a subcontractor or supplier because of such direction, the Local Government may request the State to enter into such litigation to protect the interests of the State. In addition, the Local Government

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may request the United States to enter into such litigation to protect the interests of the United States.

17. **Pertinent Non-Discrimination Authorities**

During the performance of this Agreement, each party, for itself, its assignees, and successors in interest agree to comply with the following nondiscrimination statutes and authorities; including but not limited to:

- A. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- B. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of federal or federal-aid programs and projects).
- C. Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), as amended, (prohibits discrimination on the basis of sex).
- D. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.) as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27.
- E. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age).
- F. Airport and Airway Improvement Act of 1982, (49 U.S.C. Chapter 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex).
- G. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the federal-aid recipients, subrecipients and contractors, whether such programs or activities are federally funded or not).
- H. Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. parts 37 and 38.
- I. The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).
- J. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.
- K. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, the parties must take reasonable steps to ensure that

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LEP persons have meaningful access to the programs (70 Fed. Reg. at 74087 to 74100).

- L. Title IX of the Education Amendments of 1972, as amended, which prohibits the parties from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

18. Disadvantaged Business Enterprise (DBE) Program Requirements

If federal funds are used:

- A. The parties shall comply with the Disadvantaged Business Enterprise Program requirements established in 49 CFR Part 26.
- B. The Local Government shall adopt, in its totality, the State's federally approved DBE program.
- C. The Local Government shall incorporate into its contracts with subproviders an appropriate DBE goal consistent with the State's DBE guidelines and in consideration of the local market, project size, and nature of the goods or services to be acquired. The Local Government shall submit its proposed scope of services and quantity estimates to the State to allow the State to establish a DBE goal for each Local Government contract with a subprovider. The Local Government shall be responsible for documenting its actions.
- D. The Local Government shall follow all other parts of the State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business Enterprise by Entity, and attachments found at web address http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf.
- E. The Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any U.S. Department of Transportation (DOT)-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. The Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. The State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this Agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to the Local Government of its failure to carry out its approved program, the State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 U.S.C. 1001 and the Program Fraud Civil Remedies Act of 1986 (31 U.S.C. 3801 et seq.).
- F. Each contract the Local Government signs with a contractor (and each subcontract the prime contractor signs with a sub-contractor) must include the following assurance: *The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this*

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Agreement, which may result in the termination of this Agreement or such other remedy as the recipient deems appropriate.

19. **Debarment Certifications**

If federal funds are used, the parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this Agreement, the Local Government certifies that it and its principals are not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549 and further certifies that it will not do business with any party, to include principals, that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this Agreement shall require any party to a subcontract or purchase order awarded under this Agreement to certify its eligibility to receive federal funds and, when requested by the State, to furnish a copy of the certification.

If state funds are used, the parties are prohibited from making any award to any party that is debarred under the Texas Administrative Code, Title 34, Part 1, Chapter 20, Subchapter G, Rule §20.585 and the Texas Administrative Code, Title 43, Part 1, Chapter 9, Subchapter G.

20. **Lobbying Certification**

If federal funds are used, in executing this Agreement, each signatory certifies to the best of that signatory's knowledge and belief, that:

- A. No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.
- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for the Local Government shall complete and submit the Federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The parties shall require that the language of this certification shall be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite for making or entering into this transaction imposed by Title 31 U.S.C. §1352. Any person who fails to file the required certification

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shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

21. Federal Funding Accountability and Transparency Act Requirements

If federal funds are used, the following requirements apply:

- A. Any recipient of funds under this Agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part 170, including Appendix A. This Agreement is subject to the following award terms: <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>.
- B. The Local Government agrees that it shall:
 1. Obtain and provide to the State a System for Award Management (SAM) number (Federal Acquisition Regulation, Part 4, Sub-part 4.11) if this award provides more than \$25,000 in federal funding. The SAM number may be obtained by visiting the SAM website whose address is: <https://www.sam.gov/portal/public/SAM/>
 2. Obtain and provide to the State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows federal government to track the distribution of federal money. The DUNS may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet (D&B) on-line registration website <http://fedgov.dnb.com/webform;> and
 3. Report the total compensation and names of its top five executives to the State if:
 - i. More than 80% of annual gross revenues are from the federal government, and those revenues are greater than \$25,000,000; and
 - ii. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

22. Single Audit Report

If federal funds are used:

- A. The parties shall comply with the single audit report requirements stipulated in 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
- B. If threshold expenditures of \$750,000 or more are met during the fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Compliance Division, 125 East 11th Street, Austin, TX 78701 or contact TxDOT's Compliance Division by email at singleaudits@txdot.gov.
- C. If expenditures are less than the threshold during the Local Government's fiscal year, the Local Government must submit a statement to TxDOT's Compliance Division as follows: "We did not meet the \$_____ expenditure threshold and therefore, are not required to have a single audit performed for FY _____."
- D. For each year the Project remains open for federal funding expenditures, the Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the

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Agreement, unless otherwise amended or the Project has been formally closed out and no charges have been incurred within the current fiscal year.

23. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this Agreement on behalf of the entity represented.

Each party is signing this Agreement on the date stated under that party's signature.

THE STATE OF TEXAS

THE LOCAL GOVERNMENT

Signature

Signature

Typed or Printed Name

Typed or Printed Name

Typed or Printed Title

Typed or Printed Title

Date

Date

DRAFT

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ATTACHMENT A SCOPE OF WORK

1. **Project Kickoff & Data Collection-** Initiate project with kickoff meeting, confirm schedule, and collect data on traffic, right-of-way, drainage, utilities, and multimodal conditions.
 - **3 - months**
2. **Environmental clearance – receive txdot approval (categorical exclusion for the planning)**
 - **3 months**
3. **Concept Development & Public Engagement** – Develop conceptual alternatives and present them for review with stakeholders and the community to guide refinement toward a preferred alternative.
 - **2 months**
4. **Preliminary Design Submittals (30% / 60% / 90%)** – Advance design through phased submittals including drawings, typical sections, cost estimates, and technical studies, with review and feedback at each stage.
 - **10 months (6/8/10 month deliverable)**
5. **Final Design & Planning Report** – Deliver the final submittal package, incorporating City, TxDOT, and stakeholder comments; include construction cost estimates, funding strategies, and implementation recommendations.
 - **1 months**
6. **Close Out**
 - **1 months**

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ATTACHMENT B PROJECT BUDGET ESTIMATE

Costs will be allocated based on 80% Federal funding and 20% Local Government funding until the federal funding reaches the maximum obligated amount. The Local Government will then be responsible for 100% of cost overruns.

Description	Total Estimated Cost	Federal Participation		State Participation		Local Participation	
		%	Cost	%	Cost	%	Cost
Harlingen (HRL) Mobility Master Plan							
Preliminary Engineering, Cat. 7 (by Local Government)	\$450,000	80%	\$360,000	0%	\$0	20%	\$90,000
Subtotal	\$450,000		\$360,000		\$0		\$90,000
Direct State Costs	\$67,500	0%	\$0	0%	\$0	100%	\$67,500
Subtotal	\$67,500		\$0		\$0		\$67,500
Indirect State Costs (5.51%)	\$24,795	0%	\$0	100%	\$24,795	0%	\$0
TOTAL	\$542,295		\$360,000		\$24,795		\$157,500

Estimated total payment by the Local Government to the State: \$67,500.

This is an estimate. The final amount of Local Government participation will be based on actual costs.

TxDOT:				Federal Highway Administration:	
CCSJ #	0921-06-396	AFA ID	Z00012343	CFDA No.	20.205
AFA CSJs	0921-06-396			CFDA Title	Highway Planning and Construction
District #	21	Code Chart 64#	18200		
Project Name	Harlingen (HRL) Mobility Master Plan			<i>AFA Not Used For Research & Development</i>	

ATTACHMENT C
RESOLUTION, ORDINANCE, OR COMMISSIONERS COURT ORDER

DRAFT

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(K)

Meeting Date: **January 21st, 2026**

Agenda Item:

Consideration and possible action to authorize the City Manager to execute the Advance Funding Agreement (AFA) for the Harlingen Smart Corridors Project with the Texas Department of Transportation (TxDOT) and approve payment of the required Direct State Costs to TxDOT.

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

Signature: *Roberto Hernandez*

Brief Summary:

The Texas Department of Transportation (TxDOT) is partnering with the City of Harlingen on the Harlingen Smart Corridors Project, a \$1,136,000 construction project designed in-house by the City's Engineering Department. Funding is provided on an 80/20 match (City match \$227,200). TxDOT has determined the Direct State Costs for this project to be \$30,796. Execution of the Advance Funding Agreement (AFA) is required to define project responsibilities and authorize payment of Direct State Costs, allowing the project to proceed. Please see the attached draft AFA.

The project will improve 16 traffic signal intersections and associated hardware and deploy AI-based detection technology to support real-time traffic monitoring and adaptive signal control. Improvements will occur along key corridors including South Sunshine Strip, South Ed Carey Drive, Business 77, Harrison Avenue, Tyler Avenue, as well as Dixieland Road and Morgan Boulevard. These upgrades align with Transportation Systems Management and Operations (TSMO) strategies and are expected to improve safety, traffic flow, and air quality.

Approval of this item authorizes the City Manager to execute the AFA with TxDOT and allow the project to proceed.

Funding (if applicable):

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

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

General Fund

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

Staff Recommendation:

Staff recommends approval.

City Manager's approval:

RM

☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:

☒

Yes

☐

No

☐

N/A

RESOLUTION NO. 2026-__

RESOLUTION AUTHORIZING EXECUTION OF AN
ADVANCE FUNDING AGREEMENT (AFA) WITH THE
TEXAS DEPARTMENT OF TRANSPORTATION FOR HARLINGEN SMART CORRIDORS
CSJ:0921-06-401

WHEREAS, on August 22nd, 2024, via Minute Order 116752, the Texas Transportation Commission authorized the Harlingen Smart Corridors project (the "Project") to receive Construction Category 7 funds for traffic signal improvements and traffic signal timing optimization and Texas Department of Transportation (TxDOT) oversight; and

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

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

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

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

PASSED AND APPROVED on the 21st day of January, 2026.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

