

**CITY COMMISSION  
AGENDA  
REGULAR MEETING  
APRIL 1, 2026  
@ 5:30 PM  
CITY HALL, TOWN HALL MEETING ROOM  
2ND FLOOR, 118 E. TYLER AVENUE  
HARLINGEN, TEXAS**

Notice is hereby given that the City Commission of the City of Harlingen, Texas will hold a Regular Meeting on **WEDNESDAY, APRIL 1, 2026, at 5:30 P.M.** at City Hall, Town Hall Meeting Room, 118 E. Tyler Avenue, Harlingen, Texas and provide the public the ability to view the meeting via internet live-streaming at [www.harlingentx.gov](http://www.harlingentx.gov) and the City of Harlingen YouTube Page.

To submit written comments regarding an item for City Secretary, go to [www.harlingentx.gov](http://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" followed by a presentation of a check from Harlingen Fire Dept.
  - b) Certificate of Recognition — Harlingen High School South "Lady Hawks" Basketball Team
  - c) Certificate of Recognition — Harlingen High School "Lady Cardinals" Basketball Team
  - d) Recognition for the Harlingen Legacy Award — Charlie Perez
  - e) Presentation of Proclamation — Jackson Street Market Days "25th Anniversary"
  - f) Presentation of Proclamation — Animal Control Appreciation Week
  - g) Presentation of Proclamation - National Community Development Week
  - h) Certificate of Recognition - Roberto Hernandez—Recipient of "The Young Engineer of the Year Award"
  - i) Certificate of Recognition — 2026 World's Strongest Firefighters Competition "Michael Allen & Gage Richmond"
- 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 December 17, 2025
- 7) **Consent Agenda:** *No discussion is anticipated on any of the items in this section because they are routine business, were included in the budget adoption process, or have been previously discussed as a staff report or discussion item. These items will be considered collectively by a single vote, unless a commission member requests an item be removed from the consent agenda.*
  - a) Consideration and possible action to approve an ordinance on second and final reading for a Special Use Permit (SUP) to allow a recycling center, ferrous in a Light Industry ("LI") District located at 1318 North Commerce Street, bearing a legal description of 3.40 acres out of Block

1. Harlingen Land and Water Company Subdivision. Applicant: Nicole Ortiz. Attachment **(Planning & Development)**.

- b) Consideration and possible action to approve an ordinance on second and final reading to rezone from Not Designated ("N") District to General Retail ("GR") District for a property located at 33470 FM 509, bearing a legal description of 1.75 acres out of Block 167, San Benito Land and Water Subdivision. Applicant: Raul Viramontes. Attachment **(Planning & Development)**.
- c) Consideration and possible action to approve an ordinance on second and final reading for a Special Use Permit (SUP) to allow an event center with alcohol in a General Retail ("GR") District located at 350 N. Loop 499, bearing a legal description of 2.72 acres out of 21.7986 acres out of Block 67, Harlingen Land and Water Company Subdivision. Applicant: Eduardo Pena. Attachment **(Planning & Development)**.
- d) Consideration and possible action to approve an ordinance on second and final reading to rezone from General Retail ("GR") District to Planned Development ("PD") District to allow a mixed-use development (commercial and multifamily) for properties bearing a legal description of 30.52 acre tract of land, more or less, out of Block 182, San Benito Land and Water Company Subdivision, Concepción De Carricitos Grant, located northeast of Camelot Drive and Victoria Lane. Applicant: Berenice Chapa (Half Associates) c/o Economic Development Corporation of Harlingen, Inc. Attachment **(Planning & Development)**.
- e) Consideration and possible action to approve an ordinance on second and final reading for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-site consumption, in a General Retail ("GR") District, located at 211 N. Ed Carey Drive, bearing a legal description of Lot 3, Block 1, Dorris Subdivision Unit 1. Applicant: Richard Rivas c/o Panthers Petroleum III, LLC. Attachment **(Planning & Development)**.
- f) Consideration and possible action to authorize the City Manager to execute Flock Safety Mobile Security Trailer Agreement between the City of Harlingen and Flock Safety. Attachment **(Police Department)**. **(This item was tabled at the Regular City Commission Meeting of March 18, 2026)**.
- g) Consideration and possible action to approve a Facility Usage Agreement for 7-on-7 football practice between the City of Harlingen and the Harlingen Cardinals Youth Sports League for use of Vestal Park Field 1. Attachment **(Parks & Recreation)**.
- h) Consideration and Possible action to approve the testing and potential installation of speed humps at the following locations: **(This item was requested by Commissioner Delia Cavazos-Gamez and Commissioner Frank Morales)**.

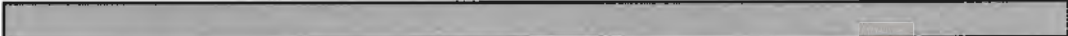
1. E. Flynn Ave (Between 13th & 10th Street)

- 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 from Schneider Electric regarding the 30% Investment Grade Audit (IGA) findings for the City of Harlingen Deferred Maintenance Program, including preliminary scope of work, project prioritization, and estimated costs and savings. **(This item is for informational purposes only; an assessment update from the meeting held on March 19, 2025)**.
- 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.*

- 10) **Action Items:** City Commission will discuss, consider, and take any action deemed necessary on items listed in this section, including the adoption of a resolution or an ordinance.

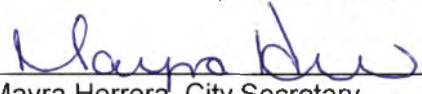
**Ordinances:**

- a) Consideration and possible action to approve an ordinance on second and final reading for a Special Use Permit (SUP) to allow the loading/unloading of bulk liquid (ethanol) in a Light Industry ("LI") District located at 2201 N. Commerce Street, bearing a legal description of 23.4100 acres out of Block G, Survey 26, Boyce Tract. Applicant: Frank Cunningham c/o Saint Claire Group, Inc. Attachment (**Planning & Development**).
- b) Discussion and possible action to approve an ordinance on first reading of the City of Harlingen Ordinance establishing a policy requiring City Commission approval for certain extraordinary water supply commitments outside the City limits in order to protect municipal water resources, infrastructure capacity, and long-term growth planning; including legislative findings; applicability provisions; preservation of the operational authority of the Harlingen Waterworks and Sewer System; prospective application; and severability. (**Mayor**)  

- c) Consideration and possible action to purchase seven (7) pickup trucks with savings from the purchase of Engines 1 and 2. Attachment (**Fire**).
- d) Consideration and possible action to approve an Interlocal Agreement between the City of Harlingen and Harlingen Consolidated Independent School District (HCISD) for the use of aquatic facilities and authorize the City Manager to execute the agreement. Attachment (**Parks & Recreation**).
- e) Consideration and possible action to approve funding for the Harlingen field renovations and authorize the City Manager to proceed with project implementation. Attachment (**Parks & Recreation**).
- f) Discuss and possible action regarding the FAA citing the City's failure to properly train Airport Firefighters in handling wildlife safety hazards on VIA's runway. (**This item was requested by Commissioner Frank Morales and Commissioner Delia Cavazos-Gamez**)
- g) Consideration and possible action to authorize the City Manager to request funding from the Harlingen Community Improvement Board for the Stuart Place Pocket Park and Hunter Park. (**This item was requested by Commissioner Rene Perez and Commissioner Delia Cavazos-Gamez**).
- h) Consideration and possible action to authorize the City Manager to request funding from the Harlingen Community Improvement Board for the Lon C. Hill Destination Park. (**Mayor**)
- i) Consideration and possible action to approve a resolution to establish a City of Harlingen Advisory Committee on accessibility for the Blind and Visually Impaired. (**Mayor**)
- j) Discussion and possible action to adopt a resolution calling for public hearings on a proposed moratorium on high-intensity data processing facilities (data centers), and directing publication of notice in accordance with Texas Government Code Sections 212.131-212.137. (**Mayor**)
- k) Consideration and possible action to change the Harlingen Auditorium name to Gloria Canales Auditorium. (**Mayor**)

- 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(CDBG)  
Construction Board of Adjustments (3)  
Convention & Visitors Bureau  
Development Corporation of Harlingen, Inc.(HEDC)  
Golf Course Advisory Board  
Harlingen Community Improvement Board(4B)  
Harlingen Housing Authority Board  
Harlingen Finance Corporation (6)  
Harlingen Teen and Young Adult Advisory Board (1)  
Healthy Harlingen Advisory Board  
Historic Preservation Council  
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  
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) The City Commission will convene in closed session pursuant to **Texas Government Code §551.087** to discuss commercial and financial information received from a business prospect seeking to locate or expand within the City and to deliberate the offer of economic development incentives relating to a proposed privately financed entertainment and tourism event project, including potential contractual arrangements for the temporary use of City facilities.
- The Commission may also consult with the City Attorney pursuant to **Texas Government Code §551.071** regarding legal issues associated with the proposed event production agreement, including risk allocation, indemnification, insurance requirements, and protection of the City's governmental interests. **(City Attorney).**
- 13) **Action on Executive Session Items:** *The City Commission will reconvene in open session and may take action on any item listed in the Executive Session Section of this agenda.*
- a) Consideration and possible action on Item 12(a) as discussed in executive session.
- 14) **Adjournment:**

I, the undersigned authority, do hereby certify that the above Notice of the Regular Meeting of the Harlingen City Commission is a true and correct copy of said notice posted on the bulletin board at City Hall of said City of Harlingen, Texas in a place convenient and readily accessible to the general public at all times and on the City's Internet Website and said Notice was posted on **THURSDAY, MARCH 26, 2026**, at or before 3:00 a.m. p.m. and remained so posted for at least three (3) business days preceding the time of said meeting.

Dated this 26th day of March, 2026

  
\_\_\_\_\_  
Mayra Herrera, City Secretary

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

December 17, 2025

A Regular Meeting of the Harlingen City Commission was held December 17, 2025 at 5:35 PM, at City Hall, Town Hall Meeting Room, 118 E. Tyler, Harlingen, Texas and providing the public the ability to view the meeting via internet, live streaming and permitting the public to offer citizen communication or participate in items listed on the agenda via videoconferencing or telephonically via [www.harlingentx.gov](http://www.harlingentx.gov) Those in attendance were:

Mayor and Commissioners

Mayor Norma Sepulveda  
Delia Cavazos-Gamez, Commissioner District 1  
Daniel N. Lopez, Mayor Pro-Tem  
Michael Mezmar, Commissioner District 3  
Frank Morales, Commissioner District 4  
Rene Perez, Commissioner District 5

City Staff

Oscar Garcia, Interim City Manager  
Mayra Herrera, City Secretary  
Mark Sossi, City Attorney

1. **Call Meeting to Order**

- a) Invocation – Mayor Norma Sepulveda
- b) Pledge of Allegiance
- c) Welcome Citizens

2. **Conflict of Interest**

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

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

None declared!

3. **Announcements –**

a) Mayor's Announcements –

Mayor Sepulveda thanked staff, directors, partners, and city managers for their hard work and noted the year's success. She expressed gratitude for their service, offered warm holiday wishes, and encouraged everyone to celebrate responsibly.

b) City Manager's Announcements-

None.

c) City Commission Member Announcements –

Commissioner Cavazos-Gamez shared safety reminders from residents, urging drivers to pause briefly at red lights amid recent near-accidents during the busy holiday season. She noted her ongoing meet-and-greets with city departments and expressed appreciation for those she has already visited. She also announced that the Harlingen Fire Department will soon release a 2026 calendar benefiting the animal shelter and encouraged the community to support the cause by purchasing one.

1 Commissioner Morales offered several acknowledgments, congratulating the Marine Military  
2 Academy state football champions on their 44–17 victory and recognizing their MVP, Cadet Dash.  
3 He also wished his father a happy 100th birthday and closed by extending Merry Christmas  
4 greetings and a blessing to all.

5 Commissioner Perez wished everyone a Merry Christmas and a Happy New Year.

6 **4. Proclamation/Presentation of Awards:**

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

8 Shannon Harvill, Director of Health, introduced Letty, a four-month-old kitten featured in the  
9 upcoming Harlingen Fire Department calendar. Ms. Harvill explained that Letty had been in a foster  
10 home but was returned when the family moved to a residence that didn't allow pets. The foster  
11 family described her as loving, cuddly, and friendly, and she is now available for adoption at the  
12 Harlingen Animal Shelter.

13 Ms. Harvill invited anyone interested in adopting Letty or any other shelter animals to visit  
14 the shelter at 1106 Markowsky Ave, Harlingen or call 956-216-5250. She also announced that the  
15 shelter will host an adoption event at Petco in Weslaco on Saturday from 10 a.m. to 2 p.m.

16 When asked about holiday adoption specials, Ms. Harvill noted that the shelter recently held a  
17 half-off adoption event that resulted in eight adoptions and two fosters, and they plan to offer  
18 another discounted event in January.

19 Mayor Sepulveda encouraged the public to follow the Harlingen Animal Shelter's social media  
20 and expressed hope that Letty will be adopted soon.

21 b) Presentation of Recognition — Harlingen High School South "Hawks" Boys' Water Polo Team

22 The city recognized the Harlingen High School South Hawks boys' water polo team for winning  
23 their first-ever district championship, honoring their dedication, sportsmanship, and historic  
24 achievement. Coach Hector Castañeda Jr. was also commended for his leadership and  
25 commitment to the team's success.

26 Coach Castañeda expressed pride in his players' hard work, noting their early-morning  
27 practices and determination, and shared his hope to repeat the accomplishment next year.

28 c) Presentation of Recognition — Harlingen High School South "Hawks" Girls Water Polo Team

29 The city recognized the Harlingen High School South Lady Hawks girls water polo team for  
30 their outstanding season, sportsmanship, dedication, and accomplishments. Coach Hector  
31 Castañeda Jr. was also honored for his leadership and confidence in the team.

32 Coach Castañeda expressed pride in the girls' hard work, noting their early-morning practices  
33 and their resilience after losing key players the previous year. Despite doubts from others, the team  
34 believed in themselves and achieved a successful season.

35 d) Proclamation — Lolly Burns Real Estate LLC "25th Anniversary"

36 A proclamation was presented honoring the 25th anniversary of Lolly Burns Real Estate LLC.  
37 The proclamation highlighted the company's founding in 2000 by Laura "Lolly" Burns after years of  
38 professional experience, its beginnings as a home-based business, and its growth into a  
39 long-standing commercial presence in downtown Harlingen. It recognized the firm's move to East  
40 Tyler Street in 2004, where it has contributed to the vitality of the downtown area and become  
41 known for its popular marquee sign featuring clever and engaging messages enjoyed by residents  
42 and visitors.

43 The proclamation also emphasized the company's intentionally small but highly effective team,  
44 including Lolly's daughter Carly Thomas and longtime team member Carol Coronado, and noted  
45 the firm's strong market presence built on values of honesty, integrity, and community commitment.  
46 The year 2025 marks the company's 25th anniversary, celebrating its legacy of service and  
47 leadership in Harlingen.

1 Lolly Burns expressed heartfelt appreciation to the mayor and commission, shared pride in her  
2 team, and reflected on the lessons learned over 25 years in business. She spoke about her deep  
3 roots in Harlingen, her love for welcoming new residents, and her pride in representing the  
4 community.

5 e) Mayor's Business of the Month "Greater Coffee Co."

6 Greater Coffee Company was recognized as Business of the Month. Aaron Villareal shared  
7 that the shop is built on three pillars greater coffee, greater service, and greater community and  
8 aims to leave a lasting impact on everyone who visits. He explained that the dream began in college  
9 and noted that their current bestseller is the cinnamon latte, though he prefers a simple Americano.  
10 The owners expressed hopes to continue growing, including opening another Valley location, and  
11 encouraged aspiring entrepreneurs to persevere.

12 Aaron Villareal thanked the mayor and commission for the honor and reaffirmed their  
13 commitment to serving the community "one cup of coffee at a time."

14 Mayor Sepulveda praised the shop's warm atmosphere, friendly service, and quality drinks,  
15 noting how quickly it became a local favorite.

16 5. **Citizen Communication:**

- 17
- 18 • Raymond Reyes - Following set Guidelines
  - 19 • Sophia Gonzalez - Single Family lots to be less than then the required 6,000 square feet
  - 20 • Cesar Perez - Horseshoe point
  - 21 • Robert A Leftwich - open
  - 22 • Craig Veititto – (Not signed up – Mayo allowed him to speak)

23 6. **Approval of Minutes:**

24 a) Regular Meeting of September 3, 2025

25 Motion was made by Commissioner Perez and seconded by Mayor Pro-Tem Lopez to approve  
26 minutes for Regular Meeting of September 3, 2025. Motion carried unanimously.

27 7. **Consent Agenda:**

28 a) Consideration and possible action to adopt an ordinance on second and final reading for a rezoning  
29 request from Office ("O") District to General Retail ("GR") District located at 1616 & 1620 N. Ed  
30 Carey Drive, bearing a legal description of Lot 9, Medical Subdivision. Applicant: RGV Plaza, LLC.  
31 Attachment (Planning & Development).

32 ORDINANCE NO. 25-62

33 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF  
34 THE CITY OF HARLINGEN: REZONING FROM OFFICE ("O")  
35 DISTRICT TO GENERAL RETAIL ("GR") DISTRICT, LOCATED AT  
36 1616 & 1620 N. ED CAREY DRIVE, BEARING A LEGAL  
DESCRIPTION OF LOT 9, MEDICAL SUBDIVISION.

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

38 PASSED AND APPROVED on the second and final reading this the 17<sup>th</sup> day of December 2025.

39 ATTEST:

40 CITY OF HARLINGEN

41 /s/ Mayra Herrera, City Secretary

/s/Norma Sepulveda, Mayor

42 b) Consideration and possible action to adopt an ordinance on second and final reading for a rezoning  
43 request from Not Designated ("N") District to General Retail ("GR") District for 13.58 acres of land  
44 out of Survey 140, L.L. Adams Subdivision, located south of Wilson Road, approximately 4,800.46  
45 feet east of Bass Boulevard. Applicant: Moore Land Surveying LLC c/o Zarate Home Designs  
46 Attachment. (Planning & Development).

47 ORDINANCE NO. 25-63

48 AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF  
49 THE CITY OF HARLINGEN: REZONING FROM NOT  
50 DESIGNATED ("N") DISTRICT TO GENERAL RETAIL ("GR")

DISTRICT FOR 13.58 ACRES OF LAND OUT OF SURVEY 140,  
L.L ADAMS SUBDIVISION LOCATED SOUTH OF WILSON ROAD,  
APPROXIMATELY 4,800.46 FEET EAST OF BASS BOULEVARD.

PASSED AND APPROVED on first reading this the 3rd day of December 2025.  
PASSED AND APPROVED on the second and final reading this the 17<sup>th</sup> day of December 2025.

ATTEST: CITY OF HARLINGEN  
/s/ Mayra Herrera, City Secretary /s/Norma Sepulveda, Mayor

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

ORDINANCE NO. 25-64

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

PASSED AND APPROVED on first reading this the 3rd day of December 2025.  
PASSED AND APPROVED on the second and final reading this the 17<sup>th</sup> day of December 2025.

ATTEST: CITY OF HARLINGEN  
/s/ Mayra Herrera, City Secretary /s/Norma Sepulveda, Mayor

- d) Consideration and possible action to approve the testing and potential installation of speed humps at the following locations: (This item was requested by Mayor Norma Sepulveda)

1. Lotus Street
2. "J" Street near Jefferson Elementary School

Item 7(d) was removed from the consent agenda by Commissioner Perez.

Motion was made by Commissioner Perez to approve Items 7(a), 7(b), and 7(c).

Item 7(b) was subsequently removed from the consent agenda by Commissioner Cavazos-Gamez.

Amended motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Perez to approve only Items 7(a) and 7(c). Motion carried unanimously.

Commissioner Cavazos-Gamez asked for clarification on Item 7(b), explaining she had questions about drainage, retention ponds, and water flow for the proposed development.

Ms. Hernandez clarified that Item 7(b) was only a rezoning request and that construction or drainage plans were not yet available.

Motion was made by Commissioner Cavazos-Gamez and seconded by Mayor Pro-Tem Lopez to approve item 7(b). Motion carried unanimously.

Mayor Pro-Tem Lopez asked about the timeline for lowering speed limits now that the comprehensive plan had been approved.

Ms. Hernandez confirmed implementation could begin immediately.

Mayor Pro-Tem Lopez also requested input from EMS and the Fire Department.

Commissioner Perez added an amendment to include Baker Potts between Business 83 and Garrett Road to item 7(d).

1 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Perez to approve  
2 item 7(d) with the amendment to include Baker Potts between Business 83 and Garrett Road.  
3 Motion carried unanimously.

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

5 a) City Manager's Report

6 None.

7 b) Staff Reports

8 None.

9 c) Presentation by City Staff on the process it uses for Public Information Requests (PIR) (This item  
10 was requested by Commissioner Frank Morales and Commissioner Delia Cavazos- Gamez).

11 Mayra Herrera, City Secretary, outlined the process for completing a Public Information  
12 Request (PIR) through the City Secretary's Office. Requests may be submitted by mail, fax, email,  
13 or in person, and staff enter them into the city's system before routing them to the appropriate  
14 departments. Requests submitted through GovQA are routed automatically. Under the Texas  
15 Public Information Act, PIRs must be completed within ten business days, excluding weekends and  
16 holidays. Departments have five business days to gather information and send it to the legal  
17 department when legal review is required; otherwise, they may use the full ten days. If clarification  
18 from the requester is needed, the ten-day timeline pauses until the requester responds.

19 Legal reviews only some requests, and when review is necessary, legal has five business days  
20 to examine documents, make redactions, and approve them for release. Once cleared, the City  
21 Secretary's Office notifies the requester by phone or email. Records may be provided electronically  
22 or in person, with printed copies available at ten cents per page; electronic copies are free. While  
23 the City Secretary's Office logs and coordinates all requests, individual departments are  
24 responsible for producing the records. Requests involving the Harlingen Police Department,  
25 Harlingen Water Works System, Valley International Airport, or the Harlingen Economic  
26 Development Corporation (EDC) are handled directly by those entities, and any such requests  
27 received by the City Secretary's Office are redirected and closed.

28 During the discussion between Commission and Mrs. Herrera, it was clarified that EDC is  
29 subject to the Public Information Act. The city must respond within ten days by completing the  
30 request, requesting clarification, or stating whether responsive information exists. If no records are  
31 available, the department head issues a signed letter confirming that no responsive information  
32 exists. Most PIRs are completed to the requester's satisfaction, though some requesters believe  
33 records should exist when departments confirm they do not. Missing or inaccurate meeting minutes  
34 have occurred due to past record-keeping issues, and if minutes are not on file, they cannot be  
35 produced. It was also clarified that city employees must follow the same PIR process as the public;  
36 however, internal requests from the City Manager, commissioners, or department directors do not  
37 require a formal PIR and are handled through direct departmental communication.

38 **9. Public Hearings:**

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

41 a) Public hearing to amend the previously-approved Planned Development ("PD") District to allow for  
42 28-foot wide streets with 30-feet of Right-of-Way and smaller lot sizes, reduce a common area, and  
43 a 5-foot rear yard setback for Lots 59-73 for a 90-lot single-family and 1-lot commercial  
44 development on a property bearing a legal description of 12.537 acres of land out of a Portion of  
45 Lots 1, 2, 7, and all of Lot 8, all out of Block 146, San Benito Land and Water Company Subdivision,  
46 located on the northwest corner of Haine Road and FM 509. Applicant: Melden & Hunt c/o HDP  
47 Paso Real, LLC (Nick Rhodes) Attachment (**Planning & Development**).

- 48 • Item 9(a)- None

1 b) Public hearing for a Special Use Permit (SUP) to allow an adult business (smoke shop) in a General  
2 Retail ("GR") District located at 803 Dixieland Road, Suite A, bearing a legal description of Lot 2,  
3 Dixieland Center Subdivision. Applicant: Ahmed Alsabahi. Attachment (**Planning &**  
4 **Development**).

- Item 9(b)- None

6 c) Public hearing to rezone from Residential, Single Family ("R-1") District to Residential, Duplex ("R-  
7 2") District for a property located at 1301 S.1st Street, bearing a legal description of Lot 1, Block 4,  
8 Finwood Heights Subdivision. Applicant: Rene Ramirez c/o Brownstar Holdings, LLC. Attachment  
9 (**Planning & Development**).

- Item 9(c)- None

11 d) Public hearing for the voluntary annexation and to establish the initial zoning of Planned  
12 Development ("PD") District to allow internal streets to have 50 feet R-O-W with 32-foot wide paved  
13 streets, and for 135 out of 358 residential lots to be less than then the required 6,000 square feet,  
14 for a property bearing a legal description of 35.754 acres out of a Part or Portion of Blocks 65, 66,  
15 and 72, and out of Reserved Horseshoe Lake, Lon C. Hill Subdivision, located south of Morris  
16 Road, approximately 2,095.97 feet southwest of South Ed Carey Drive. Applicant: Melden & Hunt,  
17 Inc. c/o Leonard P. Simmons III & Mary Beth Simmons Attachment (**Planning & Development**).

- Item 9(d)- None

19 e) Public hearing to consider an ordinance of the City of Harlingen amending Chapter 111- Zoning by  
20 adding the new Article XXII – Historic Preservation and dealing with related matters. Applicant: City  
21 of Harlingen Amendment (**Planning & Development**).

- Item 9(f)- None

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

## 24 10. Action Items

### 25 Ordinances:

26 a) Consideration and possible action to approve an ordinance on first reading, amending the  
27 previously-approved Planned Development ("PD") District to allow for 28-foot wide streets with 30-  
28 feet of Right-of-Way and smaller lot sizes, reduce a common area, and a 5-foot rear yard setback  
29 for Lots 59-73 for a 90-lot single-family and 1-lot commercial development on a property bearing a  
30 legal description of 12.537 acres of land out of a Portion of Lots 1, 2, 7, and all of Lot 8, all out of  
31 Block 146, San Benito Land and Water Company Subdivision, located on the northwest corner of  
32 Haine Road and FM 509. Applicant: Melden & Hunt c/o HDP Paso Real, LLC (Nick Rhodes)  
33 Attachment (**Planning & Development**).

34 Ana Hernandez, Planning and Zoning Director, explained that the request seeks to amend the  
35 previously approved site plan by adjusting the rear setbacks for several lots within the multifamily  
36 townhome section of the development.

37 Commissioner Mezmar noted that the change would enlarge the middle lots by shifting the rear  
38 lot lines, resulting in larger buildings and smaller backyards.

39 Mario Reyna of Melden & Hunt stated that the original Planned Unit Development (PUD)  
40 included 212 single-family lots, which have already been built, and that the remaining area was  
41 later amended to allow townhomes. The project is currently under construction, with utilities and  
42 streets already underway. The amendment also removes a planned common green space in the  
43 center of the development.

44 Mr. Reyna explained that because this is a gated rental community, only a centralized mail  
45 center is needed rather than a park-like common area.

1 Mayor Pro-Tem Lopez asked whether the removal of the green space was related to park fee  
2 requirements. Ms. Hernandez clarified that the green space was simply an amenity proposed by  
3 the developer and was not connected to park fees.

4 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Perez to approve  
5 an ordinance on first reading, amending the previously-approved Planned Development ("PD")  
6 District to allow for 28-foot wide streets with 30-feet of Right-of-Way and smaller lot sizes, reduce  
7 a common area, and a 5-foot rear yard setback for Lots 59-73 for a 90-lot single-family and 1-lot  
8 commercial development on a property bearing a legal description of 12.537 acres of land out of a  
9 Portion of Lots 1, 2, 7, and all of Lot 8, all out of Block 146, San Benito Land and Water Company  
10 Subdivision, located on the northwest corner of Haine Road and FM 509. Applicant: Melden & Hunt  
11 c/o HDP Paso Real, LLC (Nick Rhodes) Motion carried as follows: FOR: Mayor Pro-Tem Lopez,  
12 Commissioners: Perez and Cavazos-Gamez; AGAINST: Commissioners: Mezmar and Morales;  
13 ABSTAINED: None. (Vote: 3-2-0).

- 14 b) Consideration and possible action to approve an ordinance on first reading for a Special Use Permit  
15 (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 803  
16 Dixieland Road, Suite A, bearing a legal description of Lot 2, Dixieland Center Subdivision.  
17 Applicant: Ahmed Alsabahi. Attachment (Planning & Development).

18 Alfredo Alvear, Chief of Police, explained that the proposed location is problematic because  
19 students frequently visit nearby businesses, including a comic bookstore and other youth-oriented  
20 shops. He expressed concern about products commonly sold in smoke shops. Particularly THC  
21 and CBD items that blur legal lines and noted that packaging resembling food or using cartoon  
22 characters is illegal. He also highlighted broader concerns about paraphernalia often being used  
23 for illegal drug activity.

24 Commissioner Perez, who teaches at Harlingen South High School, strongly opposed the  
25 location, stating that students already struggle with vape-related issues and that placing a smoke  
26 shop so close to campus would increase access. He emphasized that students could easily obtain  
27 products through older siblings or friends and that the surrounding businesses attract families and  
28 minors, making the location inappropriate.

29 Mayor Sepulveda asked whether police have seen increased criminal activity around existing  
30 vape shops.

31 Chief Alvear responded that the department has recently made several arrests involving  
32 juveniles breaking into vape shops, noting that youth were specifically targeting these businesses  
33 for their products.

34 Mayor Sepulveda stressed that such offenses could lead to felony charges that follow minors  
35 into adulthood, reinforcing her concern about placing another shop near the high school. She  
36 questioned whether the community benefits from additional smoke or vape shops, especially when  
37 the applicant already operates at another location in the city.

38 Chief Alvear also noted the broader challenge of regulating the growing number of similar  
39 businesses and the difficulty of enforcing THC-content laws, which require costly private lab testing.  
40 The proposed operating hours (9 a.m. to 2 a.m.) were cited as an additional concern.

41 Motion was made by Mayor Sepulveda and seconded by Commissioner Perez to deny an  
42 ordinance on first reading for a Special Use Permit (SUP) to allow an adult business (smoke shop)  
43 in a General Retail ("GR") District located at 803 Dixieland Road, Suite A, bearing a legal  
44 description of Lot 2, Dixieland Center Subdivision. Applicant: Ahmed Alsabahi. Motion carried  
45 unanimously.

46 After the vote, Mayor Pro-Tem Lopez emphasized the need for consistency and asked Planning  
47 and Zoning to work with the Police Department and City Attorney Mark Sossi on an ordinance  
48 regulating smoke and vape shops. He noted that the commission should provide clear direction so  
49 staff can draft a proposal aligned with their goals.

1 Mr. Sossi explained that the city has strong zoning authority and can require minimum  
2 distances from schools, daycares, and churches. He confirmed such restrictions are legally  
3 permissible when applied consistently.

4 Mayor Sepulveda agreed, stressing the importance of involving HPD, reviewing existing shop  
5 locations, and strengthening enforcement of Special Use Permits (SUPs), including renewal  
6 requirements. She also raised concerns about shops operating until 2 a.m. and emphasized  
7 prioritizing child safety.

8 Planning and Zoning Director Ana Hernandez advised that adding distance buffers from  
9 sensitive locations would be the simplest way to strengthen the ordinance and noted another smoke  
10 shop SUP request is scheduled for January.

11 Mayor and Commissioners agreed that stronger regulations and better enforcement tools are  
12 needed to ensure shops operate legally and do not negatively impact youth or surrounding  
13 neighborhoods.

- 14 c) Consideration and possible action to approve an ordinance on first reading to rezone from  
15 Residential, Single Family ("R-1") District to Residential, Duplex ("R-2") District for a property  
16 located at 1301 S. 1st Street, bearing a legal description of Lot 1, Block 4, Finwood Heights  
17 Subdivision. Applicant: Rene Ramirez c/o Brownstar Holdings, LLC. Attachment (**Planning &**  
18 **Development**).

19 Motion to approve was made by Commissioner Morales and seconded by Commissioner Perez  
20 to approve an ordinance on first reading to rezone from Residential, Single Family ("R-1") District  
21 to Residential, Duplex ("R-2") District for a property located at 1301 S. 1st Street, bearing a legal  
22 description of Lot 1, Block 4, Finwood Heights Subdivision. Applicant: Rene Ramirez c/o Brownstar  
23 Holdings, LLC. Motion carried unanimously.

- 24 d) Consideration and possible action to approve an ordinance on first reading for the voluntary  
25 annexation and to establish the initial zoning of Planned Development ("PD") District to allow  
26 internal streets to have 50 feet R-O-W with 32-foot wide paved streets, and for 135 out of 358  
27 residential lots to be less than then the required 6,000 square feet, for a property bearing a legal  
28 description of 35.754 acres out of a Part or Portion of Blocks 65, 66, and 72, and out of Reserved  
29 Horseshoe Lake, Lon C. Hill Subdivision, located south of Morris Road, approximately 2,095.97  
30 feet southwest of South Ed Carey Drive. Applicant: Melden & Hunt, Inc. c/o Leonard P. Simmons  
31 III & Mary Beth Simmons. Attachment (**Planning & Development**).

32 Commissioner Mezmar said he was having difficulty supporting the proposal because the  
33 commission keeps receiving mixed messages. He recalled being told at the previous meeting that  
34 there would be no small lots and that drainage improvements at Horseshoe Lake would be  
35 expanded. Now, however, the plan includes many very small lots, which he feels are being  
36 clustered into an otherwise well-designed neighborhood. While he supports housing and  
37 Harlingen's growth, he argued that the development should be consistent. He said lots of 6,000  
38 square feet or less make little sense in an area where most lots are 7,000 to 9,000 square feet.

39 Mayor Pro-Tem Lopez then raised a concern he had heard from a resident claiming the project  
40 involved 13 variances. Ana Hernandez, Planning and Zoning Director confirmed that only one  
41 variance has been approved which was the entrance-distance variance granted on November 5,  
42 2025.

43 Mayor Pro-Tem Lopez asked whether the developer would need to return for additional  
44 variances if plans changed, and Ms. Hernandez explained that any changes would require new  
45 notices to property owners within 200 feet, measured from the property boundaries. She added  
46 that some nearby residents who live outside city limits and therefore would not receive notices. Ms.  
47 Hernandez clarified that this request is for a Planned Development zoning tied to annexation, which  
48 includes 30-foot paved streets and a range of lot sizes from roughly 3,000 to 9,000 square feet,  
49 giving the developer flexibility.

1 Mayor Pro-Tem Lopez then referenced the fire department's prior presentation about  
2 emergency access, and Fire Chief Rafael Balderas confirmed that the proposed street widths meet  
3 local standards and that fire trucks can maneuver even with cars parked on both sides, similar to  
4 downtown streets. He added that the HOA intends to restrict on-street parking during certain hours,  
5 which would further improve access.

6 Mayor Pro-Tem Lopez then asked Brad Frisbee, from Rhodes Development, to confirm  
7 whether the entire development would fall under a single HOA.

8 Mr. Frisbee explained that each subdivision will have its own HOA and assured the commission  
9 that an HOA will indeed be established because Rhodes Enterprises manages the associations  
10 during development. He noted that the company currently oversees about 3,000 homes under HOA  
11 management.

12 When Mayor Pro-Tem Lopez pressed for details on how the HOA is formed and maintained,  
13 Mr. Frisbee said he was not part of the property-management division but explained that Rhodes  
14 Enterprises manages the HOA until all homes are built and sold, at which point residents typically  
15 assume control. He added that he has never seen a neighborhood decline to take over its HOA, as  
16 homeowners generally want to manage their own community. When asked about their oldest  
17 subdivision, he cited a development begun in 2007 that still has an active HOA.

18 Commissioner Mezmar reiterated his concern that the project squeezes small houses onto  
19 small lots in an area otherwise characterized by larger homes on larger lots. Mr. Frisbee responded  
20 that the developer had already increased some lot sizes, reduced the overall lot count, and added  
21 amenities such as a clubhouse, pool, and 10 acres of park space. He acknowledged that some  
22 entry-level lots are slightly smaller than 6,000 square feet but emphasized that many lots average  
23 around 8,000 square feet, with a portion reaching 10,000.

