

**CITY COMMISSION
AGENDA
REGULAR MEETING
MAY 20, 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, MAY 20, 2026 at 5:30 P.M.** at City Hall, Town Hall Meeting Room, 118 E. Tyler Avenue, Harlingen, Texas and provide the public the ability to view the meeting via internet live-streaming at www.harlingentx.gov and the City of Harlingen YouTube Page.

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

PLEASE SUBMIT WRITTEN COMMENTS BEFORE 3:00 P.M. THE DAY OF THE MEETING.

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

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

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

- 1) **Call Meeting to Order:**
 - a) Invocation - Mayor Norma Sepulveda
 - b) Pledge of Allegiance
 - c) Welcome Citizens
- 2) **Conflict of Interest:**

"Under State Law, a conflict of interest exists if a commission member, or certain members of that person's family, has a qualifying financial interest in an agenda item. Members with a conflict of interest cannot participate in the discussion nor vote on the agenda item. Are there any known conflicts of interest to disclose at the time?" **(City Attorney)**.
- 3) **Announcements:** *With respect to items not listed elsewhere on this agenda, the City Commission may report on items of community interest, including announcing community events, announcing employee or community recognitions.*
 - a) Mayor's Announcements
 - b) City Manager's Announcements
 - c) City Commission Member Announcements
- 4) **Proclamation/Presentation of Awards:**
 - a) Harlingen Animal Shelter "Pet of the Week" -
 - b) Presentation of Proclamation — "Historic Preservation Month"
 - c) Presentation of Proclamation — "National Public Works Week"
 - d) Mayor's Business of the Month — Cookies for College
- 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 January 21, 2026
- 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 funding to purchase two root cutters for storm drainage system maintenance. Attachment **(Public Works)**
 - b) Consideration and possible action to approve a request from Remi Garza, Cameron County Elections Department, to use the Harlingen Cultural Arts Center, located at 575 "76" Dr., as a voting site for the Democratic and Republican Primary Runoff Elections: Monday, May 18th through Friday, May 22nd from 8:00 a.m. to 8:00 p.m. for Early Voting and Tuesday, May 26, 2026, from 7:00 a.m. to 7:00 p.m. on election Day. Attachment **(City Secretary)**
- 8) **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 Staff Commission members, or the City Manager.*
 - a) City Manager's Report

- b) Staff Reports
 - c) Presentation by East Point Energy on the battery storage project and a presentation of a community benefit contribution check to the Development Corporation of Harlingen & City of Harlingen.
- 9) **Public Hearings:** At this time, the Mayor will invite members of the public who have filled out the Public Hearing and the Citizen Communication Form to address each item listed in this section. Please limit your comments to the topic of that public hearing. If more than one public hearing is being held, you will be allowed to speak during each topic, provided you have filled out the Public Hearing and Citizen Communication Form for the appropriate topic. If you are signed up for two (2) or more Public Hearings, you will be limited to 5 minutes for all topics.
- a) Public hearing to amend the previously approved Special Use Permit (SUP) to allow a Civic Lodge in a Multi-Family Residential ("M-2") District, located at 2006 Whalen Road, bearing a legal description of 2.5420 acres out of the South 5 acres and 0.62 acres out of 2.1550 acres, also out of the South 5 acres, Lot 14, Block 147, San Benito Land and Water Company Subdivision. Applicant: Narciso Villela III (Commander), c/o Veterans of Foreign Wars Post 2410. Attachment (*Planning & Development*)
 - b) Public hearing for a Special Use Permit (SUP) to allow a bar in a Light Industry ("LI") District located at 1510 N. Commerce Street, Suite A, bearing a legal description of Lot 3, Block 1, Replat of Casa Blanca Subdivision. Applicant: Tomas Diaz. Attachment (*Planning & Development*)
 - c) Public hearing for the voluntary annexation and establishment of initial zoning of Light Industry ("LI") District upon annexation for approximately 7.401 acres, more or less, out of Lot 5, Block 2, Harlingen Industrial Park No. 2 Subdivision, located at 109 FM. 509, Cameron County, Texas, together with any adjacent county road right-of-way required to be annexed by Texas Local Government Code Section 43.106. Applicant: JMP Holdings, LLC. Attachment (*Planning & Development*)
 - d) Public hearing for the voluntary annexation and establishment of initial zoning of Residential, Single Family ("R-1") District upon annexation for a 1.15 acre tract of land out of Block 47, Lon C. Hill Subdivision, located on the south side of Morris Road approximately 2,630 feet east of Rangeville Road, together with a 0.16 acre tract out of Morris Road (a 60-foot right-of-way) out of Block 47, Lon C. Hill Subdivision. Applicant: Roberto Lopez. Attachment (*Planning & Development*)
 - e) Public hearing imposing a temporary moratorium on the acceptance, processing, and 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. (*City Manager*)
- 10) **Action Items:** City Commission will discuss, consider, and take any action deemed necessary on items listed in this section, including the adoption of a resolution or an ordinance.

Ordinances:

- a) Consideration and possible action to approve an ordinance on first reading amending the previously approved Special Use Permit (SUP) to allow a Civic Lodge in a Multi-Family Residential ("M-2") District, located at 2006 Whalen Road, bearing a legal description of 2.5420 acres out of the South 5 acres and 0.62 acres out of 2.1550 acres, also out of the South 5 acres, Lot 14, Block 147, San Benito Land and Water Company Subdivision. Applicant: Narciso Villela III (Commander), c/o Veterans of Foreign Wars Post 2410. Attachment (*Planning & Development*)
- b) Consideration and possible action to approve an ordinance on first reading for a Special Use

Permit (SUP) to allow a bar in a Light Industry ("LI") District located at 1510 N. Commerce Street, Suite A, bearing a legal description of Lot 3, Block 1, Replat of Casa Blanca Subdivision. Applicant: Tomas Diaz. Attachment (**Planning & Development**)

- c) Consideration and possible action to approve an ordinance on second and final reading for the voluntary annexation and establishment of initial zoning of Light Industry ("LI") District upon annexation for approximately 7.401 acres, more or less, out of Lot 5, Block 2, Harlingen Industrial Park No. 2 Subdivision, located at 109 FM 509, Cameron County, Texas, together with any adjacent county road right-of-way required to be annexed by Texas Local Government Code Section 43.106. Applicant: JMP Holdings, LLC. Attachment (**Planning & Development**)
- d) Consideration and possible action to approve an ordinance on second and final reading for the voluntary annexation and establishment of initial zoning of Residential, Single Family ("R-1") District upon annexation for a 1.15 acre tract of land out of Block 47, Lon C. Hill Subdivision, located on the south side of Morris Road approximately 2,630 feet east of Rangeville Road, together with a 0.16 acre tract out of Morris Road (a 60-foot right-of-way) out of Block 47, Lon C. Hill Subdivision. Applicant: Roberto Lopez. Attachment (**Planning & Development**)
- e) Consideration and possible action to approve an ordinance on first reading imposing a temporary moratorium on the acceptance, processing, and 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. Attachment (**City Manager**)
- f) Consideration and possible action to recommend to the City Commission the preliminary construction plans and final plat with conditions of the proposed replant of Lots 19&20, Parkwood Addition Subdivision, located North of Mesquite Drive and consideration of variances to the required park fees for Lot 20. Applicant: Scheibe Consulting, Inc. c/o Bry W. Jackson. Attachment (**Planning & Development**)
- g) Consideration and possible action to renew the MarshMcLennan Agency (McGriff) Employee Benefits Broker Agreement for the City of Harlingen Fiscal Year 2026-2027 and to authorize the City Manager to sign the contract. Attachment (**Human Resources**)
- h) Consideration and possible action to approve Interlocal Agreements between the City of Harlingen and HCISD for transportation and facility use related to the City of Harlingen Summer Playground Program and the City of Harlingen Summer Track Program from May 26, 2026, through July 16, 2026. Attachment (**Parks & Recreation**)
- i) Presentation and possible action to approve the final report for the Windshield Historic Resource Survey prepared by Integrated Environmental Solutions, LLC. Attachment (**DID**)
- j) Consideration and possible action to authorize the City Manager to award RFQ No. 2026-07 for Professional Services for the Historic Resources Survey funded through the Texas Preservation Trust Fund (TPTF) grant. Attachment (**DID**)
- k) Consideration and possible action to authorize the Mayor to sign and submit the Request for Certified Local Government (CLG) Status application to the Texas Historical Commission for the City of Harlingen. Attachment. (**DID**)
- l) Consideration and possible action to authorize the City Manager to award Bid No. 2026-06 for a Supply Contract for Drainage Materials. Attachment (**Engineering**)
- m) Consideration and possible action to authorize the City Manager to award RFQ No. 2026-10 for Professional Consulting Services for the Harlingen Mobility Master Plan. Attachment

(Engineering)

- n) Consideration and possible action to show constituents' faces on video when they are addressing the Commission during the Citizen Communication, **(This item was requested by Commissioner Delia Cavazos-Gamez and Commissioner Frank Morales)**

11)

Board Appointments:

Appointment, 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 (1)
Audit Committee (Terms expire in June)
Civil Service Commission
Community Development Advisory Board (CDBG)
Construction Board of Adjustments (4)
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 (2)
Healthy Harlingen Advisory Board
Historic Preservation Committee
Keep Harlingen Beautiful Board (1)
Library Advisory Board (1)
Mayor Wellness Council
Museum Advisory Board (1)
Parks Advisory Board
Planning & Zoning Advisory Board
Senior Citizens Advisory Board (1)
Tax Increment Finance Board 1, 2 & 3
Utility Board of Trustees
Veterans Advisory Board
Zoning Board of Adjustment

12)

Executive Session: *All items listed in this section will be deliberated in a closed session. Members of the public are not generally permitted to attend a closed session. Executive Session items may be considered as an action item at the discretion of the Mayor. However, City Commission will not take any action in closed session.*

- a) Consultation with legal counsel pursuant to Texas Government Code 551.071 (1)(a) regarding pending litigation. **(City Attorney)**
- b) Pursuant to Government Code Section 551.071 – attorney consultation and contemplated litigation; Section 551.072 – deliberation regarding real estate; and Section 551.087 - economic development relating to the following projects:

- 1) Project Tyler
2) Project Its Thyme

13)

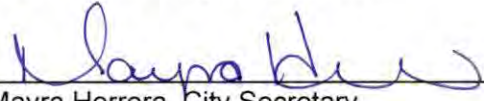
Action on Executive Session Items: *The City Commission will reconvene in open session and may take action on any item listed in the Executive Session Section of this agenda.*

- a) Consideration and possible action on item 12b (1-2) 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, MAY 14, 2026**, at or before 8:15 a.m. and remained so posted for at least three (3) business days preceding the time of said meeting.