Project Location

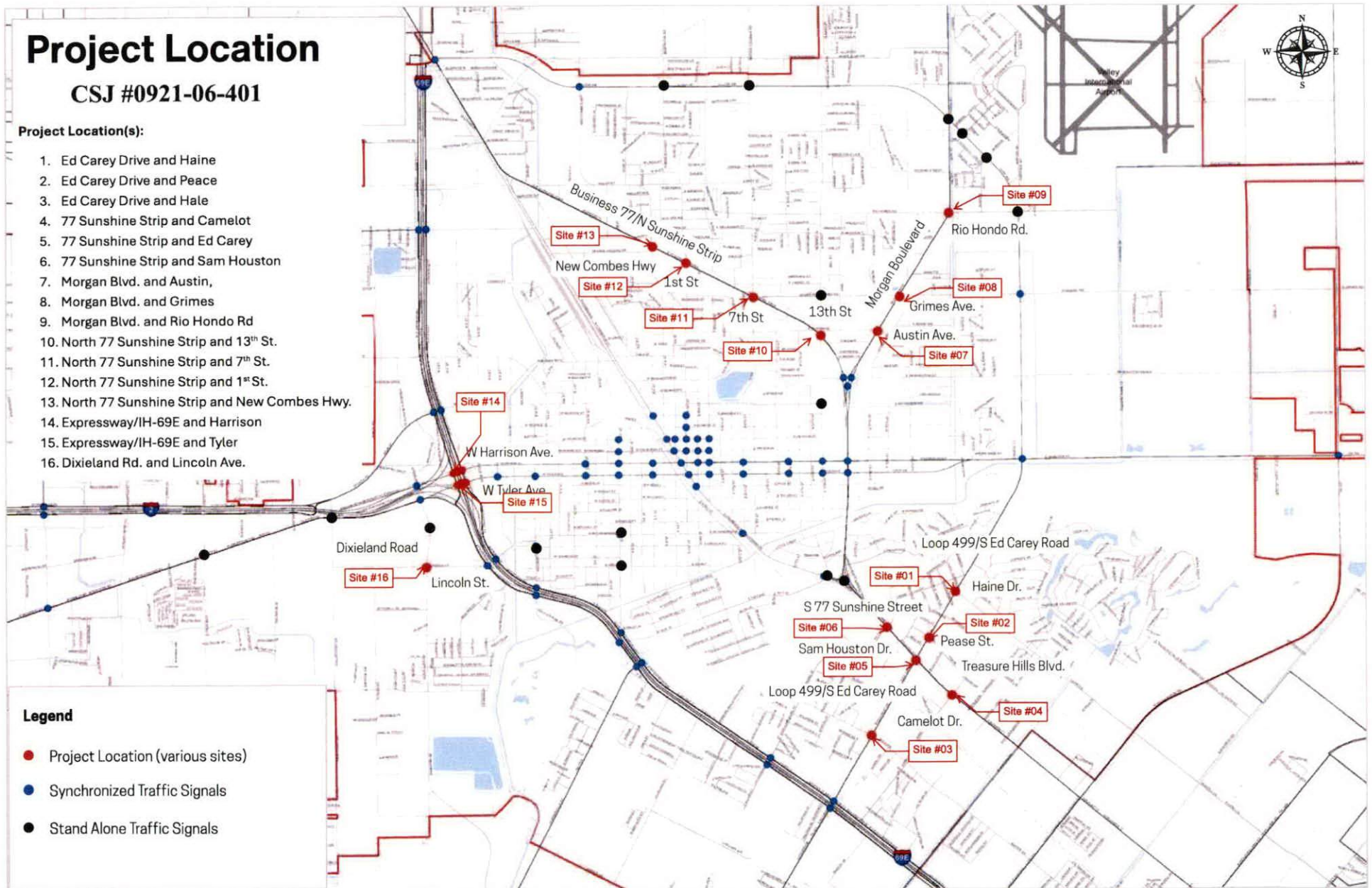
CSJ #0921-06-401

Project Location(s):

1. Ed Carey Drive and Haine
2. Ed Carey Drive and Peace
3. Ed Carey Drive and Hale
4. 77 Sunshine Strip and Camelot
5. 77 Sunshine Strip and Ed Carey
6. 77 Sunshine Strip and Sam Houston
7. Morgan Blvd. and Austin,
8. Morgan Blvd. and Grimes
9. Morgan Blvd. and Rio Hondo Rd
10. North 77 Sunshine Strip and 13th St.
11. North 77 Sunshine Strip and 7th St.
12. North 77 Sunshine Strip and 1st St.
13. North 77 Sunshine Strip and New Combes Hwy.
14. Expressway/IH-69E and Harrison
15. Expressway/IH-69E and Tyler
16. Dixieland Rd. and Lincoln Ave.

Legend

- Project Location (various sites)
- Synchronized Traffic Signals
- Stand Alone Traffic Signals



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AFA CSJs	0921-06-394			CFDA Title	Highway Planning and Construction
District #	21	Code Chart 64#	18200		
Project Name	Harlingen North-South Corridor Link			<i>AFA Not Used For Research & Development</i>	

STATE OF TEXAS §

COUNTY OF TRAVIS §

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

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

WITNESSETH

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

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

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

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

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

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

WHEREAS, the Local Government prepared and submitted to the State or Metropolitan Planning Organization (MPO) a project nomination package for TASA funding consideration, which is briefly described as Harlingen North-South Corridor Link (Project), and

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Project Name	Harlingen North-South Corridor Link			AFA Not Used For Research & Development	

WHEREAS, the Texas Transportation Commission (Commission) passed Minute Order Number 116997 (MO) dated August 21, 2025 awarding funding for TASA projects in the TASA Program Call of the Rio Grande Valley MPO, including Project, and

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

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

AGREEMENT

1. Period of Agreement and Performance

- A. This Agreement becomes effective when signed by the last party whose signing makes the Agreement fully executed. This Agreement shall remain in effect until the close of ordinary business on **May 02, 2030**.

2. Scope of Work and Use of Project

- A. The scope of work is the project (Project) as detailed in Attachment A, Scope of Work (Attachment A).
- B. Any project changes proposed must be submitted in writing by Local Government to State. Substantive changes may also require an amendment to this Agreement and the approval of the FHWA, State, MPO, or the Commission. Any changes undertaken without written approval and amendment of this Agreement may jeopardize not only the federal funding for the changes, but the federal funding of the entire Project.

3. Project Sources and Uses of Funds

The total estimated cost of the Project is shown in Attachment B, Project Estimate and Source of Funds (Attachment B), which is attached to and made a part of this Agreement.

- A. If Local Government will perform any work under this Agreement for which reimbursement will be provided by or through the State, the Local Government must complete training. If federal funds are being used, the training must be completed before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled "Local Government Project Procedures and Qualification for the Texas Department of Transportation" and retains qualification in accordance with applicable TxDOT procedures. Upon request, Local Government shall provide the certificate of qualification to State. The individual who receives the training certificate may be an employee of Local Government or an employee of a firm that has been contracted by Local Government to perform oversight of the Project. State in its discretion may deny reimbursement if Local Government has not continuously designated in writing a qualified individual to work actively on or to directly oversee the Project.

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- B. The expected cash contributions from the federal government, the State, the Local Government, or other parties are shown in Attachment B. The State will pay for only those Project costs that have been approved by the Texas Transportation Commission. For projects with federal funds, the State and the federal government will not reimburse the Local Government for any work performed before the federal spending authority is formally obligated to the Project by the Federal Highway Administration (FHWA).
- C. State and the Federal Government will not reimburse Local Government for any work performed outside the Performance Period. After federal funds have been obligated, State will send to Local Government a copy of the formal documentation showing the obligation of funds including federal award information. Local Government is responsible for 100 percent of the cost of any work performed under its direction or control before the federal spending authority is formally obligated.
- D. The Project budget and source of funds estimate based on the budget provided in the application is included in Attachment B. Attachment B shows the percentage and estimated dollar amounts to be contributed to Project by state and local sources, as well as the maximum amount in federal TASA funds assigned by the Commission or MPO in consultation with State. This Agreement may be amended from time to time as required to meet the funding commitments based on revisions to the TASA, FPAA, or other federal documents.
- E. State will be responsible for securing the federal share of funding required for the development of the Project, in an amount not to exceed 80 percent of the actual cost of the work up to the amount of funds approved for Project by the Texas Transportation Commission or MPO in consultation with State. Federal funds will be reimbursed on a cost basis. Project costs incurred prior to issuance of the SLOA are not eligible for reimbursement.
- F. The Local Government will be responsible for all non-federal or non-State participation costs associated with the Project, unless otherwise provided for in this Agreement or approved otherwise in an amendment to this Agreement. For items of work subject to specified percentage funding, the Local Government shall only in those instances be responsible for all Project costs that are greater than the maximum State and federal participation specified in Attachment B and for overruns in excess of the amount specified in Attachment B to be paid by the Local Government. If the Project was State-selected, the State may apply a portion of any excess program funds to cover all or a portion of any overrun based on criteria provided by 43 Tex. Admin. Code §11.411(d).
- G. The budget in Attachment B will clearly state all items subject to fixed price funding, specified percentage funding, and the periodic payment schedule, when periodic payments have been approved by the State.
- H. When fixed price funding is used, the Local Government is responsible for the fixed price amount specified in Attachment B. Fixed prices are not subject to adjustment unless (1) further definition of the Local Government's requested scope of work identifies greatly differing costs from those estimated; (2) work requested by the Local Government is determined to be ineligible for federal participation; or (3) the adjustment is mutually agreed to by the State and the Local Government.
- I. Within 90 days following execution of this Agreement, the Local Government shall remit its local match as specified in Attachment B for State's estimated oversight and development cost.
- J. In the event State determines that additional funding is required by Local Government at any time during Project, State will notify Local Government in writing. Local

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Government is responsible for the percentage of the authorized Project cost shown in Attachment B and 100 percent of any overruns above the federally authorized amount. Local Government will make payment to State within 30 days from receipt of State's written notification.

- K. Whenever funds are paid by Local Government to State under this Agreement, Local Government will remit a warrant made payable to the "Texas Department of Transportation". The warrant will be deposited by State and managed by State. Funds may only be applied by State to Project.
- L. Upon completion of Project, State will perform a final accounting of Project costs. Any funds due to Local Government, State, or the Federal Government will be promptly paid by the owing party.
- M. In the event Project is not completed, State may seek reimbursement from Local Government of the expended federal funds. Local Government will remit the required funds to State within 60 days from receipt of State's notification.
- N. The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under the Agreement or indirectly through a contract or subcontract under the Agreement. Acceptance of funds directly under the Agreement or indirectly through a contract or subcontract under this Agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.
- O. State will not pay interest on any funds provided by Local Government.
- P. State will not execute the contract for development of Project until the required funding has been made available by Local Government in accordance with this Agreement.
- Q. Local Government is authorized to submit requests for reimbursement by submitting the original of an itemized invoice in a form and containing all items required by State no more frequently than monthly, and no later than 90 days after costs are incurred. If Local Government submits invoices more than 90 days after the costs are incurred, and if federal funding is reduced as a result, State shall have no responsibility to reimburse Local Government for those costs.
- R. If Local Government is an Economically Disadvantaged County (EDC) or the State or MPO selected project meets the State's or MPO's criteria to receive Transportation Development Credits in lieu of providing a cash local match, and the State has approved adjustments to the standard financing arrangement, this agreement reflects those adjustments.

4. Termination of the Agreement

- A. This Agreement may be terminated by any of the following conditions:
 - 1. By mutual written consent and agreement of all parties;
 - 2. By any party with 90 days written notice; or
 - 3. By either party, upon the failure of the other party to fulfill the obligations as set forth in this Agreement. Any cost incurred due to such breach of contract shall be paid by the breaching party.
- B. If the potential termination of this Agreement is due to the failure of Local Government to fulfill its contractual obligations, State will notify Local Government that possible breach of contract has occurred. Local Government should make every effort to remedy the breach within a period mutually agreed upon by both parties.