24 When Commissioner Cavazos-Gamez asked about parking during gatherings, Frisbee  
25 explained that each home includes a two-car garage and a driveway that fits two more vehicles,  
26 with additional on-street parking available through HOA approval.

27 Mayor Sepulveda then noted that a traffic study had been completed and that significant  
28 infrastructure improvements, including a lift station, must be finished before any home construction  
29 begins.

30 In response to concerns that the process was moving unusually fast, Ms. Hernandez clarified  
31 that only the annexation agreement moved more quickly due to legal requirements for voluntary  
32 annexation, which must be negotiated before zoning and annexation petitions can proceed.

33 Mark Sossi, City Attorney added that state law requires the city to secure the developer's  
34 consent before annexing property voluntarily, which naturally shifts the order of steps compared to  
35 involuntary annexation.

36 Mayor Pro-Tem Lopez asked whether, aside from the annexation agreement, the subdivision  
37 had moved any faster than a typical development already within city limits. Ms. Hernandez  
38 explained that it had not. The only accelerated portion was the annexation contract, and she noted  
39 that the developer had been proactive in submitting required materials. She reminded the  
40 commission that this was both an annexation and a rezoning request, and that any concerns about  
41 lot sizes or street widths should be raised at this stage. Staff recommended approval.

42 Commissioner Morales then questioned how to address residents' concerns about safety,  
43 particularly emergency access, noting that hundreds of homes would eventually bring more than a  
44 thousand people into the area and that a second entrance had not been secured. Staff responded  
45 that the previously approved variance addressed the entrance issue.

46 Mario Reyna, speaking for Melden & Hunt, reviewed the lot-size distribution, explaining that  
47 the 359 lots average 7,800 square feet, above the 6,000-square-foot minimum and that the streets  
48 curved design naturally produces a mix of larger and smaller lots. He added that the developer had  
49 reduced the total lot count from earlier plans and that the buildout would occur over 9 to 11 years.

1 Mr. Reyna also noted that once utilities are extended, surrounding properties to the east  
2 and west could develop, creating additional access points.

3 Commissioner Mezmar reiterated his opposition to lots under 6,000 square feet.

4 Mayor Sepulveda asked the developer to confirm the total investment being made in the  
5 project's required infrastructure. Mario Reyna explained that the lift station is estimated at \$1.1  
6 million, the private park at \$1.7 million, and the detention improvements at over \$1 million but under  
7 \$2 million. He added that the lift station will serve 300–400 acres, not just this subdivision, and  
8 noted that Harlingen Waterworks has approved the service area and signed an agreement for its  
9 development.

10 Mayor Pro-Tem Lopez asked Ms. Hernandez how many phases the project included and  
11 whether the city could require a second entrance in later phases. Ms. Hernandez explained the  
12 development now has three phases and that, although such a requirement could normally be  
13 imposed during plat approval, the previously approved variance removed the obligation for an  
14 additional entrance. She noted the site plan still shows a possible future connection.

15 Mayor Pro-Tem Lopez then asked about acquiring Morris Road from Cameron County, and  
16 City Engineer Roberto Hernandez confirmed the process had begun and that the county was not  
17 opposed. He said planning and legal staff were preparing the necessary annexation steps. Mayor  
18 Sepulveda and Mayor Pro-Tem Lopez both emphasized that, although the traffic study showed  
19 acceptable conditions, Morris Road would still need to be expanded to support future growth.

20 Motion was made by Commissioner Perez and seconded by Mayor Pro-Tem Lopez to approve  
21 an ordinance on first reading for the voluntary annexation and to establish the initial zoning of  
22 Planned Development ("PD") District to allow internal streets to have 50 feet R-O-W with 32-foot  
23 wide paved streets, and for 135 out of 358 residential lots to be less than then the required 6,000  
24 square feet, for a property bearing a legal description of 35.754 acres out of a Part or Portion of  
25 Blocks 65, 66, and 72, and out of Reserved Horseshoe Lake, Lon C. Hill Subdivision, located south  
26 of Morris Road, approximately 2,095.97 feet southwest of South Ed Carey Drive. Applicant: Melden  
27 & Hunt, Inc. c/o Leonard P. Simmons III & Mary Beth Simmons. Motion died as follows: FOR: Mayor  
28 Sepulveda, Mayor Pro-Tem Lopez, and Commissioner Perez; AGAINST: Commissioners:  
29 Cavazos-Gamez, Mezmar, and Morales. ABSTAINED: None. (Vote:3-3-0)

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

33 Ms. Hernandez explained that the revisions were primarily to correct scrivener's errors,  
34 including updating enforcement language to reference the Code Enforcement Division instead of  
35 the Building Official, correcting an incorrect ordinance reference under minimum maintenance  
36 standards, and fixing lettering inconsistencies in another section. She emphasized these were  
37 minor clean-up items.

38 Commissioner Perez then asked about term limits for the Historic Preservation Council, noting  
39 language that appeared to allow unlimited consecutive terms.

40 Mayor Pro-Tem Lopez suggested aligning appointments with the election cycles of the  
41 appointing commissioners so that terms run concurrently with the commissioners who appoint  
42 them. Ms. Hernandez agreed that this could be incorporated.

43 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Cavazos-Gamez  
44 to approve an ordinance on first reading amending Chapter 111- Zoning by adding the new Article  
45 XXII – Historic Preservation and dealing with related matters. Applicant: City of Harlingen. The  
46 motion is subject to the changes identified by Ms. Hernandez, including updating enforcement  
47 language to reference the Code Enforcement Division, correcting an incorrect ordinance reference,  
48 and fixing lettering inconsistencies, as well as incorporating the update aligning board appointments  
49 with the election cycles of the appointing commissioners so that terms run concurrently with the  
50 commissioners who appoint them. Motion carried as follows: FOR: Mayor Pro-Tem Lopez,

1 Commissioners: Cavazos-Gamez, Mezmar, and Perez; AGAINST: Commissioner Morales;  
2 ABSTAINED: None. (Vote: 4-1-0)

3 Commissioner Morales explained his opposition, stating this would open the door to additional  
4 spending. Although the commission would retain final approval authority, he believed the process  
5 would lead to increased costs at a time when the city should be prioritizing infrastructure.

- 6 f) Consideration and possible action to approve the preliminary construction plans and final plat with  
7 conditions of the proposed Oostenwind Subdivision, bearing a legal description of 11.00 acres of  
8 land out of Block 5, Lee Miner Subdivision, located south of FM 508, and west of FM 507. Applicant:  
9 Vigstol Engineering c/o Mr. Hung Q. Tran. Attachment (Planning & Development).

10 Commissioner Cavazos-Gamez asked about the 507-508 area, noting it is known to  
11 experience significant flooding and inquiring whether drainage improvements were planned.

12 Roberto Hernandez, City Engineer, responded that no drainage projects are currently proposed  
13 in that vicinity.

14 Commissioner Cavazos-Gamez then asked whether the development was being required to  
15 build the site higher. Mr. Hernandez confirmed that, as with all permits, homes must be elevated  
16 either 18 inches above the base flood elevation if in a flood zone, or 18 inches above curb or ground  
17 level, whichever is higher.

18 Commissioner Cavazos-Gamez then asked which direction water drains in the area. Mr.  
19 Hernandez explained that part of the site drains east and part drains north, and that the subdivision  
20 will regrade roadside ditches and provide on-site detention but is responsible only for runoff  
21 generated within its own boundaries.

22 Mayor Pro-Tem Lopez followed up, asking whether staff had concerns about flooding in this  
23 area. Mr. Hernandez stated that the drainage report was reviewed and met all requirements. Mayor  
24 Pro-Tem Lopez pressed further, asking whether current standards would adequately address  
25 historic flooding, especially given the conversion of farmland to concrete.

26 Mr. Hernandez confirmed that the detention design accounts for additional runoff and that the  
27 project meets current standards intended to mitigate flooding.

28 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Perez to approve  
29 the preliminary construction plans and final plat with conditions of the proposed Oostenwind  
30 Subdivision, bearing a legal description of 11.00 acres of land out of Block 5, Lee Miner Subdivision,  
31 located south of FM 508, and west of FM 507. Applicant: Vigstol Engineering c/o Mr. Hung Q. Tran.  
32 Motion carried unanimously.

- 33 g) Consideration and possible action to enter into an agreement with Affordable Homes of South  
34 Texas, Inc. (AHSTI) for the Construction Management Services for Community Development  
35 housing rehabilitation projects funded by the US Department of Housing and Urban Development  
36 and the Texas Veterans Commission. Attachment (CDBG).

37 Motion was made by Mayor Sepulveda and seconded by Mayor Pro-Tem Lopez to enter into  
38 an agreement with Affordable Homes of South Texas, Inc. (AHSTI) for the Construction  
39 Management Services for Community Development housing rehabilitation projects funded by the  
40 US Department of Housing and Urban Development and the Texas Veterans Commission. Motion  
41 carried unanimously.

- 42 h) Discuss and consider approval of \$42,000 in funding for the AIM Harlingen Matching Grant  
43 Program for local manufacturers through the Harlingen Economic Development Corporation.  
44 Attachment (HEDC)

45 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Mezmar to  
46 approve \$42,000 in funding for the AIM Harlingen Matching Grant Program for local manufacturers  
47 through the Harlingen Economic Development Corporation.

48

1 **11. Board Appointments:**

2 Commissioner Cavazos-Gamez appointed Dorraine Araiza to the Library Advisory Board.

3 Mayor Pro-Tem Lopez appointed Carly Thomas to the Planning & Zoning Advisory Board.

4 Commissioner Morales removed Commissioner Delia Cavazos-Gamez from the Library Advisory Board  
5 and the Animal Shelter Advisory Committee, with no appointment made to replace her.

6 Commissioner Perez appointed Juan V. Garcia (JV) to the Construction Board of Adjustments.

7 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Perez to approve all  
8 the appointments and removals. Motion carried unanimously.

9 **12. Executive Session:**

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

- 13 1. Project Tyler
- 14 2. Project Eye
- 15 3. Project Beach
- 16 4. Project Organic
- 17 5. Project Roosevelt
- 18 6. Project Smoke Signals
- 19 7. Project Its Thyme
- 20 8. Project Prada

21 b) Consultation with City Attorney pursuant to Texas Government Code 551.071 to receive  
22 confidential briefing protected by the attorney - client communications privilege. (City Attorney).

23 c) Consultation with City Attorney pursuant to Texas Government Code 551.071 regarding pending  
24 litigation (BayRunner Pipeline vs City of Harlingen) (City Attorney)

25 d) Discussion regarding the appointment, employment, evaluation, reassignment, duties, discipline,  
26 or dismissal of a public officer or employee, specifically the Harlingen Airport Board's selection of  
27 a new Director of Aviation for Valley International Airport, pursuant to Texas Government Code  
28 §551.074 and Article IX of the Harlingen City Charter. (City Manager)

29 Commissioner Morales noted he had submitted an agenda item 21 days earlier to consider  
30 accepting the Airport Board's recommendation to hire the new Aviation Director and questioned  
31 why the wording had changed. City Attorney Mark Sossi stated he had not authored the item, and  
32 Mayor Sepulveda explained that the language came from the airport and that Morales's request  
33 and the airport's request were for the same action, so listing both would have been duplicative.

34 Commissioner Morales asked why the agenda could not reflect both sources. Mayor Sepulveda  
35 said that would fall under the City Secretary. Mr. Sossi clarified that the item was placed in  
36 Executive Session because it involves personnel. He also confirmed that the airport is a department  
37 of the City under the charter.

38 Motion was made by Commissioner Perez and seconded by Commissioner Cavazos-Gamez  
39 to go into executive session. Motion carried unanimously.

40 At 7:36 P.M., Mayor Sepulveda announced the City Commission would convene into Executive  
41 Session to discuss Item 12 (a-d).

42 **13. Action on Executive Session Items:**

43 At 9:44 PM, Mayor Sepulveda announced the City Commission had completed its Executive  
44 Session and declared the meeting open to the public.

45 a) Consideration and possible action on Item 12a (1-8), as discussed in executive session.

1 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Mezmar on Item  
2 12a (1-8), to proceed as discussed in executive session. Motion carried unanimously.

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

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

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

7 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Perez on Item  
8 12(d), to carry current selection into extended search to conduct due diligence. Motion carried as  
9 follows: FOR: Mayor Sepulveda, Mayor Pro-Tem Lopez, Commissioners: Cavazos-Gamez and  
10 Perez; AGAINST: Commissioners: Mezmar and Morales. ABSTAINED: None. (Vote:4-2-0)

11 **14. Adjournment:**

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

13

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City of Harlingen

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ATTEST:

Norma Sepulveda, Mayor

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Mayra Herrera, City Secretary

7(2)

**AGENDA ITEM  
EXECUTIVE SUMMARY**

Meeting Date: **April 1, 2026**

**Agenda Item:**

Consideration and possible action to approve an ordinance on second and final Reading for a Special Use Permit (SUP) to allow a recycling center, ferrous in a Light Industry ("LI") District located at 1318 North Commerce Street, bearing a legal description of 3.40 acres out of Block 1, Harlingen Land and Water Company Subdivision. Applicant: Nicole Ortiz. 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

- January 27, 2026 – Application for Special Use Permit ("SUP") submitted to the city. (**ATTACHMENT I**)
- February 19, 2026 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- February 21, 2026 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- March 10, 2026 - Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission (P&Z).
- March 18, 2026 – Public hearing and consideration of requested SUP via 1<sup>st</sup> ordinance reading scheduled before the City Commission.
- April 01, 2026 – Pending approval of 1<sup>st</sup> ordinance reading, consideration of approval of 2<sup>nd</sup> ordinance reading scheduled before the City Commission.

Summary

- Pursuant to Section 111-62 of the City of Harlingen Code of Ordinances, a recycling center in a Light Industry ("LI") District requires the approval of a Special Use Permit by the City Commission.
- The applicant wishes to open a recycling center, ferrous on a property that consists of 3.40 acres. The site has in the past been used as a recycling center. On June 01, 2011, the City Commission approved a Specific Use Permit (SUP) for a recycling center, ferrous on the subject property. On May 03, 2017, the City Commission approved an SUP for a recycling center at this same location for Nicole Ortiz as the applicant, but the business operated only briefly. Nicole Ortiz, applicant and property owner, would like to re-start the business again and is requesting a Special Use Permit (SUP) to operate a recycling center as the business owner at 1318 N. Commerce Street. The proposed recycling center will operate under the name, "Capital City Recycling". The applicant will need to provide landscaping as well as a paved parking area for employees and customers. The applicant proposes constructing around the perimeter of the property an 8-foot metal fence which will help to screen the activities of the proposed use. The recycling location will be a purchasing/receiving facility to

include metals such as aluminum, bronze, copper, and iron. The material will be boxed, (not piled) and shipped to a facility in Brownsville, Tx for eventual worldwide distribution through sales of the product. The proposed hours of operation will be Monday through Friday from 8 AM to 5:30 PM and Saturday from 8 AM to 2 PM. It will be closed on Sunday. **(ATTACHMENT II, III, IV)**.

- Surrounding properties are zoned Light Industry (“LI”) District in all directions. Surrounding land uses include JA’s Autor Repair, Anita Beauty & Spa, Sleepwalkers Bar, Texas Cafe, Union Pacific and Missouri Pacific Railroads, and other commercial/industrial businesses, as well as vacant commercial buildings. **(ATTACHMENTS V, and VI)**
- The Future Land Use Plan (FLUP) component of the Harlingen Horizon – A City on the Rise Comprehensive Plan designates this area for mixed-use development. While the request is not consistent with the land use designation, it is compatible with surrounding land uses.
- The City of Harlingen Building Inspections Division, Fire Prevention Bureau, 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-X)**.
- 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 twenty (20) legal notices to surrounding property owners. **(ATTACHMENT V)**
- 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 an 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.
2. Providing video surveillance with a minimum 30-day retention.
3. Complying with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, and Police Departments.
4. Days and hours of operation are Monday through Friday, 8 AM to 5:30 PM and Saturday, 8 AM to 2 PM.
5. Complying with screening, fencing, and enhanced landscaping

requirements.

6. Enhanced landscaping to be shown on the landscaping plan submitted for review and approval by Planning Department staff.
7. Height of waste pile for the recycling center shall be limited to the top of the metal fence.

City Manager's approval:

*GG*

Yes

No

N/A

**Comments:**

City Attorney's approval:

*MAJ*

Yes

No

N/A

Capital City Recycling

1318 N. Commerce  
3402 Harlingen Land & Water Co  
LI

Nicole Ortiz 956-655-1117

capitalrgva@gmail.com

901 S. Williams Rd San Benito TX 78586

Javier Arteaga 956-119-2931

#119-2931 Blvd. javier@himiw.com

701 N. International Hidalgo TX 78557

✓ CC PYMT

PAID

WE will receive various types of metals for recycling. Ferrous metals (Rusty & deteriorate non magnetic metals. Also we will receive Non Ferrous metals (Non magnetic metals: brass, copper, etc. Aluminum. We will separate the various metals & sell them.

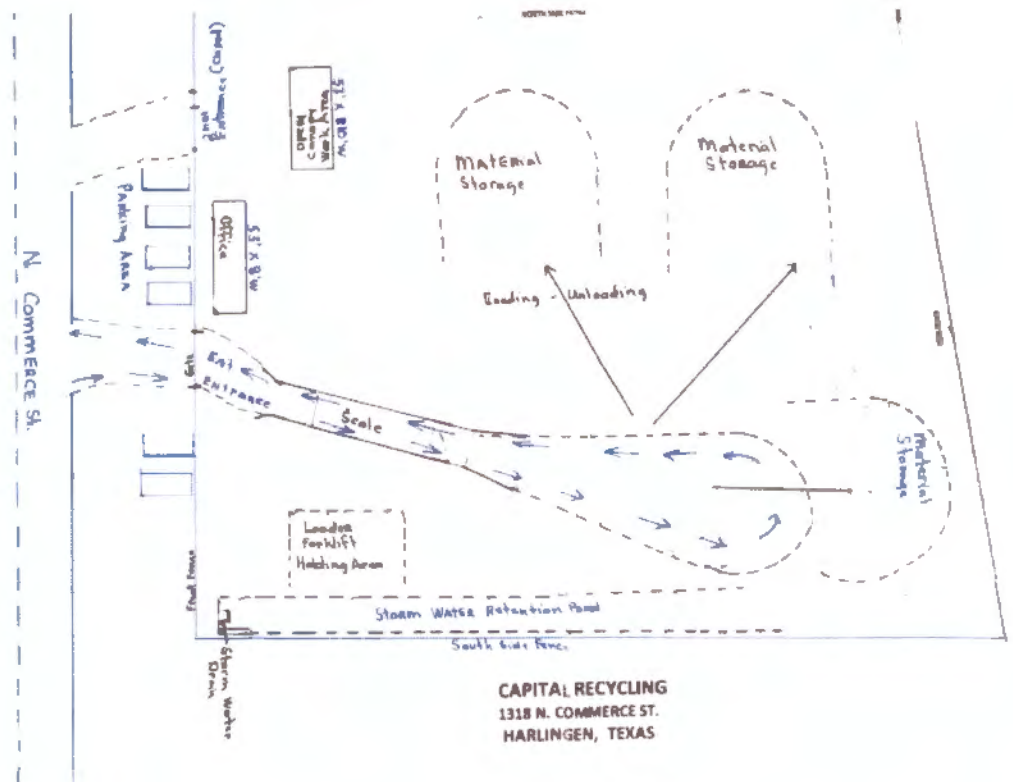
1/23/26

1/23/26

Applicant Name Nicole Ortiz

1/23/26

# Attachment II



CAPITAL RECYCLING  
1318 N. COMMERCE ST.  
HARLINGEN, TEXAS

Street View

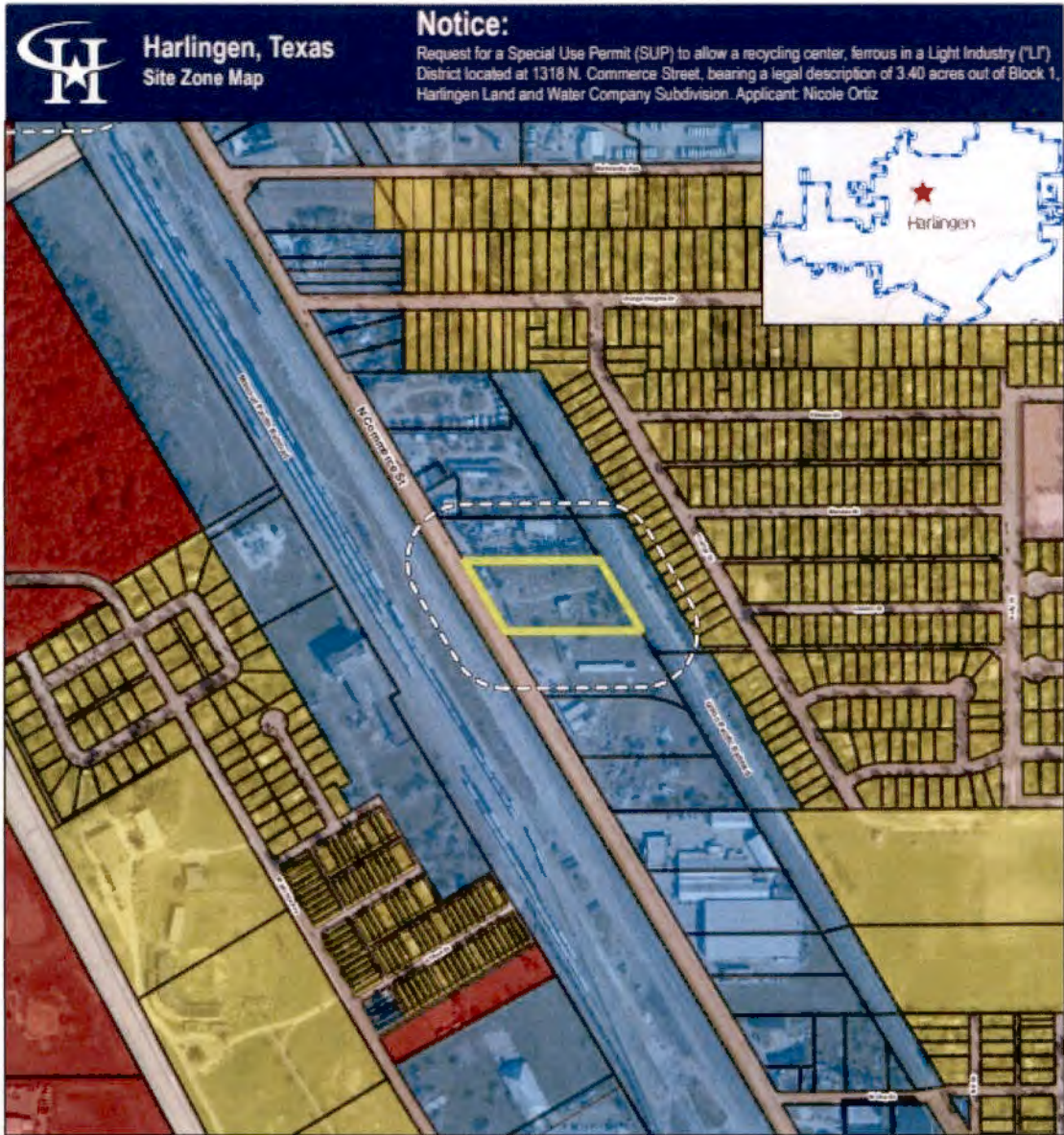


**Attachment IV**

**Street View from North Commerce Street**

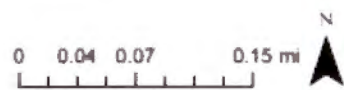


# Attachment V



## Legend

- |                                      |                            |
|--------------------------------------|----------------------------|
| Subject Property: 1318 N Commerce St | Residential, Single-Family |
| 200 ft Buffer                        | Residential, Duplex        |
| Property Parcels                     | Not-Designated             |
| <b>Zone</b>                          | Neighborhood Services      |
| General Retail                       |                            |
| Light Industry                       |                            |



# Attachment VI



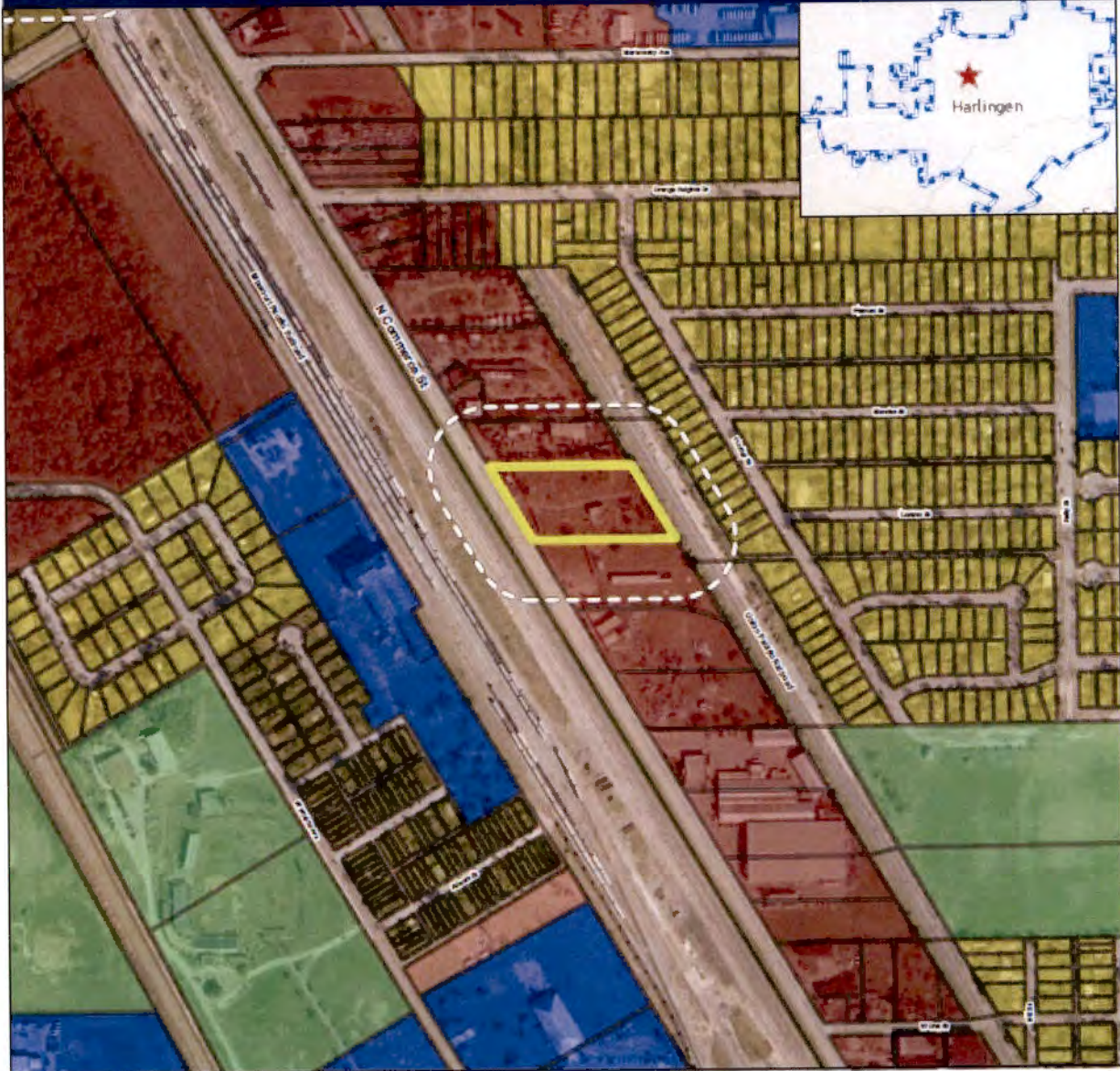
# Attachment VII



## Harlingen, Texas Site Future Land Use Map

### Notice:

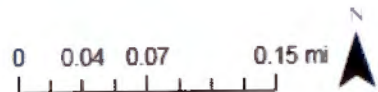
Request for a Special Use Permit (SUP) to allow a recycling center, ferrous in a Light Industry ("LI") District located at 1318 N. Commerce Street, bearing a legal description of 3.40 acres out of Block 1, Harlingen Land and Water Company Subdivision. Applicant: Nicole Ortiz



### Legend

- Subject Property: 1318 N Commerce St
- 200 ft Buffer
- Property Parcels
- Future Land Use Designation**
- Retail
- Mixed Use

- Institutional
- Lower Density Residential
- Medium Density Residential
- Recreational/Open Space



Attachment VIII



**Specific Use Permit ("SUP") Routing Slip**

**Applicant:** Nicole Ortiz

**Phone No.:** (956) 655-1117

**Location:** 1318 North Commerce Street

**Project Description:** Request for a Special Use Permit (SUP) to allow a recycling center, ferrous in a Light Industry ("LI") District located at 1318 North Commerce Street, bearing a legal description of 3.40 acres out of Block 1, Harlingen Land and Water Company 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: February 10, 2026**

Attachment IX



**Special Use Permit ("SUP") Routing Slip**

**Applicant:** Nicole Ortiz

**Phone No.:** (956) 655-1117

**Location:** 1318 North commerce Street

**Project Description:** Request for a Special Use Permit (SUP) to allow a recycling center, ferrous in a Light Industry ("LI") District located at 1318 North Commerce Street, bearing a legal description of 3.40 acres out of Block 1, Harlingen Land and Water Company Subdivision.

**Department:** Building Permits and Inspections Department

**Approval:**  YES  NO  PENDING

**Comments:**

**If request is approved by the Planning Department, A Building Permit application and complete set of construction documents 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**

02/16/2026

**Date**

Attachment X



Special Use Permit ("SUP") Routing Slip

**Applicant:** Nicole Ortiz

**Phone No.:** (956) 655-1117

**Location:** 1318 North commerce Street

**Project Description:** Request for a Special Use Permit (SUP) to allow a recycling center, ferrous in a Light Industry ("LI") District located at 1318 North Commerce Street, bearing a legal description of 3.40 acres out of Block 1, Harlingen Land and Water Company Subdivision.

**Department:** HARLINGEN POLICE DEPT.

**Approval:**  /  YES   NO

**Comments:** RECOMMEND CAMERAS

A handwritten signature in black ink, appearing to be 'Alfredo Alvear'.

Alfredo Alvear, BSCJ, CPM  
Chief of Police

2/17/26

DATE

**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 NICOLE ORTIZ TO ALLOW A RECYCLING CENTER IN A LIGHT INDUSTRY ("LI") DISTRICT LOCATED AT 1318 NORTH COMMERCE STREET, BEARING A LEGAL DESCRIPTION OF 3.40 ACRES OUT OF BLOCK 1, HARLINGEN LAND AND WATER COMPANY SUBDIVISION.**

WHEREAS, the Planning and Zoning Commission of the City of Harlingen pursuant to Harlingen's Zoning Ordinance procedure, has recommended a Specific Use Permit (SUP) 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 SUP 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 issued an SUP as indicated in Exhibits "A" and "B".

Special Use Permit (SUP) to Nicole Ortiz to allow a recycling center, ferrous in a Light Industry ("LI") District located at 1318 N. Commerce Street, bearing a legal description of 3.40 acres out of Block 1, Harlingen Land and Water Company Subdivision.

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" 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, and Police Departments.
4. Days and hours of operation are Monday through Friday, 8 AM to 5:30 PM and Saturday, 8 AM to 2 PM.
5. Complying with screening, fencing, and enhanced landscaping requirements.
6. Enhanced landscaping to be shown on the landscaping plan submitted for review and approval by Planning Department staff.
7. Height of waste pile for the recycling center shall be limited to the top of the metal fence.

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.

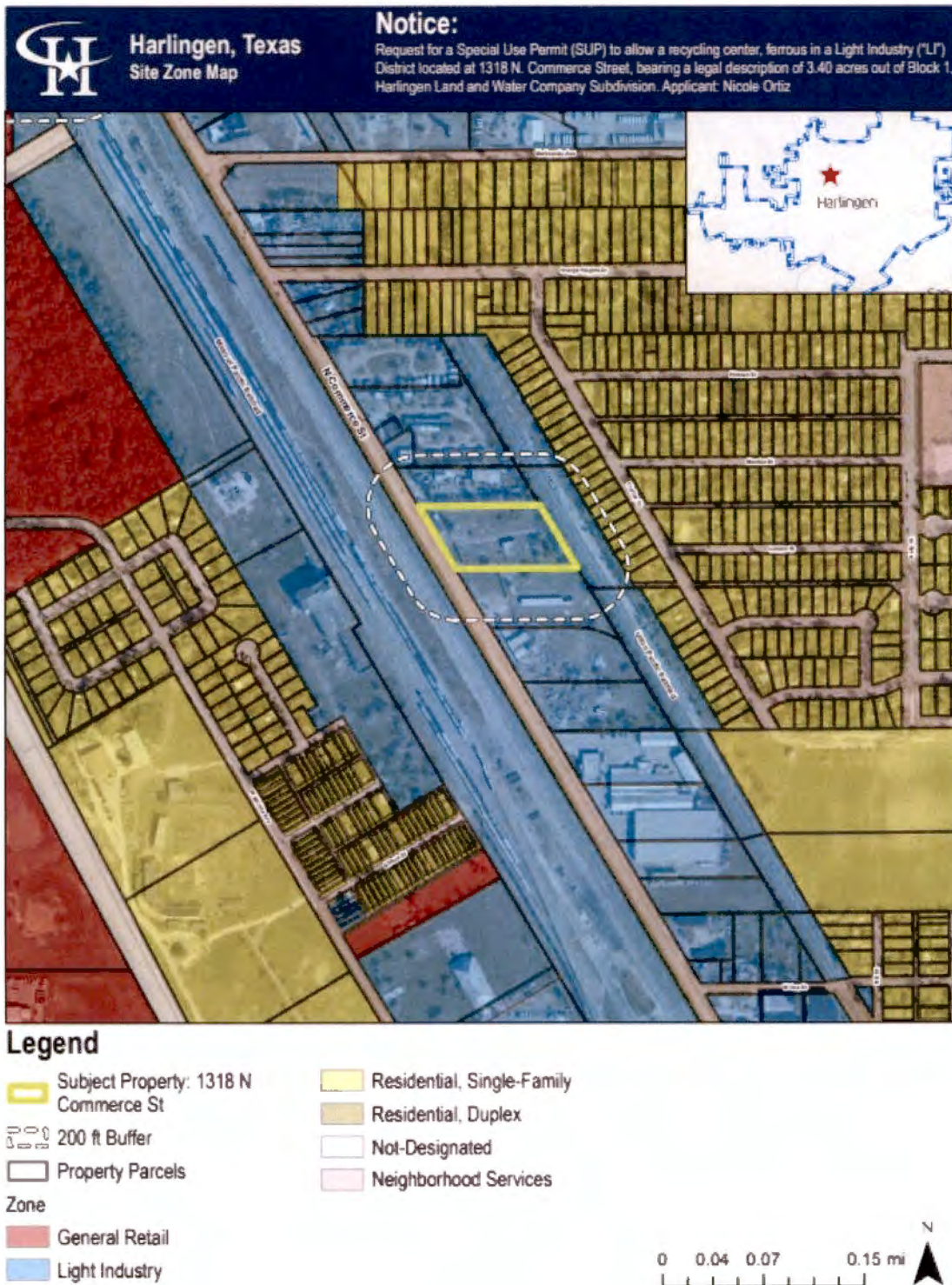
**CITY OF HARLINGEN**

\_\_\_\_\_  
Norma Sepulveda, Mayor

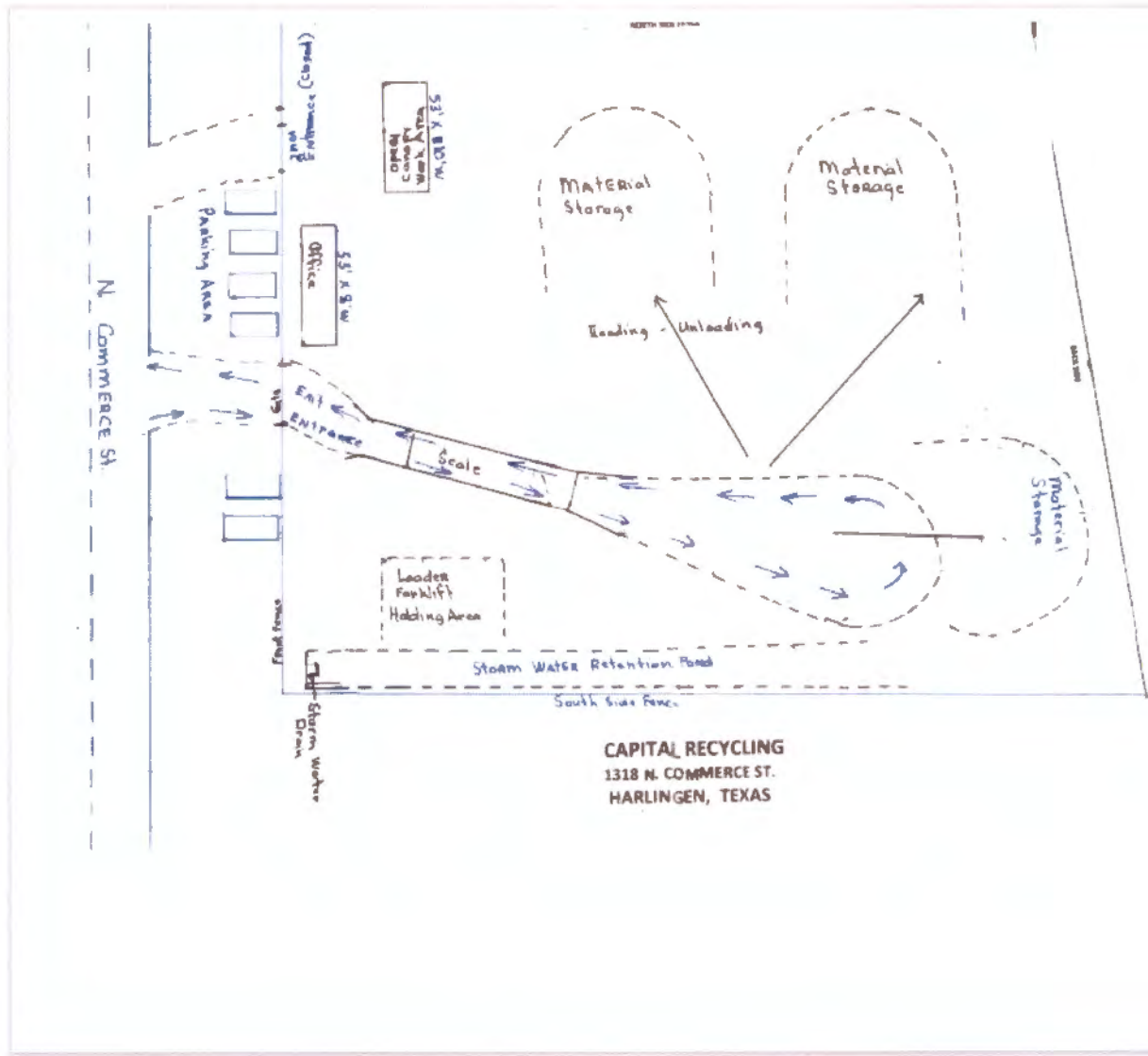
**ATTEST:**

\_\_\_\_\_  
Mayra Herrera, City Secretary

# EXHIBIT "A"



# EXHIBIT "B"



**CAPITAL RECYCLING**  
1318 N. COMMERCE ST.  
HARLINGEN, TEXAS

7(b)

**AGENDA ITEM  
EXECUTIVE SUMMARY**

Meeting Date: **April 1, 2026**

**Agenda Item:**

Consideration and possible action to approve an ordinance on second and final reading to rezone from Not Designated ("N") District to General Retail ("GR") District for a property located at 33470 FM 509, bearing a legal description of 1.75 acres out of Block 167, San Benito Land and Water Subdivision. Applicant: Raul Viramontes. Attachment (**Planning & Development**).