Dated this **14th** day of **MAY 2026**



Mayra Herrera, City Secretary

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

January 21, 2026

A Regular Meeting of the Harlingen City Commission was held January, 21, 2026 at 5:45 PM, at City Hall, Town Hall Meeting Room, 118 E. Tyler, Harlingen, Texas and providing the public the ability to view the meeting via internet, live streaming and permitting the public to offer citizen communication or participate in items listed on the agenda via videoconferencing or telephonically via www.harlingentx.gov Those in attendance were:

Mayor and Commissioners

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

City Staff

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

1. **Call Meeting to Order**

- a) Invocation – Commissioner Rene Perez
- b) Pledge of Allegiance
- 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 congratulated Harlingen Fire Department firefighters Eric Ramirez and Romeo Solis for completing the Big Bend Ultra Marathon, noting it as an impressive accomplishment that reflects the strength of the department. Mayor Sepulveda also encouraged the public to support the Harlingen animal shelter by purchasing firefighter calendars available at local fire stations.

b) City Manager's Announcements-

None.

c) City Commission Member Announcements –

Mayor Pro-Tem Lopez thanked city staff for joining him during the recent neighborhood revitalization walk in the Lazy Palm and Gale subdivisions, noting that significant improvements are planned for both areas. He also expressed appreciation to Manny from Code Enforcement for accompanying him to a neighborhood meeting and providing clear, helpful updates to residents.

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

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

2 Shannon Harvill, Director of Health, presented Bandit, a seven-month-old puppy available for
3 adoption at the Harlingen Animal Shelter. The public is encouraged to visit the shelter at 1106
4 Markowsky Ave. or call (956) 216-5250 for more information. Ms. Harvill also noted they will be at Petco
5 in Weslaco on the weekend with adoptable pets. Bandit, along with many other animals, are waiting for
6 a forever home.

7 b) Certificate of Recognition — Harlingen High School South "Hawks" Band

8 The Harlingen High School South Mighty Hawk Band was recognized for an outstanding marching
9 season that earned them a place at the UIL Texas State Marching Band Championships. They
10 advanced after top performances at Pigskin Jubilee and the Area G Championships and went on to win
11 multiple first-place awards and grand champion titles at competitions in McAllen, La Joya, and
12 Mercedes. Their show, The Butterfly Effect, highlighted the students' skill, discipline, and dedication.
13 Their achievements brought pride to Harlingen CISD and the community.

14 Mr. Ronnie Rios thanked mayor and commissioners, noting the Mighty Hawk Band was the
15 highest-rated 5A/6A band in the Rio Grande Valley and achieved the highest placement in Harlingen
16 CISD history.

17 c) Certificate of Recognition - Small Business Advisory Committee

18 The Small Business Advisory Committee was recognized for its commitment to strengthening
19 Harlingen's small business community. Since its formation in March 2023, the committee has served
20 as a vital link between City Hall and local entrepreneurs, leading initiatives such as revising the city's
21 flag ordinance, launching the "Let's Get Down to Business" series, administering the "Boost Harlingen"
22 grant, introducing the "Plate It Forward" program, and modernizing food truck and permitting
23 regulations. Their work has helped create a more business-friendly environment and long-term
24 opportunities for local merchants.

25 Maria Escobar thanked the committee members for volunteering their time and highlighted their
26 creativity, dedication, and contributions. Emphasizing that the committee's success is a direct result of
27 their commitment.

28 d) Certificate of Recognition - Nicholas Consiglio

29 Nicholas Consiglio was recognized for 18 years of service on the Keep Harlingen Beautiful Board,
30 including 14 years as president. His leadership helped secure \$500,000 in grants, significantly increase
31 recycling center revenue, plant 5,000 plants and establish lasting oak trees. He also led restoration
32 efforts at the F Street City Cemetery, championed graffiti abatement, and created initiatives to support
33 elderly residents in the Original Townsite. His advocacy ensured Harlingen remained committed to its
34 mission to "clean up, green up, and stepping up."

35 Nicholas Consiglio expressed gratitude for the recognition and praised city staff and volunteers.

36 e) Mayor's Business of the Month — "Tone Up Health & Fitness"

37 ToneUp Health and Fitness is a wellness-focused space designed to support both physical and
38 emotional well-being. The facility offers restoration, healing, and personalized fitness guidance in a
39 family-oriented environment.

40 Owner Anthony De la Garza expressed his gratitude to the City of Harlingen, city leadership, and
41 his team. He emphasized humility, faith, and the dedication of his staff, business partners, and his wife,
42 crediting them for the gym's success and thanking the community for its continued support.

43 5. **Citizen Communication:**

- 44 • Mary Lopez – Data Center (Not Present)
45 • Raymond Reyes – Commitment and Consistency
46 • Luis Valdespino – Data Centers
47 • Fred Uribe – Small Business Committee Advisory member brings a "Praise Report"
48 • Angela Valdespino – Data Centers
49 • Tammy Lozano – Data Center and Environmental Concerns

6. **Approval of Minutes:**

a) Regular Meeting of October 6, 2025

Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Mezmar to approve minutes for Regular Meeting of October 6, 2025. Motion carried unanimously.

7. **Consent Agenda:**

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

b) Consideration and possible action to approve a resolution authorizing the Special Projects Director to submit a grant application to the Office of Governor under the FY 2027 Rifle Resistant Body Armor Grant Program to fund ballistic plates and carriers for peace officers of the Harlingen Police Department. Attachment (Special Projects)

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

ORDINANCE NO. 26-03

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

PASSED AND APPROVED on first reading this the 7th day of January 2026.

PASSED AND APPROVED on the second and final reading this the 21st day of January 2026.

ATTEST:
/s/ Mayra Herrera, City Secretary

CITY OF HARLINGEN
/s/ Norma Sepulveda, Mayor

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

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

Motion made by Commissioner Mezmar and seconded by Commissioner Morales to approve items 7(a-e). Motion carried unanimously.

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

a) City Manager's Report

None.

b) Staff Reports

None.

c) Presentation by the Public Works Department regarding the status and future planning of the Comprehensive Street Lighting Program. (This item was requested by Commissioner Rene Perez and Commissioner Delia Cavazos-Gamez)

Interim Public Works Director Ruth Trevino presented an overview of the City's comprehensive street-lighting program, including staffing, equipment, and responsibilities within the Traffic Operations

1 Division. The division consists of three technicians and one supervisor who maintain 90 traffic-signal
2 intersections and respond to 30-40 monthly maintenance calls involving repairs, preventive
3 maintenance, and vegetation trimming. Staff reported progress on the three-phase installation of
4 illuminated street-name signs, with 65 completed in FY 2024, 56 in FY 2025, and 30 currently
5 underway.

6 In school zones, the division maintains 88 solar-powered flashers serving 28 schools, 32 overhead
7 flashing beacons, and oversees 4,465 streetlights citywide (4,033 owned by AEP and 432 by Magic
8 Valley). Approximately 800 non-repairable fixtures have been converted to LED over the past three
9 years. Technicians conduct bi-weekly nighttime audits and report outages through utility applications,
10 with repair turnaround averaging 5-7 days.

11 Mayor Sepulveda inquired about public reporting methods. Ms. Trevino explained that residents
12 must report outages through the City of Harlingen website or directly to the utility provider. She noted
13 that adding direct links to reporting apps on the city website would improve efficiency. While residents
14 may contact Public Works, the most effective method remains direct reporting to AEP or Magic Valley.

15 Commissioners expressed concerns regarding the City of Harlingen app, noting that some lights
16 marked "resolved" remain unrepaired. They cited repeated outages along Commerce, near City Hall,
17 and on the expressway, and suggested creating a public dashboard to track street-light status by
18 district. Ms. Trevino clarified that reports submitted through the city website enter the internal eGov
19 system rather than going directly to utilities. Items may be marked "resolved" once forwarded by Public
20 Works, even if the utility has not completed repairs. Staff acknowledged the need to investigate
21 unresolved outages marked complete.

22 Ms. Trevino continued the presentation with an overview of additional responsibilities, including
23 maintenance of 308 expressway lighting fixtures from FM 800 to Whalen Road, expansion of solar
24 street-light installations (76 added in the past two years, with 45 more funded through a recent grant),
25 traffic studies, metro-count installations, installation of 20-25 banners annually at TxDOT-approved
26 locations, and bucket-truck support for other departments, including illegal-dumping camera
27 installations.

28 Staff highlighted recent solar-light installations funded through CDBG grants, general budget
29 allocations, and Keep Harlingen Beautiful, which supported downtown improvements such as solar
30 lighting, LED retrofits at Gutierrez Park, and color-changing LEDs on Jackson Street. Additional grants
31 secured for 2026 will fund 45 more solar streetlights and 240 LED retrofits. Planned locations for the
32 next 45 solar-lights were outlined, with each district scheduled to receive nine lights. Installation is
33 expected to begin within two to three months following completion of purchase. In total, nearly 200 new
34 streetlights and approximately 800 LED retrofits have been completed over the past three years.