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- C. The Agreement may be terminated by the State because the parties are not able to execute a mutually agreeable amendment when the costs for Local Government requested items increase significantly, determination that Local government requested work is ineligible for federal or state cost participation, or a more thorough definition of the Local Government's proposed work scope identifies greatly differing costs from those estimated. The State will reimburse Local Government remaining funds to the Local Government within ninety (90) days of termination;
- D. If Local Government withdraws from Project after this Agreement is executed, Local Government shall be responsible for all direct and indirect Project costs as identified by the State's cost accounting system and with 2 CFR Part 200 recapture requirements.
- E. A project may be eliminated from the TASA program as outlined below. If Project is eliminated for any of these reasons, this Agreement will be appropriately terminated. A project may be eliminated from the program, and this Agreement terminated, if:
 - 1. Local Government fails to satisfy any requirements of the program rules cited in 43 Texas Administrative Code, Part 1, Chapter 11, Subchapter G, §§11.400 – 11.418.
 - 2. The implementation of Project would involve significant deviation from the activities proposed in the nomination form and approved by the Texas Transportation Commission or MPO in consultation with State.
 - 3. Local Government withdraws from participation in Project.
 - 4. State determines that federal funding may be lost due to Project not being implemented and completed.
 - 5. Funds are not appropriated, in which case this Agreement shall be terminated immediately with no liability to either party. Payment under this Agreement beyond the current fiscal biennium is subject to availability of appropriated funds.
 - 6. A professional services contract has not been awarded or development has not been initiated within three years after the date that the Commission or MPO selected the project or by a date determined by the state and agreed to by the Local Government.
 - 7. Local Government fails to attend progress meetings at least twice yearly, as scheduled by State.
- F. State, at its sole discretion, may terminate this Agreement if State does not receive project invoice from Local Government within 270 days of FPAA.

5. Amendments

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

6. Remedies

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

7. Professional Services

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- A. Professional services for planning and preliminary engineering will be provided by the **Local Government**. In procuring professional services, the parties to this Agreement must comply with federal requirements cited in 23 CFR Part 172 if Project is federally funded and Local Government will be seeking reimbursement for these and with Texas Government Code Subchapter 2254.A., in all cases. Professional services contracts for federally funded projects must conform to federal requirements.
- B. The architectural contract documents shall be developed in accordance with the standards of the American Institute of Architects, the U.S. Secretary of the Interior's Standards for Historic Preservation Projects, Standards and Guidelines for Archeology and Historic Preservation, the National Register Bulletin Number 36: Guidelines for Evaluating and Registering Historical Archeological Sites and in consultation with the State Historic Preservation Officer, as applicable. The engineering plans shall be developed in accordance with State's applicable Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges and the two American Association of State Highway and Transportation Officials' ("AASHTO") publications, "A Policy on Geometric Design of Highways and Streets" and "Guide for the Development of Bicycle Facilities," as applicable. All design criteria for bicycle and pedestrian bridges must comply with TxDOT's Bridge Design Manual and AASHTO's Load and Resistance Factor Design (LRFD) Guide Specifications for the Design of Pedestrian Bridges (latest edition) as applicable. All contract procurement procedures and documents must adhere to the applicable requirements established in the Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges. The use of other systems of specifications shall be approved by State in writing in advance.
- C. When architectural and engineering services are provided by or through Local Government, Local Government shall submit any plans it has completed to State for review and approval on an agreed upon schedule. Local Government may also submit the plans to State for review any time prior to completion. Local Government shall make the necessary revisions determined by State. Local Government will not let the construction contract until all required plans have received State approval.
- D. When architectural and engineering services are provided by or through State, then the State is responsible for the delivery and performance of any required architectural or preliminary engineering work. Local Government may review and comment on the work, including any proposed changes to the scope of work, as required to accomplish Project purposes. State will cooperate with Local Government in accomplishing these Project purposes to the degree permitted by state and federal law.

8. **Implementation responsibility**

Upon completion of Project, Local Government will be responsible for adopting and implementation of completed planning documents.

9. **Notices, Invoices, Payments, and Project Inquiries**

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

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

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

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

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

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

County: Cameron
Local Government: City of Harlingen
CSJ No.: 0921-06-394
Project Name: Harlingen North-South Corridor Link

10. Legal Construction

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

11. Responsibilities of the Parties

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

12. Ownership of Documents

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

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13. Compliance with Laws

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

14. Sole Agreement

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

15. Cost Principles

In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in 2 CFR Part 200 that specify that all reimbursed costs are allowable, reasonable, and allocable to Project.

16. Procurement and Property Management Standards

The parties to this Agreement shall adhere to the procurement and property management standards established in 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and to the Texas Uniform Grant Management Standards. The State must pre-approve the Local Government's procurement procedures for purchases to be eligible for state or federal funds.

17. Inspection of Books and Records

The parties to this Agreement shall maintain all books, documents, papers, accounting records, and other documentation relating to costs incurred under this Agreement and shall make such materials available to the State, the Local Government, and, if federally funded, the FHWA and the U.S. Office of the Inspector General or their duly authorized representatives for review and inspection at its office during the Agreement period and for seven (7) years from the date of final reimbursement by FHWA under this Agreement or until any impending litigation or claims are resolved. Additionally, the State, the Local Government, and the FHWA and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this Agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

18. Civil Rights Compliance

The parties to this Agreement are responsible for the following:

- A. Compliance with Regulations: Both parties will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (USDOT), the Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made part of this Agreement.
- B. Nondiscrimination: The Local Government, with regard to the work performed by it during the Agreement, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Local Government will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including

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employment practices when the Agreement covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

- C. **Solicitations for Subcontracts, Including Procurement of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the Local Government for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier will be notified by the Local Government of the Local Government's obligations under this Agreement and the Acts and Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
- D. **Information and Reports:** The Local Government will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and facilities as may be determined by the State or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations or directives. Where any information required of the Local Government is in the exclusive possession of another who fails or refuses to furnish this information, the Local Government will so certify to the State or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.
- E. **Sanctions for Noncompliance:** In the event of the Local Government's noncompliance with the Nondiscrimination provisions of this Agreement, the State will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
1. withholding of payments to the Local Government under the Agreement until the Local Government complies and/or
 2. cancelling, terminating, or suspending of the Agreement, in whole or in part.
- F. **Incorporation of Provisions:** The Local Government will include the provisions of paragraphs (A) through (F) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Local Government will take such action with respect to any subcontract or procurement as the State or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Local Government becomes involved in, or is threatened with, litigation with a subcontractor or supplier because of such direction, the Local Government may request the State to enter into such litigation to protect the interests of the State. In addition, the Local Government may request the United States to enter into such litigation to protect the interests of the United States.

19. Pertinent Non-Discrimination Authorities

During the performance of this Agreement, each party, for itself, its assignees, and successors in interest agree to comply with the following nondiscrimination statutes and authorities; including but not limited to:

- A. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- B. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of federal or federal-aid programs and projects).

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- C. Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), as amended, (prohibits discrimination on the basis of sex).
- D. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.) as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27.
- E. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age).
- F. Airport and Airway Improvement Act of 1982, (49 U.S.C. Chapter 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex).
- G. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the federal-aid recipients, subrecipients and contractors, whether such programs or activities are federally funded or not).
- H. Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. Parts 37 and 38.
- I. The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).
- J. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.
- K. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, the parties must take reasonable steps to ensure that LEP persons have meaningful access to the programs (70 Fed. Reg. at 74087 to 74100).
- L. Title IX of the Education Amendments of 1972, as amended, which prohibits the parties from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

20. Disadvantaged Business Enterprise Program Requirements

- A. The parties shall comply with the Disadvantaged Business Enterprise ("DBE") Program requirements established in 49 CFR Part 26.
- B. Local Government shall adopt, in its totality, State's federally approved DBE program.
- C. Local Government shall set an appropriate DBE goal consistent with State's DBE guidelines and in consideration of Local market, project size, and nature of the goods or services to be acquired. Local Government shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.
- D. Local Government shall follow all other parts of State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business

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Enterprise by Entity, and attachments found at web address:

http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf.

- E. Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this Agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to Local Government of its failure to carry out its approved program, State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC § 3801 et seq.).
- F. Each contract Local Government signs with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance: "The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate."

21. Debarment Certifications

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this Agreement, Local Government certifies that it and its principals are not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, and further certifies that it will not do business with any party, to include principals, that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this Agreement shall require any party to a contract, subcontract, or purchase order awarded under this Agreement to certify its eligibility to receive federal funds and, when requested by State, to furnish a copy of the certification.

If state funds are used, the parties are prohibited from making any award to any party that is debarred under the Texas Administrative Code, Title 34, Part 1, Chapter 20, Subchapter G, Rule §20.585 and the Texas Administrative Code, Title 43, Part 1, Chapter 9, Subchapter G.

22. Lobbying Certification

In executing this Agreement, each signatory certifies to the best of that signatory's knowledge and belief, that:

- A. No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an

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employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for Local Government shall complete and submit the federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The parties shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite imposed by 31 USC §1352 for making or entering into this transaction. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

23. Federal Funding Accountability and Transparency Act Requirements

- A. Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms: <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>.
- B. Local Government agrees that it shall:
 1. Obtain and provide to State a System for Award Management (SAM) number (Federal Acquisition Regulation (FAR) Subpart 4.11) if this award provides more than \$25,000 in Federal funding. The SAM number may be obtained by visiting the SAM website whose address is: <https://sam.gov/SAM/pages/public/index.jsf>
 2. Obtain and provide to State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows the federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet on-line registration website <http://fedgov.dnb.com/webform>; and
 3. Report the total compensation and names of its top five executives to State if:
 - a. More than 80 percent of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
 - b. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

24. Single Audit Report

- A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in 2 CFR Part 200.

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- B. If threshold expenditures of \$750,000 or more are met during the fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Compliance Division, 125 East 11th Street, Austin, TX 78701 or contact TxDOT's Compliance Division at singleaudits@txdot.gov.
- C. If expenditures are less than the threshold during Local Government's fiscal year, Local Government must submit a statement to TxDOT's Compliance Division as follows: *We did not meet the \$_____ expenditure threshold and therefore, are not required to have a single audit performed for FY _____.*
- D. For each year Project remains open for federal funding expenditures, Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or Project has been formally closed out and no charges have been incurred within the current fiscal year.

25. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

Each party is signing this agreement on the date stated under that party's signature.

THE STATE OF TEXAS	THE LOCAL GOVERNMENT
_____	_____
Signature	Signature
_____	_____
Typed or Printed Name	Typed or Printed Name
_____	_____
Typed or Printed Title	Typed or Printed Title
_____	_____
Date	Date

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ATTACHMENT A SCOPE OF WORK

1. Purpose

The purpose of this project is to develop a detailed planning and design document that identifies, evaluates, and advances four priority trail corridors identified in the Harlingen Trails Master Plan into construction-ready status. This effort will enhance multimodal connectivity, improve safety and accessibility for pedestrians and bicyclists, and provide a unified 5.5-mile active transportation corridor that links major neighborhoods, parks, schools, commercial centers, and the Arroyo Colorado Hike and Bike Trail.

The final deliverables will include a comprehensive planning document and a complete set of professional engineer-sealed (PE) plans for all recommended improvements.

2. Project Area

The project area covers four high-priority trail corridors totaling approximately 5.5 miles within the City of Harlingen:

- Dixieland Road Trail (0.9 miles) – Lincoln Rd to Dixieland Park
- Valley Vista Mall Corridor (1.2 miles) – Valley Vista Mall to Victor Park
- Victor Park Corridor (1.7 miles) – Victor Park to the Arroyo Colorado Hike & Bike Trail
- Lon C. Hill Irrigation Corridor (1.7 miles) – Lamar Elementary to Lon C. Hill Park along the Irrigation ditch as shown in the vicinity map.