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

**Brief Summary:**

Project Timeline

- January 29, 2026 – Application for rezoning submitted to the City. **(ATTACHMENT I)**
- February 19, 2026 – In accordance with State and local law, notice of the required public hearing was mailed to all property owners within a 200 feet radius of subject tract.
- February 21, 2026 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- March 10, 2026 - Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z).
- March 18, 2026 – Public hearing and consideration of requested rezoning via 1<sup>st</sup> ordinance reading scheduled before the City Commission.
- April 01, 2026 – Pending approval of 1<sup>st</sup> ordinance reading, consideration of approval of 2<sup>nd</sup> ordinance reading scheduled before the City Commission.

Summary

- The applicant is requesting to rezone the subject property from Not Designated ("N") District to General Retail ("GR") District to allow for commercial use. **(ATTACHMENT I, III)**.
- The subject property is located along the west side of FM 509, south of FM 800 and is part of a larger tract. The subject property is vacant and has 69.62 feet of frontage on FM 509 and a depth of approximately 1,093 feet and comprises 1.75 acres. **(ATTACHMENT III, IV, VI)**.
- Adjacent zoning is Not Designated ("N") District to the north and south, and properties to the east and west are outside of the city limits of Harlingen. **(ATTACHMENT III)** Surrounding land uses include The Family Tires & More, The Family Road Service, single family residential, and vacant land. **(ATTACHMENT IV)**

- The Future Land Use Plan component of the City of Harlingen's Harlingen Horizon – A City on the Rise Comprehensive Plan shows this area as Low-Density Residential. Low-Density Residential is comparable to single family residential zoning. The request is not consistent with the land use plan designation for the area however, South FM 509 is a commercial corridor which links area cities to the international Free Trade Bridge at Los Indios. (ATTACHMENT V).
- At the time of this writing, Staff has not received any phone calls, letters, or e-mails in opposition to the rezoning request, furthermore, Staff mailed out ten notices to surrounding property owners.

**Funding (if applicable):**

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

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

Finance Director's approval:  Yes  No  N/A

**Staff Recommendation:**

Staff recommends approval of the rezoning request since the property fronts an international trade route.

City Manager's approval: *GLG*  Yes  No  N/A

**Comments:**

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

## ATTACHMENT I - Application

### CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT MASTER APPLICATION

**PROPERTY INFORMATION:** (Please PRINT or TYPE)

Project Address 33470 FM509 Nearest Intersection Landrum Park Rd (675)  
 (Proposed) Subdivision Name San Benito Land and Water Company Subdivision Lot Block 167  
 Existing Zoning Designation N Future Land Use Plan Designation \_\_\_\_\_

**OWNER/APPLICANT INFORMATION:** (Please PRINT or TYPE)

Applicant/Authorized Agent Raul Viramontes Phone (424)328-8026 FAX \_\_\_\_\_  
 Email Address (for project correspondence only): raulviramontes1@gmail.com  
 Mailing Address 32590 FM1577 City San Benito State Tx Zip 78586  
 Property Owner Raul Viramontes / Kasandra Lopez Phone (424)328-8026 FAX \_\_\_\_\_  
 Email Address (for project correspondence only): raulviramontes1@gmail.com  
 Mailing Address 32590 FM1577 City San Benito State Tx Zip 78586

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

- |   |   |
|---|---|
| <input type="checkbox"/> Annexation Request..... <u>No Fee</u><br><input type="checkbox"/> Administrative Appeal (ZBA)..... <u>\$125.00</u><br><input type="checkbox"/> Comp. Plan Amendment Request..... <u>\$250.00</u><br><input checked="" type="checkbox"/> <u>RE-ZONING REQUEST</u> ..... <u>\$250.00</u><br><input type="checkbox"/> SUP Request/Renewal..... <u>\$250.00</u><br><input type="checkbox"/> Zoning Variance Request (ZBA)..... <u>\$250.00</u><br><input type="checkbox"/> PDD Request..... <u>\$250.00</u><br><input type="checkbox"/> License to Encroach..... <u>\$250.00</u> | <input type="checkbox"/> Preliminary Construction Plans and Final Plat..... <u>\$150.00</u><br><input type="checkbox"/> Minor Plat..... <u>\$100.00</u><br><input type="checkbox"/> Re-Plat..... <u>\$250.00</u><br><input type="checkbox"/> Vacating Plat..... <u>\$250.00</u><br><input type="checkbox"/> Development Plat..... <u>\$50.00</u><br><input type="checkbox"/> Subdivision Variance Request..... <u>\$25.00 (each)</u><br><input type="checkbox"/> Right-of-Way / Utility Easement Abandonment..... <u>No Fee</u> |
|---|---|

P
A
I
D

Please provide a basic description of the proposed project:

Rental of Spaces / Stalls and storage / Parking  
Move to GR

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: R V 1/29/20 Date: 1/29/20  
 Property Owner(s) Signature: R V 1/29/20 Date: 1/29/20  
 Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_



## ATTACHMENT I - Application

### RE-ZONING REQUEST SUBMITTAL CHECKLIST

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

Complete

A metes and bounds description or survey plat of the tract(s) in which the re-zoning is requested.

A written statement describing the proposed use(s) of the subject property (can be provided on Master Application).

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

- I understand that I am requesting an amendment to the City's Zoning Ordinance and it will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
- I understand that in accordance State law and the Zoning Ordinance, no later than ten (10) days prior to consideration by the Planning and Zoning Commission:
  - A notice will be published in the Valley Morning Star describing the request and the date, time, and location of the public hearing; and
  - Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.
- I understand that while all requirements for the submittal of a re-zoning request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.

Owner: Rafael Viramontes T / Rosandra L.P. Date 1/29/20

Owner Address: 32590 FM 1577 San Benito, TX

Phone/Fax: 429-328-8026

Signature:  

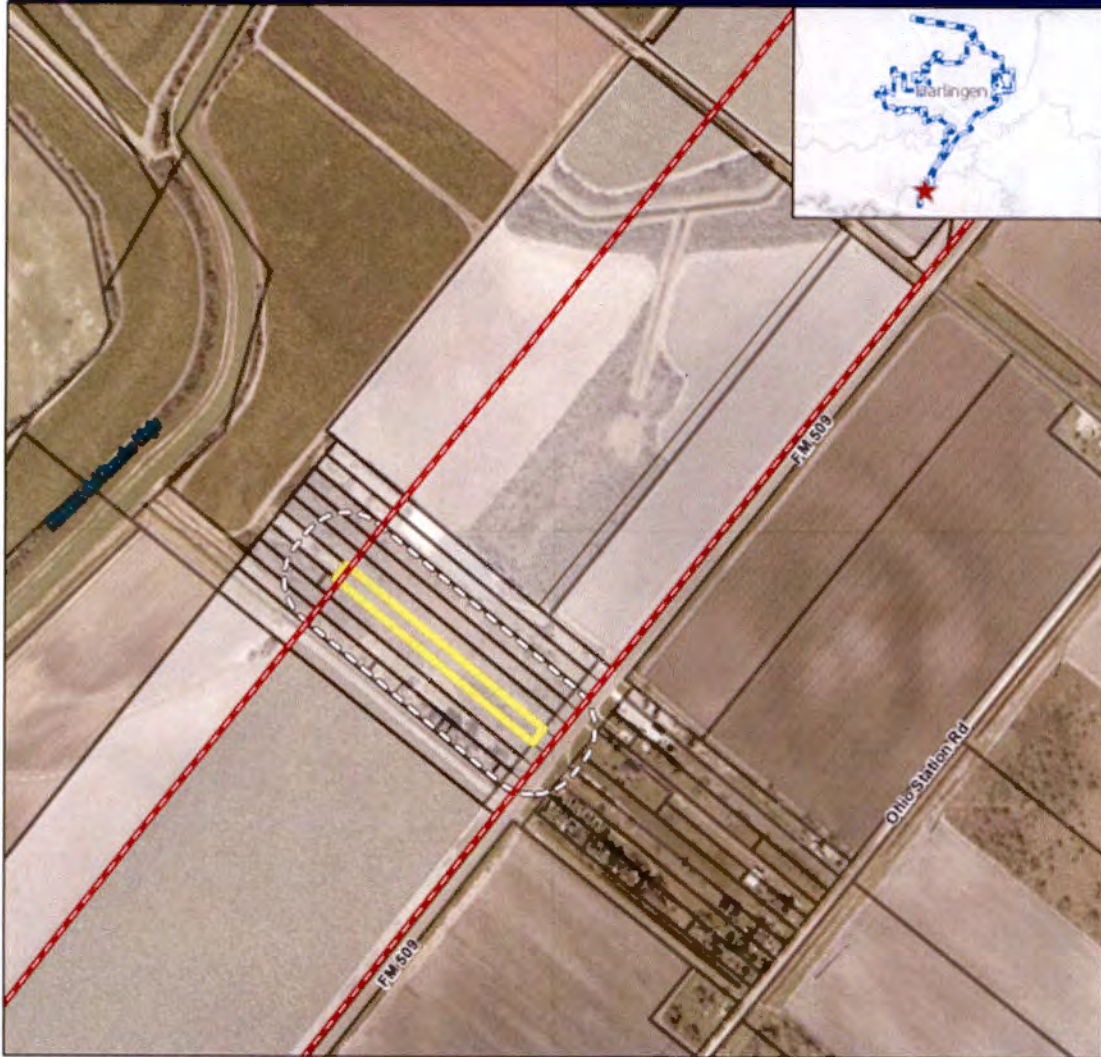
# ATTACHMENT III – Legal Notice Map



Harlingen, Texas  
Site Zone Map

## Notice:

Request to rezone from Not Designated ("N") District to General Retail ("GR") District located at 33470 FM 509, bearing a legal description of 1.75 acres out of Block 167, San Benito Land and Water Company Subdivision. Applicant: Raul Vramontes



## Legend

- Subject Property: 33470 FM 509
- 200 ft Buffer
- Property Parcels
- Harlingen City Limits
- Not-Designated
- Zone



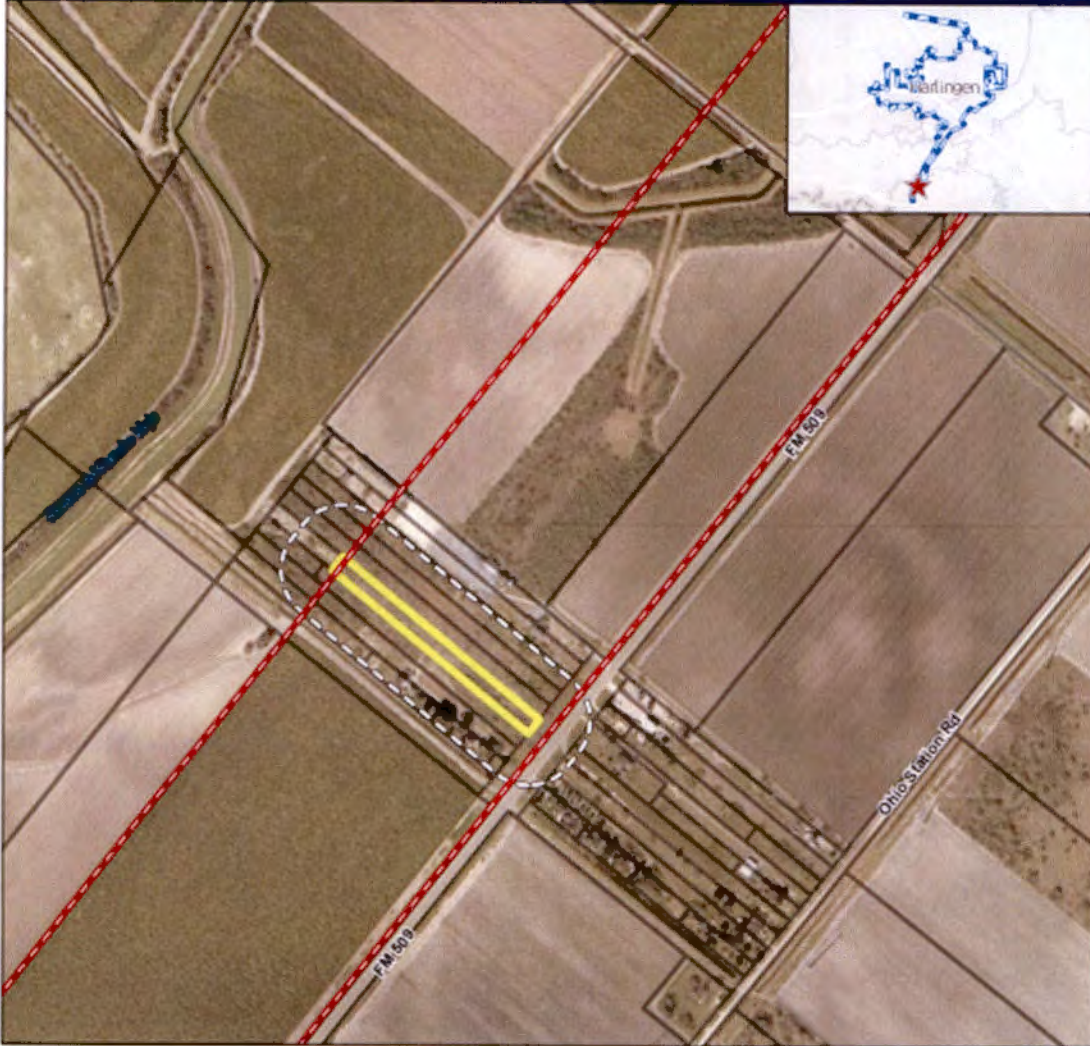
# ATTACHMENT IV – Aerial



**Harlingen, Texas**  
Site Aerial Map

## Notice:

Request to rezone from Not Designated ("N") District to General Retail ("GR") District located at 33470 FM 509, bearing a legal description of 1.75 acres out of Block 167, San Benito Land and Water Company Subdivision. Applicant: Raul Viramontes



## Legend

- Subject Property: 33470 FM 509
- 200 ft Buffer
- Property Parcels
- Harlingen City Limits



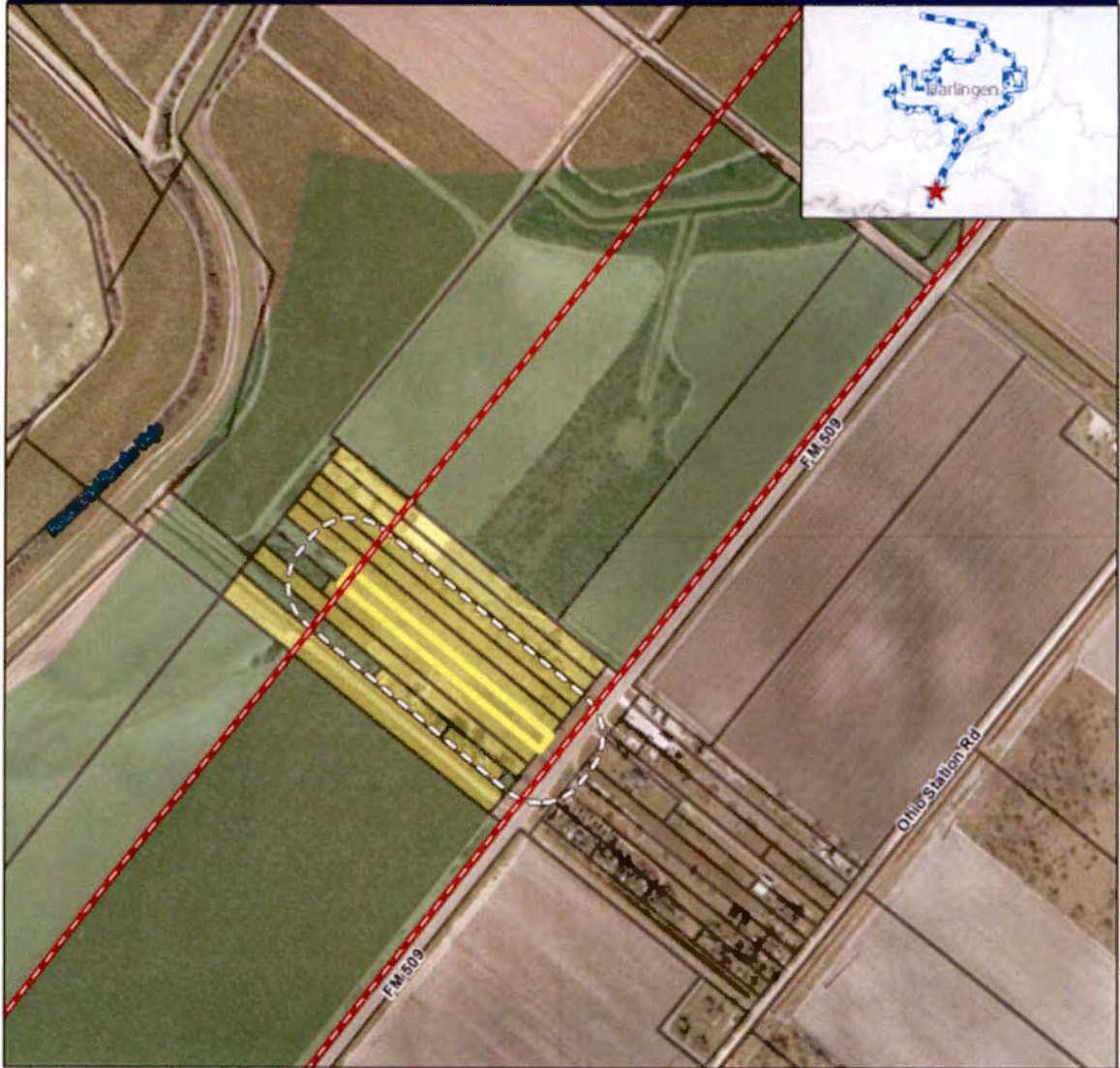
# ATTACHMENT V – Future Land Use Map



Harlingen, Texas  
Site Future Land Use Map

### Notice:

Request to rezone from Not Designated ("N") District to General Retail ("GR") District located at 33470 FM 509, bearing a legal description of 1.75 acres out of Block 167, San Benito Land and Water Company Subdivision, Applicant: Raul Viramontes



### Legend

- |                                |                             |
|--------------------------------|-----------------------------|
| Subject Property: 33470 FM 509 | Future Land Use Designation |
| 200 ft Buffer                  | Agricultural                |
| Property Parcels               | Lower Density Residential   |
| Harlingen City Limits          |                             |



ATTACHMENT VI – Street View

View from FM 509



**ORDINANCE NO. 26-**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM NOT DESIGNATED ("N") DISTRICT TO GENERAL RETAIL ("GR") DISTRICT, LOCATED AT 33470 FM 509, BEARING A LEGAL DESCRIPTION OF 1.75 ACRES OUT OF BLOCK 167, SAN BENITO LAND AND WATER COMPANY SUBDIVISION.**

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

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

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

Rezoning from Not Designated ("N") District to General Retail ("GR") District located at 33470 FM 509, bearing a legal description of 1.75 acres out of Block 167, San Benito Land and Water Company Subdivision as shown on Exhibit "A".

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

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

**FINALLY ENACTED** this \_\_\_\_ day of \_\_\_\_\_, 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

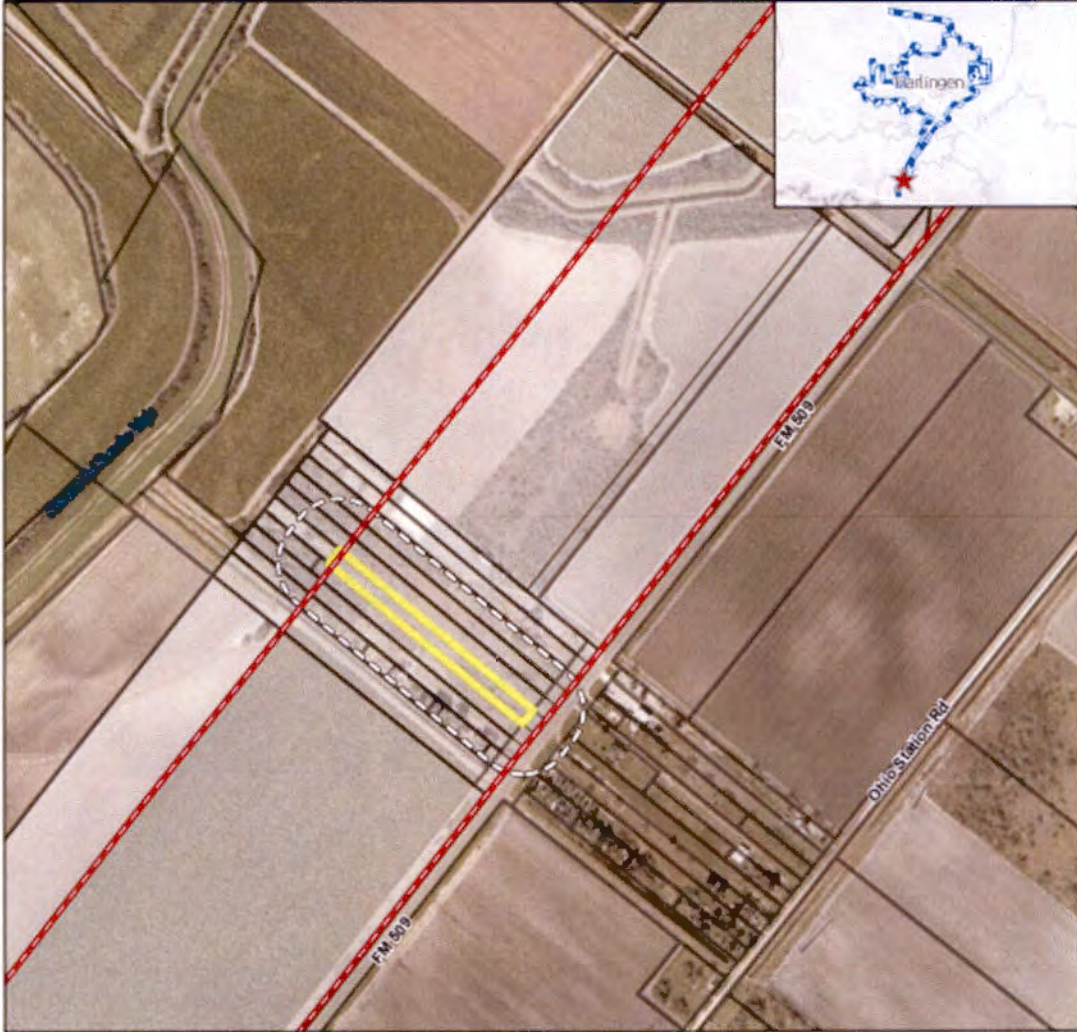
# Exhibit "A"



**Harlingen, Texas**  
Site Zone Map

### Notice:

Request to rezone from Not Designated ("N") District to General Retail ("GR") District located at 33470 FM 509, bearing a legal description of 1.75 acres out of Block 167, San Benito Land and Water Company Subdivision. Applicant: Raul Viramontes.



### Legend

- Subject Property: 33470 FM 509
- 200 ft Buffer
- Property Parcels
- Harlingen City Limits
- Zone
- Not-Designated



**AGENDA ITEM  
EXECUTIVE SUMMARY**



Meeting Date: **April 1, 2026**

**Agenda Item:**

Consideration and possible action to approve an ordinance on second and final reading for a Special Use Permit (SUP) to allow an event center with alcohol in a General Retail ("GR") District located at 350 N. Loop 499, bearing a legal description of 2.72 acres out of 21.7986 acres out of Block 67, Harlingen Land and Water Company Subdivision. Applicant: Eduardo Pena. 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

- January 23, 2026 – Application for Special Use Permit (SUP) submitted to the City. (**ATTACHMENT I and II**)
- February 19, 2026 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- February 21, 2026 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- March 10, 2026– Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission.
- March 18, 2026 – Public hearing and consideration of requested Special Use Permit via 1<sup>st</sup> ordinance reading scheduled before the City Commission.
- April 1, 2026 – Pending approval of 1<sup>st</sup> ordinance reading, consideration of approval of 2<sup>nd</sup> ordinance reading scheduled before the City Commission.

Summary

- Per the Code of Ordinances, an event center with alcohol requires the approval of a special use permit by the City Commission.
- Eduardo Peña, the applicant and property owner, is requesting a Special Use Permit to allow an event center with alcohol consumption out of a proposed two story 11,500 sq. ft. building located at 350 N. Loop 499. (**ATTACHMENT III**)
- The subject property is currently vacant and in the subdivision process under the name of Cielo 22 Subdivision for a proposed two lot development. The property has 381.28 feet of frontage on Loop 499 and a depth of 311.03 at its longest point.
- According to the site plan and the information submitted, the applicant is proposing a two story 11,500 sq. ft. event center for weddings, recitals and sweet sixteen events etc., under the name of "Cesars Event Center." The first floor will consist of the event center, and the second floor of the building will be the utility room. The proposed event center will be located on the north 200 ft. of the subject property. The hours of operation for the office and event center will be Monday through Sunday, from 8:00 a.m. though 2:00 p.m. Based on the seating of the proposed for the event center, 94 parking spaces are required, and 98 parking spaces are provided. (**ATTACHMENT IV AND VII**)
- Surrounding properties are zoned General Retail ("GR") District in all directions.

Surrounding land uses consist of vacant land to the north, Cardenas BMW to the south, vacant land in agriculture use to the east, and vacant land in agriculture use to the west. **(ATTACHMENT III and VII)**

- The Future Land Use Plan component of the Harlingen Horizon – A City on the Rise Comprehensive Plan shows this area as retail use. The request is consistent with the Future Land Use Plan. **(ATTACHMENT VIII)**
- The Building Inspections, Fire Prevention Bureau, Health, and Police Departments have reviewed the application and have reported no objection to the requested Special Use Permit subject to complying with all applicable codes and regulations. The Police Department reported no objection with the condition that the Police Department may conduct an inspection of the building when completed to confirm installation of cameras and other security measures. **(ATTACHMENT IX-XII)**
- In accordance with the Zoning Chapter of the Code of Ordinances, the P&Z Commission 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.
- To present, the Planning and Development Department has not received any calls in opposition to the requested special use permit.

**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

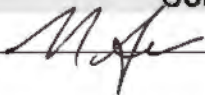
**Staff Recommendation:**

Staff recommends approval of the special use permit subject to complying with the following conditions:

1. Must obtain and maintain the proper State and City permits
2. Provide a licensed security guard if alcohol is served;
3. Provide video surveillance with a minimum retention period of thirty (30) days;
4. Must provide and maintain the required parking spaces in accordance with City regulations;
5. Hours of operation for the establishment shall be from Monday through Sunday, from 8:00 a.m. to 2:00 a.m.; and
6. Complying with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health, and Police Departments.

City Manager's approval:   Yes  No  N/A

**Comments:**

City Attorney's approval:   Yes  No  N/A

ATTACHMENT I

CITY OF HARLINGEN PLANNING AND ZONING DIVISION  
MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address N Loop 499 Nearest Intersection E Harrison Ave  
(Proposed) Subdivision Name Cielo 22 Subdivision Lot 0000 Block 067  
Existing Zoning Designation \_\_\_\_\_ Future Land Use Plan Designation \_\_\_\_\_

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent South Texas Div of Construction Phone (956) 237-6483 FAX —  
Email Address (for project correspondence only): diego@southtexasdnc.com  
Mailing Address 101 E. Expressway 83 St. 220 City McAllen State Tx Zip 78501  
Property Owner Eduardo Peña Phone (956) 309-7737 FAX —  
Email Address (for project correspondence only): eddpenn012@gmail.com  
Mailing Address 2002 S. Angelina Mark Dr City Pharr State Tx Zip 78577

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

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

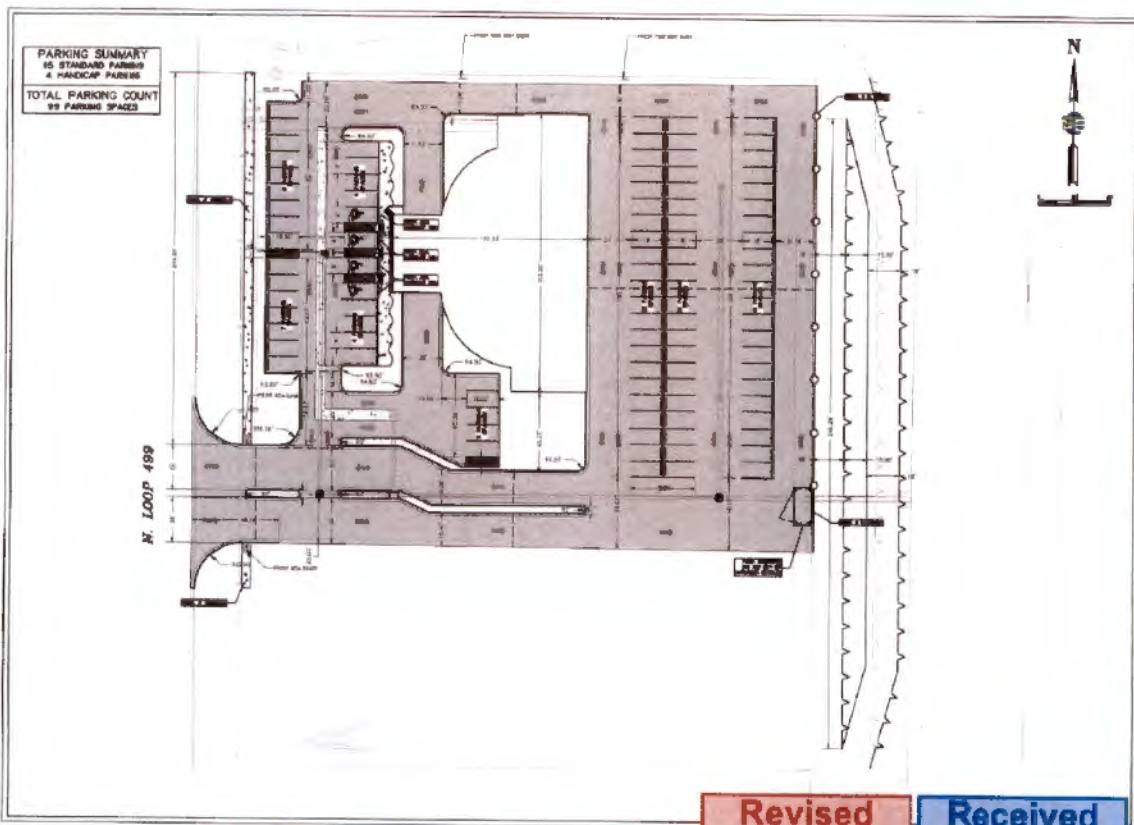
Please provide a basic description of the proposed project: Event Center (Weddings, recitals, sweet sixteen, etc...)