35 Commissioner Perez asked whether bi-weekly nighttime inspections include park lighting. Ms.
36 Trevino clarified that Public Works is responsible for street lighting, while park lighting is managed by
37 the Parks Department. Commissioners expressed concerns about dark areas in parks. Parks Director
38 Daniel Diaz agreed to begin scheduling evening crews without incurring overtime and confirmed that
39 recent outages at Wilson Sports Complex had been reported. He noted that many park fixtures are
40 outdated and prone to repeated failure. Staff confirmed that some park-entrance fixtures have been
41 upgraded to LED floodlights. Ms. Trevino added that LED conversions occur only when fixtures fail, not
42 through a planned citywide retrofit.

43 Commissioner Cavazos-Gamez reported issues identified during neighborhood revitalization
44 walks, including overgrown trees obscuring light poles and several cul-de-sacs with missing or
45 non-functioning lights. Ms. Trevino acknowledged these challenges and explained that the city's
46 \$40,000 general-fund allocation covers only 10-12 solar lights per year, with each unit costing \$2,500-
47 \$3,000. Because this provides only about two lights per district, the city relies heavily on grants such
48 as CDBG, which has funded 90 lights to date. She added that the city is pursuing additional grants,
49 including one that could potentially fund more than 900 lights. Commissioner Cavazos-Gamez
50 emphasized the importance of communicating these costs to residents.

The discussion then shifted to lighting on TxDOT-controlled roadways, where commissioners noted safety concerns and recent pedestrian fatalities. Ms. Trevino explained that although TxDOT owns certain corridors, the city maintains the lighting under existing agreements and must still report outages to utility providers. Any additional lighting on TxDOT roads must be funded by the city.

City Manager Gabriel Gonzalez stated that while TxDOT will install new lighting upon request, the city must pay the full cost, estimated at \$25,000–\$35,000 per pole depending on pole type, and ongoing electricity expenses. Commissioners expressed frustration that TxDOT prohibits median-mounted lighting on some corridors despite allowing it elsewhere.

Concerns were raised about dark stretches of Loop 499, particularly between 7th Street and Morgan Boulevard. Staff confirmed that because this roadway belongs to TxDOT, any new lighting would require city funding. Commissioners requested that staff work with the police chief to identify high-accident or high-risk areas and compile an inventory of locations needing repairs or additional lighting ahead of the upcoming budget cycle. Commissioners noted that many residents, especially seniors and those without internet access, depend on the city to advocate for lighting improvements. Lighting remains one of the top resident concerns alongside drainage.

The discussion then turned to pedestrian safety. Police Chief Alvear reported that HPD is issuing weekly public service announcements encouraging pedestrians to use crosswalks, wear reflective gear, and follow traffic signals, while reminding drivers to remain at the scene of accidents. He noted that many hit-and-run incidents occur because drivers fear arrest, even though most would not face charges if they remained at the scene and were not impaired. Only a small number of recent pedestrian incidents involved impairment.

The need for public education was emphasized noting frequent jaywalking on Tyler and Harrison by individuals wearing dark clothing at night. Commissioners also discussed the possibility of adopting an ordinance similar to Palm Valley's requiring pedestrians, runners, and cyclists to wear reflective gear during early-morning or nighttime hours, particularly given Harlingen's extensive trail system and past fatalities along Loop 499. Chief Alvear agreed that such a measure could improve safety and credited the city's media team for assisting with weekly safety messaging.

9. Public Hearings:

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

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

- Item 9(a) – Luis Valdespino – Smoke Shops

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

- Item 9(b) – None

c) Public hearing for a Special Use Permit (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 1616 N. Ed Carey Drive, bearing a legal description of Lot 9, Medical Subdivision. Applicant: Abdelhadi Al Hatabeh. Attachment. (Planning & Development)

- Item 9(c) – None

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

10. Action Items

Ordinances:

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

5 Ana Hernandez, Planning and Development Director, advised that this would be a 180-day
6 temporary moratorium on new smoke shop establishments. She explained that the study will involve
7 collaboration with the Police Department, Health Department, Planning, and the Legal Department,
8 with findings to be presented before the moratorium expires.

9 A discussion followed emphasizing the importance of gathering data on burglaries involving youth,
10 aligning the study with the City's Comprehensive Plan, and engaging HCISD for additional input.

11 Motion was made by Commissioner Perez and seconded by Mayor Pro- Tem Lopez to approve an
12 ordinance imposing a temporary moratorium on the establishment, operation, expansion, or relocation
13 of smoke shops within the city limits to allow for review of potential amendments to City regulations and
14 dealing with related matters. Motion carried unanimously.

- 15 b) Consideration and possible action to consider an ordinance on first reading for a Special Use Permit
16 ("SUP") to allow a bar/lounge in a Light Industry ("LI") District located at 2669 North Expressway
17 77, Building D, bearing a legal description of 0.32 acres out of 5.79 acres out of Lot 2, Block 1,
18 West Harlingen Industrial Park Subdivision. Applicant: Patrick B. McDermott. Attachment
19 (Planning & Development)

20 Mayor Pro-Tem Lopez suggested to the applicant to adjust the requested operating hours to
21 provide more flexibility and avoid having them to reapply later to extend hours. The applicant agreed
22 to revised hours to 12:00 a.m.

23 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Morales to approve
24 an ordinance on first reading for a Special Use Permit ("SUP") to allow a bar/lounge in a Light Industry
25 ("LI") District located at 2669 North Expressway 77, Building D, bearing a legal description of 0.32 acres
26 out of 5.79 acres out of Lot 2, Block 1, West Harlingen Industrial Park Subdivision with the amended
27 hours revised to 12:00 a.m. Motion carried unanimously.

- 28 c) Consideration and possible action to approve an ordinance on first reading for a Special Use Permit
29 (SUP) to allow an adult business (smoke shop) in a General Retail ("GR") District located at 1616
30 N. Ed Carey Drive, bearing a legal description of Lot 9, Medical Subdivision. Applicant: Abdelhadi
31 Al Hatabeh. Attachment (Planning & Development).

32 Although a temporary moratorium on smoke shops had just been approved, Mayor Sepulveda
33 allowed the applicant, Abdelhadi Al Hatabeh, to speak.

34 Representing Cyber Skunk Smoke Shop, Abdelhadi Al Hatabeh described the company's
35 experience operating more than 30 retail locations across Texas and emphasized their compliance with
36 local and state regulations, their commitment to creating jobs and generating sales tax revenue, and
37 their willingness to follow any future regulations adopted by the City. He addressed concerns raised by
38 staff regarding product categories, proximity to medical facilities, and public safety, outlining planned
39 security and compliance measures including 4K surveillance cameras, roll-down security gates, strict
40 ID-scanning procedures, employee training, and zero-tolerance policies for sales to minors. He also
41 expressed willingness to support community education programs and invest in property improvements.

42 During discussion, Commissioner Mezmar asked Police Chief Alvear about the legality of a specific
43 product. Chief Alvear responded that additional research is needed and that more time is required to
44 evaluate emerging substances and their potential risks. Chief Alvear suggested that a detailed list of
45 the products the business intends to sell would assist staff in conducting a more informed review. Mayor
46 and Commissioners agreed and encouraged the applicant to work with the Police Department and
47 Planning Department by providing an inventory list to support further research.

48 Motion was made by Commissioner Mezmar and seconded by Commissioner Morales to table an
49 ordinance on first reading for a Special Use Permit (SUP) to allow an adult business (smoke shop) in
50 a General Retail ("GR") District located at 1616 N. Ed Carey Drive, bearing a legal description of Lot 9,

Medical Subdivision. the request for at least six months, until the moratorium is lifted. Motion carried unanimously.

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

ORDINANCE NO. 26-05

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

PASSED AND APPROVED on first reading this the 7th day of January 2026.

PASSED AND APPROVED on the second and final reading this the 21st day of January 2026.

ATTEST:

/s/ Mayra Herrera, City Secretary

CITY OF HARLINGEN

/s/ Norma Sepulveda, Mayor

Commissioner Mezmar noted that, due to a recent change in state law, this action is largely a formality.

Motion was made by Commissioner Mezmar and seconded by Commissioner Perez to approve an ordinance in second and final reading for the deannexation from the City of Harlingen Extraterritorial Jurisdiction (ETJ) consisting of 5.50 acres out of Block 41, Briggs & Coleman Subdivision in Surveys 271-272, Cameron County, Texas, located along the south side of Bowen Road, 655.42 feet east from the northwest corner of Block 41 (centerline of Ebony Road). Motion carried unanimously.

- e) Consideration and possible action to approve an ordinance on second and final reading, Chapter 111-Zoning, by adding the new Article XXII - Historic Preservation and dealing with related matters. Applicant: City of Harlingen. Attachment: (Planning & Development) (This item was tabled on the Regular City Commission meeting of January 7, 2026)

ORDINANCE NO. 26-04

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

PASSED AND APPROVED on first reading this the 17th day of December 2025.

PASSED AND APPROVED on the second and final reading this the 21st day of January 2026.

ATTEST:

/s/ Mayra Herrera, City Secretary

CITY OF HARLINGEN

/s/ Norma Sepulveda, Mayor

Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Perez to remove Item 10(e) from the table. Motion carried unanimously.

Mayor Pro-Tem Lopez requested adjustments to the structure of board member terms, proposing that the initial terms be staggered so that Districts 3, 4, and 5 would serve two-year terms, while Districts 1, 2, and the mayor would serve three-year terms, with all subsequent terms set at three years.

The Commission also discussed and agreed to remove language stating that serving more than one year of a partial term would count as a full term, noting that partial service should not count against a volunteer's two-term limit.