These corridors lie fully within the jurisdictional boundaries of the City of Harlingen.

3. Project Timeline & Deliverables (12-Month Schedule)

Task 1 – Project Initiation & Data Collection (Months 1–2)

- **Activities**
 - Kickoff meeting with TxDOT and City staff
 - Collection of existing roadway, trail, drainage, ROW, and GIS data
 - Obtain demographic, safety, and traffic data (Census, TxDOT CRIS, City GIS)
- **Deliverables**
 - Project Management Plan
 - Data Inventory Summary
- **Due:** End of Month 2

Task 2 – Existing Conditions Analysis (Months 2–4)

- **Activities**

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- Field reconnaissance of all corridors
- ROW verification and identification of constraints
- ADA compliance review (slopes, crossings, access points)
- Safety analysis: roadway safety audit, conflict points, crash history
- Bicycle Level of Service (BLOS) and pedestrian network gap analysis
- **Deliverables**
 - Existing Conditions & Needs Assessment Report
- **Due:** End of Month 4

Task 3 – Stakeholder & Community Engagement (Months 3–6)

- **Activities**
 - Stakeholder workshops (City departments, school district, irrigation district, MPO, TxDOT)
 - Public meeting(s) and online survey to gather community input
 - Engagement with adjacent homeowners and trail user groups
 - Documentation of public feedback and integration into alternatives
- **Deliverables**
 - Stakeholder Meeting Summaries
 - Public Engagement Summary Report
- **Due:** End of Month 6

Task 4 – Trail Alternatives Development (Months 4–7)

- **Activities**
 - Development of alternative trail alignments and cross-sections
 - Evaluation of solar lighting options and corridors
 - Identification of ADA upgrades needed at intersections
 - Drainage considerations, canal-side design (Lon C. Hill), and structural needs
- **Deliverables**

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- Alternatives Evaluation Report
- Recommended Trail Concept Plan
- **Due:** End of Month 7

Task 5 – Preliminary Engineering (Months 7–9)

- **Activities**
 - Preparation of preliminary design sheets (horizontal alignment, typical sections, intersection layouts)
 - Preliminary drainage evaluation
 - Preliminary cost estimates
 - Environmental considerations (desktop review)
- **Deliverables**
 - 30% Preliminary Engineering Plans
 - Preliminary Cost Estimate
- **Due:** End of Month 9

Task 6 – Final Engineering Design & PE-Sealed Plans (Months 9–12)

- **Activities**
 - Finalize trail alignment, ADA ramp layouts, and pavement marking plans
 - Finalize lighting recommendations (solar lighting study outputs)
 - Finalize drainage improvements, bridge/culvert needs (as applicable)
 - Prepare detailed quantities, specifications, and bid-ready documents
 - Internal QA/QC review
 - Final sealed plans signed and sealed by a Texas licensed Professional Engineer
- **Deliverables**
 - 100% Final PE-Sealed Construction Plans
 - Final Opinion of Probable Construction Cost (OPCC)
 - Final Specifications & Bid Document Package

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- **Due:** End of Month 12

Task 7 – Final Planning Document & Governing Body Adoption (Month 12)

- **Activities**
 - Incorporation of planning findings, public input, and engineering analyses
 - Preparation of final planning document
 - Presentation to Harlingen City Commission for adoption
- **Deliverables**
 - Final Planning Document (with integrated engineering plans)
 - Resolution adopting the Plan by the Harlingen City Commission
- **Due:** End of Month 12

4. Additional Analyses

The planning and design document will also include:

- Solar lighting feasibility and placement study
- ROW constraints and acquisition needs analysis
- Drainage and stormwater considerations
- Intersection safety improvement recommendations
- Cost/benefit considerations for various trail types
- Identification of opportunities for future trail expansion

5. Recommendations

The final planning document will include:

- A prioritized list of capital improvements with cost estimates
 - Detailed conceptual and engineering drawings
 - An implementation strategy and phasing plan
 - Recommended ADA and pedestrian safety improvements
 - Recommended lighting, signage, and crossing enhancements
 - Recommendations for future studies where needed
-

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6. Statement of Adoption

The City of Harlingen affirms that **the completed planning document and PE-sealed construction plans will be formally adopted by the Harlingen City Commission** through an official resolution upon project completion.

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ATTACHMENT B
PROJECT ESTIMATE AND SOURCE OF FUNDS
 LG Performs Professional Services Work or Hires Consultant

Work Performed by Local Government ("LG")							
Description of Project Costs to be Incurred	Total Project Cost Estimate	Federal Participation Includes percentage for TDC apportionment on projects where applicable		State Participation Includes authorized EDC amounts		Local Government Participation Includes authorized reduction	
		%	Cost	%	Cost	%	Cost
Planning/Maps/Education/Non-CST	\$430,000	80%	\$344,000	0%	\$0	20%	\$86,000
Preliminary Engineering	\$0	0%	\$0	0%	\$0	0%	\$0
Environmental Cost	\$0	0%	\$0	0%	\$0	0%	\$0
Work by LG Subtotal	\$430,000		\$344,000		\$0		\$86,000
Work Performed by the State (Local Participation paid up front by LG to TxDOT)							
Planning/Maps/Education/Non-CST	\$0	0%	\$0	0%	\$0	0%	\$0
Preliminary Engineering ¹	\$0	0%	\$0	0%	\$0	0%	\$0
Environmental Cost ¹	\$0	0%	\$0	0%	\$0	0%	\$0
Work by State Subtotal	\$0		\$0		\$0		\$0
Direct and Indirect State Costs Incurred for Review, Inspection, Administration & Oversight							
Description of Project Costs to be Incurred	Total Project Cost Estimate	Federal Participation Includes percentage for TDC apportionment on projects where applicable		State Participation Includes authorized EDC amount		Local Government (LG) Participation Includes authorized reduction	
		%	Cost	%	Cost	%	Cost
Planning/Maps/Education/Non-CST	\$90,300	0%	\$0	0%	\$0	100%	\$90,300
Preliminary Engineering ¹	\$0	0%	\$0	0%	\$0	0%	\$0
Environmental Cost ¹	\$0	0%	\$0	0%	\$0	0%	\$0
Direct State Costs Subtotal	\$90,300	0%	\$0	0%	\$0	100%	\$90,300

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Indirect State Cost	\$23,693	\$0	100%	\$23,693	\$0
TOTAL PARTICIPATION	\$543,993	\$344,000		\$23,693	\$176,300

- The estimated total participation by Local Government is \$176,300, plus 100% of overruns.
- Total estimated payment by Local Government to State is \$90,300.
- ¹Local Government's payment of \$90,300 is due to State within 90 days from execution of this contract.
- The local match must be 20% or greater and may include eligible in-kind contributions, EDC adjustments, or TDCs if authorized as part of project selection.
- Transportation Development Credits (TDC) are being utilized in place of the Local Government's participation in the amount of 0.
- This is an estimate; the final amount of Local Government participation will be based on actual costs.
- Maximum federal TASA funds available for Project are \$344,000.

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ATTACHMENT C
RESOLUTION, ORDINANCE, OR COMMISSIONERS COURT ORDER

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(L)

Meeting Date: **January 21st, 2026**

Agenda Item:

Consideration and possible action to authorize the City Manager to execute the Advance Funding Agreement (AFA) for the Harlingen North–South Link Corridor Planning Project with the Texas Department of Transportation (TxDOT) and to approve payment of the required Direct State Costs to TxDOT.

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

Signature: *Roberto Hernandez*

Brief Summary:

The Texas Department of Transportation (TxDOT) is partnering with the City of Harlingen on the Harlingen North–South Link Corridor Planning Project, A \$430,000 planning grant project funded in a 80/20 match basis (City Match 86,000). TxDOT has determined the Direct State Costs for this project is \$90,300. Execution of the Advance Funding Agreement (AFA) is required to define project responsibilities and funding participation. See attached draft AFA.

This project will allow for the design of approximately 5.5 miles of high-priority trail corridors identified in the Harlingen Trails Master Plan (see attached exhibit). The project includes the Dixieland Road, Valley Vista Mall, Victor Park, and Lon C. Hill Park, creating a connected multimodal trail network linking the west side of Harlingen to the Arroyo Colorado Hike and Bike Trail and other key destinations.

The planning effort will focus on trail alignment, right-of-way analysis, ADA-compliant pedestrian improvements, intersection safety enhancements, and a solar lighting study to improve accessibility and safety.

Approval of this item authorizes the City Manager to execute the AFA with TxDOT and allow the project to proceed.

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:

General Fund

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

Staff Recommendation:

Staff recommends approval. *GR*

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

Comments:	

City Attorney's approval:		☒ Yes	☐ No	☐ N/A
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RESOLUTION NO. 2026 - ____

RESOLUTION AUTHORIZING EXECUTION OF AN
ADVANCE FUNDING AGREEMENT (AFA) WITH THE
TEXAS DEPARTMENT OF TRANSPORTATION FOR HARLINGEN NORTH-SOUTH
LINK CORRIDOR CSJ:0921-06-394

WHEREAS, on August 21st, 2025, via Minute Order 116997, the Texas Transportation Commission authorized the Harlingen North-South Link Corridor project (the "Project") to receive Transportation Alternatives Set-Aside (TASA) funds to develop a detailed planning and design document that identified, evaluates, and advances four priority trail corridors identified in Harlingen Trails Master Plan into construction ready status and Texas Department of Transportation (TxDOT) oversight; and

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

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

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

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

PASSED AND APPROVED on the 21st day of January, 2026.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary



City of Harlingen
Engineering Department
502 E. TYLER AVE.
HARLINGEN, TX 78550
(956) 216-5280

**Dixieland road, Lon C Hill Irrigation,
Valley Vista Mall, and Victor Park Trail
Planning Grant**

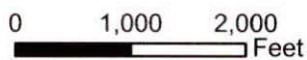


EXHIBIT NUMBER:
01
SHEET 1 OF 1

PROJ. NO:	
DATE:	JANUARY 2025
DRAWN BY:	RH
REVIEWED BY:	
ISSUED FOR:	

TxDOT:				Federal Highway Administration:	
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STATE OF TEXAS §

COUNTY OF TRAVIS §

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

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

WITNESSETH

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

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

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

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

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

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

WHEREAS, the Local Government prepared and submitted to the State or Metropolitan Planning Organization (MPO) a project nomination package for TASA funding consideration, which is briefly described as Harlingen North-South Corridor Link (Project), and

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WHEREAS, the Texas Transportation Commission (Commission) passed Minute Order Number 116997 (MO) dated August 21, 2025 awarding funding for TASA projects in the TASA Program Call of the Rio Grande Valley MPO, including Project, and

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

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

AGREEMENT

1. Period of Agreement and Performance

- A. This Agreement becomes effective when signed by the last party whose signing makes the Agreement fully executed. This Agreement shall remain in effect until the close of ordinary business on **May 02, 2030**.