I hereby certify that I am the owner and 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: 01/21/26  
Property Owner's Signature: [Signature] Date: 01/21/2026  
Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

Revised 09/13/2024

ATTACHMENT IV



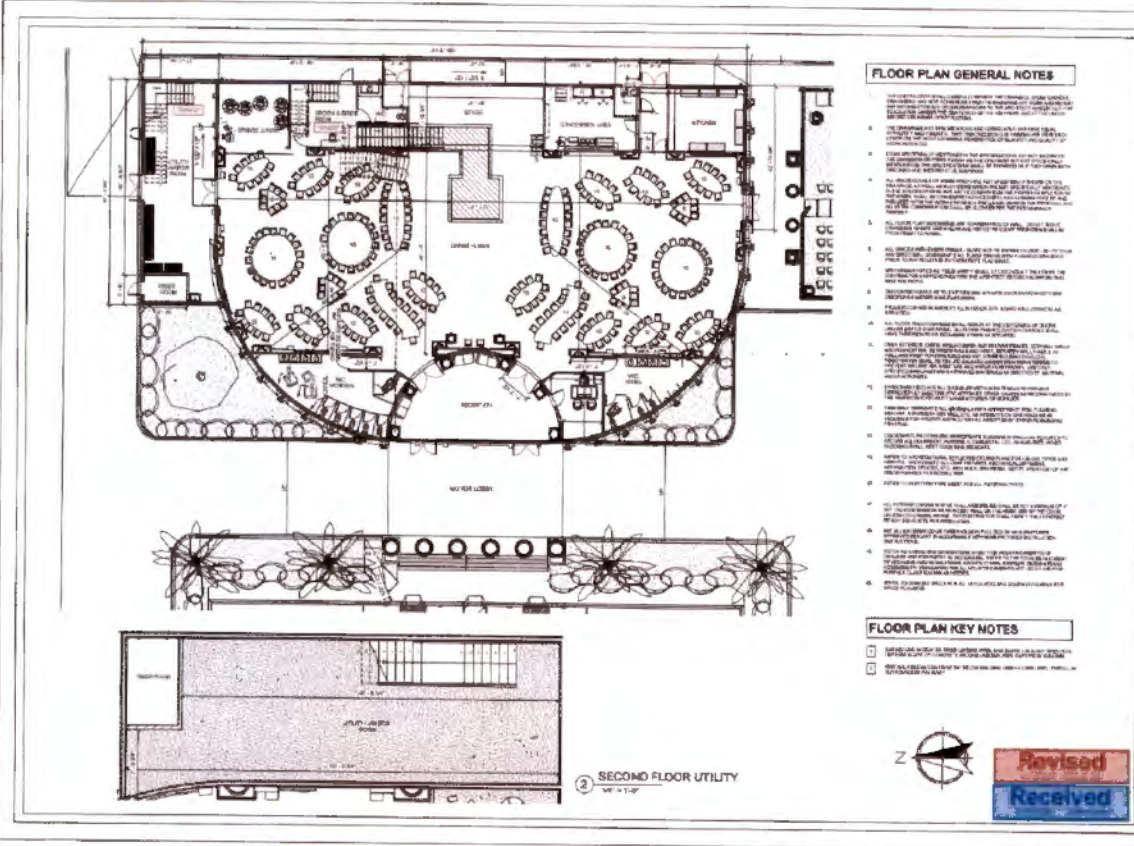
**SUPREME ENGINEERING**  
 1000 W. LOOP WEST, SUITE 100  
 DALLAS, TEXAS 75207  
 TEL: 214.343.8888  
 FAX: 214.343.8889  
 WWW.SUPREME-ENG.COM

**CAESARS EVENT CENTER**  
 DIMENSION PLAN

C4.0

**Revised**  
 11/08/2008 09:52:14 AM

**Received**  
 01/15/2009 10:02:14 AM



**FLOOR PLAN GENERAL NOTES**

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
2. ALL FINISHES ARE TO BE AS SHOWN ON THE FINISH SCHEDULE.
3. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL MECHANICAL, ELECTRICAL, AND PLUMBING (M.E.P.) CODE.
4. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL BUILDING CODE.
5. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL FIRE AND SAFETY CODE.
6. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL ENERGY CONSERVATION CODE.
7. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL PLUMBING AND MECHANICAL CONTRACTORS ASSOCIATION (I.P.M.A.) CODE.
8. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL ELECTRICAL CONTRACTORS ASSOCIATION (I.E.C.A.) CODE.
9. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL MECHANICAL, ELECTRICAL, AND PLUMBING (M.E.P.) CODE.
10. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL BUILDING CODE.
11. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL FIRE AND SAFETY CODE.
12. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL ENERGY CONSERVATION CODE.
13. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL PLUMBING AND MECHANICAL CONTRACTORS ASSOCIATION (I.P.M.A.) CODE.
14. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL ELECTRICAL CONTRACTORS ASSOCIATION (I.E.C.A.) CODE.
15. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL MECHANICAL, ELECTRICAL, AND PLUMBING (M.E.P.) CODE.
16. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL BUILDING CODE.
17. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL FIRE AND SAFETY CODE.
18. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL ENERGY CONSERVATION CODE.
19. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL PLUMBING AND MECHANICAL CONTRACTORS ASSOCIATION (I.P.M.A.) CODE.
20. ALL WORK IS TO BE IN ACCORDANCE WITH THE 2000 INTERNATIONAL ELECTRICAL CONTRACTORS ASSOCIATION (I.E.C.A.) CODE.

**FLOOR PLAN KEY NOTES**

1. ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
2. ALL FINISHES ARE TO BE AS SHOWN ON THE FINISH SCHEDULE.

**VISION**

**CAESARS EVENT CENTER**  
 ED PERA  
 FIELD ST. BURNING WOOD, TEXAS 067  
 LOT 0000, HUNTSVILLE, TX, TEXAS

**REV 6**

**A.02**

As the City of

**Revised**  
 11/08/2008 09:52:14 AM

**Received**  
 01/15/2009 10:02:14 AM

ATTACHMENT V



ATTACHMENT VI

View from the  
East on Loop 499



ATTACHMENT VII



Harlingen, Texas  
Site Aerial Map

**Notice:**

Request for a Special Use Permit (SUIP) to allow an event center with alcohol in a General Retail ("GR") District located at 350 N. Loop 499, bearing a legal description 2.72 acres out of 21.7986 acres out of Block 67, Harlingen Land and Water Company Subdivision.  
Applicant: Eduardo Peña



**Legend**

 Subject Property: 350 N Loop 499

 200 ft Buffer

 Property Parcels



ATTACHMENT VIII



**Harlingen, Texas**  
Site Future Land Use Map

**Notice:**

Request for a Special Use Permit (SUP) to allow an event center with alcohol in a General Retail ("GR") District located at 350 N. Loop 499, bearing a legal description 2.72 acres out of 21.7986 acres out of Block 67, Harlingen Land and Water Company Subdivision.  
Applicant: Eduardo Peña



**Legend**

- |                                    |                            |
|------------------------------------|----------------------------|
| Subject Property: 350 N Loop 499   | Employment                 |
| 200 ft Buffer                      | Institutional              |
| Property Parcels                   | Lower Density Residential  |
| <b>Future Land Use Designation</b> | Medium Density Residential |
| Retail                             | Higher Density Residential |
| Mixed Use                          | Recreational/Open Space    |





**Planned Development (PD) Request Routing Slip**

**Applicant:** Eduardo Pena

**Phone No.:** (956)309-6483

**Location:** 350 N. Loop 499 (PID: 72446)

**Project Description:** Request for a special use permit to allow an event center (alcohol permitted)

**Department:** Building Permits and Inspections Department

**Approval:**  YES  NO  PENDING

**Comments:**

**If request is approved by the Planning Department, A plan review will be required. A Building Permit application, a code analysis, a site plan, existing floor plan and proposed floor plan with dimensions to scale identifying all areas to be used to calculate occupant load, determine required plumbing fixtures and means of egress 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

02/16/2026

Date

ATTACHMENT X



**Specific Use Permit ("SUP") Routing Slip**

**Applicant:** Eduardo Pena

**Phone No.:** (956) 309-6483

**Location:** 350 N Loop 499 (PID: 72446)

**Project Description:** Request for a Special Use Permit (SUP) to allow an event center (alcohol permitted).

**Department:** Fire Prevention Bureau

**Approval:**  X  YES   NO

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

**Fire Marshal Juan Saucedo Jr.**

Juan Saucedo Jr

**Date: February 19, 2026**



**Planned Development (PD) Request Routing Slip**

**Applicant:** Eduardo Pena

**Phone No.:** (956)309-6483

**Location:** 350 N. Loop 499 (PID: 72446)

**Project Description:** Request for a special use permit to allow an event center (alcohol permitted)

**Department:** Health

**Approval:**  YES  NO

**Comments:** Eduardo Pena, Event Center, located on N. Loop 499 , will not need any health permits, if they are not preparing or selling any foods at this location. TABC will need to be contacted for the permitting of alcohol on the premises. If Event Center decides to sell foods at a later date , then health permits will be required, including proper cooking equipment, hood oven systems and certifications.

**James Padilla** \_\_\_\_\_

**3-3-26**

**Signature**

**Date**



**Planned Development (PD) Request Routing Slip**

**Applicant:** Eduardo Pena

**Phone No.:** (956)309-6483

**Location:** 350 N. Loop 499 (PID: 72446)

**Project Description:** Request for a special use permit to allow an event center (alcohol permitted)

**Department:** **HARLINGEN POLICE DEPT.**

**Approval:**  YES  NO

**Comments:** YES, ON CONDITION THAT POLICE DEPARTMENT  
MAY CONDUCT AN INSPECTION OF BUILDING  
WHEN COMPLETED TO CONFIRM INSTALLATION  
OF CAMERAS AND OTHER SECURITY MEASURES.

  
\_\_\_\_\_  
Alfredo Alvear, BSCJ, CPM  
Chief of Police

2/17/26  
\_\_\_\_\_  
Date

**ORDINANCE NO. 26-**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT ISSUED TO EDUARDO PENA TO ALLOW AN EVENT CENTER WITH ALCOHOL IN A GENERAL RETAIL ("GR") DISTRICT LOCATED AT 350 N. LOOP 499, BEARING A LEGAL DESCRIPTION OF 2.72 ACRES OUT OF 21.7986 ACRES OUT OF BLOCK 67, HARLINGEN LAND AND WATER COMPANY SUBDIVISION, PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.**

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

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

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

Special Use Permit (SUP) issued to Eduardo Pena to allow an event center with alcohol in a General Retail ("GR") District located at 350 N. Loop 499, bearing a legal description of 2.72 acres out of 21.7986 acres out of Block 67, Harlingen Land and Water Company Subdivision.

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 Exhibit "A" and shall comply with the conditions as listed below:

1. Must obtain and maintain the proper State and City permits
2. Provide a licensed security guard if alcohol is served;
3. Provide video surveillance with a minimum retention period of thirty (30) days;
4. Must provide and maintain the required parking spaces in accordance with City regulations;
5. Hours of operation for the establishment shall be from Monday through Sunday, from 8:00 a.m. to 2:00 a.m. and
6. Complying with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health, and Police Departments.

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

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

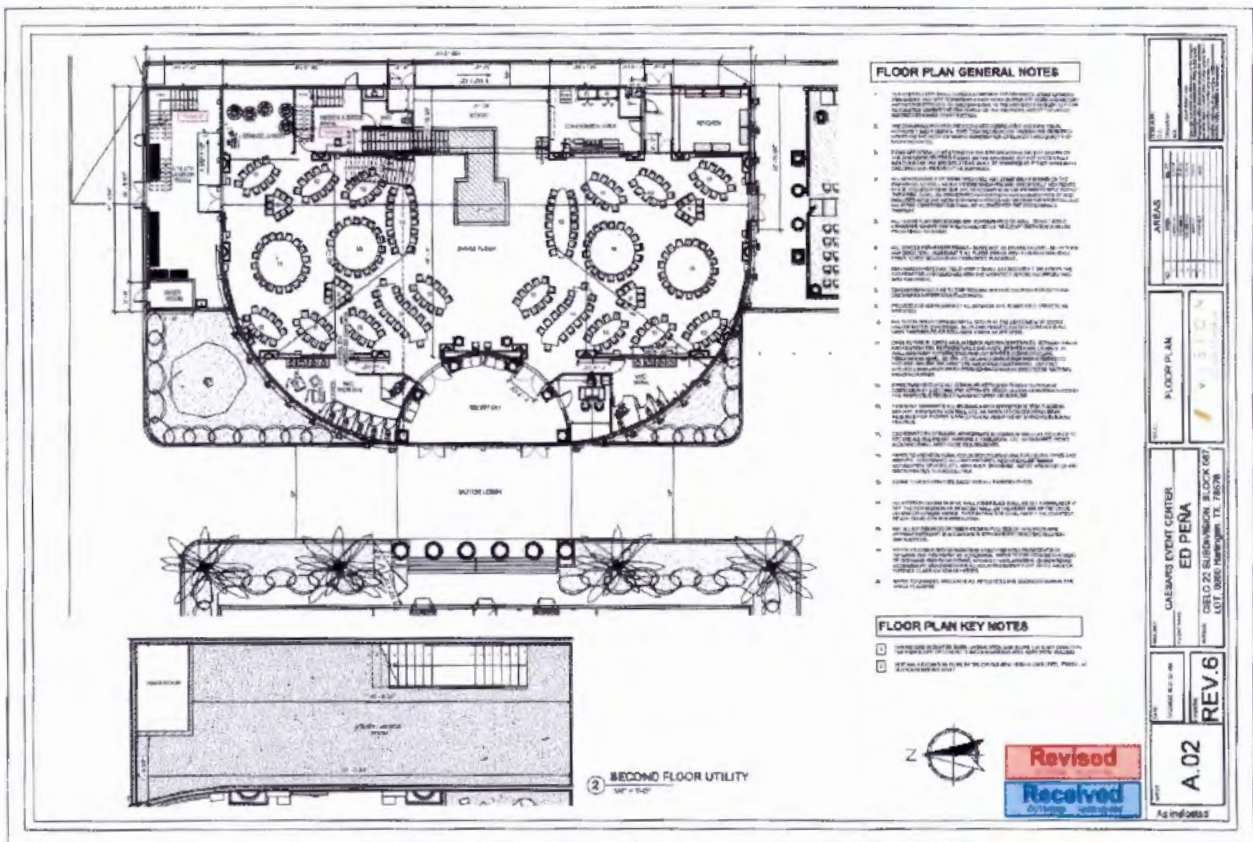
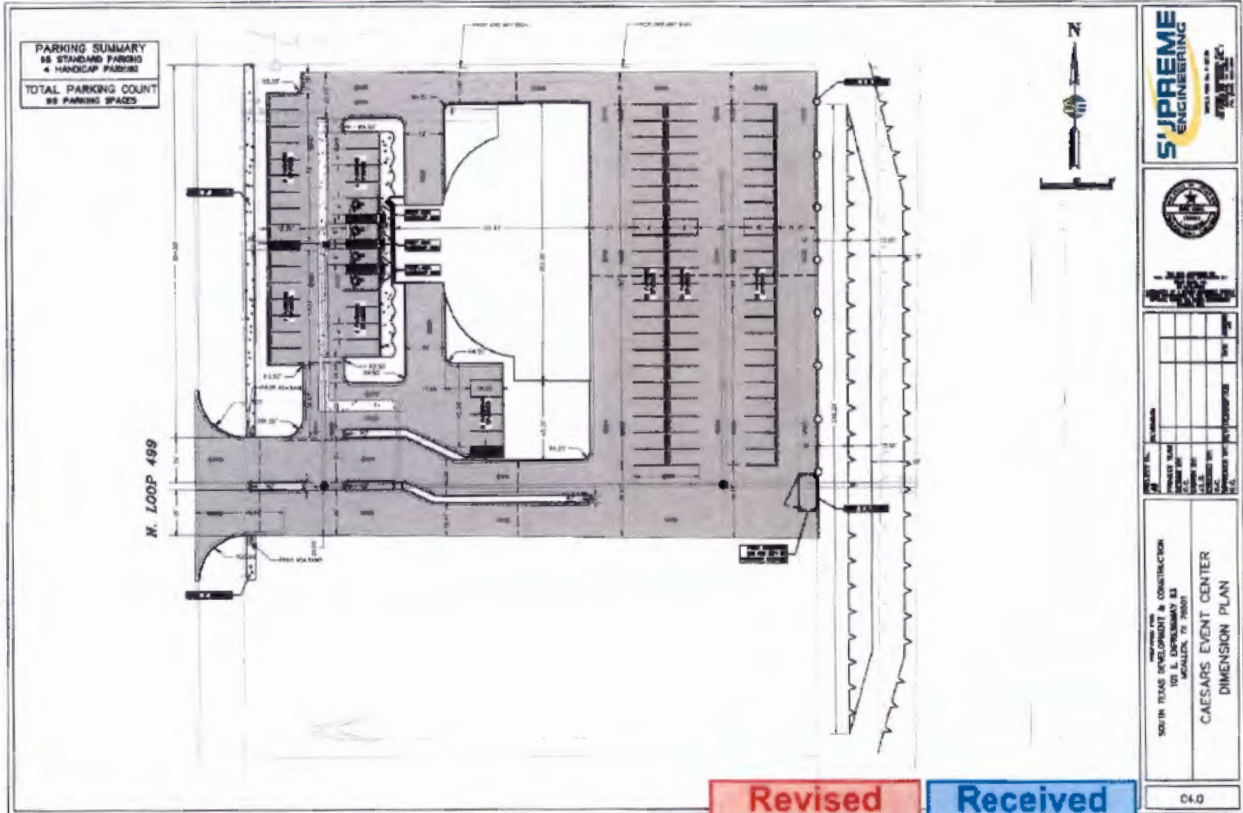
**CITY OF HARLINGEN**

\_\_\_\_\_  
Norma Sepulveda, Mayor

**ATTEST:**

\_\_\_\_\_  
Mayra Herrera, City Secretary

Exhibit "A"



**AGENDA ITEM  
EXECUTIVE SUMMARY**



Meeting Date: **April 1, 2026**

**Agenda Item:**

Consideration and possible action to approve an ordinance on second and final reading to rezone from General Retail ("GR") District to Planned Development ("PD") District to allow a mixed-use development (commercial and multifamily) for properties bearing a legal description of 30.52 acre tract of land, more or less, out of Block 182, San Benito Land and Water Company Subdivision, Concepcion De Carricitos Grant, located northeast of Camelot Drive and Victoria Lane. Applicant: Berenice Chapa (Half Associates) c/o Economic Development Corporation of Harlingen, Inc. 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

- January 21, 2026 – Application for rezoning submitted to the City. **(ATTACHMENT I)**.
- February 19, 2026 – In accordance with State and local law, notice of the required public hearing mailed to all property owners within a 200 feet radius of subject tract.
- February 21, 2026 – In accordance with State and local law, notice of the required public hearings was published in the Valley Morning Star.
- March 10, 2026 - Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z).
- March 18, 2026 – Public hearing and consideration of requested rezoning via 1<sup>st</sup> ordinance reading scheduled before the City Commission.
- April 1, 2026 – Pending approval of 1<sup>st</sup> ordinance reading, consideration of approval of 2<sup>nd</sup> ordinance reading scheduled before the City Commission.

Summary

- Half Associates on behalf of Development Corporation of Harlingen, Inc. is requesting to rezone the subject property from General Retail to Planned Development ("PD") to allow a mixed use development consisting of commercial and multi-family use. **(ATTACHMENT II)**.
- The irregular shaped property is currently vacant and not subdivided. The developer is proposing to subdivide the property into a four lot subdivision under the name of Victoria Commons Subdivision Phase II. The property has 193.38 feet of frontage on Camelot Drive, 129.07 feet of frontage on Victoria Lane and a depth of 1,946 feet at its longest point.

- According to the Planned Development site plan, the development will consist of four buildable lots. Two of the lots will be for general retail use, one lot will be for office use, one lot will be for multi-family use, a common area lot and a lot to be used for a detention pond. All lots will front an interior public street. The interior street on the north side will be 33 ft. wide paved street with curb and gutter, and the east side street will be a 40 ft. wide paved street with curb and gutter. The setbacks for the general retail and multi-family lots will be 10 ft. on the front, side and rear setbacks. The setbacks for the office lot will be 20 ft. in the front, and 10 ft. on the side and rear setbacks. **(ATTACHMENT III and IV)**
- The surrounding properties are zoned Not Designated ("N") District to the north, and General Retail ("GR") District to the south, east and west. The surrounding land uses consist of an apartment complex and vacant land to the north, Windsor Nursing and Rehab Center, Palms Behavioral Health and vacant land to the south, and vacant land and vacant land in agricultural use to the west. **(ATTACHMENT II and V)**
- The Building Inspections, Fire Prevention and Engineering Departments have reviewed the request. The Building Inspections, Fire Prevention and Engineering Departments reported no objection to the request amendment to the planned development site plan subject to complying with all applicable codes. **(ATTACHMENT VI-VIII)**
- The Future Land Use Plan (FLUP) component of the Harlingen Horizon – A City on the Rise Comprehensive Plan shows this area as retail and multi-family use. The request is consistent with the Future Land Use Plan and consistent with the surrounding land use. **(ATTACHMENT IX)**.
- To the present, the Planning and Zoning Department has not received any opposition to the requested rezoning.

**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 the following conditions:

1. Compliance with all applicable building codes and regulations;
2. Compliance with drainage requirements and all applicable requirements from the Engineering Department; and
3. Compliance with the requirements administered by the Planning, Building Inspections, Engineering, and Fire Prevention Departments.

City Manager's approval:   Yes  No  N/A

**Comments:**

City Attorney's approval:   Yes  No  N/A

# Attachment I

## CITY OF HARLINGEN PLANNING AND ZONING DIVISION MASTER APPLICATION

**PROPERTY INFORMATION:** (Please PRINT or TYPE)

Project Address Victoria Lane Nearest Intersection Camelot Drive & Hale Avenue  
 (Proposed) Subdivision Name Victoria Commons Subdivision Phase II Lot 2-4 Block \_\_\_\_\_  
 Existing Zoning Designation General Retail Future Land Use Plan Designation Planned Development

**OWNER/APPLICANT INFORMATION:** (Please PRINT or TYPE)

Applicant/Authorized Agent Berenice Chapa Phone 956 445 5212 FAX 956 444 0284  
 Email Address (for project correspondence only): bchapa@haff.com  
 Mailing Address 5000 W. Military Hwy Ste 100 City McAllen State Tx Zip 78503  
 Property Owner Development Corporation of Harlingen, Inc. Phone 956 214 5085 FAX \_\_\_\_\_  
 Email Address (for project correspondence only): pcampas@harlingenedc.com  
 Mailing Address 2424 Boxwood St. STE 125 City Harlingen State Tx Zip 78550-3694

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

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

Please provide a basic description of the proposed project: The planned improvements include office spaces, residential development and recreational with parking facilities. The project will also include extension of roadway infrastructure and utilities.

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: 01/21/2024

Property Owner(s) Signature: [Signature] Date: 1/20/26

Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

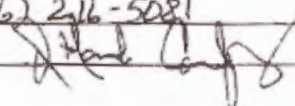
**RE-ZONING REQUEST  
SUBMITTAL CHECKLIST**

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

Complete

- A metes and bounds description or survey plat of the tract(s) in which the re-zoning is requested.
- A written statement describing the proposed use(s) of the subject property (can be provided on Master Application).
- Any other information (elevation drawings, pictures, etc.) in support of the subject request.

- I understand that I am requesting an amendment to the City's Zoning Ordinance and it will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
- I understand that in accordance State law and the Zoning Ordinance, no later than ten (10) days prior to consideration by the Planning and Zoning Commission:
  - A notice will be published in the Valley Morning Star describing the request and the date, time, and location of the public hearing; and
  - Notices will be mailed to all property owners within 200 feet of the tract describing the request and the date, time, and location of the public hearing.
- I understand that while all requirements for the submittal of a re-zoning request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.

Owner: DEVELOPMENT CORPORATION OF HARLINGEN Date: 1/20/26  
Owner Address: 2424 BOXWOOD ST. SUITE 125, HARLINGEN, TX 78550  
Phone/Fax: (956) 216-5081  
Signature: 

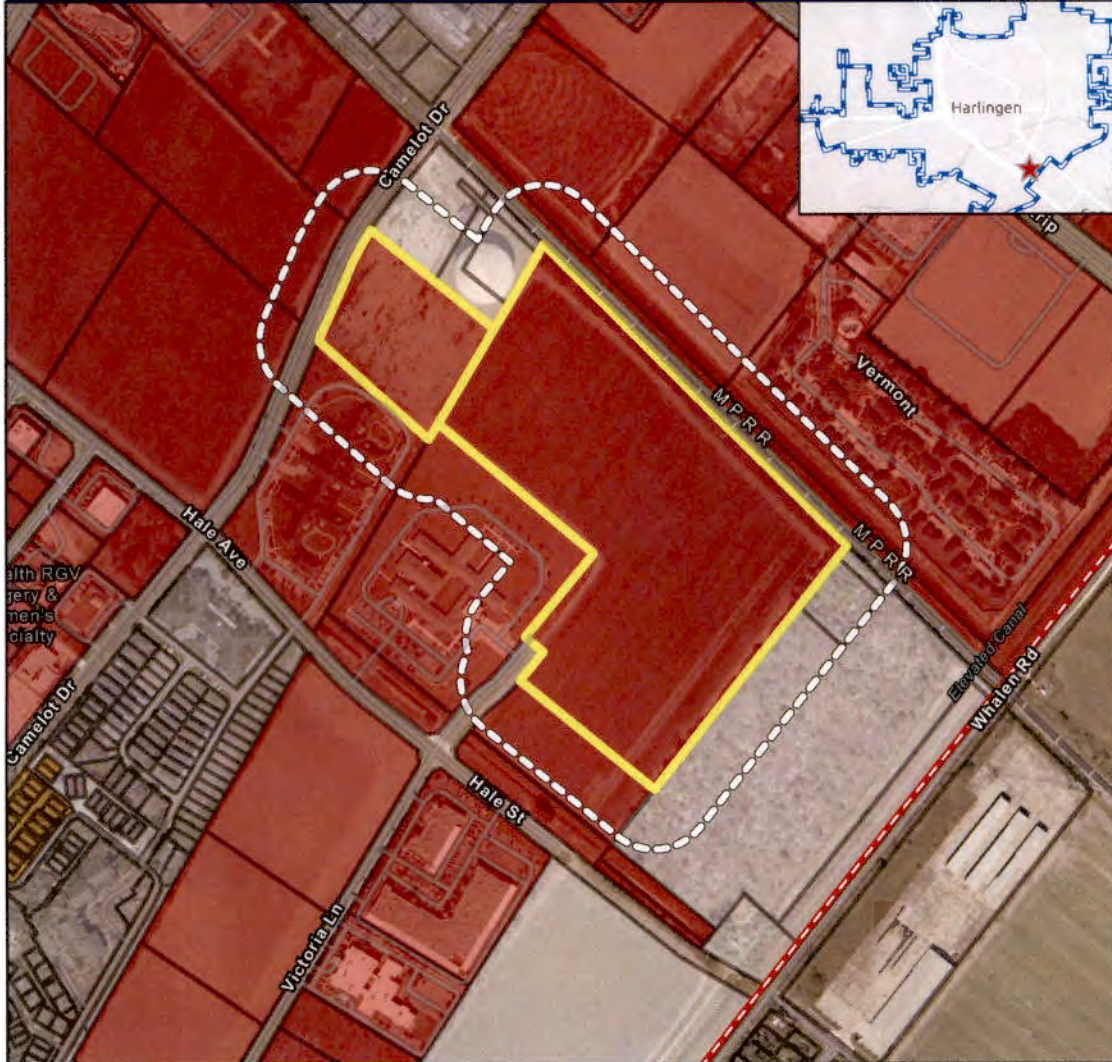
# Attachment II



Harlingen, Texas  
Site Zone Map

### Notice:

Request to rezone from General Retail ("GR") District to Planned Development ("PD") District to allow a mixed-use development (commercial and multifamily) for a property bearing a legal description of 25.73 acres out of 28.93 acres out of Lots C & D, Block 182 and 4.787 acres out of 11.939 acres, out of Blocks 181 & 182, San Benito Land and Water Company Subdivision. Applicant: Berenice Chapa (Half Associates) c/o Economic Development Corporation of Harlingen, Inc.



### Legend

- |                       |                           |
|-----------------------|---------------------------|
| Subject Property      | <b>Zone</b>               |
| 200 ft Buffer         | General Retail            |
| Property Parcels      | Residential, Multi-Family |
| Harlingen City Limits | Not-Designated            |
|                       | Planned Development       |





**Attachment IV**

View from the west  
of Camelot Drive



View from the South  
on Hale Avenue and  
Victoria Lane



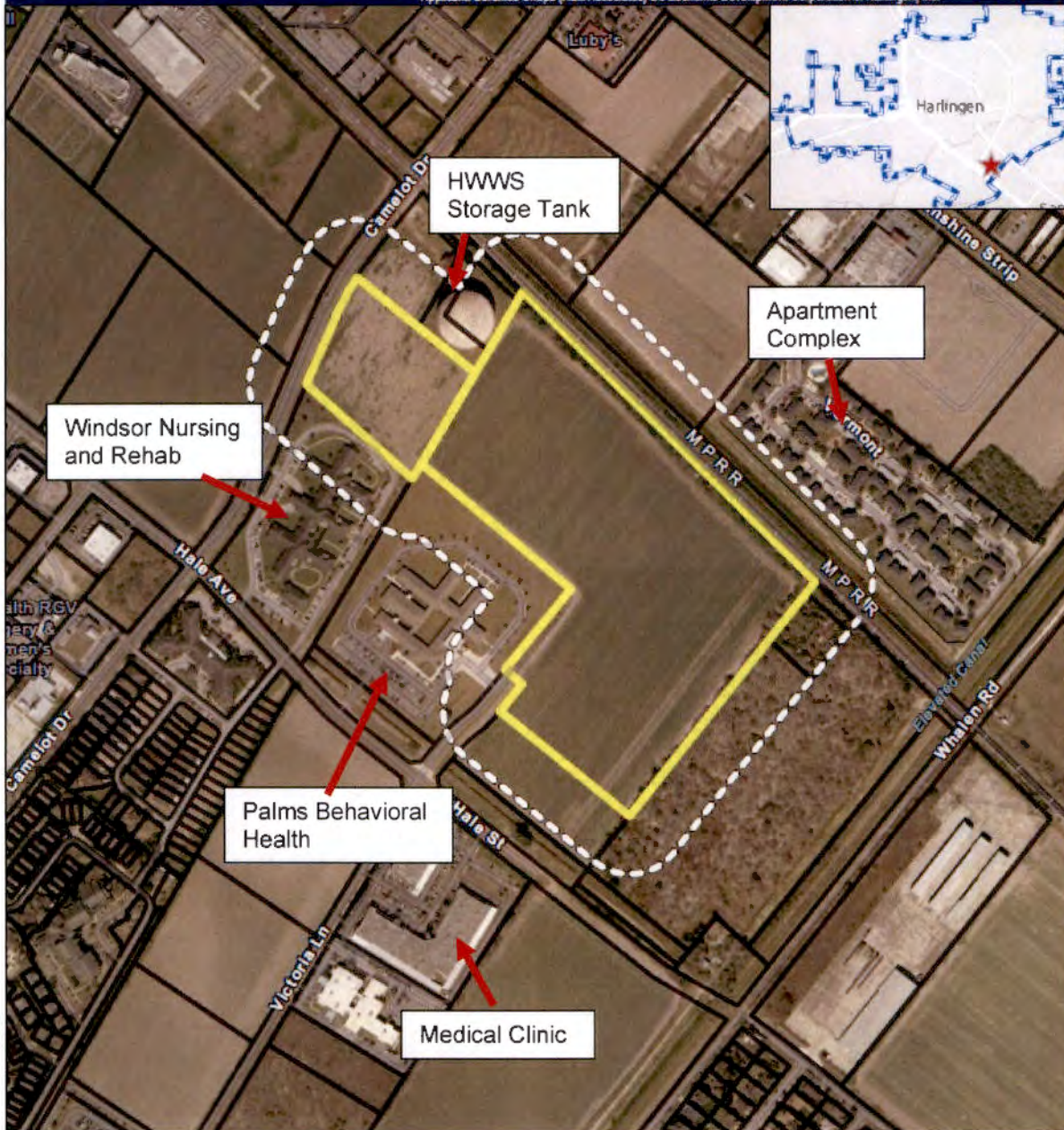
# Attachment V



## Harlingen, Texas Site Aerial Map

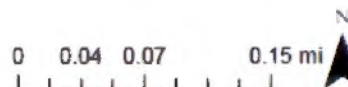
### Notice:

Request to rezone from General Retail ("GR") District to Planned Development ("PD") District to allow a mixed-use development (commercial and multifamily) for properties bearing a legal description of 30.52 acre tract of land, more or less, out of Block 182, San Benito Land and Water Company Subdivision, Concepcion De Carrizosa Grant, located northeast of Camelot Drive and Victoria Lane.  
Applicant: Berenice Chapa (Half Associates) c/o Economic Development Corporation of Harlingen, Inc.



### Legend

- Subject Property: Victoria Commons PD
- 200 ft Buffer
- Property Parcels





**Planned Development (PD) Request Routing Slip**

**Applicant:** Harlingen Economic Development Corporation

**Phone No.:** (956)309-7737

**Location:** Northeast of Camelot Drive and Victoria Lane

**Project Description:** Request to rezone from General Retail (GR) District to Planned Development (PD) District to allow a mixed use development (commercial and multi-family) for properties bearing a legal a description of 30.52 acre tract of land, more or less, out of Block 182, San Benito Land and Water Company Subdivision, Concepcion De Carricitos Grant, located northeast of Camelot Drive and Victoria Lane.

**Department:** Building Permits and Inspections Department

**Approval:**  YES  NO  PENDING

**Comments:** **If request is approved by the Planning Department, A Building Permit application and complete set of construction documents (Architectural and Engineering Plans) for the proposed use must be submitted to the Building Department. Windstorm Engineered plans are required with min. 140 mph wind speeds. The construction documents must comply with the 2024 International Building Code, 2024 Residential Building Code and Family of Codes.**

Raul Rodriguez  
Signature

02/24/2026  
Date



**Planned Development (PD) Request Routing Slip**

**Applicant:** Harlingen Economic Development Corporation

**Phone No.:** (956) 309-7737

**Location:** Northeast of Camelot Drive and Victoria Lane

**Project Description:** Request to rezone from General Retail (GR) District to Planned Development (PD) District to allow a mixed use development (commercial and multi-family) for properties bearing a legal a description of 30.52 acre tract of land, more or less, out of Block 182, San Benito Land and Water Company Subdivision, Concepcion De Carricitos Grant, located northeast of Camelot Drive and Victoria Lane.

**Department:** Fire Prevention Bureau

**Approval:**  X  YES   NO

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

**Fire Marshal Juan Saucedo Jr.**

Juan Saucedo Jr

**Date: February 20, 2026**

Attachment VIII



**Planned Development (PD) Request Routing Slip**

**Applicant:** Harlingen Economic Development Corporation

**Phone No.:** (956)309-7737

**Location:** Northeast of Camelot Drive and Victoria Lane

**Project Description:** Request to rezone from General Retail (GR) District to Planned Development (PD) District to allow a mixed use development (commercial and multi-family) for properties bearing a legal a description of 30.52 acre tract of land, more or less, out of Block 182, San Benito Land and Water Company Subdivision, Concepcion De Carricitos Grant, located northeast of Camelot Drive and Victoria Lane.

**Department:** **ENGINEERING**

**Approval:**     YES     NO

**Comments:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Nadia J. Lopez, PE

3/2/26

**Signature**

**Date**

# Attachment IX



## Harlingen, Texas Site Future Land Use Map

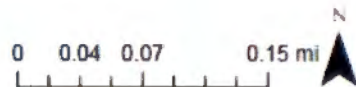
### Notice:

Request to rezone from General Retail ("GR") District to Planned Development ("PD") District to allow a mixed-use development (commercial and multifamily) for properties bearing a legal description of 30.52 acre tract of land, more or less, out of Block 182, San Benito Land and Water Company Subdivision, Concepcion De Carrizosa Grant, located northeast of Camelot Drive and Victoria Lane.  
Applicant: Benetice Chapa (Hall Associates) c/o Economic Development Corporation of Harlingen, Inc.



### Legend

- |                                       |                            |
|---------------------------------------|----------------------------|
| Subject Property: Victoria Commons PD | Mixed Use                  |
| 200 ft Buffer                         | Institutional              |
| Property Parcels                      | Medium Density Residential |
| <b>Future Land Use Designation</b>    | Higher Density Residential |
| Agricultural                          |                            |
| Retail                                |                            |



ORDINANCE NO. 26 \_\_\_\_\_

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONE FROM GENERAL RETAIL (“GR”) DISTRICT TO PLANNED DEVELOPMENT (“PD”) DISTRICT TO ALLOW A MIXED-USE DEVELOPMENT (COMMERCIAL AND MULTI-FAMILY) FOR PROPERTIES BEARING A LEGAL DESCRIPTION OF 30.52 ACRE TRACT OF LAND, MORE OR LESS, OUT OF BLOCK 182, SAN BENITO LAND AND WATER COMPANY SUBDIVISION; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING**

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

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

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

Rezone from General Retail ("GR") District to Planned Development ("PD") District to allow a mixed-use development (commercial and multi-family) for properties bearing a legal description of 30.52 acre tract of land, more or less, out of Block 182, San Benito Land and Water Company Subdivision, Concepcion De Carricitos Grant, located northeast of Camelot Drive and Victoria Lane, as shown on Exhibit "A".