1 Motion was made by Mayor Pro-Tem Lopez and seconded Commissioner Perez to approve an
2 ordinance on second and final reading, Chapter 111-Zoning, by adding the new Article XXII - Historic
3 Preservation and dealing with related matters with amendments to the structure of board member terms
4 as described above, and the removal of language counting more than one year of a partial term as a
5 full term. Motion carried unanimously.

6 f) Consideration and possible action to approve a contract between the City of Harlingen and Dr.
7 Shelly Mitchell, DVM to provide services for the Spay/Neuter program as needed. Attachment
8 (Health)

9 Commissioner Mezmar asked questions regarding the frequency of services and associated costs.
10 Shannon Harvill, Director of Health, explained that the contract is fully funded through grants. The
11 Zoonosis Grant totals \$9,029, of which approximately \$7,910 has already been used, and the Petco
12 Love Grant provides \$20,000, with \$18,000 designated specifically for spay and neuter services for
13 residents' pets. Ms. Harvill also outlined the procedure costs for cats and dogs, which vary based on
14 gender and weight.

15 Motion was made by Mayor Pro-Tem Lopez and seconded Commissioner Perez to approve a
16 contract between the City of Harlingen and Dr. Shelly Mitchell, DVM to provide services for the
17 Spay/Neuter program as needed. Motion carried unanimously.

18 g) Consideration and possible action to authorize the City Manager to approve the purchase of two
19 (2) residential refuse trucks to replace ageing units. Attachment (Public Works)

20 City Manager Gabriel Gonzalez informed the Mayor and Commission that purchasing the two
21 residential refuse vehicles would require using the Public Works fund balance, which would temporarily
22 reduce reserves to 35 days below the city's 120-day target. The fund currently holds approximately
23 \$3.3 million, and the total cost of the two vehicles is \$850,000.

24 Interim Public Works Director Ruth Trevino noted that the trucks are immediately available and
25 could be delivered within two weeks if the purchase order is issued promptly.

26 Commissioner Perez discussed ongoing service disruptions caused by aging sanitation trucks and
27 commended the sanitation department for maintaining operations despite equipment failures.

28 Ms. Trevino explained that staff are developing a depreciation and replacement plan to sustainably
29 replenish the funds, as the vehicle replacement fund is currently depleted.

30 Public Works reported having 12 trucks in service, with several already beyond their useful life and
31 others nearing end-of-life due to heavy mileage and wear.

32 Motion was made by Commissioner Mezmar and seconded by Commissioner Perez to authorize
33 the City Manager to approve the purchase of two (2) residential refuse trucks to replace aging units.
34 Motion carried unanimously.

35 h) Consideration and possible action to approve a resolution updating the authorized signatory
36 designations for the City of Harlingen's bank accounts, external investment pools, and safekeeping
37 agreements. Attachment (Finance)

38 Motion was made by Mayor Pro-Tem Lopez and seconded Commissioner Perez to approve a
39 resolution updating the authorized signatory designations for the City of Harlingen's bank accounts,
40 external investment pools, and safekeeping agreements. Motion carried unanimously.

41 i) Consideration and possible action to declare the itemized list of non-real estate personal property
42 as surplus personal property, as recommended by staff, and authorize city personnel to conduct a
43 live/public and online auction of said property. Attachment (Finance)

44 Motion was made by Mayor Pro-Tem Lopez and seconded Commissioner Perez to declare the
45 itemized list of non-real estate personal property as surplus personal property, as recommended by
46 staff, and authorize city personnel to conduct a live/public and online auction of said property. Motion
47 carried unanimously.

- j) Consideration and possible action to approve a resolution authorizing the City Manager to execute the Advance Funding Agreement (AFA) for the Harlingen Mobility Master Plan with the Texas Department of Transportation (TxDOT) and to approve payment of the required Direct State Costs to TxDOT. Attachment (Engineering)

Motion was made by Mayor Pro-Tem Lopez and seconded Commissioner Perez to approve a resolution authorizing the City Manager to execute the Advance Funding Agreement (AFA) for the Harlingen Mobility Master Plan with the Texas Department of Transportation (TxDOT) and to approve payment of the required Direct State Costs to TxDOT. Motion carried unanimously.

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

Motion was made by Mayor Pro-Tem Lopez and seconded Commissioner Perez to approve a resolution authorizing the City Manager to execute the Advance Funding Agreement (AFA) for the Harlingen Mobility Master Plan with the Texas Department of Transportation (TxDOT) and to approve payment of the required Direct State Costs to TxDOT. Motion carried unanimously.

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

Motion was made by Mayor Pro-Tem Lopez and seconded Mayor Sepulveda to approve a resolution authorizing the City Manager to execute the Advance Funding Agreement (AFA) for the Harlingen North-South Link Corridor Planning Project with the Texas Department of Transportation (TxDOT) and to approve payment of the required Direct State Costs to TxDOT. Motion carried unanimously.

- m) Consideration and possible action to approve a resolution of support to TG 105 Robinhood, LP's application to the Texas Department of Housing and Community Affairs for the competitive 9% Housing Tax Credit Program for the proposed reconstruction of Robinhood Apartments, a 69-Unit Multi-Family Affordable Housing Development in Harlingen, Texas. Attachment (CDBG)

Motion was made by Mayor Pro-Tem Lopez and seconded Commissioner Perez to approve a resolution of support to TG 105 Robinhood, LP's application to the Texas Department of Housing and Community Affairs for the competitive 9% Housing Tax Credit Program for the proposed reconstruction of Robinhood Apartments, a 69-Unit Multi-Family affordable Housing Development in Harlingen, Texas. Motion carried unanimously.

- n) Discussion and possible action to approve a resolution, creating an Ad Hoc Planning Advisory Committee to review certain adopted plans and to report recommendations to the City Commission. (This item was tabled at the Regular City Commission meeting of January 7, 2026) (This item was requested by Mayor Norma Sepulveda and Mayor Pro-Tem Daniel N. Lopez)

Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Perez to remove item 10(n) from the table. Motion carried unanimously.

Commissioner Perez explained that he had revised Commissioner Lopez's original proposal to make the committee more community-based. His version kept most of the original structure but shifted membership to representatives from keyboards, including Planning and Zoning, Parks and Recreation, the Downtown Advisory Board, the Harlingen Economic Development Board, the Community Development Board, and Keep Harlingen Beautiful, along with a Harlingen Waterworks representative for CIP expertise. He also proposed adding three community members selected through an application process, with commissioners serving only as non-voting liaisons and meetings held after 5 p.m. to accommodate volunteers.

After discussion, Mayor Pro-Tem Lopez noted that commissioners are already deeply involved in city matters and suggested that, instead of forming an ad hoc committee, the Commission could hold

workshops or posted meetings where commissioners, staff, and relevant board members participate directly. He also recommended that staff first review existing plans and provide an initial assessment. Commissioner Perez agreed that workshops mirrored past planning sessions and could accomplish the same goals.

Commissioner Mezmar emphasized the importance of relying on staff expertise and noted that budget constraints ultimately determine what can be implemented.

Motion was made by Commissioner Mezmar and seconded by Mayor Pro-Tem Lopez to reject a resolution, creating an Ad Hoc Planning Advisory Committee to review certain adopted plans and to report recommendations to the City Commission. Motion carried unanimously.

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

Mayor Sepulveda reminded the Commission that all district town halls must be held within the calendar year and asked commissioners to finalize their preferred dates by the next meeting so they can be posted publicly and added to the citywide calendar. The Commission agreed on the following schedule:

- District 1 – Commissioner Delia Cavazos-Gamez: April
- District 2 – Commissioner Daniel N. Lopez: February
- District 3 – Commissioner Michael Mezmar: Last two weeks of March
- District 4 – Commissioner Frank Morales: May
- District 5 – Commissioner Rene Perez: June at 6 p.m.
- A citywide comprehensive town hall is planned for July.

11. Board Appointments:

Commissioner Delia Cavazos-Gamez appointed Daniel L. Araiza to Airport Board

Commissioner Rene Perez appointed Valerie Paredes to Community Development Advisory Board (CDBG).

Motion was made by Mayor Pro-Tem Lopez seconded by Commissioner Mezmar to approve all board appointments. Motion carried unanimously.

12. Executive Session:

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

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

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

Motion was made by Commissioner Perez and seconded by Commissioner Mezmar to go into executive session. Motion carried unanimously.

At 9:11 p.m., Mayor Sepulveda announced the City Commission would convene into Executive Session to discuss Item 12 (a and b).

Commissioners Mezmar and Morales departed the meeting, but a quorum remained.

13. Action on Executive Session Items:

At 10:40 p.m., Mayor Sepulveda announced the City Commission had completed its Executive Session and declared the meeting open to the public.

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

Motion was made By Mayor Pro-Tem Lopez and seconded by commissioner Perez to proceed as discussed in Executive Session for items 12a (2&3), with no action taken on Items 12a (1 &4). Motion carried unanimously.

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

No action taken.

14. Adjournment:

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

City of Harlingen

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

7(2)

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: May 20, 2026

Agenda Item:

Consideration and possible action to approve funding to purchase two root cutters for storm drainage system maintenance. *(Public Works)*

Prepared By: Ruth Trevino, Assistant Director *Ruth Trevino*

Brief Summary:

Staff is requesting approval to purchase two root cutters for use in the maintenance and clearing of the City's storm drainage system. The proposed equipment will enhance the Public Works Department's ability to remove root intrusions and blockages within drainage pipes ranging from 8 inches to 32 inches in diameter.

This request follows a recent emergency response in the Westgate Subdivision, where Streets Department crews spent several hours clearing a heavily clogged storm sewer line using existing equipment and manual methods. During the televised inspection, staff identified approximately eight feet of root intrusion within the pipeline, which significantly restricted flow and contributed to drainage and flooding concerns in the area. While crews were ultimately able to restore flow using available resources, the operation required extensive labor, additional excavation efforts, and prolonged cleanup activities.