2. Scope of Work and Use of Project

- A. The scope of work is the project (Project) as detailed in Attachment A, Scope of Work (Attachment A).
- B. Any project changes proposed must be submitted in writing by Local Government to State. Substantive changes may also require an amendment to this Agreement and the approval of the FHWA, State, MPO, or the Commission. Any changes undertaken without written approval and amendment of this Agreement may jeopardize not only the federal funding for the changes, but the federal funding of the entire Project.

3. Project Sources and Uses of Funds

The total estimated cost of the Project is shown in Attachment B, Project Estimate and Source of Funds (Attachment B), which is attached to and made a part of this Agreement.

- A. If Local Government will perform any work under this Agreement for which reimbursement will be provided by or through the State, the Local Government must complete training. If federal funds are being used, the training must be completed before federal spending authority is obligated. Training is complete when at least one individual who is working actively and directly on the Project successfully completes and receives a certificate for the course entitled "Local Government Project Procedures and Qualification for the Texas Department of Transportation" and retains qualification in accordance with applicable TxDOT procedures. Upon request, Local Government shall provide the certificate of qualification to State. The individual who receives the training certificate may be an employee of Local Government or an employee of a firm that has been contracted by Local Government to perform oversight of the Project. State in its discretion may deny reimbursement if Local Government has not continuously designated in writing a qualified individual to work actively on or to directly oversee the Project.

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- B. The expected cash contributions from the federal government, the State, the Local Government, or other parties are shown in Attachment B. The State will pay for only those Project costs that have been approved by the Texas Transportation Commission. For projects with federal funds, the State and the federal government will not reimburse the Local Government for any work performed before the federal spending authority is formally obligated to the Project by the Federal Highway Administration (FHWA).
- C. State and the Federal Government will not reimburse Local Government for any work performed outside the Performance Period. After federal funds have been obligated, State will send to Local Government a copy of the formal documentation showing the obligation of funds including federal award information. Local Government is responsible for 100 percent of the cost of any work performed under its direction or control before the federal spending authority is formally obligated.
- D. The Project budget and source of funds estimate based on the budget provided in the application is included in Attachment B. Attachment B shows the percentage and estimated dollar amounts to be contributed to Project by state and local sources, as well as the maximum amount in federal TASA funds assigned by the Commission or MPO in consultation with State. This Agreement may be amended from time to time as required to meet the funding commitments based on revisions to the TASA, FPAA, or other federal documents.
- E. State will be responsible for securing the federal share of funding required for the development of the Project, in an amount not to exceed 80 percent of the actual cost of the work up to the amount of funds approved for Project by the Texas Transportation Commission or MPO in consultation with State. Federal funds will be reimbursed on a cost basis. Project costs incurred prior to issuance of the SLOA are not eligible for reimbursement.
- F. The Local Government will be responsible for all non-federal or non-State participation costs associated with the Project, unless otherwise provided for in this Agreement or approved otherwise in an amendment to this Agreement. For items of work subject to specified percentage funding, the Local Government shall only in those instances be responsible for all Project costs that are greater than the maximum State and federal participation specified in Attachment B and for overruns in excess of the amount specified in Attachment B to be paid by the Local Government. If the Project was State-selected, the State may apply a portion of any excess program funds to cover all or a portion of any overrun based on criteria provided by 43 Tex. Admin. Code §11.411(d).
- G. The budget in Attachment B will clearly state all items subject to fixed price funding, specified percentage funding, and the periodic payment schedule, when periodic payments have been approved by the State.
- H. When fixed price funding is used, the Local Government is responsible for the fixed price amount specified in Attachment B. Fixed prices are not subject to adjustment unless (1) further definition of the Local Government's requested scope of work identifies greatly differing costs from those estimated; (2) work requested by the Local Government is determined to be ineligible for federal participation; or (3) the adjustment is mutually agreed to by the State and the Local Government.
- I. Within 90 days following execution of this Agreement, the Local Government shall remit its local match as specified in Attachment B for State's estimated oversight and development cost.
- J. In the event State determines that additional funding is required by Local Government at any time during Project, State will notify Local Government in writing. Local

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Government is responsible for the percentage of the authorized Project cost shown in Attachment B and 100 percent of any overruns above the federally authorized amount. Local Government will make payment to State within 30 days from receipt of State's written notification.

- K. Whenever funds are paid by Local Government to State under this Agreement, Local Government will remit a warrant made payable to the "Texas Department of Transportation". The warrant will be deposited by State and managed by State. Funds may only be applied by State to Project.
- L. Upon completion of Project, State will perform a final accounting of Project costs. Any funds due to Local Government, State, or the Federal Government will be promptly paid by the owing party.
- M. In the event Project is not completed, State may seek reimbursement from Local Government of the expended federal funds. Local Government will remit the required funds to State within 60 days from receipt of State's notification.
- N. The state auditor may conduct an audit or investigation of any entity receiving funds from the State directly under the Agreement or indirectly through a contract or subcontract under the Agreement. Acceptance of funds directly under the Agreement or indirectly through a contract or subcontract under this Agreement acts as acceptance of the authority of the state auditor, under the direction of the legislative audit committee, to conduct an audit or investigation in connection with those funds. An entity that is the subject of an audit or investigation must provide the state auditor with access to any information the state auditor considers relevant to the investigation or audit.
- O. State will not pay interest on any funds provided by Local Government.
- P. State will not execute the contract for development of Project until the required funding has been made available by Local Government in accordance with this Agreement.
- Q. Local Government is authorized to submit requests for reimbursement by submitting the original of an itemized invoice in a form and containing all items required by State no more frequently than monthly, and no later than 90 days after costs are incurred. If Local Government submits invoices more than 90 days after the costs are incurred, and if federal funding is reduced as a result, State shall have no responsibility to reimburse Local Government for those costs.
- R. If Local Government is an Economically Disadvantaged County (EDC) or the State or MPO selected project meets the State's or MPO's criteria to receive Transportation Development Credits in lieu of providing a cash local match, and the State has approved adjustments to the standard financing arrangement, this agreement reflects those adjustments.

4. Termination of the Agreement

- A. This Agreement may be terminated by any of the following conditions:
 - 1. By mutual written consent and agreement of all parties;
 - 2. By any party with 90 days written notice; or
 - 3. By either party, upon the failure of the other party to fulfill the obligations as set forth in this Agreement. Any cost incurred due to such breach of contract shall be paid by the breaching party.
- B. If the potential termination of this Agreement is due to the failure of Local Government to fulfill its contractual obligations, State will notify Local Government that possible breach of contract has occurred. Local Government should make every effort to remedy the breach within a period mutually agreed upon by both parties.

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- C. The Agreement may be terminated by the State because the parties are not able to execute a mutually agreeable amendment when the costs for Local Government requested items increase significantly, determination that Local government requested work is ineligible for federal or state cost participation, or a more thorough definition of the Local Government's proposed work scope identifies greatly differing costs from those estimated. The State will reimburse Local Government remaining funds to the Local Government within ninety (90) days of termination;
- D. If Local Government withdraws from Project after this Agreement is executed, Local Government shall be responsible for all direct and indirect Project costs as identified by the State's cost accounting system and with 2 CFR Part 200 recapture requirements.
- E. A project may be eliminated from the TASA program as outlined below. If Project is eliminated for any of these reasons, this Agreement will be appropriately terminated. A project may be eliminated from the program, and this Agreement terminated, if:
 - 1. Local Government fails to satisfy any requirements of the program rules cited in 43 Texas Administrative Code, Part 1, Chapter 11, Subchapter G, §§11.400 – 11.418.
 - 2. The implementation of Project would involve significant deviation from the activities proposed in the nomination form and approved by the Texas Transportation Commission or MPO in consultation with State.
 - 3. Local Government withdraws from participation in Project.
 - 4. State determines that federal funding may be lost due to Project not being implemented and completed.
 - 5. Funds are not appropriated, in which case this Agreement shall be terminated immediately with no liability to either party. Payment under this Agreement beyond the current fiscal biennium is subject to availability of appropriated funds.
 - 6. A professional services contract has not been awarded or development has not been initiated within three years after the date that the Commission or MPO selected the project or by a date determined by the state and agreed to by the Local Government.
 - 7. Local Government fails to attend progress meetings at least twice yearly, as scheduled by State.
- F. State, at its sole discretion, may terminate this Agreement if State does not receive project invoice from Local Government within 270 days of FPAA.

5. Amendments

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

6. Remedies

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

7. Professional Services

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- A. Professional services for planning and preliminary engineering will be provided by the **Local Government**. In procuring professional services, the parties to this Agreement must comply with federal requirements cited in 23 CFR Part 172 if Project is federally funded and Local Government will be seeking reimbursement for these and with Texas Government Code Subchapter 2254.A., in all cases. Professional services contracts for federally funded projects must conform to federal requirements.
- B. The architectural contract documents shall be developed in accordance with the standards of the American Institute of Architects, the U.S. Secretary of the Interior's Standards for Historic Preservation Projects, Standards and Guidelines for Archeology and Historic Preservation, the National Register Bulletin Number 36: Guidelines for Evaluating and Registering Historical Archeological Sites and in consultation with the State Historic Preservation Officer, as applicable. The engineering plans shall be developed in accordance with State's applicable Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges and the two American Association of State Highway and Transportation Officials' ("AASHTO") publications, "A Policy on Geometric Design of Highways and Streets" and "Guide for the Development of Bicycle Facilities," as applicable. All design criteria for bicycle and pedestrian bridges must comply with TxDOT's Bridge Design Manual and AASHTO's Load and Resistance Factor Design (LRFD) Guide Specifications for the Design of Pedestrian Bridges (latest edition) as applicable. All contract procurement procedures and documents must adhere to the applicable requirements established in the Standard Specifications for Construction and Maintenance of Highways, Streets and Bridges. The use of other systems of specifications shall be approved by State in writing in advance.
- C. When architectural and engineering services are provided by or through Local Government, Local Government shall submit any plans it has completed to State for review and approval on an agreed upon schedule. Local Government may also submit the plans to State for review any time prior to completion. Local Government shall make the necessary revisions determined by State. Local Government will not let the construction contract until all required plans have received State approval.
- D. When architectural and engineering services are provided by or through State, then the State is responsible for the delivery and performance of any required architectural or preliminary engineering work. Local Government may review and comment on the work, including any proposed changes to the scope of work, as required to accomplish Project purposes. State will cooperate with Local Government in accomplishing these Project purposes to the degree permitted by state and federal law.

8. Implementation responsibility

Upon completion of Project, Local Government will be responsible for adopting and implementation of completed planning documents.

9. Notices, Invoices, Payments, and Project Inquiries

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

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

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

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

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

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

County: Cameron
Local Government: City of Harlingen
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10. Legal Construction

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

11. Responsibilities of the Parties

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

12. Ownership of Documents

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

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13. Compliance with Laws

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

14. Sole Agreement

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

15. Cost Principles

In order to be reimbursed with federal funds, the parties shall comply with the Cost Principles established in 2 CFR Part 200 that specify that all reimbursed costs are allowable, reasonable, and allocable to Project.

16. Procurement and Property Management Standards

The parties to this Agreement shall adhere to the procurement and property management standards established in 2 CFR 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards, and to the Texas Uniform Grant Management Standards. The State must pre-approve the Local Government's procurement procedures for purchases to be eligible for state or federal funds.