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

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

1. Compliance with all applicable building codes and regulations;
2. Compliance with drainage requirements and all applicable requirements from the Engineering Department; and
3. Compliance with the requirements administered by the Planning, Building Inspections, Engineering, and Fire Prevention Departments.

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**

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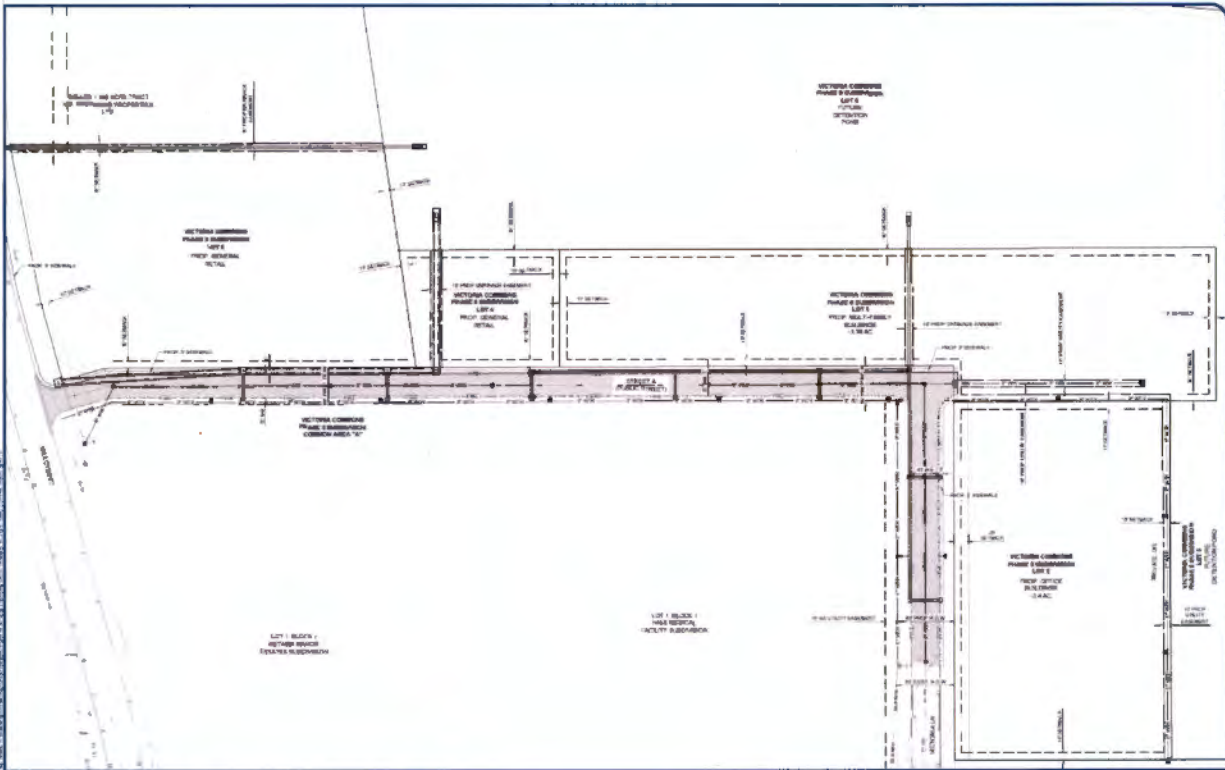
Norma Sepulveda, Mayor

**ATTEST:**

---

Mayra Herrera, City Secretary

# EXHIBIT "A"



PLANNED DEVELOPMENT SITE PLAN



THIS DOCUMENT IS THE PROPERTY OF HALFF ASSOCIATES, INC. AND IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT THE WRITTEN PERMISSION OF HALFF ASSOCIATES, INC. ALL RIGHTS ARE RESERVED.

**AGENDA ITEM  
EXECUTIVE SUMMARY**



Meeting Date: **April 1, 2026**

**Agenda Item:**

Consideration and possible action to approve an ordinance on second and final reading for a Special Use Permit (SUP) to allow the sale of alcoholic beverages for on-site consumption, in a General Retail ("GR") District, located at 211 N. Ed Carey Drive, bearing a legal description of Lot 3, Block 1, Dorris Subdivision Unit 1. Applicant: Richard Rivas c/o Panthers Petroleum III, LLC. 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

- January 23, 2026 – Application for Special Use Permit (SUP) submitted to the City. (**ATTACHMENT I and II**)
- February 19, 2026 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- February 21, 2026 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- March 10, 2026– Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission.
- March 18, 2026 – Public hearing and consideration of requested Special Use Permit via 1<sup>st</sup> ordinance reading scheduled before the City Commission.
- April 1, 2026 – Pending approval of 1<sup>st</sup> ordinance reading, consideration of approval of 2<sup>nd</sup> ordinance reading scheduled before the City Commission.

Summary

- Per the Code of Ordinances, an event center with alcohol requires the approval of a special use permit by the City Commission.
- Eduardo Trevino, the applicant and property owner, is requesting a Special Use Permit to allow an event center with alcohol consumption out of a proposed two story 11,500 sq. ft. building located at 350 N. Loop 499. (**ATTACHMENT III**)
- The subject property is currently vacant and in the subdivision process under the name of Cielo 22 Subdivision for a proposed two lot development. The property has 381.28 feet of frontage on Loop 499 and a depth of 311.03 at its longest point.
- According to the site plan and the information submitted, the applicant is proposing a two story 11,500 sq. ft. event center for weddings, recitals and sweet sixteen events etc., under the name of "Cesars Event Center." The first floor will consist of the event center and the second floor of the building will be the utility room. The proposed event center will be located on the north 200 ft. of the subject property. The hours of operation for the office will be Monday through Friday, from 1:00 p.m. though 6:00 p.m., and the hours of operation for the event center will be from Thursday through Saturday, from 6:00 p.m. though 12:00 p.m. Based on the seating of the proposed for the event center, 94 parking spaces are required and 98 parking spaces are provided. (**ATTACHMENT IV AND VII**)

- Surrounding properties are zoned General Retail ("GR") District in all directions. Surrounding land uses consist of vacant land to the north, Cardenas BMW to the south, vacant land in agriculture use to the east, and vacant land in agriculture use to the west. **(ATTACHMENT III and VII)**
- The Future Land Use Plan component of the Harlingen Horizon – A City on the Rise Comprehensive Plan shows this area as mixed use. The request is consistent with the Future Land Use Plan. **(ATTACHMENT VIII)**
- The Building Inspections, Fire Prevention Bureau, Health, and Police Departments have reviewed the application and have reported no objection to the requested Special Use Permit subject to complying with all applicable codes and regulations. The Police Department reported no objection with the condition that the Police Department may conduct an inspection of the building when completed to confirm installation of cameras and other security measures. **(ATTACHMENT IX-XII)**
- In accordance with the Zoning Chapter of the Code of Ordinances, the P&Z Commission 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.
- To present, the Planning and Development Department has not received any calls opposition to the requested special use permit.

**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

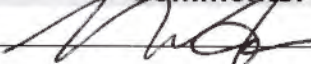
**Staff Recommendation:**

Staff recommends approval of the special use permit subject to complying with the following conditions:

1. Must obtain and maintain the proper State and City permits
2. Provide a licensed security guard during peak hours of operation, from Thursday through Saturday, from 9:00 p.m. though 12:00 p.m.;
3. Provide video surveillance with a minimum retention period of thirty (30) days;
4. Must provide and maintain the required parking spaces in accordance with City regulations;
5. Hours of operation for the establishment shall be from 1:00 p.m. though 12:00 p.m.; and
6. Complying with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health, and Police Departments.

City Manager's approval:   Yes  No  N/A

**Comments:**

City Attorney's approval:   Yes  No  N/A

**ATTACHMENT I**

**CITY OF HARLINGEN PLANNING AND ZONING DIVISION  
MASTER APPLICATION**

**PROPERTY INFORMATION: (Please PRINT or TYPE)**

Project Address N Loop 499 Nearest Intersection E Harrison Ave  
 (Proposed) Subdivision Name Cielo 22 Subdivision Lot 0000 Block 067  
 Existing Zoning Designation \_\_\_\_\_ Future Land Use Plan Designation \_\_\_\_\_

**OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)**

Applicant/Authorized Agent South Texas Dev & Construction Phone (956) 237-6483 FAX -  
**Email Address** (for project correspondence only): diego@southtexasdnc.com  
 Mailing Address 101 E. Expressway 83, ST. 220 City McAllen State Tx Zip 78501  
 Property Owner Eduardo Peña Phone (956) 309-7737 FAX -  
**Email Address** (for project correspondence only): edpena012@gmail.com  
 Mailing Address 2002 S. Angelina Marie Dr City Pharr State Tx Zip 78577

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

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

Please provide a basic description of the proposed project: Event Center (Weddings, recitals, sweet sixteen, etc...)

I hereby certify that I am the owner and 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: 01/21/26  
 Property Owner's Signature: [Signature] Date: 01/21/2026  
 Accepted by: \_\_\_\_\_ Date: \_\_\_\_\_

ATTACHMENT II

**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: Eduardo Peña Date 1/21/26

Owner Address: 2002 S. Angelina Marie Dr. Pharr, Tex. 78577

Phone/Fax: (956) 309-7737

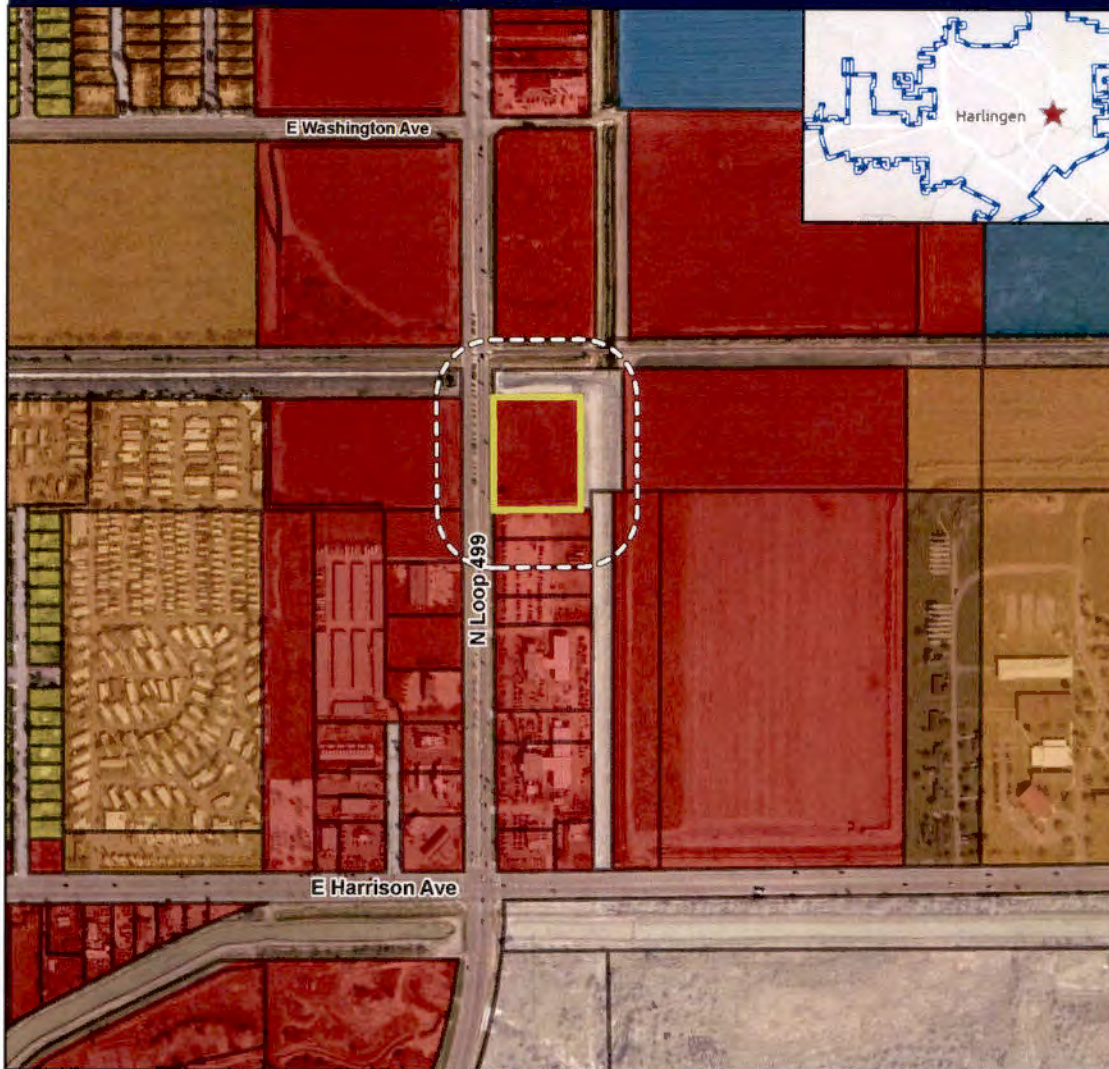
Signature: Eduardo Peña



**Harlingen, Texas**  
Site Zone Map

**Notice:**

Request for a Special Use Permit (SUP) to allow an event center with alcohol in a General Retail ("GR") District located at 350 N Loop 499, bearing a legal description 2.72 acres out of 21 7986 acres out of Block 67, Harlingen Land and Water Company Subdivision.  
Applicant: Eduardo Peña

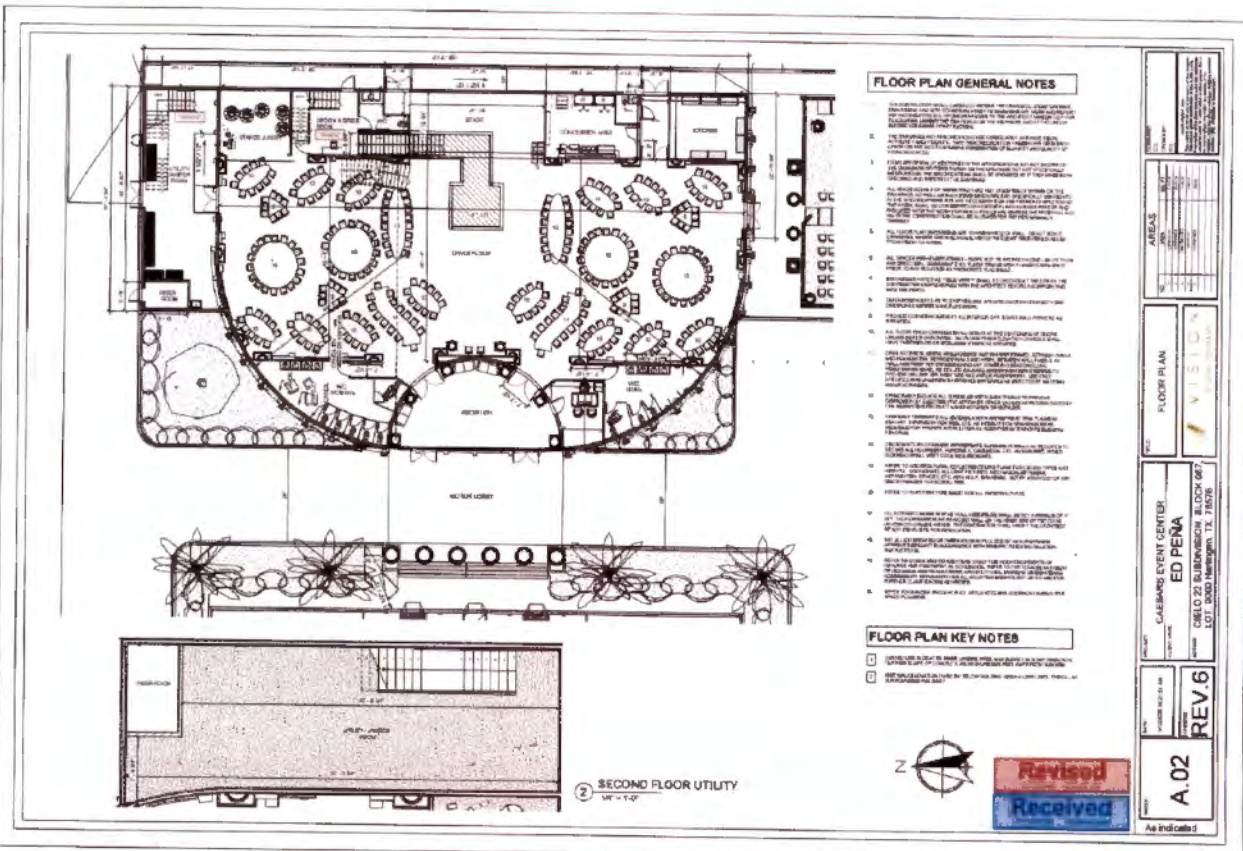
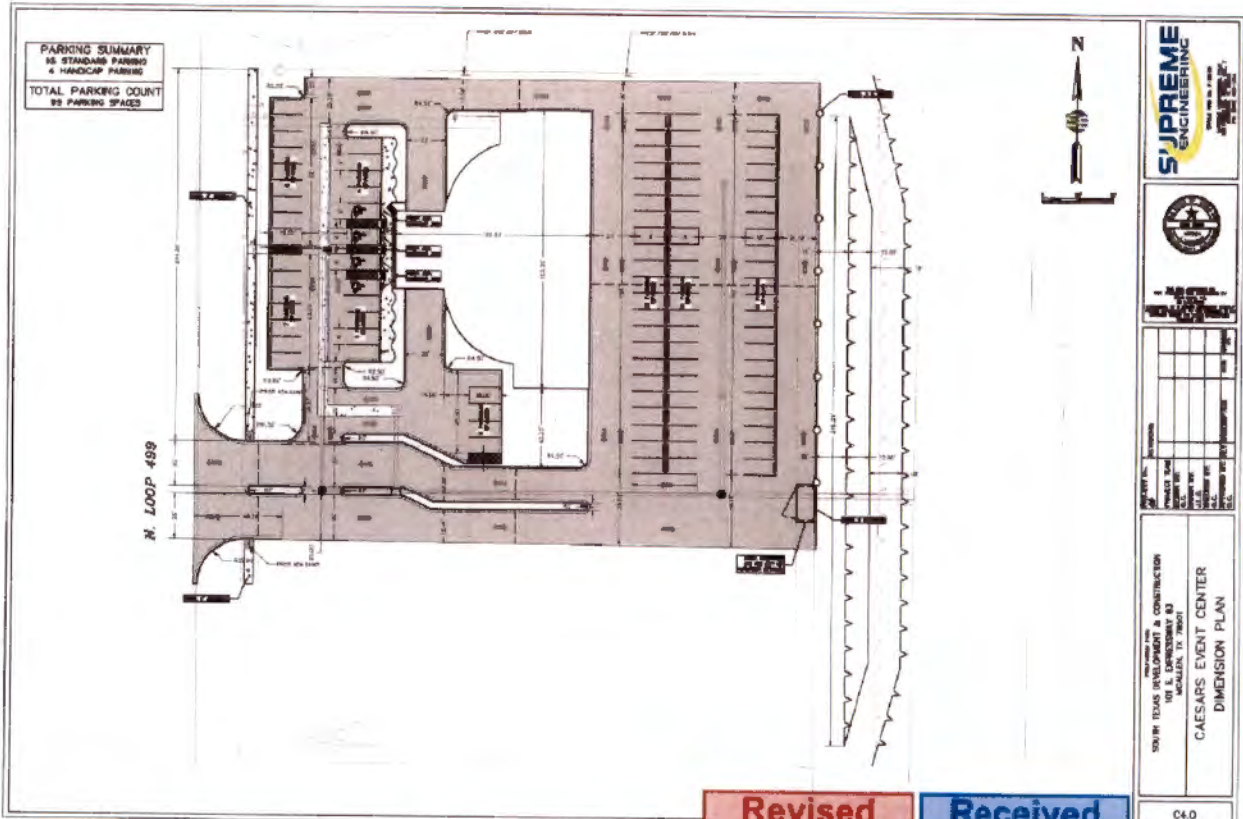


**Legend**

- |                                  |                            |
|----------------------------------|----------------------------|
| Subject Property: 350 N Loop 499 | Light Industry             |
| 200 ft Buffer                    | Residential, Single-Family |
| Property Parcels                 | Residential, Duplex        |
| <b>Zone</b>                      | Residential, Multi-Family  |
| General Retail                   | Residential, Mobile Home   |
|                                  | Not-Designated             |



ATTACHMENT IV



ATTACHMENT V



ATTACHMENT VI

View from the  
East on Loop 499





**Harlingen, Texas**  
Site Aerial Map

**Notice:**

Request for a Special Use Permit (SUP) to allow an event center with alcohol in a General Retail ("GR") District located at 350 N. Loop 499, bearing a legal description 2.72 acres out of 21.7986 acres out of Block 67, Harlingen Land and Water Company Subdivision.  
Applicant: Eduardo Peña



**Legend**

-  Subject Property: 350 N Loop 499
-  200 ft Buffer
-  Property Parcels



ATTACHMENT VIII



**Harlingen, Texas**  
Site Future Land Use Map

**Notice:**

Request for a Special Use Permit (SUP) to allow an event center with alcohol in a General Retail ("GR") District located at 350 N. Loop 499, bearing a legal description 2.72 acres out of 21.7986 acres out of Block 67, Harlingen Land and Water Company Subdivision.  
Applicant: Eduardo Peña



**Legend**

- Subject Property: 350 N Loop 499
- 200 ft Buffer
- Property Parcels
- Future Land Use Designation**
- Retail
- Mixed Use
- Employment
- Institutional
- Lower Density Residential
- Medium Density Residential
- Higher Density Residential
- Recreational/Open Space





**Planned Development (PD) Request Routing Slip**

**Applicant:** Eduardo Pena

**Phone No.:** (956)309-6483

**Location:** 350 N. Loop 499 (PID: 72446)

**Project Description:** Request for a special use permit to allow an event center (alcohol permitted)

**Department:** Building Permits and Inspections Department

**Approval:**  YES  NO  PENDING

**Comments:**

**If request is approved by the Planning Department, A plan review will be required. A Building Permit application, a code analysis, a site plan, existing floor plan and proposed floor plan with dimensions to scale identifying all areas to be used to calculate occupant load, determine required plumbing fixtures and means of egress 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

02/16/2026

Date



**Specific Use Permit ("SUP") Routing Slip**

**Applicant:** Eduardo Pena

**Phone No.:** (956) 309-6483

**Location:** 350 N Loop 499 (PID: 72446)

**Project Description:** Request for a Special Use Permit (SUP) to allow an event center (alcohol permitted).

**Department:** Fire Prevention Bureau

**Approval:**  X  YES   NO

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

**Fire Marshal Juan Saucedo Jr.**

Juan Saucedo Jr

**Date: February 19, 2026**



**Planned Development (PD) Request Routing Slip**

**Applicant:** Eduardo Pena

**Phone No.:** (956)309-6483

**Location:** 350 N. Loop 499 (PID: 72446)

**Project Description:** Request for a special use permit to allow an event center (alcohol permitted)

**Department:** Health

**Approval:**  YES  NO

**Comments:** Eduardo Pena, Event Center, located on N. Loop 499 , will not need any health permits, if they are not preparing or selling any foods at this location. TABC will need to be contacted for the permitting of alcohol on the premises. If Event Center decides to sell foods at a later date , then health permits will be required, including proper cooking equipment, hood oven systems and certifications.

**James Padilla** \_\_\_\_\_

**3-3-26**

**Signature**

**Date**



**Planned Development (PD) Request Routing Slip**

**Applicant:** Eduardo Pena

**Phone No.:** (956)309-6483

**Location:** 350 N. Loop 499 (PID: 72446)

**Project Description:** Request for a special use permit to allow an event center (alcohol permitted)

**Department:** **HARLINGEN POLICE DEPT.**

**Approval:**  YES  NO

**Comments:** YES, ON CONDITION THAT POLICE DEPARTMENT  
MAY CONDUCT AN INSPECTION OF BUILDING  
WHEN COMPLETED TO CONFIRM INSTALLATION  
OF CAMERAS AND OTHER SECURITY MEASURES.

AA  
Alfredo Alvear, BSCJ, CPM  
Chief of Police

2/17/26  
Date

**ORDINANCE NO. 26-**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT ISSUED TO EDUARDO PENA TO ALLOW AN EVENT CENTER WITH ALCOHOL IN A GENERAL RETAIL ("GR") DISTRICT LOCATED AT 350 N. LOOP 499, BEARING A LEGAL DESCRIPTION OF 2.72 ACRES OUT OF 21.7986 ACRES OUT OF BLOCK 67, HARLINGEN LAND AND WATER COMPANY SUBDIVISION, PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.**

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

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

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

Special Use Permit (SUP) issued to Eduardo Pena to allow an event center with alcohol in a General Retail ("GR") District located at 350 N. Loop 499, bearing a legal description of 2.72 acres out of 21.7986 acres out of Block 67, Harlingen Land and Water Company Subdivision.

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 Exhibit "A" and shall comply with the conditions as listed below:

1. Must obtain and maintain the proper State and City permits
2. Provide a licensed security guard during peak hours of operation, from Thursday through Saturday, from 9:00 p.m. though 12:00 p.m.;
3. Provide video surveillance with a minimum retention period of thirty (30) days;
4. Must provide and maintain the required parking spaces in accordance with City regulations;
5. Hours of operation for the establishment shall be from 1:00 p.m. though 12:00 p.m. and
6. Complying with the requirements administered by Planning and Zoning, Building Inspections, Fire Prevention, Health, and Police Departments.

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

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

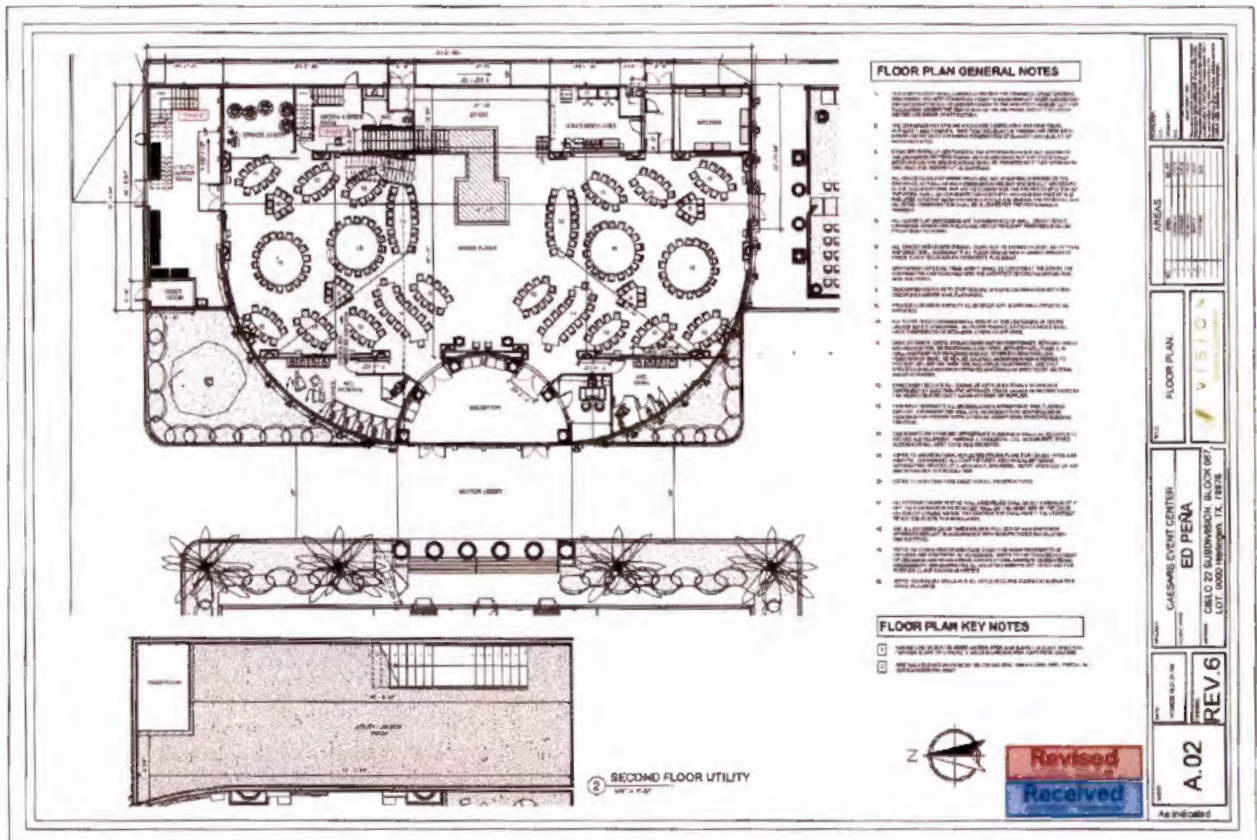
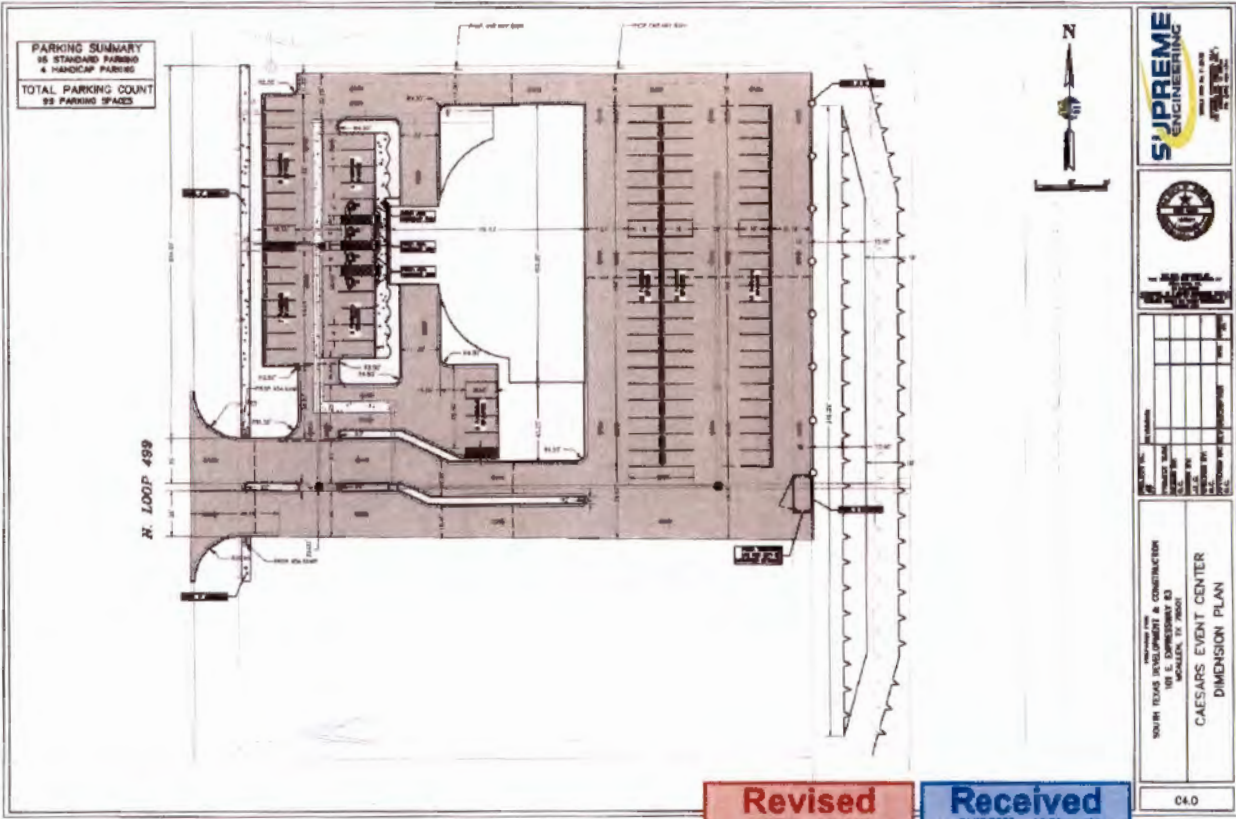
**CITY OF HARLINGEN**

\_\_\_\_\_  
Norma Sepulveda, Mayor

**ATTEST:**

\_\_\_\_\_  
Hermelinda Gonzlez, Interim City Secretary

# Exhibit "A"



7(9)

**AGENDA ITEM  
EXECUTIVE SUMMARY**

Meeting Date: **April 1<sup>st</sup> 2026**

**Agenda Item:**

Consideration and possible action authorizing the City Manager to execute Flock Safety Mobile Security Trailer Agreement between the City of Harlingen and Flock Safety. Attachment (*Police Department*).

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

Signature: *Ana Hernandez*

**Brief Summary:**

The Harlingen Police Department, through the FY26 Operation Lonestar grant approved by the City Commission on 10/20/2025, has received \$75,200 in funding to purchase Flock Safety equipment. This agreement is specifically for the Mobile Security Trailer. The security trailer includes cameras that can be used to deter crime, monitor a location, and support certain public safety investigations, to the extent permitted by law. The agreement details the general terms of delivery and service.

Below is the breakdown of the overall Flock Safety equipment purchase:

- 9 x License Plate Readers - \$27,000.00
- 3 x Solar Long Range License Plate Readers - \$15,000.00
- 1 x Mobile Security Trailer + Subscription - \$25,000.00
- Implementation and infrastructure fees - \$8,200.00

Total Flock Safety Equipment - \$75,200.00

**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: Funding will be derived from reimbursement requests to the Office of the Governor.

Finance Director's approval:  Yes  No  N/A

**Staff Recommendation:**

Staff recommends execution of the agreement.

City Manager's approval: *AG*  Yes  No  N/A

**Comments:**

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

**Flock Safety + TX - Harlingen PD**

---

Flock Group Inc.  
1170 Howell Mill Rd, Suite 210  
Atlanta, GA 30318

---

MAIN CONTACT:  
Kevin Cutler  
kevin.cutler@flocksafety.com  
+13103076009

Quote Number: Q-127395  
Expiration Date: 03/29/2025

**flock safety**

# flock safety

## EXHIBIT A ORDER FORM

Customer: TX - Harlingen PD  
 Legal Entity Name: TX - Harlingen PD  
 Accounts Payable Email: invoices@harlingentx.gov  
 Address: 1018 Fair Park Blvd Harlingen, Texas 78550

Initial Term: 12 Months  
 Renewal Term: 12 Months  
 Payment Terms: Net 30  
 Billing Frequency: Annual Plan - Invoiced at First Camera Validation  
 Retention Period: 30 Days

### Hardware and Software Products

Annual recurring amounts over subscription term

Item	Unit	Quantity	Total
<b>Flock Safety Platform</b>			<b>\$67,000.00</b>
<b>Flock Safety LPR Products</b>			
Flock Safety LPR, fka Falcon	Included	4	Included
Flock Safety LPR, fka Falcon	Included	4	Included
Flock Safety LPR, fka Falcon	Included	1	Included
Solar Long-Range LPR, fka Solar Falcon LR	Included	3	Included
<b>Flock Safety Video Products</b>			
Flock Mobile Security Trailer - Subscription	Included	1	Included

### Professional Services and One Time Purchases

Item	Unit	Quantity	Total
<b>One Time Fees</b>			
<b>Flock Safety Professional Services</b>			
Professional Services - Standard Implementation Fee	\$650.00	4	\$2,600.00
Professional Services - Existing Infrastructure Implementation Fee	\$150.00	4	\$600.00
Professional Services - MASH Tested Pole Implementation Fee - Non-Coastal Region	\$1,250.00	1	\$1,250.00
Professional Services - MASH Tested Pole Implementation Fee - Non-Coastal Region	\$1,250.00	3	\$3,750.00
<b>Subtotal Year 1:</b>			<b>\$75,200.00</b>
<b>Annual Recurring Subtotal:</b>			<b>\$67,000.00</b>
<b>Estimated Tax:</b>			<b>\$0.00</b>
<b>Contract Total:</b>			<b>\$75,200.00</b>

Taxes shown above are provided as an estimate. Actual taxes are the responsibility of the Customer. This Agreement will automatically renew for successive renewal terms of the greater of one year or the length set forth on the Order Form (each, a "Renewal Term") unless either Party gives the other Party notice of non-renewal at least thirty (30) days prior to the end of the then-current term.