The purchase of specialized root cutting equipment will allow crews to address similar obstructions more efficiently, reduce response times, minimize the need for excavation, and improve the City's ability to proactively maintain drainage infrastructure and mitigate flooding risks citywide.

The proposed equipment includes:

- One root cutter in the amount of \$10,355
- One root cutter in the amount of \$14,765

Fiscal Impact:

Total estimated cost: \$25,120

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:

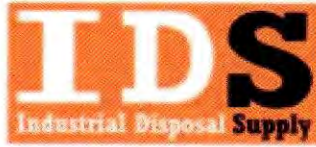
Finance Director's approval (Yes/No/NA):

Staff Recommendation:

City Manager approval: *CT*

Comments:

City Attorney's approval: *MA*



1106 Paulsun Rd
San Antonio TX, 78219
210-227-3441



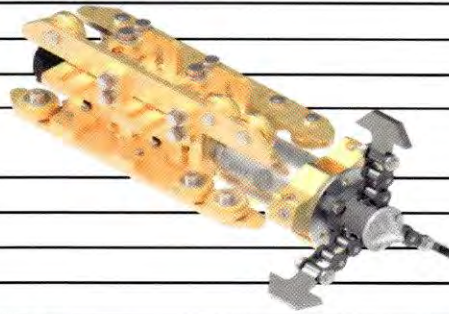
DATE April, 6 2026
EXPIRATION DATE June, 6 2026

TO Ramiro Robledo
City of Harlingen
404 54th St
Harlingen, Tx 78550
956-497-0293
r.robledo@harlingentx.gov



SALESPERSON	JOB	SHIPPING METHOD	SHIPPING TERMS	DELIVERY DATE	PAYMENT TERMS	DUE DATE
Rafael Cruz	Harlingen	Delivery	f.o.b. Customer, TX	TBD	Upon receipt	TBD

QUANTITY	DESCRIPTION	UNIT PRICE	LINE TOTAL
1.00	10.200R- Recycling, Rotating chain scrapper w/ center head 8" to 16"	10,315.00	10,315.00
1.00	Freight	40.00	40.00
OPTIONS INCLUDED			
NOTES	TRUCK SPECS 80GPM@ 2500' WITH 700' HOSE		
	TIPS # 251001		



Quotation Prepared By: Rafael Omy Cruz
To Accept this quotation, sign here: _____

SUBTOTAL	\$	10,355.00
Tax:		
TOTAL	\$	10,355.00

This is a quotation on the goods named, subject to the conditions noted below:
(Describe any conditions pertaining to these prices and any additional terms of the agreement.
You may want to include contingencies that will affect the quotation.)
Thank you for your business.



1106 Paulsun Rd
San Antonio TX, 78219
210-227-3441



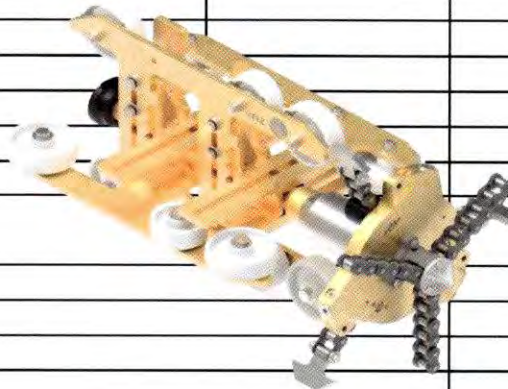
DATE April, 6 2026
EXPIRATION DATE June, 6 2026

TO Ramiro Robledo
City of Harlingen
404 54th St
Harlingen, Tx 78550
956-497-0293
r.robledo@harlingentx.gov



SALESPERSON	JOB	SHIPPING METHOD	SHIPPING TERMS	DELIVERY DATE	PAYMENT TERMS	DUE DATE
Rafael Cruz	Harlingen	Delivery	f.o.b. Customer, TX	TBD	Upon receipt	TBD

QUANTITY		UNIT PRICE	LINE TOTAL
1.00	10.400 R-US RCS WITH CENTER HEAD 16" - 32"	14,700.00	14,700.00
1.00	Freight	65.00	65.00
OPTIONS INCLUDED			
NOTES	TRUCK SPECS 80GPM@ 2500' WITH 700' HOSE		
	TIPS # 251001		



Quotation Prepared By: Rafael Omy Cruz
To Accept this quotation, sign here: _____

SUBTOTAL	\$	14,765.00
Tax:		
TOTAL	\$	14,765.00

This is a quotation on the goods named, subject to the conditions noted below:
(Describe any conditions pertaining to these prices and any additional terms of the agreement.
You may want to include contingencies that will affect the quotation.)

Thank you for your business.





**AGENDA ITEM
EXECUTIVE SUMMARY**

7(b)

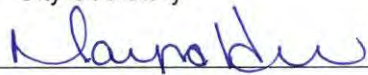
Meeting Date: **May 20, 2026**

Agenda Item:

Consideration and possible action to approve a request from Remi Garza, Cameron County Elections Department to use the Harlingen Culture Arts Center located at 575 "76" Dr. Monday, May 18th thru Friday, May 22nd from 8:00a.m. to 8:00p.m. for Early Voting and Tuesday, May 26, 2026, from 7:00 a.m. to 7:00 p.m. on Election Day.

Prepared By (Print Name): Mayra Herrera

Title: City Secretary

Signature: 

Brief Summary:

Mr. Remi Garza is requesting the use of the Cultural Arts Center as a polling place for Early Voting and Election Day site on the above-mentioned location, times and dates. This request was submitted to Ruth Trevino, Interim Public Works Director to check on the availability of the Cultural Arts Center for the Early Voting and Election Day site for the Democratic and Republican Primary Runoff Elections to be held on May 26, 2026.

Funding (if applicable):

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

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

Finance Director's approval:

☐ Yes ☐ No ☐ N/A

Staff Recommendation:

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

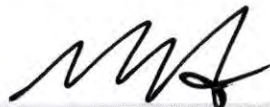
City Manager's approval:



☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:



☒ Yes ☐ No ☐ N/A

Comments:



REMI GARZA, CERA
ELECTIONS ADMINISTRATOR

May 11, 2026

Mayra Herrera
City Secretary
City of Harlingen
118 E. Tyler Ave.
Harlingen, Texas 78550

Dear Ms. Herrera

This is our official request to designate the following location as Early Voting and Election Day site for the Democratic and Republican Primary Runoff Elections to be held on May 26, 2026:

Harlingen Cultural Arts Center, 575 "76" Dr. Harlingen, Texas

The dates and times for early voting are as follow:

Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
Election Day: Tuesday, May 26, 2026	7:00 a.m. to 7:00 p.m.

(If possible please have locations open one hour before 7:00 a.m. and one hour after 7:00 p.m. for election workers.)

If you agree, we will be delivering voting equipment a few days before Election Day begins. It will need to be stored in a secure area and be available during the election. We will also need three (3) folding tables, (4-6) chairs and working 120-volt electrical plugs for the equipment.

Upon consideration and agreement, please fax us a confirmation letter at (956) 550-7298 or email it to Maribel.diaz@co.cameron.tx.us. We greatly appreciate your help in making the approaching elections a success.

Thank you in advance for your consideration too this request.

Sincerely,

 For Remi Garza
Remi Garza
Elections Administrator

**Notice of Early Voting Locations for the Democratic and Republican Primary Runoff Elections
to be held on May 26, 2026**

Locations and times subject to change

Early voting by personal appearance will be conducted at the following locations, dates, and times:

LOCATION	ADDRESS	DATES	TIMES
Main Office	Cameron County Courthouse Judicial Complex 954 E. Harrison St. Brownsville, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
Brownsville Public Library	2600 Central Blvd. Brownsville, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
Southmost Public Library	4320 Southmost Rd. Brownsville, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
Cameron Park Community Center (El Centro Cultural)	2100 Gregory Ave. Brownsville, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
Harlingen County Annex Bldg.	3302 Wilson Rd. Harlingen, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
San Benito Community Bldg.	210 E. Heywood St. San Benito, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
Port Isabel City Hall	305 E. Maxan St. Port Isabel, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
American Legion Hall	219 E. Commercial Ave. La Feria, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
Los Fresnos Community Center	204 N. Brazil St. Los Fresnos, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
New Horizon Health Center	191 E. Price Rd. Brownsville, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
Harlingen Cultural Arts Center	576 "76" Dr. Harlingen, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
Rio Hondo Municipal Center (Civic Center)	121 N. Arroyo Blvd. Rio Hondo, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
Santa Rosa Maria Luisa Ruiz Guerra County Annex Bldg.	116 Santa Vista Ave. Santa Rosa, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.

**Notice of Early Voting Locations for the Democratic and Republican Primary Runoff Elections
to be held on May 26, 2026**

Locations and times subject to change

Early voting by personal appearance will be conducted at the following locations, dates, and times:

LOCATION	ADDRESS	DATES	TIMES
UTRGV Student Union Salon Gardenia	650 Ringgold Rd. Brownsville, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
Los Indios Community Center	309 Heywood St. Los Indios, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
Town of Rancho Viejo City Hall	3301 Carmen Ave. Rancho Viejo, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
Bob Clark Social Service Center	9901 California Rd. Brownsville, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
Cameron County Brownsville Annex (Levee Building)	835 E. Levee St. Brownsville, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
Santa Maria ISD Administrative Bldg.	11119 Military Rd. Santa Maria, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.
Ad Astra City of Starbase	48491 TX-4 Brownsville, Texas	Monday, May 18 thru Friday, May 22	8:00 a.m. to 8:00 p.m.