17. Inspection of Books and Records

The parties to this Agreement shall maintain all books, documents, papers, accounting records, and other documentation relating to costs incurred under this Agreement and shall make such materials available to the State, the Local Government, and, if federally funded, the FHWA and the U.S. Office of the Inspector General or their duly authorized representatives for review and inspection at its office during the Agreement period and for seven (7) years from the date of final reimbursement by FHWA under this Agreement or until any impending litigation or claims are resolved. Additionally, the State, the Local Government, and the FHWA and their duly authorized representatives shall have access to all the governmental records that are directly applicable to this Agreement for the purpose of making audits, examinations, excerpts, and transcriptions.

18. Civil Rights Compliance

The parties to this Agreement are responsible for the following:

- A. Compliance with Regulations: Both parties will comply with the Acts and the Regulations relative to Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation (USDOT), the Federal Highway Administration (FHWA), as they may be amended from time to time, which are herein incorporated by reference and made part of this Agreement.
- B. Nondiscrimination: The Local Government, with regard to the work performed by it during the Agreement, will not discriminate on the grounds of race, color, or national origin in the selection and retention of subcontractors, including procurement of materials and leases of equipment. The Local Government will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including

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employment practices when the Agreement covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.

- C. **Solicitations for Subcontracts, Including Procurement of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the Local Government for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier will be notified by the Local Government of the Local Government's obligations under this Agreement and the Acts and Regulations relative to Nondiscrimination on the grounds of race, color, or national origin.
- D. **Information and Reports:** The Local Government will provide all information and reports required by the Acts, the Regulations, and directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and facilities as may be determined by the State or the FHWA to be pertinent to ascertain compliance with such Acts, Regulations or directives. Where any information required of the Local Government is in the exclusive possession of another who fails or refuses to furnish this information, the Local Government will so certify to the State or the FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.
- E. **Sanctions for Noncompliance:** In the event of the Local Government's noncompliance with the Nondiscrimination provisions of this Agreement, the State will impose such contract sanctions as it or the FHWA may determine to be appropriate, including, but not limited to:
 - 1. withholding of payments to the Local Government under the Agreement until the Local Government complies and/or
 - 2. cancelling, terminating, or suspending of the Agreement, in whole or in part.
- F. **Incorporation of Provisions:** The Local Government will include the provisions of paragraphs (A) through (F) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The Local Government will take such action with respect to any subcontract or procurement as the State or the FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the Local Government becomes involved in, or is threatened with, litigation with a subcontractor or supplier because of such direction, the Local Government may request the State to enter into such litigation to protect the interests of the State. In addition, the Local Government may request the United States to enter into such litigation to protect the interests of the United States.

19. Pertinent Non-Discrimination Authorities

During the performance of this Agreement, each party, for itself, its assignees, and successors in interest agree to comply with the following nondiscrimination statutes and authorities; including but not limited to:

- A. Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- B. The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of federal or federal-aid programs and projects).

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- C. Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 et seq.), as amended, (prohibits discrimination on the basis of sex).
- D. Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 et seq.) as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27.
- E. The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 et seq.), (prohibits discrimination on the basis of age).
- F. Airport and Airway Improvement Act of 1982, (49 U.S.C. Chapter 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex).
- G. The Civil Rights Restoration Act of 1987, (PL 100-209), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms "programs or activities" to include all of the programs or activities of the federal-aid recipients, subrecipients and contractors, whether such programs or activities are federally funded or not).
- H. Titles II and III of the Americans with Disabilities Act, which prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities (42 U.S.C. §§ 12131-12189) as implemented by Department of Transportation regulations at 49 C.F.R. Parts 37 and 38.
- I. The Federal Aviation Administration's Nondiscrimination statute (49 U.S.C. § 47123) (prohibits discrimination on the basis of race, color, national origin, and sex).
- J. Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures nondiscrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations.
- K. Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with Title VI, the parties must take reasonable steps to ensure that LEP persons have meaningful access to the programs (70 Fed. Reg. at 74087 to 74100).
- L. Title IX of the Education Amendments of 1972, as amended, which prohibits the parties from discriminating because of sex in education programs or activities (20 U.S.C. 1681 et seq.).

20. Disadvantaged Business Enterprise Program Requirements

- A. The parties shall comply with the Disadvantaged Business Enterprise ("DBE") Program requirements established in 49 CFR Part 26.
- B. Local Government shall adopt, in its totality, State's federally approved DBE program.
- C. Local Government shall set an appropriate DBE goal consistent with State's DBE guidelines and in consideration of Local market, project size, and nature of the goods or services to be acquired. Local Government shall have final decision-making authority regarding the DBE goal and shall be responsible for documenting its actions.
- D. Local Government shall follow all other parts of State's DBE program referenced in TxDOT Form 2395, Memorandum of Understanding Regarding the Adoption of the Texas Department of Transportation's Federally-Approved Disadvantaged Business

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Enterprise by Entity, and attachments found at web address:
http://ftp.dot.state.tx.us/pub/txdot-info/bop/dbe/mou/mou_attachments.pdf.

- E. Local Government shall not discriminate on the basis of race, color, national origin, or sex in the award and performance of any DOT-assisted contract or in the administration of its DBE program or the requirements of 49 CFR Part 26. Local Government shall take all necessary and reasonable steps under 49 CFR Part 26 to ensure non-discrimination in award and administration of DOT-assisted contracts. State's DBE program, as required by 49 CFR Part 26 and as approved by DOT, is incorporated by reference in this Agreement. Implementation of this program is a legal obligation and failure to carry out its terms shall be treated as a violation of this Agreement. Upon notification to Local Government of its failure to carry out its approved program, State may impose sanctions as provided for under 49 CFR Part 26 and may, in appropriate cases, refer the matter for enforcement under 18 USC 1001 and the Program Fraud Civil Remedies Act of 1986 (31 USC § 3801 et seq.).
- F. Each contract Local Government signs with a contractor (and each subcontract the prime contractor signs with a subcontractor) must include the following assurance: "The contractor, sub-recipient, or sub-contractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR Part 26 in the award and administration of DOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this agreement, which may result in the termination of this agreement or such other remedy as the recipient deems appropriate."

21. Debarment Certifications

The parties are prohibited from making any award at any tier to any party that is debarred or suspended or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, "Debarment and Suspension." By executing this Agreement, Local Government certifies that it and its principals are not currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549, and further certifies that it will not do business with any party, to include principals, that is currently debarred, suspended, or otherwise excluded from or ineligible for participation in Federal Assistance Programs under Executive Order 12549. The parties to this Agreement shall require any party to a contract, subcontract, or purchase order awarded under this Agreement to certify its eligibility to receive federal funds and, when requested by State, to furnish a copy of the certification.

If state funds are used, the parties are prohibited from making any award to any party that is debarred under the Texas Administrative Code, Title 34, Part 1, Chapter 20, Subchapter G, Rule §20.585 and the Texas Administrative Code, Title 43, Part 1, Chapter 9, Subchapter G.

22. Lobbying Certification

In executing this Agreement, each signatory certifies to the best of that signatory's knowledge and belief, that:

- A. No federal appropriated funds have been paid or will be paid by or on behalf of the parties to any person for influencing or attempting to influence an officer or employee of any federal agency, a Member of Congress, an officer or employee of Congress, or an

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employee of a Member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

- B. If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with federal contracts, grants, loans, or cooperative agreements, the signatory for Local Government shall complete and submit the federal Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- C. The parties shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans, and cooperative agreements) and all sub-recipients shall certify and disclose accordingly. Submission of this certification is a prerequisite imposed by 31 USC §1352 for making or entering into this transaction. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

23. Federal Funding Accountability and Transparency Act Requirements

- A. Any recipient of funds under this agreement agrees to comply with the Federal Funding Accountability and Transparency Act (FFATA) and implementing regulations at 2 CFR Part 170, including Appendix A. This agreement is subject to the following award terms: <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22705.pdf> and <http://www.gpo.gov/fdsys/pkg/FR-2010-09-14/pdf/2010-22706.pdf>.
- B. Local Government agrees that it shall:
 - 1. Obtain and provide to State a System for Award Management (SAM) number (Federal Acquisition Regulation (FAR) Subpart 4.11) if this award provides more than \$25,000 in Federal funding. The SAM number may be obtained by visiting the SAM website whose address is: <https://sam.gov/SAM/pages/public/index.jsf>
 - 2. Obtain and provide to State a Data Universal Numbering System (DUNS) number, a unique nine-character number that allows the federal government to track the distribution of federal money. The DUNS number may be requested free of charge for all businesses and entities required to do so by visiting the Dun & Bradstreet on-line registration website <http://fedgov.dnb.com/webform>; and
 - 3. Report the total compensation and names of its top five executives to State if:
 - a. More than 80 percent of annual gross revenues are from the Federal government, and those revenues are greater than \$25,000,000; and
 - b. The compensation information is not already available through reporting to the U.S. Securities and Exchange Commission.

24. Single Audit Report

- A. The parties shall comply with the requirements of the Single Audit Act of 1984, P.L. 98-502, ensuring that the single audit report includes the coverage stipulated in 2 CFR Part 200.

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- B. If threshold expenditures of \$750,000 or more are met during the fiscal year, the Local Government must submit a Single Audit Report and Management Letter (if applicable) to TxDOT's Compliance Division, 125 East 11th Street, Austin, TX 78701 or contact TxDOT's Compliance Division at singleaudits@txdot.gov.
- C. If expenditures are less than the threshold during Local Government's fiscal year, Local Government must submit a statement to TxDOT's Compliance Division as follows: *We did not meet the \$_____ expenditure threshold and therefore, are not required to have a single audit performed for FY _____.*
- D. For each year Project remains open for federal funding expenditures, Local Government will be responsible for filing a report or statement as described above. The required annual filing shall extend throughout the life of the agreement, unless otherwise amended or Project has been formally closed out and no charges have been incurred within the current fiscal year.

25. Signatory Warranty

Each signatory warrants that the signatory has necessary authority to execute this agreement on behalf of the entity represented.

Each party is signing this agreement on the date stated under that party's signature.

THE STATE OF TEXAS	THE LOCAL GOVERNMENT
_____	_____
Signature	Signature
_____	_____
Typed or Printed Name	Typed or Printed Name
_____	_____
Typed or Printed Title	Typed or Printed Title
_____	_____
Date	Date

TxDOT:				Federal Highway Administration:	
CCSJ #	0921-06-394	AFA ID	Z00012337	CFDA No.	20.205
AFA CSJs	0921-06-394			CFDA Title	Highway Planning and Construction
District #	21	Code Chart 64#	18200		
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ATTACHMENT A SCOPE OF WORK

1. Purpose

The purpose of this project is to develop a detailed planning and design document that identifies, evaluates, and advances four priority trail corridors identified in the Harlingen Trails Master Plan into construction-ready status. This effort will enhance multimodal connectivity, improve safety and accessibility for pedestrians and bicyclists, and provide a unified 5.5-mile active transportation corridor that links major neighborhoods, parks, schools, commercial centers, and the Arroyo Colorado Hike and Bike Trail.

The final deliverables will include a comprehensive planning document and a complete set of professional engineer-sealed (PE) plans for all recommended improvements.