The Term for Flock Hardware shall commence upon first installation and validation, except that the Term for any Flock Hardware that requires self-installation shall commence upon execution of the Agreement. In the event a Customer purchases more than one type of Flock Hardware, the earliest Term start date shall control. In the event a Customer purchases software only, the Term shall commence upon execution of the Agreement.

### Billing Schedule

Billing Schedule	Amount (USD)
<b>Year 1</b>	
At First Camera Validation	\$75,200.00
<b>Annual Recurring after Year 1</b>	<b>\$67,000.00</b>
<b>Contract Total</b>	<b>\$75,200.00</b>

\*Tax not included

### Discounts

Discounts Applied	Amount (USD)
Flock Safety Platform	\$0.00
Flock Safety Add-ons	\$0.00
Flock Safety Professional Services	\$0.00

## Product and Services Description

Flock Safety Platform Items	Product Description
Flock Safety LPR, fka Falcon	Law enforcement grade infrastructure-free (solar power + LTE) license plate recognition camera with Vehicle Fingerprint™ technology (proprietary machine learning software) and real-time alerts for unlimited users.
Flock Safety LPR, fka Falcon	Law enforcement grade infrastructure-free (solar power + LTE) license plate recognition camera with Vehicle Fingerprint™ technology (proprietary machine learning software) and real-time alerts for unlimited users.
Flock Safety LPR, fka Falcon	Law enforcement grade infrastructure-free (solar power + LTE) license plate recognition camera with Vehicle Fingerprint™ technology (proprietary machine learning software) and real-time alerts for unlimited users.
Solar Long-Range LPR, fka Solar Falcon LR	Law enforcement grade, long range and high vehicle speed license plate recognition camera with Vehicle Fingerprint™ technology (proprietary machine learning software) and real-time alerts for unlimited users, with LTE. Solar Power only
Professional Services - Standard Implementation Fee	One-time Professional Services engagement. Includes site and safety assessment, camera setup and testing, and shipping and handling in accordance with the Flock Safety Standard Implementation Service Brief.
Professional Services - Existing Infrastructure Implementation Fee	One-time Professional Services engagement. Includes site and safety assessment of existing vertical infrastructure location, camera setup and testing, and shipping and handling in accordance with the Flock Safety Standard Implementation Service Brief.
Professional Services - MASH Tested Pole Implementation Fee - Non-Coastal Region	MASH tested pole that meets DOT crashworthiness requirements. Includes materials, installation, and maintenance.
Professional Services - MASH Tested Pole Implementation Fee - Non-Coastal Region	MASH tested pole that meets DOT crashworthiness requirements. Includes materials, installation, and maintenance.
Flock Mobile Security Trailer - Subscription	Mobile Security Trailer package provides the Flock technology to deter crime and capture evidence through - Blue Deterrence Light - 2 x PTZ Video Camera - 1 360 Degree Multisensor Camera - Audio Talk Down

**TRAILER AS A SERVICE PROGRAM FOR  
FLOCK SAFETY MOBILE SECURITY TRAILERS**

WHEREAS, Customer has an interest in employing a public safety device to assist with deterring criminal activity and to assist with certain public safety investigations, to the extent permitted by law;

WHEREAS, Flock Safety offers a mobile security deterrence package to be considered part of the ("Flock Services");

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Customer and Flock agree as follows:

**1. GENERAL TERMS OF DELIVERY AND SERVICE.**

**1.1 Mobile Security Trailer Deterrence Package.** By executing this document, the Customer hereby agrees to utilize a mobile security trailer deterrence package, an infrastructure-free public safety solution designed to provide a public safety presence to deter crime while capturing evidence for potential criminal investigation ("Flock Safety Mobile Security Trailer"). The Flock Safety Mobile Security Trailer shall include certain agreed-upon trailer hardware ("**Trailer Hardware**"), integrated Flock Hardware, and other key features as listed and agreed upon in the Order Form including access to the FlockOS® software.

**1.2 Delivery.** The delivery of the Flock Safety Mobile Security Trailer shall be made at the location as specified in the relevant sales order or as otherwise agreed upon in writing by the Parties. ("**Delivery Point**"). Delivery of the Flock Safety Mobile Security Trailer to the agreed-upon Delivery Point shall be entirely at Flock's (as defined below) risk and expense. The sales order shall include the shipping terms, all required business information of the Customer, the shipping address, and if applicable, the shipment address of the certificate of origin related to an order ("**Sales Order**"). If for any reason the Customer fails to accept delivery of the Flock Safety Mobile Security Trailer in accordance with the terms provided in the Sales Order, or if delivery of the Flock Safety Mobile Security Trailer cannot be completed at the Delivery Point within a reasonable time after the delivery date owing to any act or omission of Customer or its representatives, including without limitation the failure to provide appropriate instructions, documents, or authorizations: (i) Customer shall bear the risk of loss to the Flock Safety Mobile Security Trailer; and (ii) the Flock Safety Mobile Security Trailer shall be deemed to have been delivered. Once the Flock Safety Mobile Security Trailer is made available at the Delivery Point, Customer is responsible for any resulting use of the Flock Safety Mobile Security Trailer by all Authorized Users and all third parties who may gain access to the same. In the event that Customer disassembles the Flock Safety Mobile Security Trailer for any reason, Flock shall bear no responsibility for reassembly.

**1.3 Trailer Hardware.** The Parties hereby acknowledge and agree that: **A)** Flock Safety expressly disclaims any implied warranty as to the fitness for a particular purpose and any other warranties, implied or otherwise, related to the Trailer Hardware; **B)** Flock Safety shall maintain full ownership of the Trailer Hardware and the Trailer Hardware shall be subject to the terms and conditions set forth in the Agreement; and **C)** The Customer shall be responsible for providing Flock Safety with prompt written notice requesting warranty claim support within a commercially reasonable amount of time from when the Customer has actual or constructive knowledge of the need for support and/or maintenance; **D)** Customer agrees to immediately notify Flock Safety of any accident or event of loss or damage involving the Trailer Hardware; and **E)** any such notification shall include any information as may be pertinent to Flock's investigation of such accident, loss, or damage, or information which Flock may reasonably require.

**1.4 Flock Hardware.** The Parties hereby agree and acknowledge that: **A)** Flock Safety Hardware as listed and agreed upon under the Order Form shall be subject to the terms and conditions set forth in the Agreement; **B)** Flock Safety maintains ownership of all the Flock Hardware; **C)** Flock Safety shall be fully responsible for supporting the hardware and software components related to the Flock Hardware including but not limited to

troubleshooting, warranty claim support, and other related or corresponding activities as set forth in the Agreement; **D**) Customer agrees to immediately notify Flock Safety of any accident or event of loss or damage involving the Flock Hardware; and **E**) any such notification shall include any information as may be pertinent to Flock's investigation of such accident, loss, or damage, or information which Flock may reasonably require.

**1.5** Risk of Loss. Customer assumes and shall bear the entire risk of loss, damage to, theft or destruction of, all Flock Hardware. LOSS OR DAMAGE TO THE FLOCK HARDWARE, OR ANY PART OF IT, SHALL NOT RELIEVE CUSTOMER OF ANY OBLIGATION UNDER THE AGREEMENT. Customer's obligations with respect to this Section shall commence upon delivery of the Flock Safety Mobile Security Trailer.

**2. FLOCK SAFETY FEES.** The Customer shall pay the fees set forth in the applicable Order Form based on the billing structure and payment terms as indicated in the Order Form.

**3. TERM.** Unless otherwise indicated on the Order Form, the term of this Addendum shall be deemed to have commenced as of the Effective Date of the Agreement and shall continue until terminated as provided under the Agreement (the "**Term**").

By executing this Order Form, Customer represents and warrants that it has read and agrees all of the terms and conditions contained in the Terms of Service located at <https://www.flocksafety.com/terms-and-conditions>

The Parties have executed this Agreement as of the dates set forth below.

**FLOCK GROUP, INC.**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**Customer: TX - Harlingen PD**

By:  \_\_\_\_\_

Name: ALFREDO ALVAREZ

Title: CHIEF OF POLICE

Date: 3/4/26

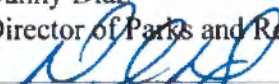
PO Number: \_\_\_\_\_

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**AGENDA ITEM  
EXECUTIVE SUMMARY**


Meeting Date: **April 1, 2026**

**Agenda Item:**  
Consideration and possible action to approve a Facility Usage Agreement for 7-on-7 football practice between the City of Harlingen and the Harlingen Cardinals Youth Sports League for use of Vestal Park Field 1

Prepared By: Danny Diaz  
Title: Director of Parks and Recreation  
Signature: 

**Summary:**  
Summary  
The Parks and Recreation Department is requesting approval of a Facility Usage Agreement with the Harlingen Cardinals Youth Sports League for use of Field 1 at Vestal Park.  
  
The agreement will allow the league to conduct 7-on-7 football practices only from April 1, 2026 through May 31, 2026. No games, tournaments, or special events will be permitted under this agreement.  
  
Use of the facility will be limited to Monday through Saturday and will be subject to scheduling approval by the Parks and Recreation Director.  
  
The agreement maintains City control of the facility, ensures continued public access outside of scheduled use, and outlines responsibilities related to maintenance, operations, and insurance requirements.  
  
Staff is recommending approval of the agreement as presented.

**Staff Recommendation:**  
Staff recommends approval of the Facility Usage Agreement with the Harlingen Cardinals Youth Sports League and authorization for the City Manager to execute the agreement.

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

City Attorney's approval:   Yes  No  N/A

**STATE OF TEXAS**                   \*\*\*\*  
**COUNTY OF CAMERON**           \*\*\*\*  
**CITY OF HARLINGEN**           \*\*\*\*

**FACILITY USAGE AGREEMENT FOR  
HARLINGEN CARDINALS YOUTH SPORTS LEAGUE**

I.       WITNESS this Facility Usage Agreement hereby entered into this 1st day of April, 2026, between the CITY OF HARLINGEN, a Municipal Corporation situated in Cameron County, Texas, and acting herein by and through its duly authorized City Manager and its City Secretary, hereinafter designated as CITY, and HARLINGEN CARDINALS YOUTH SPORTS LEAGUE, hereinafter designated as the LEAGUE.

      The CITY hereby grants usage to the LEAGUE for play thereon Fields 1 at Vestal Park located in Harlingen, Texas. Use of this facility by the LEAGUE shall be permitted Monday through Saturday for 7-on-7 football practices only, subject to scheduling approval by the Parks and Recreation Director. No games, tournaments, or special events shall be permitted under this Agreement. Contract is solely for fields/facilities agreed upon in contract. Any open green space at City Park is open and available to the public on a first come first served basis

II. The term of the Agreement is as follows: Starting April 1, 2026, ending May 31, 2026.

III. The consideration to be paid City for this Agreement is One (\$1.00) Dollar. Said sum shall be payable to the CITY at the office of the Parks and Recreation Director of said CITY at 502 E. Tyler, Harlingen, Texas, 78550, (956) 216-5952 phone #, at the time of execution of this Agreement.

IV. By virtue of this Agreement, the LEAGUE is to have use of said facility for the term subject to the following terms and conditions:

- A. The Parks and Recreation Director will assign all facilities as deemed appropriate in his/her sole discretion considering all relevant factors. Use of the facility shall be limited to the dates and hours of scheduled LEAGUE activities as filed with and subject to approval by the Parks and Recreation Director.

- B. The basic use of said facility by the LEAGUE shall be for the purpose of promoting, training, and conducting 7-on-7 football practices only, and the operation of concessions incidental to such activities.
- C. LEAGUE will not use the facility for any activities other than the basic use described above and related scheduled the LEAGUE activities without prior consent of the Parks and Recreation Director. No games, tournaments, or competitive events are permitted under this Agreement.
- D. The LEAGUE will not use the facility for any unlawful purposes. The LEAGUE agrees to comply with all CITY ordinances and regulations and the laws of the State of Texas.
- E. Concession operations must meet all applicable CITY health codes and any other requirements of the CITY in this regard including, but not limited to:
  - 1. Alcoholic beverages in all Municipal Parks are prohibited.
  - 2. Sale of any items in glass containers is prohibited.
- F. The LEAGUE shall discourage unsafe practices. The LEAGUE is prohibited from offering any reward, discount or free concession food or beverage items in exchange for the return of lost balls—*when applicable*.
- G. It is further covenanted and agreed that no concession on said facility will be granted by the LEAGUE to any person(s), corporation or other entity without prior written approval of the Parks and Recreation Director.
- H. CITY shall have the right to make the facility available, subject to the approved LEAGUE schedule (inclusive of any rainout or other rescheduled dates), to any CITY, school, civic group, or association which desires the use of said facility for any event or program for CITY, non-profit, and/or charitable purposes; provided that any such use shall not conflict with a previously scheduled game or other permitted event or program. Use of a facility for above mentioned uses shall be subject to CITY policies regarding such activities and to prior approval by Parks and Recreation Director.
- I. Prior to the execution of this Agreement, CITY and the LEAGUE shall inspect the facility and prepare a list of necessary repairs, if any, attached to a statement of general conditions of the facility.
- J. CITY shall have the right to take over/use any of these facilities in the event of public necessity, declared emergency, or other public need.
- K. The LEAGUE shall bear all costs incidental to operation of said the LEAGUE

hereunder except as noted below:

1. CITY shall maintain grass facility areas by providing watering, fertilizing, and mowing. Said services shall be provided only on normal work days and during normal work hours. The CITY shall square, and mark fields at the beginning of the season and the LEAGUE shall drag and/or mark fields from that point forward. The Exceptions to the provisions in this paragraph "1." shall be for the LEAGUE sponsored regional and/or national tournaments as deemed appropriate by the Parks and Recreation Director. Said tournaments shall be of a nature that has both an economic and tourism impact on the City.
2. Where installed, CITY agrees to provide utilities (except as noted in #3 below); maintain goals, lights, fence and bleachers.
3. If applicable, the LEAGUE shall maintain, at the LEAGUE expense, any scoreboard, if present, its attendant cables, controls, etc. and the LEAGUE shall own and maintain, at its expense, any public address system used.
4. The LEAGUE shall provide at own expense (when applicable), umpires, officials, scoreboard operators.
5. The LEAGUE is responsible for picking-up any and all trash generated or created by any aspect of the LEAGUE operation and use of CITY facilities, including, but not limited to, attendance at LEAGUE events and concession sales.
6. If applicable, the LEAGUE is responsible for cleaning and minor plumbing issues (i.e. clogs in sinks, urinals, or toilets) at facility restrooms and concessions including before, during and after league games, tournaments and any other club associated events, except restrooms not under the exclusive control of the league. The LEAGUE shall provide restroom cleaning supplies paper products, and hand soap for dispensers.
7. In the event of storms, hurricanes, high winds, or any other act of God, the LEAGUE is responsible for the removal of all their signage and sponsor boards from fences at their designated areas of play or operation.
8. The LEAGUE shall submit yearly composition of board to include one Parent/Participant representative. (City representative will be allowed to attend.)

9. The LEAGUE shall conduct 2 in season board meetings open to the public/participants/parents.
  10. The LEAGUE is recommended to submit a bid to their affiliated association for (1) regional tournament per calendar year.
- L. Lights used during practice must be turned off no later than 10:00 p.m. Failure to comply with this provision of the Agreement will result in either the LEAGUE being charged for electrical use for the month in which the infraction occurred or forfeiture of the Agreement and the Leagues ability to use the Facilities. These conditions do not pertain to tournament play. Tournament play dates must be provided to the Parks and Recreation Director at least two weeks before the tournament is scheduled to commence. Use of lights is only for in-season games/practices/tournaments. Any other usage must be requested prior and approved by the Parks and Recreation Director.
- M. If entry fees (gate) are to be charged to those attending league events at the Facility, they may only include tournaments and game play, and such fees shall not exceed the following amounts:
1. Participants in that day's tournament or game play (players, cheerleaders, etc) shall not be charged fee;
  2. Persons eleven (11) years of age and younger shall be charged no more than one dollar (\$1.00) per day;
  3. Persons twelve (12) years of age and older shall be charged no more than two dollars (\$2.00) per day.
- N. City Authority & Expectations
1. The Parks and Recreation Director may override or modify the LEAGUE's schedule to allow public access, City programs, or other uses in the community's best interest. All facilities are owned by the CITY. The CITY retains ultimate authority over access and use at all times.
  2. Use is limited to league-related activities and approved concessions unless otherwise authorized in writing by the Parks and Recreation Director.
  3. The LEAGUE shall not interfere with citizen access to open areas or other portions of the facility not assigned for scheduled league play or practice.
  4. The LEAGUE is responsible for the behavior of officers, members, coaches,

players, volunteers, spectators, and guests. Any misconduct, unlawful behavior, or negative impact on the CITY is a breach of this Agreement.

V. No later than ten (10) working days prior to the Start Date of the Agreement, the LEAGUE shall file with the CITY a schedule showing the dates and times that the facility will be used for practices or other approved activities. Schedule updates will be submitted every ninety (90) days thereafter. The schedule and any updates shall be subject to review as per Section IV.A. of this agreement. Additionally, the LEAGUE shall file with the CITY a roster or list of registrants, including names and home addresses. The LEAGUE shall, as soon as practical, notify CITY of any race or practice rescheduling and dates for major races or practices on said premises.

VI. A. Any additions and alterations of the facility, including the placement of portable or temporary buildings, shelters or bathrooms, desired by the LEAGUE shall be first submitted to the CITY COMMISSION for its approval or rejection. In the event such alterations/additions are approved and made, the same shall be at the full expense of the LEAGUE and shall become the property of CITY upon the termination of this Agreement.

A. CITY reserves the rights to all advertising, signs and signage on and sponsorships of all fields, facilities, premises and appurtenances. No sale, lease or donation of advertising, sign, signage or sponsorship by the LEAGUE shall be permitted, valid or binding without the express written permission or consent of the CITY'S Elective Commission, which may be withheld at its sole discretion.

B. Nothing herein shall prevent the CITY from making improvements to a facility at CITY'S expense, if the CITY shall see fit to do so.

C. Any officer, agent or employee of CITY shall have free access to the facility at all times for the purpose of checking and inspecting or for maintenance and repairs. CITY shall have access to any storage buildings when accompanied by an official of the LEAGUE, other than in response to an immediate threat to public health, safety or welfare, in which case no LEAGUE official's presence is required.

VII. A. The LEAGUE shall carry valid and collectible Commercial General Liability (CGL) insurance, naming the CITY OF HARLINGEN as an additional insured, for not less than Two Million (\$2,000,000.00) Dollars aggregate and One Million (\$1,000,000.00) each occurrence for

bodily injury or death and Five Hundred Thousand and No/100 (\$500,000.00) Dollars each occurrence for property damage. Such insurance policy shall provide that the same cannot be canceled unless thirty (30) days written notice of such cancellation has been given to CITY. If such policy is canceled or expires during the term of this Agreement, the LEAGUE shall forthwith discontinue the use of said facility unless and until a policy in the amounts hereinabove provided is obtained and presented to the Parks and Recreation Director of the City of Harlingen, Texas. A copy of said insurance policy shall be submitted to the Risk Manager of Harlingen for review prior to the execution of this Agreement by CITY.

B. As a part of the consideration for the execution of this Agreement, the LEAGUE agrees to and shall, to the extent of the insurance available to the LEAGUE and CITY under the insurance policy furnished by the LEAGUE to the CITY, indemnify and hold harmless CITY, its officials, officers, agents, representatives and employees, from and against all claims, losses, damages, causes of action, suits and liabilities of every kind, including all expenses of litigation, court costs, and attorney's fees, for injury to or death of any person, or for damage to any property, arising out of or in any way connected with work done, improvements made, or activities conducted by the LEAGUE under this Agreement, including any situation in which such injuries, death, or damages are caused by CITY'S sole negligence or the joint negligence of CITY and any other person or entity, including the LEAGUE. **It is the expressed intention of the parties hereto, both LEAGUE and CITY, that the indemnity provided for in this paragraph is indemnity by LEAGUE to indemnify and protect CITY from the consequences of CITY'S own negligence whether that negligence is a sole or a concurring cause of the injury, death or damage.** The LEAGUE further agrees to handle and defend at its own expense, on behalf of CITY and in CITY'S name, any claim or litigation in connection with any such injury, death or damage and the liability of the LEAGUE under such indemnity shall be limited to the coverage available to the LEAGUE and to CITY under the policy furnished by the LEAGUE to CITY. The LEAGUE shall always keep their insurance policy current with required coverages. If the LEAGUE fails to keep their policy current the CITY will restrict usage of facilities until policy current policy is provided and approved by the City's Risk Management.

VIII. In case of default of any of the covenants herein, CITY may enforce the performance of this Agreement in any manner provided by law, and this lease may be voided at CITY'S discretion if such default continues for a period of ten (10) days after the CITY notifies the LEAGUE of such default and its intention to declare the Agreement forfeited. Such notice shall be sent by fax or (if

available) by certified mail, return receipt requested, addressed to the last known fax or address of the LEAGUE, with the fax and address for all purposes herein stated below:

**2309 E Van Buren Ave, Harlingen Texas 78550**

Unless the LEAGUE shall have completely removed or cured said default, this Agreement shall automatically cease and come to an end, without the necessity of further notice from the CITY as if that were the day originally fixed for the expiration of the term thereof or any renewals or extensions hereof and CITY'S agents or attorney shall have the power without further notice and demand to re-enter and remove all persons and their property therefrom without prejudice to any remedies for breach of covenant. Upon such breach by the LEAGUE, CITY shall be under no obligation to refund any prepaid fees paid under the term of this Agreement and CITY, upon breach by the LEAGUE, shall have no obligation to release such property to mitigate damage to LEAGUE due to its breach of contract.

Additionally, the CITY may immediately terminate this Agreement, without opportunity to cure, for any of the following:

- Violence, threats, illegal activity, or disorderly conduct;
- Conduct by the LEAGUE, its officers, members, coaches, players, volunteers, spectators, or guests that brings disrepute, embarrassment, or negative attention to the CITY;
- Repeated interference with citizen access to facilities outside of scheduled league play or practice;
- Failure to maintain required insurance coverage.

Use of CITY facilities is a privilege granted by this Agreement and may be revoked for cause. It is not a vested right.

IX. CITY shall maintain all fire and extended coverage insurance on said facility. In the event any portion or all of said facility shall be destroyed or damaged by the elements or other act of God or fire not resulting from gross negligence or willful misconduct of the LEAGUE, said destruction from said cause shall render the facility unfit for use by the LEAGUE during the term of this Agreement, the Agreement shall automatically terminate.

X. LEAGUE shall annually furnish to City:

1. A copy of its tax-exempt, non-profit status under Section 501(c) of the United States Internal Revenue Code; and
2. A copy of its Certificate of Incorporation; and
3. A copy of its by-laws; and
4. A list of current Board Members and Officers with email addresses, fax numbers, addresses and phone numbers; and
5. A copy of its annual audited financial statement at the end of the play season; and
6. A copy of its current IRS Form 990; and
7. Minutes of all board meetings; and
8. A copy of background checks of all board members and volunteers. (coaches, scorekeepers, trainers, etc.)

XI. This Agreement shall not be assignable without the express written consent of CITY. The parties both agree that Cameron County, Texas shall be the proper place to maintain any litigation between the parties hereto and that Texas law shall govern the interpretation of the provisions hereof.

XII. CONDITION OF PREMISES; DAMAGE; RESTORATION; RISK ALLOCATION

A. Condition of Premises; No Warranty.

The LEAGUE acknowledges that it has inspected the facilities and accepts them in their present condition, "AS IS," without representation or warranty by the CITY, express or implied, as to suitability, fitness, or condition. The CITY makes no warranty that the facilities will remain in any particular condition during the term of this Agreement, and all use is at the LEAGUE's sole risk.

B. Protection of Turf, Infield, Irrigation, and Improvements.

The LEAGUE shall exercise reasonable care to prevent damage to all turf areas, infields, irrigation systems, drainage systems, fencing, lighting, bleachers, dugouts, scoreboards, utilities, and all other improvements located on the premises. The LEAGUE shall not permit overuse of fields under wet conditions, unauthorized vehicle access, staking, drilling, trenching, driving posts, or any ground penetration without prior written approval of the Parks and Recreation Director. The CITY may suspend play or close fields at its sole discretion to prevent damage or allow turf recovery.

C. Responsibility for Damage Beyond Ordinary Wear.

The LEAGUE shall be responsible for and shall promptly reimburse the CITY for the full cost of repair or replacement of any damage to the facilities caused by the LEAGUE, its officers, members, coaches, players, volunteers, vendors, contractors, spectators, or guests, excluding ordinary wear and tear resulting from authorized use. The CITY's determination of whether damage exceeds ordinary wear and tear shall be final unless clearly arbitrary.

D. Restoration Obligation.

Upon termination or expiration of this Agreement, the LEAGUE shall return the facilities to the CITY in substantially the same condition as received, reasonable wear and tear excepted. If restoration is required, the CITY may perform such work and invoice the LEAGUE for all associated costs, including labor, materials, equipment usage, and administrative expenses.

E. No Property Interest; Revocable License.

This Agreement grants only a revocable license to use designated facilities and does not convey any leasehold, possessory, or property interest. The CITY retains exclusive control over the premises at all times. Any improvements, fixtures, or attachments installed by the LEAGUE shall become the property of the CITY unless otherwise expressly agreed in writing.

F. Risk of Loss; No City Liability for Property.

The CITY shall not be responsible for loss, theft, or damage to equipment, inventory, concession supplies, signage, or personal property belonging to the LEAGUE or any third party. All such property is stored and used at the LEAGUE's sole risk.

G. Compliance With Safety and Field Protection Directives.

The LEAGUE shall immediately comply with any directive issued by the Parks and Recreation Director concerning field preservation, safety protocols, weather-related closures, or corrective maintenance practices. Failure to comply shall constitute a material breach of this Agreement.

H. Environmental and Hazardous Materials.

The LEAGUE shall not store, release, or dispose of fuel, chemicals, fertilizers, herbicides, cleaning solvents, or hazardous substances on CITY property without prior written approval. Any contamination caused by the LEAGUE shall be promptly remediated at its sole expense.

I. Field Recovery Periods.

The CITY reserves the right to impose rest periods, limit tournament scheduling, cap game counts, or restrict consecutive usage days in order to protect turf integrity and irrigation systems. Such determinations shall be within the CITY's sole discretion and shall not constitute a breach of this Agreement.

XIII. This Agreement shall be binding upon the heirs, successors, administrators, executors and assigns of the parties hereto.

WITNESS OUR HAND THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2026.

CITY OF HARLINGEN

BY: \_\_\_\_\_

Gabriel Gonzalez, CPM, City Manager

ATTEST:

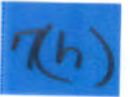
BY: \_\_\_\_\_

Mayra Herrera, City Secretary

HARLINGEN CARDINALS YOUTH SPORTS LEAGUE

BY: \_\_\_\_\_

LEAGUE REPRESENTATIVE



City of Harlingen  
Agenda Item Request Form

We hereby request the following item to be added to the April 1, 2026, City Commission Agenda:

**Consideration and possible action to approve the testing and potential installation of speed humps at the following locations:**

1. E. Flynn Ave. (Between 13<sup>th</sup> & 10<sup>th</sup> Streets)

Delia Cavazos-Gamez, Commissioner Dist. 1

Frank Morales, Commissioner Dist. 4

8(c)

**AGENDA ITEM  
EXECUTIVE SUMMARY**

Meeting Date: **April 1, 2026**

**Agenda Item:**

Consideration and possible action to receive a presentation from Schneider Electric regarding the 30% Investment Grade Audit (IGA) findings for the City of Harlingen Deferred Maintenance Program, including preliminary scope of work, project prioritization, and estimated costs and savings. (No action required. This item is for informational purposes only; an assessment update from the meeting held on March 19, 2025).

Prepared By: Ruth Trevino, Assistant Director 

**Brief Summary:**

Schneider Electric previously presented to the City Commission on March 19, 2025, outlining the proposed approach, scope, and intent of the Deferred Maintenance Program.

This item provides the City Commission with the 30% Investment Grade Audit (IGA) update, which includes a more detailed assessment of facility conditions, refined scope of work, and preliminary cost estimates based on further analysis completed since the initial presentation.

**Funding (if applicable):**

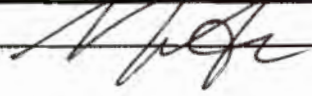
Are funds specifically designated in the current budget for the full amount (Yes/No):

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

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

**Staff Recommendation:**

City Manager approval:  **Comments:**

City Attorney's approval: 

**AGENDA ITEM  
EXECUTIVE SUMMARY**

10(2)

Meeting Date: **April 1, 2026**

**Agenda Item:**

Consideration and possible action to approve an ordinance on second and final reading for a Special Use Permit (SUP) to allow the loading/unloading of bulk liquid in a Light Industry ("LI") District located at 2201 N. Commerce Street, bearing a legal description of 23.4100 acres out of Block G, Survey 26, Boyce Tract. Applicant: Frank Cunningham c/o Saint Claire Group, Inc. Attachment (**Planning & Development**).

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

Title: Planning & Development Director/Special Projects Director

Signature: *Ana Hernandez*

**Brief Summary:**

Project Timeline

- January 26, 2026 – Application for Special Use Permit (SUP) submitted to the City. (**ATTACHMENT I and II**)
- February 19, 2026 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- February 21, 2026 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- March 10, 2026– Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission.
- March 18, 2026 – Public hearing and consideration of requested Special Use Permit via 1<sup>st</sup> ordinance reading scheduled before the City Commission.
- April 1, 2026 – Pending approval of 1<sup>st</sup> ordinance reading, consideration of approval of 2<sup>nd</sup> ordinance reading scheduled before the City Commission.

Summary

- Frank Cunningham, the applicant, is requesting a Special Use Permit to allow a mobile bulk liquid transload operation located at 2201 N. Commerce Street. (**ATTACHMENT III**)
- The property has approximately 1,511.32 feet of frontage along the railroad on North Commerce Street and 328.98 feet of frontage on Wilson Road. The Missouri Pacific Railroad runs through the eastern portion of the property.
- The applicant proposes operating Monday through Saturday, from 8:00 a.m. to 6:00 p.m. Daily operations will involve approximately six (6) operators on-site, with an average of six (6) trailers engaged in loading and unloading bulk liquid for transport from railcar to truck. A total of 3 parking spaces will be required on site. (**ATTACHMENT VI**)
- Surrounding properties are zoned Light Industry ("LI") District to the north, south, east, and west. Adjacent land uses consist of warehouses to the north, south, and west, with a mix of residential dwellings and commercial businesses located to the east. (**ATTACHMENT II & IV**)
- The Fire Prevention Bureau, Harlingen Police Department, and Environmental Services Division have reviewed the application and recommended approval of the Special Use Permit. The Buildings Division reviewed the application and advised that, if the request is approved, the applicant/property owner must submit plans for review and ensure that all construction documents comply with the 2024 International

Building Code and its associated family of codes. **(ATTACHMENTS VII - X)**

- The Future Land Use Plan (FLUP) component of the Harlingen Horizon – A City on the Rise Comprehensive Plan designates this area for mixed-use development. While the request is not consistent with the Future Land Use Plan, it is compatible with the surrounding land uses. **(ATTACHMENT V)**
- In accordance with the Zoning Chapter of the Code of Ordinances, the Planning & Zoning (P&Z) Commission and City Commission may impose requirements and conditions of approval as necessary to ensure that a use requested by a Special Use Permit (SUP) is compatible and complementary to adjacent properties.
- To date, the Planning & Zoning Division has not received any opposition to the SUP request. Staff mailed sixteen (16) notices to surrounding property owners.
- The applicant submitted a permit with the Texas Commission on Environmental Quality (TCEQ) and was approved in January 2026 to operate at this location. **(ATTACHMENT XI)**

**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 the Special Use Permit, subject to the following conditions:

1. The applicant shall obtain and maintain all required State and City permits.
2. The applicant shall provide and maintain the required parking spaces in accordance with City regulations.
3. The applicant shall always provide and maintain a Hazard Mitigation Plan while in operation.
4. Hours of operation shall be from 8:00 a.m. to 6:00 p.m., Monday through Saturday.
5. The applicant shall comply with all applicable requirements administered by the Planning and Zoning Division, Building Inspections Division, Fire Prevention Bureau, Police Department, and Environmental Services Division.
6. The applicant will be required to renew the Special Use Permit (SUP) within one (1) year of approval.