Locations subject to change

DEMOCRATIC PRIMARY RUNOFF ELECTION
VOTE CENTERS
MAY 26, 2026

VOTE CENTER	ADDRESS	CITY
1 Ad Astra, City of Starbase	48491 TX-4	Brownsville
2 Benavides Elementary School	3101 McAllen Rd.	Brownsville
3 Bob Clark Social Service Center	9901 California Rd	Brownsville
4 Brownsville Public Library	2600 Central Blvd.	Brownsville
5 Burns Elementary School	1974 E. Alton Gloor Rd.	Brownsville
6 Cameron County Courthouse Judicial Complex	954 E. Harrison St.	Brownsville
7 Cameron Park Community Center (El Centro Cultural)	2100 Gregory Ave.	Brownsville
8 Del Castillo-Morningside Elementary School	1025 Morningside Rd.	Brownsville
9 Dora Romero Elementary	9705 Cajun Blvd.	Brownsville
10 El Jardin Elementary School	6911 Boca Chica Blvd.	Brownsville
11 Homer Hanna High School	2615 Price Rd.	Brownsville
12 Hudson Elementary School	2980 FM 802	Brownsville
13 J.T. Canales Elementary School	1811 International Blvd.	Brownsville
14 James Pace High School	314 W. Los Ebanos Blvd.	Brownsville
15 Judge Reynaldo G. Garza at Southmost Elementary School	5245 Southmost Rd.	Brownsville
16 Mariano Gonzalez Sr. Elementary School	4350 Jaime Zapata Ave.	Brownsville
17 Oliveira Middle School	444 Land O' Lakes Dr.	Brownsville
18 Olmito Elementary School	2500 Arroyo Blvd	Brownsville
19 Perkins Middle School	4750 Austin Rd.	Brownsville
20 R.L. Martin Elementary School	1701 Stanford Ave.	Brownsville
21 Raul A. Besterlo Jr. Middle School	6280 Southmost Rd.	Brownsville
22 Russell Elementary School	800 Lakeside Blvd.	Brownsville
23 Sharp Elementary School	1439 Palm Blvd.	Brownsville
24 Simon Rivera High School	6955 FM 802	Brownsville
25 Skinner Elementary School	411 W. St. Charles St.	Brownsville
26 Southmost Public Library	4320 Southmost Rd.	Brownsville
27 Veterans Memorial Early College High School	4550 US Military Hwy 281	Brownsville
28 Yturria Elementary School	2955 W. Tandy Rd.	Brownsville
29 Combes Municipal Complex	21626 Hand Road	Combes
30 Bowie Elementary School	309 W. Lincoln St.	Harlingen
31 Crockett Elementary School	1406 W. Jefferson St.	Harlingen
32 Harlingen County Annex Bldg.	3302 Wilson Rd.	Harlingen
33 Harlingen Cultural Arts Center	576 "76" Dr.	Harlingen
34 Harlingen High School South	1701 Dixieland Rd.	Harlingen
35 Long Elementary School	2601 N. 7th St.	Harlingen
36 Stuart Place Elementary School	6701 W. Business 83	Harlingen
37 UTRGV (Clinical Education Bldg Auditorium)	2102 Treasure Hills	Harlingen
38 Vernon Middle School	125 S. 13th St.	Harlingen
39 Zavala Elementary School	1111 North "B" St.	Harlingen
40 American Legion Hall	219 E. Commercial Ave.	La Feria
41 Laguna Vista City Hall Board Room	122 Fernandez St	Laguna Vista
42 Los Fresnos Community Building	204 N. Brazil St.	Los Fresnos
43 Liberty Memorial Middle School	31579 FM 2893	Los Fresnos
44 Los Indios Community Center	309 E. Heywood St.	Los Indios
45 Villareal Elementary School	7770 E. Lakeside Blvd.	Olmito
46 City of Port Isabel City Hall	305 E. Maxan St.	Port Isabel
47 City of Primera Municipal Complex	17635 Primera Rd	Primera
48 Town of Rancho Viejo City Hall	3301 Carmen Ave.	Rancho Viejo
49 Rio Hondo Municipal Center (Civic Center)	121 N. Arroyo Blvd.	Rio Hondo
50 Ed Downs Elementary School	1302 N. Dick Dowling	San Benito
51 Fred Booth Global Leadership Academy	705 Zaragoza St.	San Benito
52 La Encantada School	35001 FM 1577	San Benito
53 La Paloma Elementary School	35076 Padilla St.	San Benito
54 San Benito Community Bldg.	210 E. Heywood St.	San Benito
55 Sullivan Environmental Science Academy	900 Elizabeth St.	San Benito
56 Santa María ISD Administrative Bldg. Board Room	11119 Military Hwy 281	Santa Maria
57 María Luisa Ruiz Guerra County Annex	116 Santa Vista Ave.	Santa Rosa
58 South Padre Island Community Center	4601 Padre Blvd.	South Padre Island

REPUBLICAN PRIMARY RUNOFF VOTE CENTERS
MAY 26, 2026 ELECTION

Locations subject to change

	LOCATION	ADDRESS	CITY
1	Ad Astra, City of Starbase	48491 TX-4	Brownsville
2	American Legion Hall	219 E. Commercial Ave.	La Feria
3	Benavides Elementary School	3101 McAllen Rd.	Brownsville
4	Brownsville Public Library	2600 Central Blvd.	Brownsville
5	Burns Elementary School	1974 Alton Gloor Blvd.	Brownsville
6	Ed Downs Elementary School	1302 N. Dick Dowling St.	San Benito
7	Fred Booth Global Leadership Academy	705 Zaragoza St.	San Benito
8	Harlingen County Annex Bldg.	3302 Wilson Rd.	Harlingen
9	Harlingen Cultural Arts Center	576 "76" Dr.	Harlingen
10	Hudson Elementary School	2980 FM 802	Brownsville
11	James Pace High School	314 W. Los Ebanos Blvd	Brownsville
12	Jefferson Elementary School	601 S. J Street	Harlingen
13	La Paloma Elementary School	35076 Padilla St.	San Benito
14	Laguna Vista City Hall Board Room	122 Fernandez St.	Laguna Vista
15	Long Elementary School	2601 N 7th St.	Harlingen
16	Los Fresnos Community Center	204 N. Brazil St.	Los Fresnos
17	Los Indios Community Center	309 Heywood St.	Los Indios
18	Maria Luisa Ruiz Guerra County Annex	116 Santa Vista Ave.	Santa Rosa
19	Oliveira Middle School	444 Land O'Lakes Dr.	Brownsville
20	Port Isabel City Hall	305 E. Maxan St.	Port Isabel
21	Rio Hondo Municipal Center (Civic Center)	121 N. Arroyo Blvd.	Rio Hondo
22	San Benito Community Bldg.	210 E. Heywood St.	San Benito
23	Santa Maria ISD Administrative Bldg. Board Rm	11119 Military Hwy	Santa Maria
24	Sharp Elementary School	1439 Palm Blvd.	Brownsville
25	Simon Rivera High School	6955 FM 802	Brownsville
26	South Padre Island Community Center	4601 Padre Blvd.	So. Padre Island
27	Southmost Public Library	4320 Southmost Rd.	Brownsville
28	Stuart Place Elementary School	6701 W. Business 83	Harlingen
29	Town of Rancho Viejo City Hall	3301 Carmen Ave.	Rancho Viejo
30	UTRGV(Clinical Education Bldg. Auditorium)	2102 Treasure Hills Blvd.	Harlingen
31	Villareal Elementary School	7700 Lakeside Blvd.	Olmito
32	Zavala Elementary School	1111 North "B" St.	Harlingen



**EAST POINT
ENERGY**

AN EQUINOR COMPANY

Citrus Flatts Energy Center



8(c)



About East Point Energy

East Point Energy develops, builds, owns, and operates grid-scale energy storage projects.

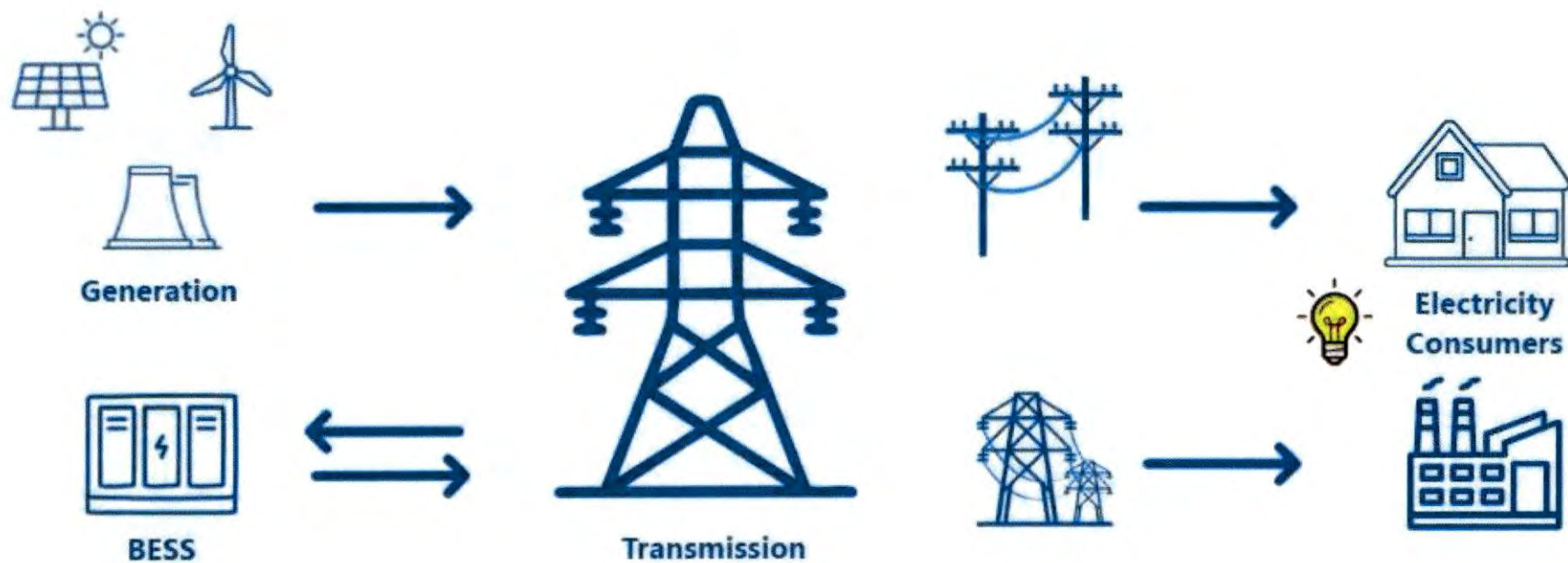
As an Equinor company and independent power producer, our team is currently developing gigawatts of energy storage projects throughout the country to build a clean, resilient, and affordable electric grid for the future.