2. Project Area

The project area covers four high-priority trail corridors totaling approximately 5.5 miles within the City of Harlingen:

- Dixieland Road Trail (0.9 miles) – Lincoln Rd to Dixieland Park
- Valley Vista Mall Corridor (1.2 miles) – Valley Vista Mall to Victor Park
- Victor Park Corridor (1.7 miles) – Victor Park to the Arroyo Colorado Hike & Bike Trail
- Lon C. Hill Irrigation Corridor (1.7 miles) – Lamar Elementary to Lon C. Hill Park along the Irrigation ditch as shown in the vicinity map.

These corridors lie fully within the jurisdictional boundaries of the City of Harlingen.

3. Project Timeline & Deliverables (12-Month Schedule)

Task 1 – Project Initiation & Data Collection (Months 1–2)

- **Activities**
 - Kickoff meeting with TxDOT and City staff
 - Collection of existing roadway, trail, drainage, ROW, and GIS data
 - Obtain demographic, safety, and traffic data (Census, TxDOT CRIS, City GIS)
- **Deliverables**
 - Project Management Plan
 - Data Inventory Summary
- **Due:** End of Month 2

Task 2 – Existing Conditions Analysis (Months 2–4)

- **Activities**

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- Field reconnaissance of all corridors
- ROW verification and identification of constraints
- ADA compliance review (slopes, crossings, access points)
- Safety analysis: roadway safety audit, conflict points, crash history
- Bicycle Level of Service (BLOS) and pedestrian network gap analysis
- **Deliverables**
 - Existing Conditions & Needs Assessment Report
- **Due:** End of Month 4

Task 3 – Stakeholder & Community Engagement (Months 3–6)

- **Activities**
 - Stakeholder workshops (City departments, school district, irrigation district, MPO, TxDOT)
 - Public meeting(s) and online survey to gather community input
 - Engagement with adjacent homeowners and trail user groups
 - Documentation of public feedback and integration into alternatives
- **Deliverables**
 - Stakeholder Meeting Summaries
 - Public Engagement Summary Report
- **Due:** End of Month 6

Task 4 – Trail Alternatives Development (Months 4–7)

- **Activities**
 - Development of alternative trail alignments and cross-sections
 - Evaluation of solar lighting options and corridors
 - Identification of ADA upgrades needed at intersections
 - Drainage considerations, canal-side design (Lon C. Hill), and structural needs
- **Deliverables**

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- Alternatives Evaluation Report
- Recommended Trail Concept Plan
- **Due:** End of Month 7

Task 5 – Preliminary Engineering (Months 7–9)

- **Activities**
 - Preparation of preliminary design sheets (horizontal alignment, typical sections, intersection layouts)
 - Preliminary drainage evaluation
 - Preliminary cost estimates
 - Environmental considerations (desktop review)
- **Deliverables**
 - 30% Preliminary Engineering Plans
 - Preliminary Cost Estimate
- **Due:** End of Month 9

Task 6 – Final Engineering Design & PE-Sealed Plans (Months 9–12)

- **Activities**
 - Finalize trail alignment, ADA ramp layouts, and pavement marking plans
 - Finalize lighting recommendations (solar lighting study outputs)
 - Finalize drainage improvements, bridge/culvert needs (as applicable)
 - Prepare detailed quantities, specifications, and bid-ready documents
 - Internal QA/QC review
 - Final sealed plans signed and sealed by a Texas licensed Professional Engineer
- **Deliverables**
 - 100% Final PE-Sealed Construction Plans
 - Final Opinion of Probable Construction Cost (OPCC)
 - Final Specifications & Bid Document Package

TxDOT:				Federal Highway Administration:	
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- **Due:** End of Month 12

Task 7 – Final Planning Document & Governing Body Adoption (Month 12)

- **Activities**
 - Incorporation of planning findings, public input, and engineering analyses
 - Preparation of final planning document
 - Presentation to Harlingen City Commission for adoption
- **Deliverables**
 - Final Planning Document (with integrated engineering plans)
 - Resolution adopting the Plan by the Harlingen City Commission
- **Due:** End of Month 12

4. Additional Analyses

The planning and design document will also include:

- Solar lighting feasibility and placement study
- ROW constraints and acquisition needs analysis
- Drainage and stormwater considerations
- Intersection safety improvement recommendations
- Cost/benefit considerations for various trail types
- Identification of opportunities for future trail expansion

5. Recommendations

The final planning document will include:

- A prioritized list of capital improvements with cost estimates
 - Detailed conceptual and engineering drawings
 - An implementation strategy and phasing plan
 - Recommended ADA and pedestrian safety improvements
 - Recommended lighting, signage, and crossing enhancements
 - Recommendations for future studies where needed
-

TxDOT:				Federal Highway Administration:	
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6. Statement of Adoption

The City of Harlingen affirms that **the completed planning document and PE-sealed construction plans will be formally adopted by the Harlingen City Commission** through an official resolution upon project completion.

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ATTACHMENT B
PROJECT ESTIMATE AND SOURCE OF FUNDS
LG Performs Professional Services Work or Hires Consultant

Work Performed by Local Government ("LG")							
Description of Project Costs to be Incurred	Total Project Cost Estimate	Federal Participation Includes percentage for TDC apportionment on projects where applicable		State Participation Includes authorized EDC amounts		Local Government Participation Includes authorized reduction	
		%	Cost	%	Cost	%	Cost
Planning/Maps/Education/Non-CST	\$430,000	80%	\$344,000	0%	\$0	20%	\$86,000
Preliminary Engineering	\$0	0%	\$0	0%	\$0	0%	\$0
Environmental Cost	\$0	0%	\$0	0%	\$0	0%	\$0
Work by LG Subtotal	\$430,000		\$344,000		\$0		\$86,000
Work Performed by the State (Local Participation paid up front by LG to TxDOT)							
Planning/Maps/Education/Non-CST	\$0	0%	\$0	0%	\$0	0%	\$0
Preliminary Engineering ¹	\$0	0%	\$0	0%	\$0	0%	\$0
Environmental Cost ¹	\$0	0%	\$0	0%	\$0	0%	\$0
Work by State Subtotal	\$0		\$0		\$0		\$0
Direct and Indirect State Costs Incurred for Review, Inspection, Administration & Oversight							
Description of Project Costs to be Incurred	Total Project Cost Estimate	Federal Participation Includes percentage for TDC apportionment on projects where applicable		State Participation Includes authorized EDC amount		Local Government (LG) Participation Includes authorized reduction	
		%	Cost	%	Cost	%	Cost
Planning/Maps/Education/Non-CST	\$90,300	0%	\$0	0%	\$0	100%	\$90,300
Preliminary Engineering ¹	\$0	0%	\$0	0%	\$0	0%	\$0
Environmental Cost ¹	\$0	0%	\$0	0%	\$0	0%	\$0
Direct State Costs Subtotal	\$90,300	0%	\$0	0%	\$0	100%	\$90,300

TxDOT:				Federal Highway Administration:	
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Indirect State Cost	\$23,693	\$0	100%	\$23,693	\$0
TOTAL PARTICIPATION	\$543,993	\$344,000		\$23,693	\$176,300

- The estimated total participation by Local Government is \$176,300, plus 100% of overruns.
- Total estimated payment by Local Government to State is \$90,300.
- ¹Local Government's payment of \$90,300 is due to State within 90 days from execution of this contract.
- The local match must be 20% or greater and may include eligible in-kind contributions, EDC adjustments, or TDCs if authorized as part of project selection.
- Transportation Development Credits (TDC) are being utilized in place of the Local Government's participation in the amount of 0.
- This is an estimate; the final amount of Local Government participation will be based on actual costs.
- Maximum federal TASA funds available for Project are \$344,000.

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ATTACHMENT C
RESOLUTION, ORDINANCE, OR COMMISSIONERS COURT ORDER

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(m)

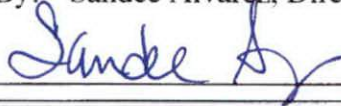
Meeting Date: **January 21, 2026**

Agenda Item:

Consideration and possible action to approve a Resolution of Support to TG 105 Robinhood, LP's application to the Texas Department of Housing and Community Affairs for the competitive 9% Housing Tax Credits program for the proposed reconstruction of Robinhood Apartments, a 69-unit multi-family affordable housing development in Harlingen, Texas.

Attachment (CDBG)

Prepared By: Sandee Alvarez, Director



Brief Summary:

Housing and Community Services, Inc. dba Prospera Housing Community Services ("Prospera") and TG 105, Inc. intend to submit an application for financing of the proposed reconstruction of the existing Robinhood Apartments to the Texas Department of Housing and Community Affairs ("TDHCA") for 9% Housing Tax Credits. The proposed development will be a demolition and reconstruction of an existing residential apartment community consisting of approximately 69 units of which all 69 are currently subject to a Section 8 Housing Assistance Payments contract. The proposed development will be owned by a limited partnership, TG 105 Robinhood, LP. TG 105, Inc. will be the Sole Member of the General Partner, and Prospera will continue to provide resident services. The development will be located at 615 S. F St., Harlingen, TX 78550. The unit mix will include 25 one-bedroom units, 24 two-bedroom units, and 20 three-bedroom units. The anticipated project schedule is as follows: Anticipated TDHCA award: July 2026; Project Design Completion: 12/31/26; Financial Closing: 03/31/27; Construction Start: 04/01/27; Construction Completion: 12/30/2028; Project Completion Date: 12/30/28.

As part of the application submitted to TDHCA, a Resolution of Support or a Resolution of No Objection is required from the local municipality. Prospera is seeking a Resolution of Support from the City of Harlingen for the Robinhood Apartments project.

The City of Harlingen's Community Development department is not involved in the development of this project.

Funding (if applicable):

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

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

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

Staff Recommendation:

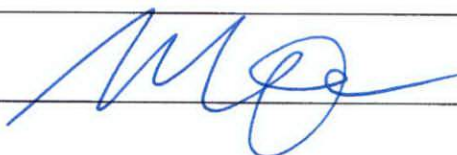
Staff recommends approval.

City Manager's approval:



Comments:

City Attorney's approval:



RESOLUTION NO. R2026-_____

RESOLUTION OF THE CITY OF HARLINGEN, TEXAS IN SUPPORT OF TG 105 ROBINHOOD, LP'S APPLICATION TO THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS FOR THE COMPETITIVE 9% HOUSING TAX CREDITS PROGRAM FOR THE PROPOSED RECONSTRUCTION OF ROBINHOOD APARTMENTS, A 69-UNIT MULTI-FAMILY AFFORDABLE RENTAL HOUSING DEVELOPMENT IN HARLINGEN, TEXAS.

WHEREAS, TG 105 Robinhood, LP ("the Applicant") has proposed the reconstruction of the affordable rental housing at 615 South F Street, Harlingen, Texas 78550 named Robinhood Apartments in the City of Harlingen; and

WHEREAS, the Applicant has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2026 Competitive 9% Housing Tax Credits for the reconstruction of Robinhood Apartments.

NOW, THEREFORE, BE IT RESOLVED, that the City of Harlingen, Texas, acting through its governing body, hereby confirms that it supports the proposed reconstruction of Robinhood Apartments located at 615 South F Street, Harlingen, Texas 78550 and that this formal action has been taken to put on record the opinion expressed by the City of Harlingen on January 21, 2026; and

BE IT FURTHER RESOLVED that for and on behalf of the Governing Body, Norma Sepulveda, the Mayor of the City of Harlingen, Texas is hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

PASSED AND APPROVED BY THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS AT A REGULAR MEETING ON THE 21ST DAY OF JANUARY, 2026.