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 2201 N Commerce Nearest Intersection Commerce and Wilson  
(Proposed) Subdivision Name N/A Lot      Block       
Existing Zoning Designation Industrial Future Land Use Plan Designation: Rail Service

**OWNER/APPLICANT INFORMATION:** (Please PRINT or TYPE)

Applicant/Authorized Agent: Saint Claire Group, Inc Phone 956-572-0122 FAX N/A  
**Email Address** (for project correspondence only): FrankCunningham@SaintClaireGroupInc.com  
Mailing Address: 1225 North Expressway, Ste C1 City Brownsville State TX Zip 78520  
Property Owner: RVSC Phone: 956-971-9111 FAX       
**Email Address** (for project correspondence only): jmlerma@riovalleyswitching.com  
Mailing Address 101 N. 21<sup>st</sup> City McAllen State TX Zip 78501

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

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

Please provide a basic description of the proposed project: \_\_\_\_\_

**Freedom Commodities would like to commence transload operations (transferring of Ethanol form railcar to truck) in an area designated for same.**

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

Applicant's Signature:  Date: 22JAN25

Property Owner(s) Signature:  Date: 1-26-26

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: RIO VALLEY SWISSING Co. Date 1-26-26

Owner Address: 101 N. 21<sup>st</sup> McAllen, TX 78501

Phone/Fax: 956-971-9111

Signature: 

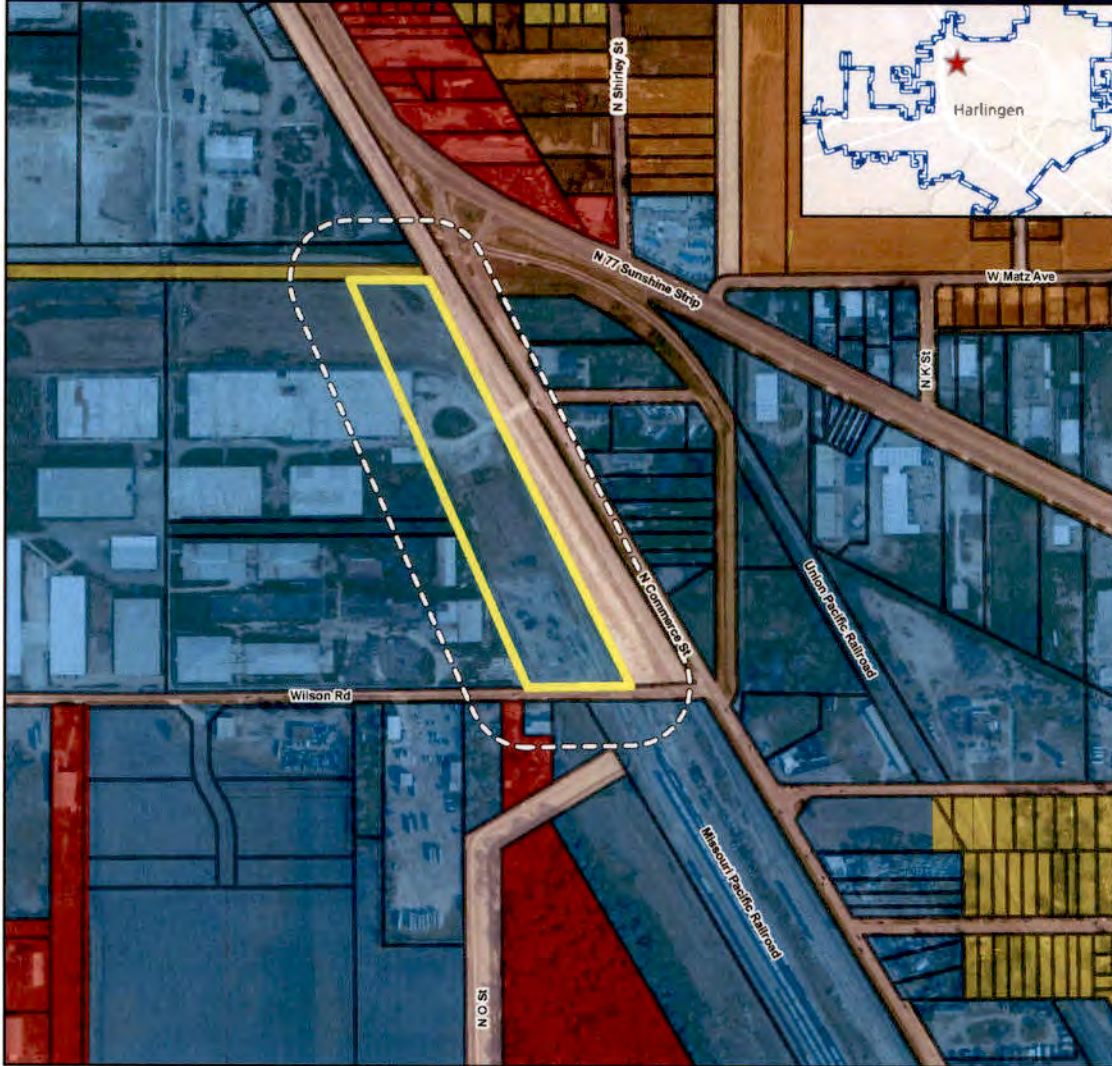
# ATTACHMENT II – Zoning Map



**Harlingen, Texas**  
Site Zone Map

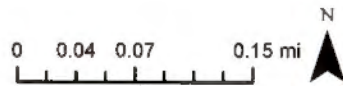
**Notice:**

Request for a Special Use Permit (SUP) to allow the loading/unloading of bulk liquid in a Light Industry ("LI") District located at 2201 N. Commerce Street, bearing a legal description of 23.4100 acres out of Block G, Survey 26, Boyce Tract.  
Applicant: Frank Cunningham of Saint Claire Group, Inc.



**Legend**

- Subject Property: 2201 N Commerce St
- 200 ft Buffer
- Property Parcels
- Zone**
- General Retail
- Light Industry
- Residential, Single-Family
- Residential, Multi-Family
- Residential, Mobile Home
- Not-Designated



**ATTACHMENT III – Street View**

View from Wilson Road



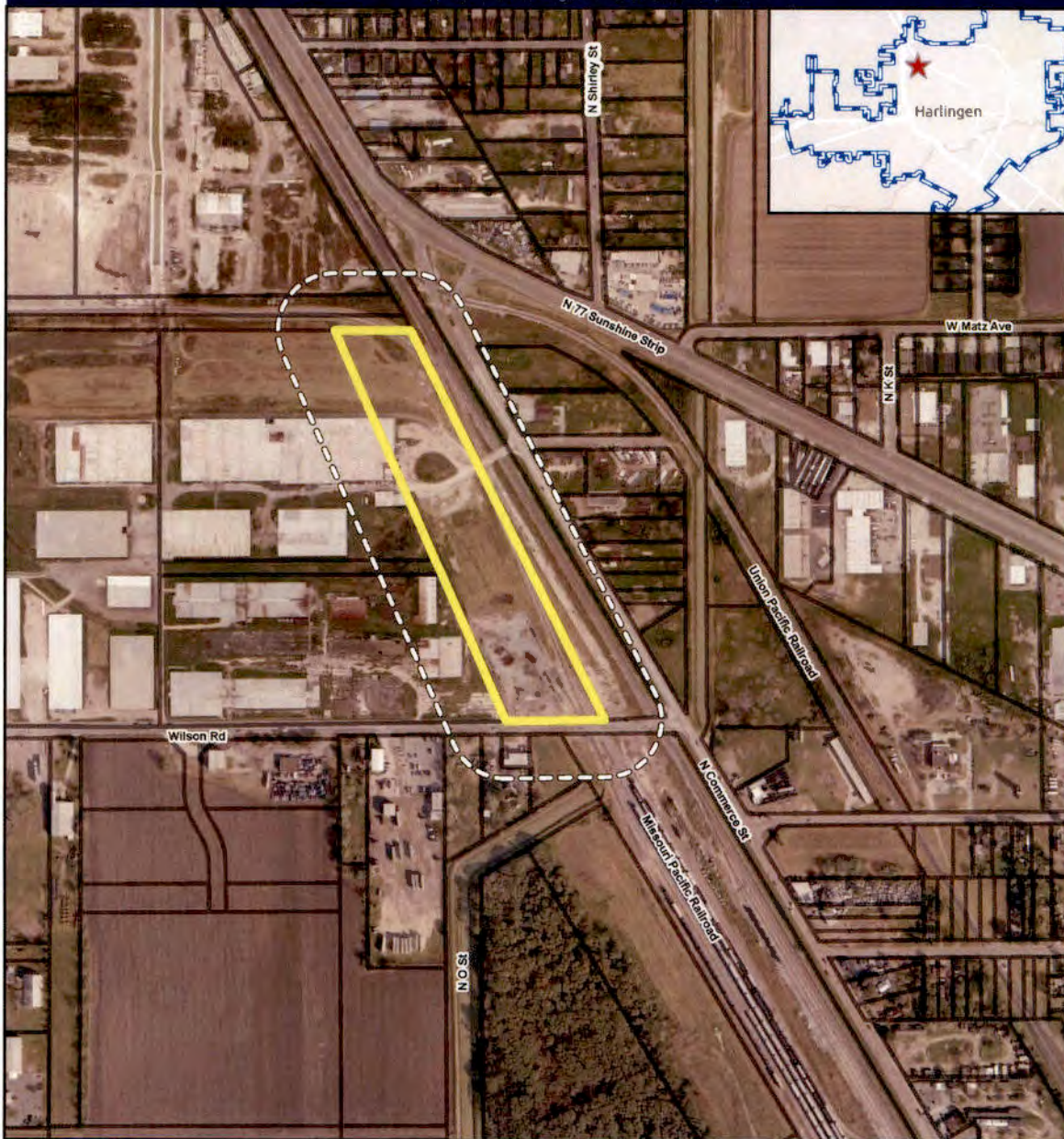
# ATTACHMENT IV – Aerial Map



## Harlingen, Texas Site Aerial Map

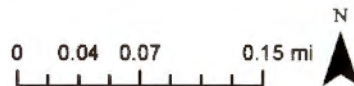
### Notice:

Request for a Special Use Permit (SUP) to allow the loading/unloading of bulk liquid in a Light Industry ("LI") District located at 2201 N. Commerce Street bearing a legal description of 23.4100 acres out of Block G, Survey 26, Boyce Tract  
Applicant: Frank Cunningham c/o Saint Claire Group, Inc.



### Legend

-  Subject Property: 2201 N Commerce St
-  200 ft Buffer
-  Property Parcels



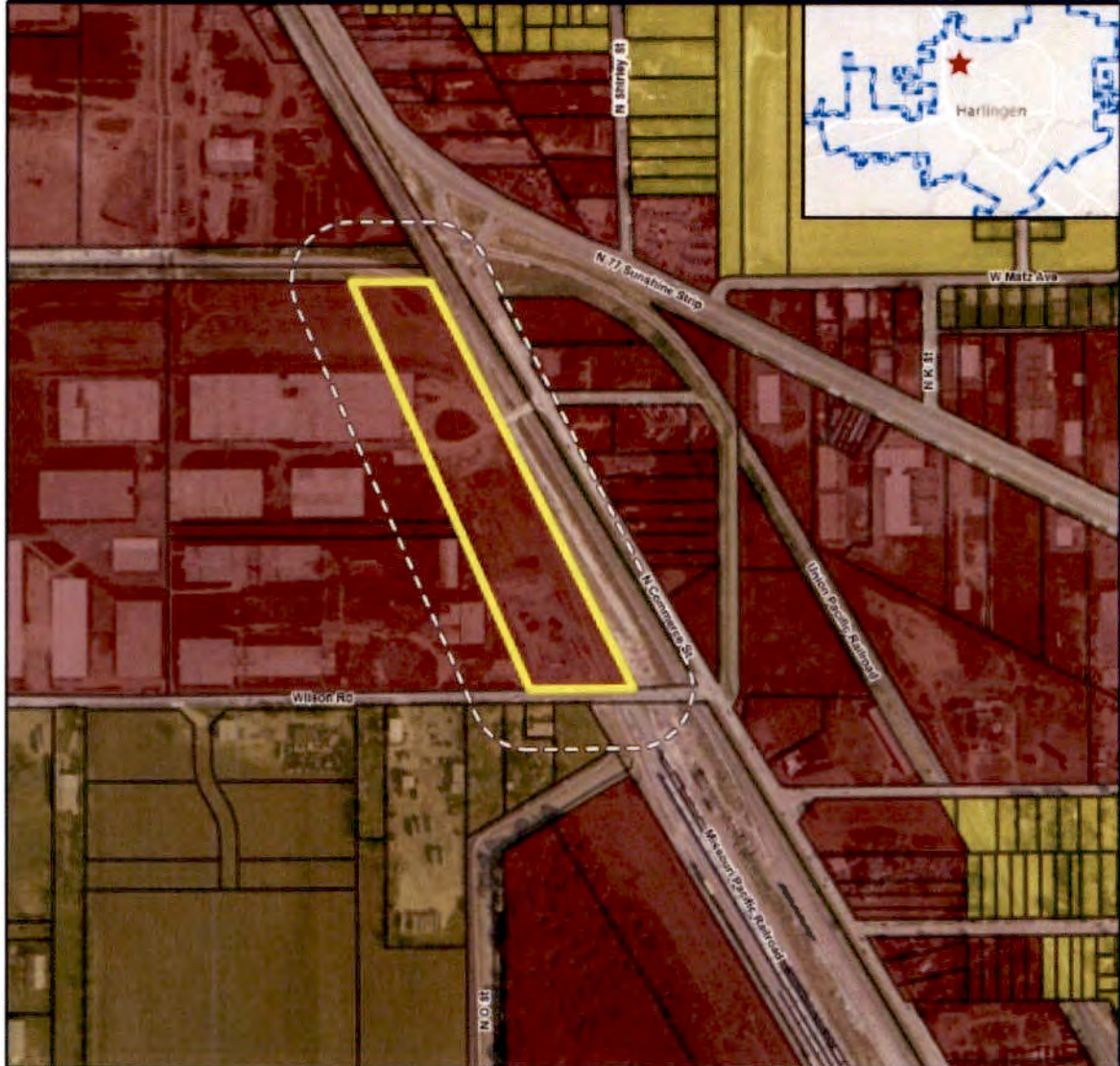
# ATTACHMENT V – Future Land Use Plan Map



**Harlingen, Texas**  
Site Future Land Use Map

### Notice:

Request for a Special Use Permit (SUP) to allow the loading/unloading of bulk liquid in a Light Industry (LI) District located at 2201 N. Commerce Street, bearing a legal description of 23.4100 acres out of Block G, Survey 26, Boyce Tract.  
Applicant: Frank Cunningham c/o Saint Claire Group, Inc.



### Legend

- Subject Property: 2201 N Commerce St
- 200 ft Buffer
- Property Parcels

### Future Land Use Designation

- Mixed Use
- Lower Density Residential
- Medium Density Residential



# ATTACHMENT VI – Site Plan



ATTACHMENT VII - Fire



**Specific Use Permit ("SUP") Routing Slip**

**Applicant:** Frank Cunningham c/o Saint Claire Group Inc.

**Phone No.:** (956) 572-0122

**Location:** 2201 N Commerce Street

**Project Description:** Request for a Special Use Permit (SUP) to allow the loading /unloading of bulk liquid (ethanol) in a Light Industry ("LI") District located at 2201 N. Commerce Street, bearing a legal description of 23.4100 acres out of Block G, Survey 26m Boyce Tract.

**Department:** Fire Prevention Bureau

**Approval:**  X  YES   NO

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

**Fire Marshal Juan Saucedo Jr.**

Juan Saucedo Jr

**Date: February 16, 2026**

ATTACHMENT VIII – Buildings



**Specific Use Permit ("SUP") Routing Slip**

**Applicant:** Frank Cunningham c/o Saint Claire Group Inc.

**Phone No.:** (956) 572-0122

**Location:** 2201 N. Commerce Street

**Project Description:** Request for a Special Use Permit (SUP) to allow the loading/unloading of bulk liquid (ethanol) in a Light Industry ("LI") District located at 2201 N. Commerce Street, bearing a legal description of 23.4100 acres out of Block G, Survey 26m Boyce Tract.

**Department:** Building Permits and Inspections Department

**Approval:**  YES  NO  PENDING

**Comments:** **If request is approved by the Planning Department, temporary structures and uses shall conform to the structural strength, fire safety, means of egress, accessibility, light, ventilation and sanitary requirements of the 2024 International Building Code and family of Codes as necessary to ensure public health, safety and general welfare. Any use of electrical equipment, extension cords, wires or such shall be installed and or placed in accordance with 2023 NEC or Manufacture Installation Instructions. A site survey of the area will be required for any safety hazards.**

**Raul Rodriguez** \_\_\_\_\_  
**Signature**

**02/19/2026** \_\_\_\_\_  
**Date**

ATTACHMENT IX



Specific Use Permit ("SUP") Routing Slip

**Applicant:** Frank Cunningham c/o Saint Claire Group Inc.

**Phone No.:** (956) 572-0122

**Location:** 2201 N. Commerce Street

**Project Description:** Request for a Special Use Permit (SUP) to allow the loading/unloading of bulk liquid (ethanol) in a Light Industry ("LI") District located at 2201 N. Commerce Street, bearing a legal description of 23.4100 acres out of Block G, Survey 26m Boyce Tract.

**Department:** POLICE

**Approval:**  YES  NO

**Comments:** ON CONDITION OF A SAFETY AUDIT - PERTAINING TO HANDLING OF HAZARDOUS MATERIALS IN PROXIMITY TO RESIDENTIAL AND BUSINESS AREAS.

MA

**Signature**

3/6/24

**Date**

ATTACHMENT X



**Specific Use Permit ("SUP") Routing Slip**

**Applicant:** Frank Cunningham c/o Saint Claire Group Inc.

**Phone No.:** (956) 572-0122

**Location:** 2201 N. Commerce Street

**Project Description:** Request for a Special Use Permit (SUP) to allow the loading/unloading of bulk liquid (ethanol) in a Light Industry ("LI") District located at 2201 N. Commerce Street, bearing a legal description of 23.4100 acres out of Block G, Survey 26m Boyce Tract.

**Department:** Environmental Division

**Approval:**      YES      NO

**Comments:**

- 1. A Hazard Mitigation Plan shall be maintained at all times during operation.**
- 2. All fuel shall be contained within the boundaries of the subject property.**
- 3. No fuel runoff shall be permitted to enter storm drains or adjacent bar ditches.**

*Jose M. Flores*

**Signature**

02/26/2026

**Date**

## ATTACHMENT XI

Brooke T. Paup, *Chairwoman*  
Catarina R. Gonzales, *Commissioner*  
Tonya R. Miller, *Commissioner*  
Kelly Keel, *Executive Director*



### TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

January 21, 2026

Mr Neil Williams  
Commercial Operations Manager  
Freedom Fuels & Commodities LLC  
801 Barton Springs Rd  
Austin, TX 78704

Permit by Rule Registration Number: 182588L001  
Freedom Fuels & Commodities LLC  
Project Description/Unit: Freedom Fuel And Commodities Portable  
City: Harlingen, Cameron County  
Regulated Entity Number: RN112343447  
Customer Reference Number: CN606446961  
30 TAC § 106.261

This is in response to your Permit by Rule (PBR) registration submitted through the online ePermits process for your facility located near Harlingen, Cameron County. Based on the information submitted and review completed by the Rule Registration Section, this is an acknowledgement that Freedom Fuels & Commodities LLC has certified emissions associated with Freedom Fuel And Commodities Portable under the Permit By Rule(s) listed above. For rule information see: [www.tceq.texas.gov/permitting/air/nav/numerical\\_index.html](http://www.tceq.texas.gov/permitting/air/nav/numerical_index.html). Records must be maintained in accordance with Title 30 Texas Administrative Code § 106.8 to demonstrate compliance with the claimed PBRs.

As a reminder, regardless of the authorization mechanism, all facilities must be in compliance and operate in accordance with all rules and regulations of the TCEQ and the U.S. Environmental Protection Agency. Facilities not operating in accordance with these rules and regulations, or that misrepresented or failed to fully disclose all relevant facts in obtaining this authorization may be subject to formal enforcement action.

Permittees must report the operational status for each registered permit by rule registration by December 31st of each year electronically through the State of Texas Environmental Electronic Reporting System (STEERS). More information is available at [www.tceq.texas.gov/permitting/air/annual-reporting-requirements-airpermits](http://www.tceq.texas.gov/permitting/air/annual-reporting-requirements-airpermits).

This action is taken under authority delegated by the Executive Director of the TCEQ. If you need further information or have questions, please contact the Rule Registrations Section at (512) 239-1250 or write to the Texas Commission on Environmental Quality, Office of Air, Air Permits Division, MC-163, P.O. Box 13087, Austin, Texas 78711-3087.

Sincerely,

A handwritten signature in black ink that reads "Michael Partee".

Michael Partee, Manager  
Rule Registrations Section  
Air Permits Division  
Texas Commission on Environmental Quality

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P.O. Box 13087 • Austin, Texas 78711-3087 • 512-239-1000 • [tceq.texas.gov](http://tceq.texas.gov)

How is our customer service? [tceq.texas.gov/customersurvey](http://tceq.texas.gov/customersurvey)

**ORDINANCE NO. 26-**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT ISSUED TO FRANK CUNNINGHAM C/O SAINT CLAIRE GROUP, INC. TO ALLOW THE LOADING/UNLOADING OF BULK LIQUID IN A LIGHT INDUSTRY ("LI") DISTRICT, LOCATED AT 2201 N. COMMERCE STREET, BEARING A LEGAL DESCRIPTION OF 23.4100 ACRES OUT OF BLOCK G, SURVEY 26, BOYCE TRACT, PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.**

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

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

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

Special Use Permit (SUP) issued to Frank Cunningham c/o Sainte Claire Group, Inc. for the loading/unloading of bulk liquid in a Light Industry ("LI") District located 2201 N. Commerce Street, bearing a legal description of 23.4100 acres out of Block G, Survey 26, Boyce Tract.

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 Exhibit "A" and shall comply with the conditions as listed below:

1. The applicant shall obtain and maintain all required State and City permits.
2. The applicant shall provide and maintain the required parking spaces in accordance with City regulations.
3. The applicant shall always provide and maintain a Hazard Mitigation Plan while in operation.
4. The applicant shall maintain the required parking in accordance with City regulations.
5. Hours of operation shall be from 8:00 a.m. to 6:00 p.m., Monday through Saturday.
6. The applicant shall comply with all applicable requirements administered by the Planning and Zoning Division, Building Inspections Division, Fire Prevention Bureau, Police Department, and Environmental Services Division.

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"



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF HARLINGEN, TEXAS,  
ESTABLISHING A POLICY REQUIRING CITY  
COMMISSION APPROVAL FOR CERTAIN  
EXTRAORDINARY WATER SUPPLY COMMITMENTS  
OUTSIDE THE CITY LIMITS; PROVIDING LEGISLATIVE  
FINDINGS; DEFINING APPLICABILITY; PRESERVING  
THE OPERATIONAL AUTHORITY OF THE HARLINGEN  
WATERWORKS AND SEWER SYSTEM; PROVIDING FOR  
PROSPECTIVE APPLICATION; AND PROVIDING FOR  
SEVERABILITY.**

**WHEREAS**, the Harlingen Waterworks and Sewer System (“HWWS”) operates the municipal water and wastewater system of the City pursuant to authority granted under the City Charter; and

**WHEREAS**, the City Commission recognizes and affirms the expertise, experience, and operational authority of HWWS in the management, maintenance, and delivery of water and wastewater services; and

**WHEREAS**, the City’s water supply, water rights, treatment capacity, and related infrastructure constitute finite public resources held in trust for the benefit of present and future residents of the City; and

**WHEREAS**, long-term contractual commitments for the provision of water service outside the City limits may materially affect the City’s ability to meet future municipal demand, support economic development, and plan for infrastructure investment; and

**WHEREAS**, contracts extending for multiple decades or committing substantial system capacity are not routine operational matters, but instead constitute policy-level determinations regarding the allocation of municipal resources; and

**WHEREAS**, the City Commission, as the elected governing body, retains legislative authority to establish policies governing the long-term use and allocation of municipal resources, while respecting the operational role of HWWS; and

**WHEREAS**, the City Commission finds that it is necessary and appropriate to establish a policy requiring Commission approval for certain extraordinary water supply commitments occurring outside the City limits, in order to ensure transparency, accountability, and alignment with the City’s long-term interests;

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

**SECTION 1. PURPOSE AND INTENT**

This Ordinance establishes a policy governing certain extraordinary contractual commitments involving the provision of water service outside the City limits. It is the intent of the City Commission to:

- 1. Protect the long-term availability of municipal water resources.
- 2. Ensure that significant extra-territorial commitments are consistent with the City’s economic development and infrastructure planning objectives; and
- 3. Provide for appropriate public oversight of long-duration or high-impact agreements;

Nothing in this Ordinance is intended to interfere with the day-to-day operational management of the water and wastewater system, which remains vested in HWWS.

**SECTION 2. DEFINITIONS**

For purposes of this Ordinance:

(a) “Extraordinary Water Supply Commitment” means any contract or agreement for the provision of water service outside the City limits that meets one or more of the following criteria:

- 1.) Term. Has a stated term, including renewal options under the control of the customer, exceeding ten (10) years.
- 2.) Volume Threshold. Commits an average daily volume of two hundred fifty thousand (250,000) gallons per day or more, whether potable water, reclaimed water, effluent, or any combination thereof, measured over any twelve (12) consecutive-month period.

3.) Infrastructure Trigger. Requires the construction, extension, or dedication of water or wastewater infrastructure outside the City limits, including transmission lines, lift stations, storage facilities, or treatment capacity, the cost or scale of which exceeds \$500,000.

4.) Non-Routine Allocation. Constitutes a non-routine allocation of municipal water resources that is not part of standard retail service or short-term wholesale supply agreements of five (5) years or less; or

5.) System Capacity Impact. Commits water supply, whether potable or reclaimed, in an amount equal to or exceeding five percent (5%) of the City's then-existing average daily production or treatment capacity, as reflected in the most recent annual system report or audited utility report.

### **SECTION 3. COMMISSION APPROVAL REQUIRED**

No Extraordinary Water Supply Commitment shall be effective or enforceable unless first approved by the City Commission by resolution or ordinance. This requirement constitutes a policy condition governing the long-term allocation of municipal water resources and shall not be construed as a limitation on the operational authority of HWWS except as expressly provided herein.

### **SECTION 4. PRESERVATION OF HWWS AUTHORITY**

The City Commission expressly reaffirms that HWWS retains full authority over the operation, maintenance, and administration of the City's water and wastewater system, including the negotiation of contracts in the ordinary course of business. This Ordinance applies solely to the category of Extraordinary Water Supply Commitments as defined herein and shall not be construed to require Commission approval for routine service agreements.

### **SECTION 5. PROSPECTIVE APPLICATION**

This Ordinance shall apply only to contracts or agreements executed after its effective date. Nothing herein shall be construed to impair, modify, or invalidate any existing agreement.

**SECTION 6. SEVERABILITY**

If any provision of this Ordinance is held invalid or unconstitutional, such holding shall not affect the remaining provisions, which shall remain in full force and effect.

**SECTION 7. EFFECTIVE DATE**

This Ordinance shall take effect immediately upon adoption.

**PASSED AND APPROVED** by the Harlingen City Commission at a regular meeting at which a quorum was present, on this \_\_\_ day of \_\_\_\_\_, 2026.

By: \_\_\_\_\_  
Mayor Norma Sepulveda  
City of Harlingen, Texas

Attest

By: \_\_\_\_\_  
Mayra Herrera  
City Secretary

**AGENDA ITEM  
EXECUTIVE SUMMARY**

106

Meeting Date: **April 1, 2026**

**Agenda Item:**

Consideration and possible action to purchase 7 pickup trucks with savings from the purchase of Engines 1 and 2.

Prepared By (Print Name): Rafael Balderas  
Title: Fire Chief  
Signature:

**Brief Summary:**

HFD administrative fleet averages 14 years and 126,750 miles and needs replacing. Taking the savings from budgeted monies will allow HFD to update its fleet if approved. See Attachments.

**Funding (if applicable):**

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

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

Finance Director's approval:  Yes  No  N/A

**Staff Recommendation:**

Staff recommends approval.

City Manager's approval:   Yes  No  N/A

**Comments:**

City Attorney's approval:   Yes  No  N/A

## Harlingen Fire Department

<b>Fleet</b>	<b>Miles</b>	<b>Year</b>	<b>Age</b>	
Reserve D-1	Chev Silverado (147,886)	2015	11 Yrs	Replace with 2026 Ford F-150
Reserve D-2	Chev Silverado (159,764)	2015	11 Yrs	Replace with 2026 Ford F-150

### Assigned Vehicles

Cpt. Herrera	Ford F-150 (94,762)	2008	18 Yrs	Replace with 2026 Ford F-150
Cpt. Gonzalez	Ford Explorer (116,559)	2011	15 Yrs	Replace with 2026 Ford F-150
Cpt. Knight	Ford Explorer (Academy)	2009	17 Yrs	Replace with 2026 Ford F-150
Lt. Garcia	Ford F-250 (121,549)	2010	16 Yrs	Replace with 2026 Ford F-150
Lt. Bielicke	Ford Explorer (121,496)	2009	17 Yrs	Replace with 2026 Ford F-150

See Quote Attached Total Cost Trucks \$284,438

Fire Prevention	Ford F-150 (109,994)	2008	18 Yrs	Replace with 2026 15 Passenger Van
Training	Ford Expedition (164,213)	2009	17 Yrs	

See Quote Attached Total Cost Van \$57,584

Total \$342,022

All 9 units in red would be turned in and replaced with 8 new units. The van is used for our in-house academies, travels, and for any City functions needing a van for transport.

City Commission approved \$2.4 million for the purchase of Engine 1 and Engine 2

Cost PO #095643 \$1,902,992 should be receiving these units later this year

\$497,008 Saved in negotiations

Encumber \$120,000 for equipping Engine 1 and Engine 2

\$377,008 total saved after equipping units

\$342,022 Cost for updating fleet with saved money

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



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

**MOTOR VEHICLE PURCHASE ORDER**

Purchaser CITY OF HARLINGEN Salesman Robert Garcia Date 317/2026  
 Address \_\_\_\_\_ Residence Phone \_\_\_\_\_ Bus. Phone \_\_\_\_\_  
 City \_\_\_\_\_ State TX Zip \_\_\_\_\_

I hereby offer to purchase from you under the terms and conditions specified, the following:  
 Delivery is to be made \_\_\_\_\_ or as soon thereafter as possible. It is agreed, however, that neither you  
 nor the Manufacturer will be liable for failure to effect delivery.

DESCRIPTION OF SALE UNIT					
Quantity 1	<input checked="" type="checkbox"/> New <input type="checkbox"/> Used	Year 2026	Make FORD	Cyl. 2.7L	Model F150 XL
Body Style CREW CAB 4X2		Stock No. ORDER	Color RED		
Vehicle Identification No.				License No.	
Inspection	Mileage	Validation No.			
USED CAR TRADE-IN					
Year	Make	Body Type			
Model	Cyl.	Mileage			
Vehicle Identification No.				License No.	
Inspection		Validation No.			
Appraised Value of Trade-in \$		FMCC Deal No.			
<p><b>TIPS-USA VENDOR #7490</b>  <b>CONTRACT #240901 TRANSPORTATION VEHICLE</b></p>					

PRICE OF UNIT	\$ 47390	00
BEF-GP DISC	-6756	00
Selling Price	\$ 40634	00
Trade Allowance	\$	
Difference	\$	
Sales Tax	\$	
License and Titles Fees	\$	
State Inspection	\$	
Documentary Fee	\$	
Dealer Inventory Tax	\$	
Subtotal	\$	
Add Balance Owed on Trade	\$	
Subtotal	\$	
Cash on Delivery	\$	
Unpaid Balance Due	EACH \$ 40634	00

7 UNIT TOTAL=\$284,438 .00

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

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

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

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

Seller's Signature Robert Garcia Purchaser's Signature \_\_\_\_\_ Date \_\_\_\_\_



Preview Order H001 - W1K - 4x2 XL SuperCrew: Order Summary Time of Preview: 03/17/2026 11:11:46 Receipt: NA

Dealership Name: Boswell Elliff Ford

Sales Code : F52128

Dealer Rep.	ROBERTO GARCIA	Type	Fleet	Vehicle Line	F-150	Order Code	H001
Customer Name	HARLINGEN	Priority Code	F4	Model Year	2026	Price Level	640

DESCRIPTION	MSRP	DESCRIPTION	MSRP
F150 4X2 SUPERCREW XL - 145	\$43935	JOB #2 ORDER	\$0
145 INCH WHEELBASE	\$0	FRONT LICENSE PLATE BRACKET	\$0
TOTAL BASE VEHICLE	\$43935	50 STATE EMISSIONS	\$0
VERMILLION RED	\$660	EXTENDED RANGE 36GAL FUEL TANK	\$0
CLOTH 40/20/40 FRONT SEAT	\$0	CONN PKG: 1 YR INCL W/FORD APP	\$0
MEDIUM DARK SLATE	\$0	PRICE CONCESSION INDICATOR	\$0
EQUIPMENT GROUP 101A	\$0	REMARKS TRAILER	\$0
.XL SERIES	\$0	SPECIAL DEALER ACCOUNT ADJUSTM	\$0
.17" SILVER STEEL WHEELS	\$0	SPECIAL FLEET ACCOUNT CREDIT	\$0
2.7L V6 ECOBOOST	\$0	FUEL CHARGE	\$0
ELEC TEN-SPEED AUTO TRANS	\$0	NET INVOICE FLEET OPTION (B4A)	\$0
245/70R 17 BSW ALL-SEASON	\$0	PRICED DORA	\$0
3.55 RATIO REGULAR AXLE	\$0	ADVERTISING ASSESSMENT	\$0
6426# GVWR PACKAGE	\$0	DESTINATION & DELIVERY	\$2795
FORD FLEET SPECIAL ADJUSTMENT	\$0		
			MSRP
TOTAL BASE AND OPTIONS			\$47390
DISCOUNTS			NA
TOTAL			\$47390

ORDERING FIN: QB589 END USER FIN: QB589

INCENTIVES

Acc. Code ID :10 Contract/Ref # :34-454T Bid Date :09/25/25State : TX

DISCOUNTS:

\$-4100.00

Customer Name: **CITY OF HARLINGEN**  
Customer Address:

Customer Email:

Customer Phone:

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



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

**MOTOR VEHICLE PURCHASE ORDER**

Purchaser CITY OF HARLINGEN Salesman Robert Garcia Date 317/2026  
 Address \_\_\_\_\_ Residence Phone \_\_\_\_\_ Bus. Phone \_\_\_\_\_  
 City \_\_\_\_\_ State TX Zip \_\_\_\_\_

I hereby offer to purchase from you under the terms and conditions specified, the following:  
 Delivery is to be made \_\_\_\_\_ or as soon thereafter as possible. It is agreed, however, that neither you  
 nor the Manufacturer will be liable for failure to effect delivery.

DESCRIPTION OF SALE UNIT					
Quantity 1	<input checked="" type="checkbox"/> New <input type="checkbox"/> Used	Year 2026	Make FORD	Cyl. 3.5L	Model TRANSIT 350
Body Style MD ROOF 15-PASS		Stock No. ORDER	Color RED		
Vehicle Identification No.			License No.		
Inspection	Mileage	Validation No.			
USED CAR TRADE-IN					
Year	Make	Body Type			
Model	Cyl.	Mileage			
Vehicle Identification No.			License No.		
Inspection		Validation No.			
Appraised Value of Trade-in \$		FMCC Deal No.			
TIPS-USA VENDOR #7490 CONTRACT #240901 TRANSPORTATION VEHICLE					

PRICE OF UNIT	\$64355	00
BEF-GP DISC	-6771	00
Selling Price	\$ 57584	00
Trade Allowance	\$	
Difference	\$	
Sales Tax	\$	
License and Titles Fees	\$	
State Inspection	\$	
Documentary Fee	\$	
Dealer Inventory Tax	\$	
Subtotal	\$	
Add Balance Owed on Trade	\$	
Subtotal	\$	
Cash on Delivery	\$	
Unpaid Balance Due	\$ 57584	00

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

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

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

Seller's Signature Robert Garcia Purchaser's Signature \_\_\_\_\_ Date \_\_\_\_\_



Preview Order H001 - X2C 350 Med Roof Pass RWD: Order Summary Time of Preview: 03/17/2026 12:38:34 Receipt: NA

Dealership Name: Boswell Elliff Ford

Sales Code : F52128

Dealer Rep.	ROBERTO GARCIA	Type	Fleet	Vehicle Line	Transit	Order Code	H001
Customer Name	HARLINGEN	Priority Code	E2	Model Year	2026	Price Level	645

DESCRIPTION	MSRP	DESCRIPTION	MSRP
X2C0 T350 MR PASS XL RWD	\$59980	9500# GVWR PACKAGE	\$0
148" WHEELBASE	\$0	50 STATE EMISSIONS	\$0
TOTAL BASE VEHICLE	\$59980	HD TRAILER TOW PACKAGE	\$485
RACE RED	\$0	CONN PKG: 1 YR INCL W/FORD APP	\$0
CLOTH	\$0	PRICE CONCESSION INDICATOR	\$0
DARK PALAZZO GRAY	\$0	REMARKS TRAILER	\$0
PREFERRED EQUIPMENT PKG.301A	\$0	15-PASSENGER SEATS	\$1495
.XL TRIM	\$0	SPECIAL DEALER ACCOUNT ADJUSTM	\$0
3.5L PFDI V6 (GAS)	\$0	SPECIAL FLEET ACCOUNT CREDIT	\$0
.10-SPEED TRANSMISSION	\$0	FUEL CHARGE	\$0
.235/65R16C BSW ALL-SEASON	\$0	NET INVOICE FLEET OPTION (B4A)	\$0
3.73 NON-LIMITED SLIP AXLE	\$0	PRICED DORA	\$0
JOB #1 ORDER	\$0	ADVERTISING ASSESSMENT	\$0
FORD FLEET SPECIAL ADJUSTMENT	\$0	DESTINATION & DELIVERY	\$2395
FRONT LICENSE PLATE BRACKET	\$0		
			MSRP
TOTAL BASE AND OPTIONS			\$64355
DISCOUNTS			NA
TOTAL			\$64355

ORDERING FIN: QB589 END USER FIN: QB589

INCENTIVES

Acc. Code ID :10 Contract/Ref # :20-578T Bid Date :06/16/25State : TX

DISCOUNTS:

\$-2100.00

Customer Name: *City of Harlingen*  
Customer Address:

Customer Email:

Customer Phone:

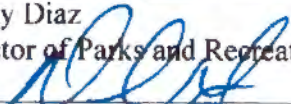
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**AGENDA ITEM  
EXECUTIVE SUMMARY**

Meeting Date: April 1, 2026

**Agenda Item:**

Consider and take action to approve an Interlocal Agreement between the City of Harlingen and Harlingen Consolidated Independent School District (HCISD) for the use of aquatic facilities and authorize the City Manager to execute the agreement.