What is Battery Energy Storage (BESS)?



- Rechargeable batteries that store energy from the electric grid and dispatch when it's most needed
- Proven technology – used in cell phones, laptops, and electric vehicles
- "Swiss Army Knife" for the grid

What is Battery Energy Storage (BESS)?



Benefits

Grid-scale energy storage projects provide valuable benefits to local communities and the electric grid

Strengthens Grid Reliability

Enhancing grid reliability, resilience, flexibility and affordability

Supports Local Economy

Significant capital investment that boosts local economies, broadens the tax base and supports local non-profits and needed services

Supports Energy Cost Savings

Stores energy when electricity price is low and injects energy during high demand periods



Citrus Flatts | Project Updates



Powering the Grid

At 100-megawatt, 2-hour duration, project can power up to 80,000 homes for 2 hours

Looking Forward

Commercial operation expected by summer 2026

We are looking forward to several decades of serving the Harlingen community!







Community Engagement

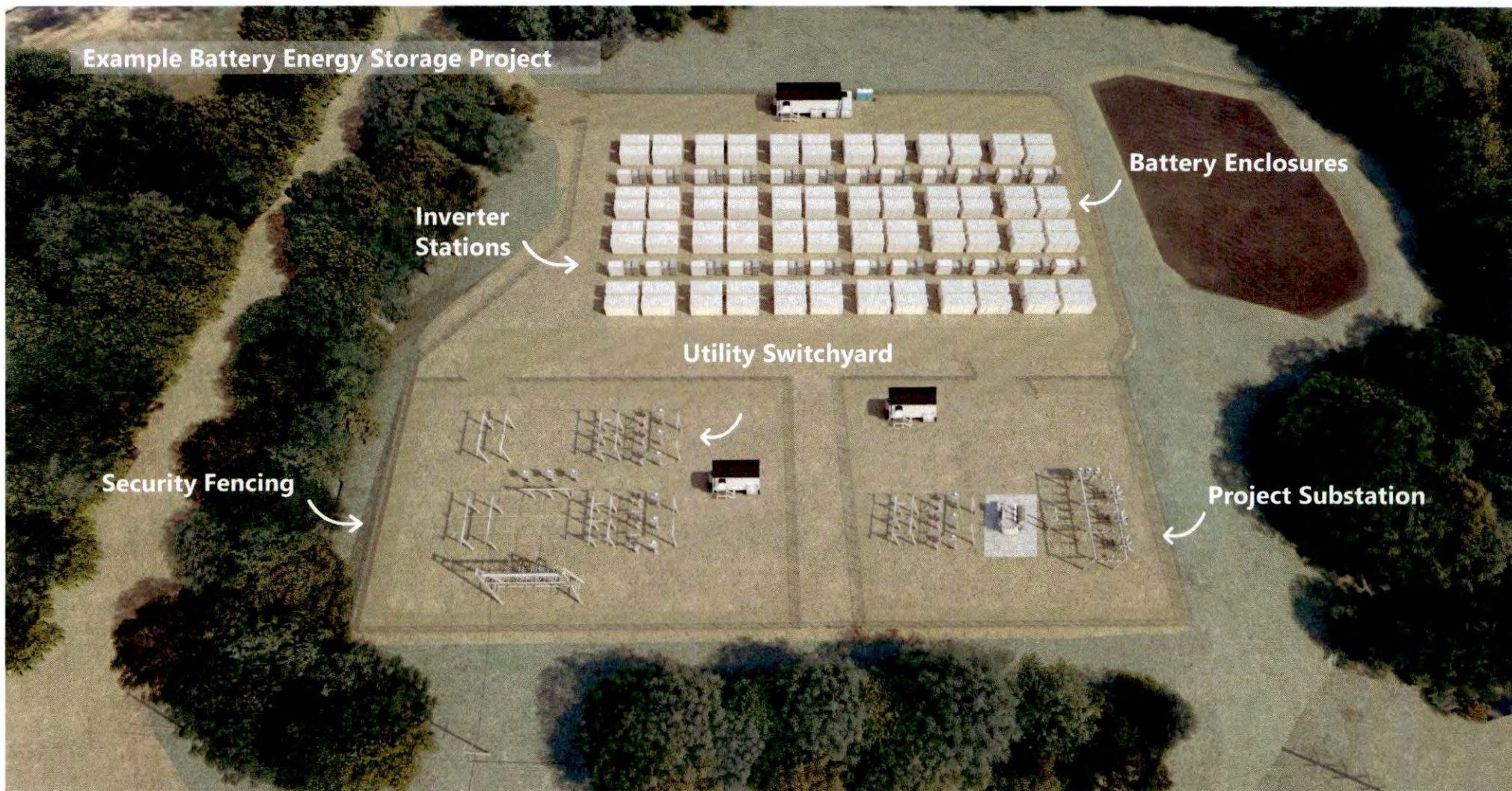


- We're committed to being a long-term partner in the Harlingen community
- \$175,000 donation to the Harlingen Soccer Complex
- Project mural; call to local artists to be released late summer 2026



Thank You





AMENDMENT TO COMMUNITY BENEFIT AGREEMENT

This Amendment to Community Benefit Agreement (this "Amendment") dated as of August ~~17~~, 2023 (the "Effective Date") is entered into between Black Mountain Energy Storage II, LLC, a Texas limited liability company duly formed and organized under the laws of the State of Texas, or its designated assignee (hereinafter referred to as "Developer"), and the Development Corporation of Harlingen, Inc., a non-for-profit corporation formed under the laws of the State of Texas, (hereinafter referred to as the "CBO"). Developer and CBO are sometimes referred to herein collectively as the "Parties." Capitalized terms used but not defined herein shall have the meaning ascribed to such terms in the Agreement (defined below).

WITNESSETH

WHEREAS, the Parties entered into a Community Benefit Agreement dated April 5, 2023 pursuant to which, among other things, Developer agreed to pay (or cause to be paid through its subsidiaries or business affiliates), the Donation to the CBO (the "Agreement").

WHEREAS, the Parties, for clarity's sake, desire to further define the obligations of CBO with regard to the Donation.

WHEREAS, the Parties desire to amend the Agreement pursuant to the terms and conditions of this Amendment.

NOW THEREFORE, in consideration of the foregoing recitals, which are incorporated herein, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Developer and CBO agree as follows:

AGREEMENT

A. Amendments to the Agreement:

1. Paragraph 1 is amended with the addition of the following:
 - b. *The CBO shall receive and hold the Donation in trust for the benefit of the City of Harlingen and shall ensure that the Donation is used solely for the City of Harlingen Soccer Complex and not for any other purpose or for the benefit of any public official. "Public Official" as used herein means (i) any officer, employee, director, principal, consultant, agent or representative, whether appointed or elected, of any government authority; or (ii) any person acting in an official capacity for or on behalf of (a) any government authority, or (b) any public international organization, or (c) any political party or political party official or*

candidate for office. Use of the Donation for any purpose not set forth herein shall constitute a material breach of this Agreement,

- c. *The CBO shall provide Developer a letter that summarizes in what manner the Donation was spent on the City of Harlingen Soccer Complex no later than thirty (30) days after the CBO's release of the Donation.*

2. The following Paragraph 11 is added to the Agreement:

Anti-Corruption. *The Parties have not and shall not offer, give or agree to give any person whosoever, or solicit, accept or agree to accept from any person, either directly or indirectly, anything of value in order to obtain, influence, induce or reward any improper advantage in connection with this Agreement ("Anti-Corruption Obligation"). Each Party will release, defend, indemnify and hold the other Party harmless from and against any and all claims, damages, losses, penalties, costs and expenses arising from or related to, any breach by such first Party of Anti-Corruption Obligation. Such indemnity obligation will survive termination or expiration of this Agreement.*

B. Miscellaneous:

1. No Further Amendment. Except as specifically amended by this Amendment, the Agreement shall continue in full force and effect in accordance with its provisions as in existence on the Effective Date and is ratified and confirmed in all respects.
2. Governing Law; Jurisdiction and Venue. Paragraphs 5 and 8 of the Agreement are incorporated by reference herein.
3. Counterparts. This Amendment may be executed in counterparts, each of which shall be deemed an original but all of which together shall be deemed one and the same instrument.

The Parties have executed this Amendment to be effective as of the Effective Date.

Black Mountain Energy Storage II, LLC
A Texas limited liability company

By: Black Mountain Energy Storage, LLC
A Texas limited liability company,
Its managing member

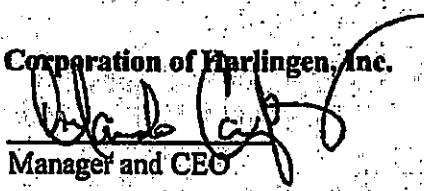
By:


Rhett Bennett, CEO

Draft 08.08.23

Development Corporation of Harlingen, Inc.