CITY OF HARLINGEN

By: _____
Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

Robinhood Apartments
Prospera Housing Community Services
3419 Nacogdoches Road, San Antonio, TX 78217
Prospera Office: (210) 821-4300

January 6, 2026

City of Harlingen

RE: Multifamily Rental Housing Development Resolution of Support – Proposed Development Notification

Dear Sir or Madam:

Housing and Community Services, Inc. dba Prospera Housing Community Services ("Prospera") and TG 105, Inc. intend to submit an application for financing of the proposed reconstruction of the existing Robinhood Apartments to the Texas Department of Housing and Community Affairs ("TDHCA") for 9% Housing Tax Credits. The proposed development will be a demolition and reconstruction of an existing residential apartment community consisting of approximately 69 units of which all 69 are currently subject to a Section 8 Housing Assistance Payments contract. The proposed development will be owned by a limited partnership, TG 105 Robinhood, LP. TG 105, Inc. will be the Sole Member of the General Partner, and Prospera will continue to provide resident services. The development will be located at 615 S. F St., Harlingen, TX 78550. The unit mix will include 25 one-bedroom units, 24 two-bedroom units, and 20 three-bedroom units. The anticipated project schedule is as follows: Anticipated TDHCA award: July 2026; Project Design Completion: 12/31/26; Financial Closing: 03/31/27; Construction Start: 04/01/27; Construction Completion: 12/30/2028; Project Completion Date: 12/30/28.

Amenities will include living areas with ceiling fans, central heat/air, and Energy Star-rated refrigerators with ice makers, on-site laundry, a community center, business center with computers and printers, leasing office, barbecue grills, picnic area, mail kiosk, controlled access gate, and surface parking. In addition, the development will be subject to the same traffic and parking requirements and restrictions as any other development.

As part of the application submitted to TDHCA, a Resolution of Support or a Resolution of No Objection is required from the local municipality. Prospera is seeking a Resolution of Support from the City of Harlingen for the Robinhood Apartments project.

This proposed reconstruction of the existing Robinhood Apartments community will ensure continued access to high-quality affordable housing for the residents of Harlingen, and Prospera will continue to provide its hallmark resident services to the residents of both the development and the surrounding community.

Please let us know if you have any questions regarding the project or the requirements for a Resolution of Support. For any questions, please reach out to Cassidy Smith, Development Project Manager for Prospera Housing Community Services, at cassidys@prosperahcs.org or by phone at 210-920-6457. Thank you very much for your time and consideration.

Robinhood Apartments
Prospera Housing Community Services
3419 Nacogdoches Road, San Antonio, TX 78217
Prospera Office: (210) 821-4300

I. Basic Project Information

Project Name: Robinhood Apartments
Address: 615 S. F Street, Harlingen, TX 78550
Census Tract: 48061011100

Project Type: Reconstruction
Development Type: Family

Total Units: 69
Affordable Units: 69
Total Market Units: None

Unit Mix:

<u>Unit Type</u>	<u>Bath</u>	<u>Affordable Units</u>	<u>Total Units</u>
1-Bedroom	1	25	25
2-Bedroom	2	24	24
3-Bedroom	2	20	20
Total		69	69

Planned On-Site Amenities: Living areas with ceiling fans, central heat/air, and Energy Star-rated refrigerators with ice makers, on-site laundry, a community center, business center with computers and printers, leasing office, barbecue grills, picnic area, mail kiosk, controlled access gate, and surface parking. In addition, the development will be subject to the same traffic and parking requirements and restrictions as any other development.

Robinhood Apartments
Prospera Housing Community Services
3419 Nacogdoches Road, San Antonio, TX 78217
Prospera Office: (210) 821-4300

II. Project Schedule

Meeting Date for TDHCA Governing Board Consideration: July 2026

Project Design Completion: December 2026

Financial Closing: March 2027

Construction Start: April 2027

Construction Completion: December 2028

Project Completion: December 2028

III. Owner Prior Projects

Prior San Antonio Projects:

2021 – Arbors at West Avenue	234 Units	3747 West Avenue, San Antonio, TX 78213
2021 – Country Club Village	270 Units	3500 Magic Drive, San Antonio, TX 78229
2019 – Village at Nogalitos	78 Units	111/125 Ames, San Antonio, TX 78211
2018 – Village at Roosevelt	57 Units	1515 Roosevelt Ave, San Antonio, TX 78210
2016 – Starling Apartments	90 Units	10148 Culebra Rd, San Antonio, TX 78251
2010 – Guild Park Apartments	114 Units	750 West Mayfield Blvd, San Antonio, TX 78211
2009 – Montabella Pointe	144 Units	5121 N Foster Rd, San Antonio, TX 78244
2008 – Oak Manor	229 Units	2330 Austin Highway, San Antonio, TX 78218
2007 – West Durango Plaza Apartments	82 Units	5635 W Cesar E. Chavez Blvd, San Antonio, TX 78237

Other Recent Projects:

2024 – Palms at Morris (In Progress)	72 Units	2212 Morris St, Corpus Christi, TX 78405
2022 – Rio Manor (In Progress)	60 Units	600 W Cantu, Del Rio, TX 78840
2021 – Weslaco Village	50 Units	1601 South Bridge Ave, Weslaco, TX 78596
2021 – Palms at Blucher Park	72 Units	213/218 S Tancanhua St, Corpus Christi, TX 78401
2020 – Village at Greenwood	69 Units	6002 Greenwood Dr, Corpus Christi, TX 78417
2020 – Village at McArdle	82 Units	5302 McArdle Dr, Corpus Christi, TX 78411
2019 – Casa de Manana	99 Units	4702 Old Brownsville Rd, Corpus Christi, TX 78405

Robinhood Apartments
Prospera Housing Community Services
3419 Nacogdoches Road, San Antonio, TX 78217
Prospera Office: (210) 821-4300

IV. Maps and Images:

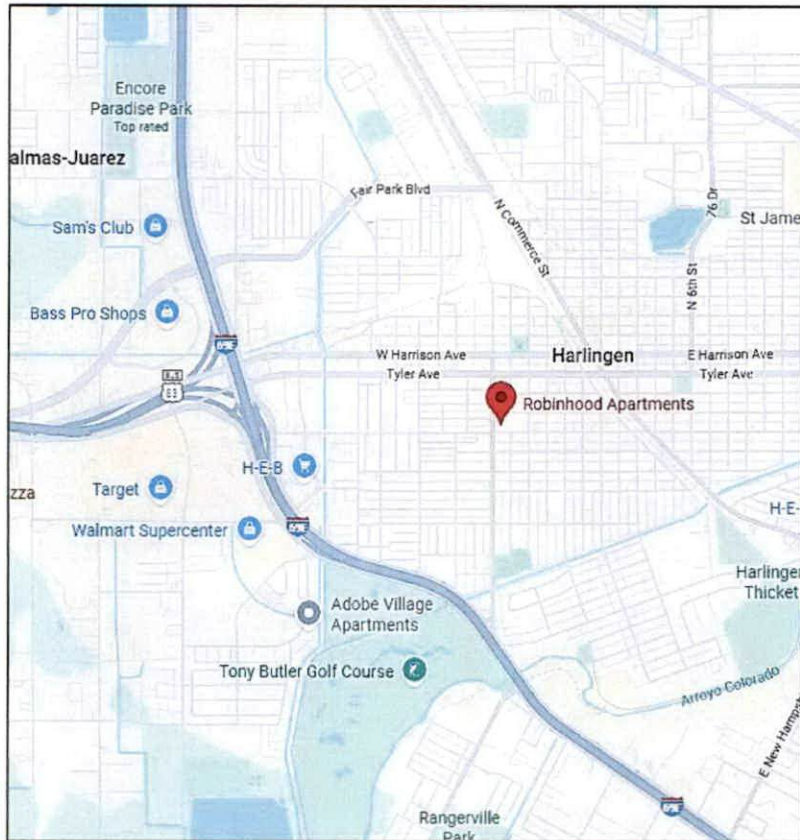


Figure 1. Proposed development site location map



Figure 2. Photo of existing building on site

City of Harlingen
Agenda Item Request Form

We hereby request the following item to be added to the January 21, 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 REPORT
RECOMMENDATED CAPITAL
IMPROVEMENTS TO THE CITY
COMMISSION**

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, Downtown Master Plan, and Trails Master Plan; and

WHEREAS, the City Commission desires to methodically and efficiently implement the solutions laid out in the plans through the creation of a coordinated ten-year, city-wide, capital improvement action plan; 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 I. Creation.

The City Commission hereby creates a temporary, *ad hoc* advisory committee ("Committee").

Section II. Purpose.

The Committee shall review the City's Comprehensive Plan, Parks and Recreation Master Plan, Downtown Plan, and Trails Master Plan; and present a recommendation for a coordinated ten-year, city-wide, capital improvement action plan ("CIP") consisting of projects and initiatives ("P&I") outlined in said plans.

The Committee shall balance city-wide P&Is with financial impacts; and it shall prioritize P&Is that will improve returns in the form of quality of life and tourism.

The Committee shall work closely with the Finance Director and Special Projects Director to identify potential funding sources.

The proposed CIP must be submitted by June 2026 to allow the City Commission sufficient time to review, amend, and approve in time for the 2026-2027 Fiscal Year budget.

The CIP will neither negatively impact nor delay on-going board P&Is.

Drainage and road improvements projects will not be considered by the Committee. Those will be determined solely by the City Commission. However, if a road or drainage improvement is needed to complement a proposed project, it shall be identified as a condition precedent to project construction for City Commission review.

Section III. 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 IV. Membership.

1. The Mayor;
2. Two City Commissioners: One of whom must represent the downtown district (District 2);
3. The City Manager or a designated representative;
4. City Staff: Department heads or staff designated by the City Manager; and
5. Board Representatives: A primary and an alternate member from each of the following approved boards:
 - a. Community Development Advisory Board,
 - b. Community Improvement Board,
 - c. Convention & Visitors Bureau Advisory Boards
 - d. Development Corporation of Harlingen, Inc.,
 - e. Harlingen Preservation Commission,
 - f. Keep Harlingen Beautiful,
 - g. Healthy Harlingen Advisory Board,
 - h. Parks Advisory Board,
 - i. Small Business Committee, and
 - j. Utility Board of Trustees.

Section 5. Joint Commission Meetings.

To ensure alignment with the City Commission's goals and allow for a seamless approval process; the City Commission shall propose initial P&Is for the Committee to review and plan implementation during the ten-year action plan.

Additionally, the Committee will hold a joint workshop with the Commission in (1) March for an update and adjustment and (2) June for final submittal.

Section 6. Duration.

The Committee shall dissolve upon submission of its final recommendations or twelve months from adoption, whichever comes first.

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 Special 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

City of Harlingen
Agenda Item Request Form

I hereby request the following item to be added to the January 21, 2026, City Commission Agenda:

Discussion and possible action to establish specific dates and locations for upcoming Town Hall Meetings and Neighborhood Revitalization Walks for Districts 1 through 5, to promote community engagement, address neighborhood concerns, and support revitalization efforts:

(This item was requested by Mayor Norma Sepulveda)