Prepared By: Danny Diaz  
Title: Director of Parks and Recreation  
Signature: 

**Summary:**

Summary  
The City of Harlingen and Harlingen Consolidated Independent School District (HCISD) have coordinated the use of City aquatic facilities, including Pendleton Pool and Victor Pool, to support HCISD swim practices and related activities. The agreement establishes scheduled times, lane allocations, and operational expectations to ensure continued access for both HCISD and City programs.

The Interlocal Agreement outlines responsibilities for both parties, including City-provided lifeguards, facility maintenance, and utilities, as well as HCISD supervision of participants and adherence to facility rules and safety procedures. The agreement also maintains City control over scheduling, operations, and priority use of the facilities.


Exhibit "A" includes the approved schedule detailing dates, times, and lane usage for HCISD programming throughout the agreement term.

This partnership allows for continued collaboration between the City and HCISD while ensuring safe, efficient, and structured use of aquatic facilities.

Staff is recommending approval of this agreement as presented.

**Staff Recommendation:**

Staff recommends approval of the Interlocal Agreement between the City of Harlingen and Harlingen Consolidated Independent School District (HCISD) and authorization for the City Manager to execute the agreement

City Manager's approval:   Yes  No  N/A

**Comments:**

City Attorney's approval:   Yes  No  N/A

**STATE OF TEXAS  
COUNTY OF CAMERON**

**INTERLOCAL AGREEMENT  
BETWEEN THE CITY OF HARLINGEN AND  
HARLINGEN CONSOLIDATED INDEPENDENT SCHOOL DISTRICT**

This Interlocal Agreement ("Agreement") is entered into by and between the CITY OF HARLINGEN, TEXAS, a home-rule municipal corporation located in Cameron County, Texas ("CITY"), and the HARLINGEN CONSOLIDATED INDEPENDENT SCHOOL DISTRICT, a political subdivision of the State of Texas ("DISTRICT").

WHEREAS, Chapter 791 of the Texas Government Code (Interlocal Cooperation Act) authorizes local governments to contract with one another to perform governmental functions and services; and

WHEREAS, the CITY and the DISTRICT are each authorized to provide recreational and educational services and desire to cooperate for the use of public aquatic facilities; and

WHEREAS, the CITY and the DISTRICT find that entering into this Agreement will serve the public interest by providing structured aquatic programming while maintaining safe and efficient facility operations;

NOW, THEREFORE, in consideration of the mutual covenants contained herein, the parties agree as follows:

---

**I. PURPOSE**

The purpose of this Agreement is to establish the terms and conditions under which the DISTRICT may utilize CITY aquatic facilities for swim practices, training, and related activities, while ensuring safe operations, proper supervision, and continued access for CITY programs and the public.

---

**II. FACILITIES**

The CITY grants the DISTRICT use of the following facilities:

Pendleton Pool at Pendleton Park  
Victor Pool at Victor Park

Use of these facilities shall be strictly limited to the dates, times, and lane allocations outlined in Exhibit "A" (Approved Schedule), which is incorporated herein by reference.

### **III. TERM**

This Agreement shall commence on April 7, 2026, and terminate on October 30, 2026, unless earlier terminated in accordance with this Agreement.

This Agreement may be renewed upon mutual written agreement of both parties.

---

### **IV. CONTROL, SCHEDULING, AND PRIORITY**

The CITY retains full authority over facility operations, scheduling, and maintenance.

DISTRICT use shall be limited strictly to the approved schedule outlined in Exhibit "A."

CITY programs, events, and operations shall take priority when necessary.

The CITY may modify, suspend, or cancel facility use due to maintenance, weather, emergencies, or operational needs.

Any use outside the approved schedule requires prior written approval from the Parks and Recreation Director.

DISTRICT shall comply with all lane allocations and operational directives issued by CITY staff.

---

### **V. SUPERVISION AND SAFETY**

The DISTRICT shall provide adequate adult supervision for all students and participants at all times.

DISTRICT staff shall remain present during all facility use and actively supervise participants.

CITY lifeguards shall maintain authority over aquatic safety and enforcement of pool rules.

CITY staff may suspend activities or remove individuals for safety violations, misconduct, or noncompliance.

DISTRICT shall immediately comply with any safety directive issued by CITY staff.

## **VI. OPERATIONS AND MAINTENANCE**

### **CITY Responsibilities**

Provide certified lifeguards during approved usage  
Maintain pool systems, water quality, and facilities  
Provide utilities necessary for operation  
Maintain general cleanliness and readiness of facilities

### **DISTRICT Responsibilities**

Provide coaching staff and supervision  
Ensure compliance with all facility rules and policies  
Provide necessary program equipment  
Remove all trash and leave facility in acceptable condition  
Report any damages or incidents immediately

---

## **VII. DAMAGE AND PROPERTY**

The DISTRICT shall be responsible for any damage to CITY facilities caused by its participants, staff, or activities beyond normal wear and tear.

The CITY shall determine the extent of damage and associated repair costs.

---

## **VIII. COMPENSATION**

This Agreement is entered into as an intergovernmental partnership.

No monetary compensation shall be exchanged between the parties. Each party shall be responsible for its own costs.

---

## **IX. ACCESS AND INSPECTION**

CITY staff shall have full access to facilities at all times for inspection, maintenance, or operational purposes.

## **X. ADDITIONS AND ALTERATIONS**

No alterations, installations, or modifications to CITY facilities shall be made by the DISTRICT without prior written approval.

Any approved improvements shall become the property of the CITY.

---

## **XI. EMERGENCY AND CLOSURE**

The CITY may close or restrict access to facilities due to weather, mechanical failure, emergencies, or public safety concerns.

No guarantee of uninterrupted access is provided.

---

## **XII. RISK ALLOCATION AND IMMUNITY**

Each party shall be responsible for its own acts, omissions, and negligence.

Nothing in this Agreement shall be construed as a waiver of any governmental immunity or defense available under Texas law.

---

## **XIII. INSURANCE**

Each party shall maintain any insurance or self-insurance coverage as required by applicable law and internal policies.

---

## **XIV. TERMINATION**

This Agreement may be terminated by either party with thirty (30) days written notice.

The CITY may immediately suspend or terminate this Agreement in the event of safety concerns, operational conflicts, or material breach.

---

## **XV. COMPLIANCE WITH LAW**

Both parties shall comply with all applicable federal, state, and local laws, rules, and regulations.

**XVI. NON-ASSIGNMENT**

This Agreement may not be assigned without the prior written consent of both parties.

---

**XVII. VENUE AND GOVERNING LAW**

This Agreement shall be governed by the laws of the State of Texas. Venue shall lie in Cameron County, Texas.

---

**XVIII. ENTIRE AGREEMENT**

This Agreement constitutes the entire agreement between the parties and supersedes all prior agreements or understandings.

---

**XIX. EXECUTION**

Executed in duplicate originals on the dates indicated below.

---

**CITY OF HARLINGEN**

By: \_\_\_\_\_  
City Manager

Date: \_\_\_\_\_

ATTEST:

---

City Secretary

---

**HARLINGEN CONSOLIDATED INDEPENDENT SCHOOL DISTRICT**

By: \_\_\_\_\_  
Superintendent

Date: \_\_\_\_\_

ATTEST:

---

Board President

---

**EXHIBIT "A"**  
**APPROVED SCHEDULE (Attached)**

April 7<sup>th</sup> - May 15<sup>th</sup>

# HCISD At Pendleton

**Monday**

7:30 AM-8:30 AM (6 lanes+shallow)  
3:30 PM-7:00PM (4 lanes+shallow)

**Tuesday**

7:30 AM-9:00AM (6 lanes+shallow)  
3:30PM-7:00PM (4 lanes+shallow)

**Wednesday**

7:30 AM-8:30 AM (6 lanes+shallow)  
3:30 PM-7:00PM (4 lanes+shallow)

**Thursday**

7:30 AM-9:00AM (6 lanes+shallow)  
3:30PM-7:00PM (4 lanes+shallow)

**Friday**

7:30 AM - 8:30 AM (6 lanes+shallow)

June 1st - 25<sup>th</sup>  
July 6<sup>th</sup> - 30<sup>th</sup>

# HCISD

## Pendleton or Victor

**Monday**

6:30AM-10:00AM

**Tuesday**

6:30AM-10:00AM

**Wednesday**

6:30AM-10:00AM

**Thursday**

6:30AM-10:00AM

If at Pendleton: 6 lanes+shallow  
If at Victor: Entire pool

August 3rd -  
October 30<sup>th</sup>

# HCISD

## Pendleton or Victor

**Monday**

6:30AM - 8:30 AM  
3:30 PM - 7:00 PM

**Tuesday**

6:30 AM - 9:00 AM  
3:30 PM - 7:00 PM

**Wednesday**

6:30 AM - 8:30 AM  
3:30 PM - 7:00 PM

**Thursday**

6:30AM - 9:00 AM  
3:30 PM - 7:00 PM

**Friday**

6:30 AM - 8:30 AM  
3:30 PM - 7:00 PM

If at Pendleton: AM session- 6 lanes+shallow  
PM session: 4 lanes + Shallow end  
If at Victor: entire pool both sessions

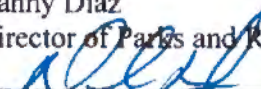
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**AGENDA ITEM  
EXECUTIVE SUMMARY**

Meeting Date: **April 1, 2026**

**Agenda Item:**

Consider and take action to approve funding for Harlingen Field Renovations and authorize the City Manager to proceed with project implementation.

Prepared By: Danny Diaz  
Title: Director of Parks and Recreation  
Signature: 

**Summary:**

Summary

The Parks and Recreation Department is proposing improvements to Harlingen Field to enhance playability, safety, and overall facility quality. The project includes installation of approximately 72,000 square feet of TifTuf hybrid sod, placement of screened topsoil, minor irrigation improvements, and procurement of a specialized reel mower to properly maintain the field.

Additional improvements include LED perimeter/sideline screens, conversion of the existing scoreboard to LED, and upgrades to support amenities such as restroom renovations, refrigeration, and audio equipment to better serve participants and spectators.


The total estimated project cost is \$467,430.52, which includes a 20% contingency to account for unforeseen conditions and cost fluctuations.

These improvements will extend the life of the field, improve maintenance efficiency, and enhance overall experience for users. This project aligns with the City's ongoing efforts to improve athletic facilities and provide high-quality recreational amenities.

Staff is recommending approval of the project as presented.

**Staff Recommendation:**

Staff recommends approval of funding for Harlingen Field Renovations and authorization for the City Manager to proceed with project implementation.

City Manager's approval:   Yes  No  N/A

**Comments:**

City Attorney's approval:   Yes  No  N/A

**City of Harlingen - Parks & Recreation**

**Harlingen Field Renovation**

<b>Project Cost Breakdown</b>				
Description	Qty	Unit	Unit Cost	Total
TifTuf Hybrid Sod - PrimeSod	72,000	S.F.	\$0.58	\$41,760.00
John Deere Sport Turf Reel Mower (New)	1	Each	\$50,000.00	\$50,000.00
Screened Topsoil w/Delivery	215	C.Y.	\$42.90	\$9,222.43
Irrigation	1	L.S.	\$1,500.00	\$1,500.00
Herbicide	1	L.S.	\$200.00	\$200.00
LED Perimeter/Sideline Screens	105	Each	\$439.00	\$46,095.00
Scoreboard Conversion (LED)	1	L.S.	\$184,800.00	\$184,800.00
Commercial Ice Machine	1	Each	\$1,899.99	\$1,899.99
Commercial Refrigerator	1	Each	\$2,499.00	\$2,499.00
Shure Wireless Microphone System	1	Each	\$1,549.00	\$1,549.00
Complete Restroom Renovation	2	L.S.	\$25,000.00	\$50,000.00
			Subtotal	\$389,525.42
			Contingency 20%	\$77,905.10
			Cost Total	\$467,430.52

City of Harlingen

Agenda Item Request Form

We, hereby request the following item to be added to the (Date of Meeting)City Commission Agenda:

DAY of MEETING - APRIL 1, 2026 - DISCUSS  
AND POSSIBLE ACTION REGARDING FAA'S  
CITING THE CITY'S FAILURE TO PROPERLY TRAIN  
AIRPORT FIREFIGHTERS IN HANDLING WILDLIFE SAFETY  
HAZARDS ON VIA'S RUNWAYS.

Frank Morales  
Commissioner Dist. 14

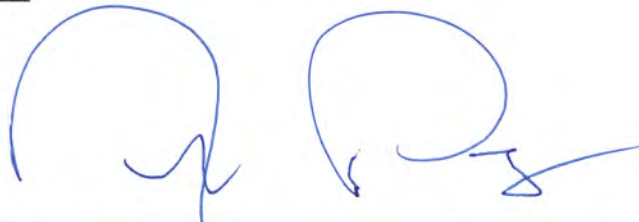
[Signature]  
Commissioner Dist. 1

[Signature]

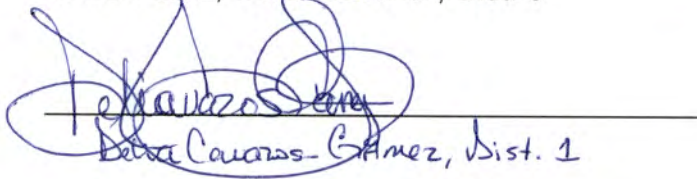
City of Harlingen  
Agenda Item Request Form

We hereby request the following item to be added to April 01, 2026, City Commission Agenda:

Consideration and possible action to authorize the City Manager to request funding from the Harlingen Community Improvement Board for the Stuart Place Pocket Park and Hunter Park.



\_\_\_\_\_  
Rene Perez, Commissioner, Dist. 5



\_\_\_\_\_  
Debra Cuevas-Gomez, Dist. 1



RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS, ESTABLISHING THE CITY OF HARLINGEN ADVISORY COMMITTEE ON ACCESSIBILITY FOR THE BLIND AND VISUALLY IMPAIRED; DEFINING ITS PURPOSE AND SCOPE; PROVIDING FOR ITS COMPOSITION AND APPOINTMENT; EXPRESSLY LIMITING THE COMMITTEE TO AN ADVISORY ROLE; AND PROVIDING FOR AN EFFECTIVE DATE.**

***WHEREAS***

The City of Harlingen is a home-rule municipality operating pursuant to its Charter and the Constitution and laws of the State of Texas; and

WHEREAS the City Commission recognizes that residents who are blind or visually impaired may encounter barriers in accessing public infrastructure, pedestrian crossings, communications, digital services, transportation systems, and other municipal programs; and

WHEREAS promoting accessibility and reducing barriers for persons who are blind or visually impaired serves a valid public purpose and enhances safety, independence, and full participation in civic life; and

WHEREAS the City Commission finds that meaningful input from organizations, advocates, and community stakeholders serving persons who are blind or visually impaired will assist the City in identifying accessibility needs and improving municipal services; and

WHEREAS the City Commission desires to establish a structured advisory body to provide recommendations regarding accessibility issues affecting persons who are blind or visually impaired within the City of Harlingen.

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

**SECTION 1**

**CREATION OF ADVISORY COMMITTEE**

The City Commission hereby establishes the City of Harlingen Advisory Committee on Accessibility for the Blind and Visually Impaired (the "Committee").

The Committee shall serve solely as an advisory body to the City Commission and, when appropriate, to the City Manager.

## **SECTION 2**

### **PURPOSE**

The purpose of the Committee is to study accessibility issues affecting persons who are blind or visually impaired and to provide written, non-binding recommendations to the City Commission concerning policies, programs, facilities, communications, and infrastructure affecting accessibility within the City.

The Committee may review and provide recommendations concerning:

- 1.) public buildings, sidewalks, streets, and pedestrian crossings
- 2.) audible pedestrian signals and navigation aids
- 3.) accessibility of municipal websites and communications
- 4.) access to public meetings and civic participation
- 5.) transportation and mobility services
- 6.) other matters referred to the Committee by the City Commission or City Manager.

The Committee may gather information, receive public input, consult with subject-matter experts, and review best practices relating to accessibility for persons who are blind or visually impaired.

## **SECTION 3**

### **APPOINTMENT AND COMPOSITION**

The Committee shall consist of seven (7) members appointed by the City Commission. Five of the appointments shall be made by the City Commissioners with one appointment per member of the City Commission. The Mayor shall appoint the remaining two Commissioners accordance with this Resolution. Members shall be individuals who represent organizations, institutions, advocacy groups, or community stakeholders that promote, provide services to, or otherwise advance the interests of persons who are blind or visually impaired. Individuals who are themselves blind or visually impaired and who wish to advocate on behalf of their community are also eligible for appointment. To ensure the Committee remains an independent community advisory body, the following persons shall not be eligible for appointment:

- a.) members of the Harlingen City Commission;
- b.) officers or employees of the City of Harlingen.

Appointments should, to the extent practicable, reflect a diversity of experience and community representation related to accessibility, advocacy, education, mobility services, assistive technology, or other matters affecting individuals who are blind or visually impaired.

## **SECTION 4**

### **Tenure of Board Members**

Members shall serve at the pleasure of the City Commission and their tenure in office will run concurrently with the term of office of the appointing member of the City Commission.

## **SECTION 5**

### **Removal**

Members may be removed by the members of the City Commission who appoints them, or by majority vote of the City Commission at any time.

## **SECTION 6**

### **OFFICERS**

The Committee shall annually elect from among its members a Chair and Vice-Chair. The Chair shall preside over meetings and coordinate the preparation and transmission of recommendations to the City Commission.

## **SECTION 7**

### **STAFF LIAISON**

The City Manager may designate a City employee to serve as staff liaison to the Committee. The staff liaison may assist with scheduling meetings, coordinating communication with City departments, and facilitating the presentation of Committee recommendations to the City Commission.

## **SECTION 8**

### **ANNUAL REPORT**

The Committee may prepare an annual report to the City Commission summarizing accessibility issues identified during the year and recommending potential improvements to municipal

facilities, programs, communications, and infrastructure affecting persons who are blind or visually impaired.

## **SECTION 9**

### **INITIAL PRIORITY AREAS**

During its first year of operation, the Committee is encouraged to focus its study and recommendations on priority accessibility issues affecting residents who are blind or visually impaired within the City of Harlingen, including but not limited to:

- pedestrian safety and accessible street crossings
- audible pedestrian signals and intersection navigation
- accessibility of sidewalks and public pathways
- accessibility of municipal websites and digital communications
- emergency notification accessibility for visually impaired residents
- accessibility of public meetings and civic participation.

Nothing in this section shall limit the ability of the Committee or the City Commission to consider additional accessibility issues affecting persons who are blind or visually impaired.

## **SECTION 10**

### **ADVISORY STATUS**

The Committee is strictly advisory. The Committee shall have no authority to establish municipal policy, direct City staff, expend public funds, bind the City to any agreement, exercise regulatory authority speak on behalf of the City of Harlingen. All recommendations of the Committee are advisory only and shall have no force or effect unless adopted by formal action of the City Commission.

## **SECTION 11**

### **COMPLIANCE WITH LAW**

Meetings of the Committee shall be conducted in accordance with the Texas Open Meetings Act, Texas Government Code Chapter 551, and applicable City policies governing advisory boards.

## **SECTION 12**

### **EFFECTIVE DATE**

This Resolution shall take effect immediately upon adoption.

PASSED AND APPROVED this \_\_\_ day of \_\_\_\_\_, 2026.

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**Mayor Norma Sepulveda**  
**City of Harlingen**

ATTEST:

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**Mayra Herrera**  
**City Secretary**

RESOLUTION NO. \_\_\_\_

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS, ORDERING PUBLIC HEARINGS REGARDING A PROPOSED TEMPORARY MORATORIUM ON HIGH-INTENSITY DATA PROCESSING FACILITIES; AUTHORIZING STATUTORY NOTICE; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the City Commission of the City of Harlingen, Texas (the "City"), is considering the adoption of an ordinance establishing a temporary moratorium on the acceptance, processing, and approval of applications for High-Intensity Data Processing Facilities, as described in a proposed ordinance entitled:

***AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, PROCESSING, OR APPROVAL OF APPLICATIONS FOR HIGH-INTENSITY DATA PROCESSING FACILITIES; PROVIDING LEGISLATIVE FINDINGS REGARDING PUBLIC NECESSITY, INFRASTRUCTURE CAPACITY, WATER SUPPLY, ELECTRICAL DEMAND, AND LAND-USE COMPATIBILITY; PROVIDING FOR A LIMITED DURATION; PROVIDING SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.***

**WHEREAS**, the City Commission has made preliminary findings that such facilities may impose substantial demands on municipal infrastructure, including water supply, wastewater systems, electrical coordination, and land-use compatibility, and that a temporary moratorium may be necessary to preserve the status quo while the City evaluates and adopts appropriate regulatory standards; and

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

**SECTION 1. ORDERING OF PUBLIC HEARINGS**

The City Commission hereby orders that two public hearings be held for the purpose of receiving public comment and considering the proposed adoption of a temporary moratorium on High-Intensity Data Processing Facilities pursuant to Texas Local Government Code Chapter 212, Subchapter E.

## **SECTION 2. DATE, TIME, AND PLACE OF HEARINGS**

The public hearings shall be held as follows:

First Public Hearing:

Date: \_\_\_\_\_ (must be at least 30 days after publication of notice)

Time: \_\_\_\_\_

Location: City Commission Chambers, Harlingen City Hall

Second Public Hearing:

Date: \_\_\_\_\_ (must be no earlier than the 30th day after the first hearing)

Time: \_\_\_\_\_

Location: City Commission Chambers, Harlingen City Hall

## **SECTION 3. AUTHORIZATION OF NOTICE**

The City Secretary is hereby directed to:

Publish notice of each public hearing in a newspaper of general circulation within the City not later than the 30th day before the date of each hearing; and

Provide mailed notice by certified mail to all persons who have properly requested notice under Texas Local Government Code § 212.134(b);

Ensure that such notice includes the time, place, and subject of each public hearing and complies in all respects with Chapter 212, Subchapter E of the Texas Local Government Code.

## **SECTION 4. PURPOSE OF HEARINGS**

The purpose of the public hearings is to receive public comment and evidence regarding:

The need for a temporary moratorium to prevent potential overcapacity or strain on municipal infrastructure, including water, wastewater, and electrical systems;

The adequacy of existing land-use regulations to address High-Intensity Data Processing Facilities;

The scope, duration, and geographic applicability of any proposed moratorium; and

The City’s proposed planning and regulatory response during the moratorium period.

**SECTION 5. NO PREDETERMINATION**

Nothing in this Resolution shall be construed as a final decision by the City Commission to adopt a moratorium. The City Commission expressly reserves all discretion to adopt, modify, or decline to adopt any such ordinance following the required public hearings and deliberations.

**SECTION 6. EFFECTIVE DATE**

This Resolution shall take effect immediately upon adoption.

**PASSED AND APPROVED** by the Harlingen City Commission at a regular meeting at which a quorum was present, on this \_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS ESTABLISHING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, PROCESSING, OR APPROVAL OF APPLICATIONS FOR HIGH-INTENSITY DATA PROCESSING FACILITIES; PROVIDING LEGISLATIVE FINDINGS REGARDING PUBLIC NECESSITY, INFRASTRUCTURE CAPACITY, WATER SUPPLY, ELECTRICAL DEMAND, AND LAND-USE COMPATIBILITY; PROVIDING FOR A LIMITED DURATION; PROVIDING SEVERABILITY; AND ESTABLISHING AN EFFECTIVE DATE.**

**LEGISLATIVE FINDINGS AND PUBLIC NECESSITY**

**WHEREAS** the City of Harlingen is a home-rule municipality with authority to regulate land use, zoning, and development in order to protect the public health, safety, and welfare pursuant to the Texas Constitution and Texas Local Government Code Chapters 211 and 212; and

**WHEREAS**, the City Commission has received information and expressions of interest indicating that High-Intensity Data Processing Facilities (commonly referred to as data centers) may be proposed within the City and its extraterritorial jurisdiction; and

**WHEREAS**, based on reasonably available information, including but not limited to preliminary development inquiries, industry-standard operational characteristics of data centers, and existing municipal infrastructure planning data, the City Commission finds that such facilities are characterized by:"

- (1) extraordinarily high and concentrated electrical load demands.
- (2) significant and continuous mechanical cooling requirements.
- (3) large-scale building footprints and specialized infrastructure; and
- (4) long-term operational characteristics that differ materially from traditional commercial or industrial uses; and

**WHEREAS**, the City Commission further finds that the development of such facilities, if not properly regulated, has the potential to create substantial impacts on municipal systems, including:

- (1) potable water supply and long-term water availability.
- (2) wastewater collection and treatment capacity.
- (3) coordination with regional electric utility providers and associated infrastructure.

- (4) emergency services and public safety infrastructure; and
- (5) compatibility with surrounding land uses and the City's Comprehensive Plan; and

**WHEREAS**, the City Commission finds, based on reasonably available information, that existing zoning and development regulations are inadequate to address the impacts of High-Intensity Data Processing Facilities because:

- (1) the City's current zoning ordinance does not contain use-specific standards governing the siting, review, or approval of such facilities.
- (2) existing regulations do not require comprehensive evaluation of cumulative infrastructure impacts, including water demand, wastewater generation, and electrical load coordination.
- (3) current development processes do not require phased infrastructure analysis or capacity verification tied to large-scale, high intensity uses; and
- (4) the absence of such standards creates a material risk that development approvals could be granted without adequate evaluation of long-term infrastructure commitments and impacts.

**WHEREAS**, the City Commission further finds that, absent a temporary moratorium, the City may be required to accept, process, and act upon applications for High-Intensity Data Processing Facilities under existing regulations, which the City Commission further finds would likely result in:

- (1) approval of development that places unanticipated or unmitigated demands on municipal infrastructure.
- (2) commitment or allocation of limited public resources, including potable water supply, in a manner inconsistent with long-term planning objectives.
- (3) land-use patterns and infrastructure decisions that are difficult or impossible to reverse once approved; and
- (4) material harm to the public health, safety, and welfare, including impacts to existing residents and businesses dependent on reliable municipal services and
- (5) and the City Commission further finds that such impacts would occur as a direct result of permitting such development to proceed under existing regulatory standards.

**WHEREAS** the City Commission finds that existing regulatory mechanisms and alternative approaches are inadequate to address these concerns because:

- (1) case-by-case review under existing ordinances does not provide sufficient authority to impose uniform infrastructure standards or mitigation requirements.
- (2) existing development regulations cannot be applied or amended quickly enough to address imminent development proposals.
- (3) reliance on discretionary permitting alone would not ensure consistent evaluation of cumulative infrastructure impacts; and
- (4) immediate regulatory action is necessary to prevent approvals under an incomplete and inadequate regulatory framework.
- (5) no less restrictive alternative is presently available that would adequately prevent the identified harm while allowing development to proceed under existing regulations.

**WHEREAS** the City Commission finds that this moratorium is narrowly tailored and applies only to High-Intensity Data Processing Facilities, and does not affect other commercial, industrial, or residential development; and

**WHEREAS** the City Commission further finds that the moratorium is limited in duration to one hundred twenty (120) days and is intended solely to allow the City to complete a focused planning and regulatory process.

**WHEREAS**, the City Commission has directed City staff to undertake a defined planning process during the moratorium period, including:

- (1) evaluation of water supply impacts and long-term water availability in coordination with Harlingen Water Works System.
- (2) analysis of wastewater capacity and treatment impacts.
- (3) coordination with electric utility providers regarding load demand and infrastructure requirements.
- (4) evaluation of land-use compatibility and development standards; and
- (5) preparation of proposed zoning regulations, including potential Planned Unit Development Requirements and other zoning mechanisms necessary to regulate the siting and approval of such facilities.

**WHEREAS**, the City Commission expressly finds, pursuant to Texas Local Government Code § 212.1352, that this moratorium is not based on a demonstrated shortage of essential public facilities, but is justified by a significant need to prevent development that would be detrimental to the public health, safety, and welfare, and that application of existing commercial development regulations is inadequate to prevent such harm;

**WHEREAS**, the City Commission finds that this temporary moratorium is a reasonable and necessary exercise of the City’s police powers and zoning authority, is supported by reasonably available information, and is required to prevent development that could be detrimental to the public health, safety, and welfare of the residents of the City of Harlingen.

**WHEREAS**, The City Commission further finds that this moratorium is not adopted to prohibit lawful development, but solely to allow the City to adopt constitutionally and statutorily compliant regulations governing such development.”

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

**SECTION 1. TEMPORARY MORATORIUM**

This ordinance is adopted pursuant to the authority granted to municipalities under Texas Local Government Code §§ 212.131–212.137.

For a period of one hundred twenty (120) days from the effective date of this ordinance, the City of Harlingen shall not accept, deem complete, process, review, approve, or issue any application, permit, authorization, or municipal approval that would allow the siting, construction, expansion, or operation of a High-Intensity Data Processing Facility within the City of Harlingen or as part of any proposed voluntary annexation into the City. During the moratorium period, the City shall suspend the acceptance and processing of all zoning requests, Planned Unit Development applications, building permits, site plans, subdivision plats, development agreements, utility service agreements, annexation applications, and any other form of municipal approval or authorization that would permit or facilitate the development or operation of such a facility.

This temporary moratorium applies to any municipal action that would allow the development, construction, or operational establishment of a High-Intensity Data Processing Facility and shall remain in effect regardless of whether such authorization would otherwise occur through administrative approval, permitting, zoning action, contractual agreement, or any other municipal process. No application shall be deemed filed, accepted, or complete during the moratorium period unless the City determines that a fully complete application for such development was submitted prior to the effective date of this ordinance. The purpose of this temporary suspension is to preserve the existing regulatory status quo while the City undertakes the planning, infrastructure evaluation, and regulatory review described in this ordinance, and the moratorium shall remain in effect for the full period stated unless earlier repealed by ordinance of the City Commission.

**SECTION 2 DEFINITION**

**High-Intensity Data Processing Facility (Data Center)** means a facility or portion of a facility primarily devoted to the housing of computer systems, servers, networking equipment, power distribution equipment, or related mechanical and electrical systems used for data storage, processing, or transmission and characterized by high electrical load demand, specialized cooling systems, and minimal on-site staffing.

### **SECTION 3 PURPOSE OF MORATORIUM**

During the moratorium period, the City Commission, in coordination with the Planning Department and the City Attorney, shall undertake a comprehensive evaluation of the potential impacts associated with High-Intensity Data Processing Facilities within the City of Harlingen. This review shall include a detailed assessment of the potential demands such facilities may place on municipal infrastructure, including the City's potable water supply, wastewater collection and treatment systems, electrical service coordination with regional utility providers, and other critical public infrastructure necessary to support municipal services and long-term community needs. The City shall also evaluate the land-use compatibility of such facilities, including their building scale, mechanical and electrical infrastructure, noise and operational characteristics, and their relationship to surrounding land uses and the City's adopted Comprehensive Plan.

The City Commission further intends during this period to study the appropriate regulatory framework necessary to ensure that any future development of High-Intensity Data Processing Facilities occurs in a manner consistent with the protection of public health, safety, and welfare and the orderly development of the City. Such review shall include consideration of appropriate zoning mechanisms, including but not limited to the requirement that such facilities be authorized only through a Planned Unit Development adopted by ordinance, as well as the development of standards addressing infrastructure capacity, utility coordination, mitigation of impacts on municipal water and wastewater systems, development phasing tied to available infrastructure, and other land-use regulations necessary to ensure that such facilities do not create material adverse impacts on existing residents, businesses, or municipal services.

### **SECTION 4 APPLICATION COMPLETENESS**

No application shall be deemed accepted or filed during the moratorium period unless the City determines that a complete application was submitted prior to the effective date of this ordinance. Incomplete applications shall not vest rights and shall be subject to this moratorium.

### **SECTION 5 LIMITED SCOPE**

This moratorium applies only to High-Intensity Data Processing Facilities and does not affect other industrial, warehouse, manufacturing, office, or commercial uses.

### **SECTION 6. STATUS QUO PRESERVATION FINDING**

The City Commission further finds that preservation of the existing regulatory and development status quo is necessary during the limited moratorium period.

If development applications for High-Intensity Data Processing Facilities were accepted or approved prior to adoption of appropriate regulatory standards, the City could be compelled to evaluate or act upon proposals that may create substantial and irreversible infrastructure commitments, including extraordinary electrical demand, water supply impacts, and land-use patterns that could constrain future municipal planning decisions.

## **SECTION 7. INFRASTRUCTURE PROTECTION FINDING**

The City Commission further finds that High-Intensity Data Processing Facilities may create extraordinary and concentrated demands on municipal infrastructure, including electrical load coordination, water supply capacity, wastewater systems, and emergency service infrastructure.

The Commission determines that approval of such facilities prior to completion of appropriate regulatory standards could require the City to commit or expand public infrastructure in a manner inconsistent with responsible municipal planning and the protection of essential services to existing residents and businesses.

Accordingly, the City Commission finds that this temporary moratorium is necessary to ensure that municipal infrastructure resources — including potable water supply, wastewater capacity, and coordinated electrical infrastructure — remain available to serve existing residents, businesses, and essential municipal functions while the City completes its planning review and adopts appropriate land-use regulations governing such facilities. The Commission further finds that this ordinance constitutes a reasonable exercise of the City's police powers and zoning authority under Texas law, adopted for the protection of public health, safety, and welfare and not for the purpose of prohibiting lawful development.

Maintaining the status quo during the moratorium period is therefore necessary to ensure that the City retains the ability to conduct responsible planning, evaluate infrastructure capacity, and adopt appropriate land-use regulations before such development occurs.

## **SECTION 8. PLANNING STUDY AUTHORIZATION**

The City Commission hereby directs the City Manager, Planning Department, and City Attorney to undertake an expedited planning and regulatory review regarding High-Intensity Data Processing Facilities during the moratorium period.

Such review shall include:

1. Coordination with Harlingen Water Works System for purpose of valuation of municipal water supply impacts and long-term water availability
2. Evaluation of wastewater capacity and treatment impacts
3. Coordination with regional electric utility providers regarding anticipated electrical load demands
4. Evaluation of land-use compatibility, building scale, and mechanical infrastructure associated with such facilities
5. Development of proposed zoning and regulatory standards governing the siting and approval of such facilities.

The City Manager shall present recommendations to the City Commission prior to expiration of the moratorium period.

**SECTION 9. NO VESTED RIGHTS CREATED**

Nothing in this ordinance shall be construed to grant or recognize vested development rights, to approve any development application, or impair the City’s authority to adopt zoning regulations pursuant to Texas law.

**SECTION 10. EXPIRATION**

This moratorium shall automatically expire one hundred and twenty (120) days after the effective date of this ordinance, unless extended or repealed by ordinance of the City Commission.

**SECTION 11 SEVERABILITY**

If any section, subsection, sentence, clause, or phrase of this ordinance is held invalid, such invalidity shall not affect the remaining portions of this ordinance.

**SECTION 12. EMERGENCY AND IMMEDIATE NECESSITY**

The City Commission finds and declares that an immediate necessity exists to protect the public health, safety, and welfare.

The Commission further finds that the City has received inquiries and expressions of interest indicating that applications for such facilities may be submitted in the immediate future and that acceptance or approval of such proposals prior to completion of the City’s planning review could result in development inconsistent with municipal infrastructure capacity and planning objectives. Accordingly, this ordinance shall take effect immediately upon adoption in order to preserve the status quo while the City completes its planning review.

APPROVED BY THE CITY COMMISSION OF HARLINGEN ON THIS, THE \_\_\_ DAY OF MARCH 2026

\_\_\_\_\_  
Mayor Norma Sepulveda

\_\_\_\_\_  
Mayra Herrera  
City Secretary