By:


Manager and CEO

**BLACK MOUNTAIN ENERGY STORAGE II LLC
COMMUNITY BENEFIT AGREEMENT**

This Community Benefit Agreement ("Agreement") dated as of 5 April, 2023 is entered into between Black Mountain Energy Storage II, LLC, a Texas limited liability company duly formed and organized under the laws of the State of Texas, or its designated assignee (hereinafter referred to as "Developer"), and the Harlingen Economic Development Corporation, a non-for-profit corporation formed under the laws of the State of Texas, (hereinafter referred to herein as "Community Based Organization" or "CBO").

WITNESSETH

WHEREAS, Developer has acquired rights to purchase a 6 acre tract of land within the City of Harlingen hereafter referred to as "the Premises" and more commonly known as "Tract A of the Citrus Flats Subdivision, Harlingen, Texas"; a true and correct copy of the recorded plat for the Premises is attached as Exhibit A hereto and made a part hereof, and

WHEREAS, Developer proposes constructing improvements on the premises, specifically an unmanned battery storage facility, and

WHEREAS, the Premises is located within a general retail zoning district, which does not currently permit the proposed development, and

WHEREAS, Developer has submitted applications to the Harlingen planning department and to the Harlingen City Commission which are currently being reviewed for the purpose of approving a special use permit which would allow the construction of the planned unmanned battery storage facility on the Premises, and

WHEREAS, the approval by the City of Harlingen of the application for Special Use Permit ("SUP") would allow for the construction, development and completion of the proposed development, and

WHEREAS, Developer additionally seeks to provide additional benefits to the local affected community in connection with this proposed development, and

WHEREAS, the Developer seeks the vocal support from the CBO at the regular city commission meeting of the City Commission of the City of Harlingen set for April __, 2023, and

WHEREAS, Developer and CBO will work together to fulfill the agreements stipulated in this Agreement, and

WHEREAS, the parties hereto wish to enter this Agreement to set forth the rights and obligations hereunder, and

NOW, THEREFORE, for and in consideration of the mutual promises herein contained, the parties agree as follows:

1.) Obligations of the Harlingen Economic Development Corporation

- a. The CBO will advocate in community support of Developer's application for SUP before the Harlingen City Commission by live presentation at the regular meeting of the Harlingen City Commission on Wednesday, April ____, 2023.

2.) Obligations of Developer, Black Mountain Energy

- a. Developer shall pay (or cause to be paid through its subsidiaries or business affiliates), the sum of ONE HUNDRED AND SEVENTY-FIVE THOUSAND DOLLARS (\$175,000.00) (the "Donation") to the Economic Development Corporation in trust for immediate use by the City of Harlingen for the City of Harlingen Soccer Complex (Said Donation shall be used for the City of Harlingen Soccer Complex, but in a manner within the sole discretion of the City of Harlingen).
- b. Developer shall make payment of the Donation in full, at the ribbon cutting for the unmanned battery storage facility, to take place within 60 days of issuance by a certificate of occupancy by the City of Harlingen planning department. If Developer does not, or is unable to, complete the development of the unmanned battery storage facility, no Donation shall be due.
- c. Developer agrees that time is of the essence in making payment of Donation and that failure to pay said sum in full under the time parameters established by this Agreement shall be a material breach of this Agreement.

3.) **Counterparts:** This Agreement may be executed in counterparts, each of which shall be deemed an original but all of which together shall be deemed one and the same instrument.

4.) **Notices:** All notices, approvals, requests, waivers, consent, or other communications given or required to be given under his Agreement shall be in writing and sent or transmitted as follows:

To Developer:

Black Mountain Energy Storage II, LLC

Attn: Dan Ditto

425 Houston Street Suit 400

Ft. Worth, Texas 76102

To CBO:

Harlingen Economic Development Corporation

2424 Boxwood St, Suite 125

Harlingen, Texas 78550

5. **Jurisdiction and Venue** The parties hereby stipulate to mandatory venue in Cameron County, Texas. The parties further agree that any legal action or proceeding with respect to this Agreement shall be brought in a state court of competent jurisdiction sitting in Cameron County, Texas and by execution and delivery of this Agreement, each party to this Agreement hereby accepts, generally and unconditionally, the jurisdiction of the Texas State District and County Courts located in Cameron County, Texas. Each party to this Agreement hereby expressly and irrevocably submits the person of such party to this Agreement to the *in personam* jurisdiction of the State of Texas courts in any suit, action or proceeding arising, directly or indirectly, out of or relating to this Agreement. To the extent permitted under applicable law, this consent to personal jurisdiction shall be self-operative and no further instrument or action, other than service of process in one of the manners specified in this Agreement or as otherwise permitted by law, shall be necessary to confer jurisdiction upon the person of such party to this Agreement in any such Texas Court. To the fullest extent permitted under applicable law, each party to this Agreement irrevocably waives and agrees not to assert, by way of motion, as a defense or otherwise, any objection which may now or hereafter have to the laying of mandatory venue of any such suit, action or proceeding in Cameron County, Texas and any claim that any such suit, action or proceeding has been brought in an inconvenient forum, any claim that any party is not personally subject to the jurisdiction of any such Texas Court or that this agreement, or the subject matter hereof, may not be enforced in or by such Texas Court.
6. **Severability**. If any provisions of this Agreement or the application thereof to any person or situation shall, to any extent, be held invalid or unenforceable, the remainder of this Agreement, and the application of such provisions to persons or situations other than those as to which it shall have been held invalid or unenforceable, shall not be affected thereby, and shall continue valid and be enforced to the fullest extent permitted by law.
7. **Captions**. The Article headings and captions of this Agreement are for convenience and reference only and in no way define, limit, or describe the scope or intent of this Agreement nor in any way affect this Agreement. All references to Sections and Articles mean the Sections and Articles in this Agreement unless another agreement is expressly referenced.

8. **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas, without regard to any choice of law provisions that would result in the application of other laws.

9. **Enforceability.** If any portion or provision of this Agreement (including, without limitation, any portion or provision of any section of this Agreement) shall to any extent be declared illegal or unenforceable by a court of competent jurisdiction, then the remainder of this Agreement, or the application of such portion or provision in circumstances other than those as to which it is so declared illegal or unenforceable, shall not be affected thereby, and each portion and provision of this Agreement shall be valid and enforceable to the fullest extent permitted by law.

10. **Breach of Contract** If any party breaches this agreement, the non-breaching party shall provide notice of said breach and an opportunity to cure to the alleged breaching party. If after 30 days, the alleged breach has not been cured, non-breaching party may bring suit for specific performance under this contract and for all reasonable and necessary attorney fees for bringing said action to enforce this Agreement.

Entered and executed , this 13th day of April, 2023 in the City of Harlingen,
County of Cameron, State of Texas.

Black Mountain Energy Storage II, LLC
A Texas limited liability company

By: Black Mountain Energy Storage, LLC
A Texas limited liability company
Its managing member

By: 
Rhett Bennett, CEO

Harlingen Economic Development Corporation

By: _____
Board President

**AGENDA ITEM
EXECUTIVE SUMMARY**

9 (2)

Meeting Date: **May 20, 2026**

Agenda Item:

Public hearing amending the previously approved Special Use Permit (SUP) to allow a Civic Lodge in a Multi-Family ("M-2") District, located at 2006 Whalen Road, bearing a legal description of 2.5420 acres out of the South 5 acres and 0.62 acres out of 2.1550 acres, also out of the South 5 acres, Lot 14, Block 147, San Benito Land and Water Company Subdivision. Applicant: Narciso Villela III (Commander), c/o Veterans of Foreign Wars Post 2410. Attachment (**Planning & Development**)

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

Signature: *Ana Hernandez*

Brief Summary:

Project Timeline

- April 15, 2026 – Application for Special Use Permit ("SUP") submitted to the City. (**ATTACHMENT I**)
- April 23, 2026 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- April 25, 2026 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- May 12, 2026 - Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission (P&Z).
- May 20, 2026 – Public hearing and consideration of requested SUP via 1st ordinance reading scheduled before the City Commission.
- June 3, 2026 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Per the Code of Ordinances, a Civic Lodge within a Multi-Family ("M-2") District requires approval of a Special Use Permit (SUP) by the City Commission.
- The applicant is requesting an amendment to the previously approved Special Use Permit to continue operating a civic lodge at its current location and to modify the establishment's hours of operation. The original Special Use Permit (SUP) was approved by the City Commission on April 16, 2025. (**ATTACHMENT II AND III**)
- Based on the site plan and information submitted by the applicant, the applicant is proposing to build a 10,700 square foot facility to replace the current building that is on the property. The property has 270 feet of frontage on Whalen Road and has a depth of 550 feet. The applicant plans to operate Sunday through Saturday, and the amended hours of operation would be from 12:00pm to 2:00am. Based on the site plan provided, 107 parking spaces are required and there are 114 parking spaces provided. (**ATTACHMENT II – IV**).
- Surrounding properties are zoned Residential, Multi-Family ("M-2") District to the north, south, east, and west, and General Retail ("GR") District to the northwest. Surrounding land uses include a single-family residence to the south; vacant land to the north; vacant land and Harlingen Collegiate High School to the west; and, to the east, vacant land, the Reata Apartments, and Windsor Atrium. (**ATTACHMENTS V-VII**).

- The Fire Prevention Bureau and Harlingen Police Department have reviewed the application and recommend approval, subject to compliance with all applicable permitting requirements of the City of Harlingen and the State. The Buildings Division reviewed the application and advised that, if approved, the applicant/property owner must submit construction plans for review and ensure that all documents comply with the 2024 International Building Code and its associated family of codes. Additionally, the Health Department advised they do not have jurisdiction or requirements in reference to the Special Use Permit request. **(ATTACHMENTS IX-XII)**
- The applicant must obtain and maintain the proper State and City permits.
- Staff has not received any objections to the request. A total of nine (9) notices were mailed to property owners within 200 feet of the subject property.
- The Future Land Use Component of the Harlingen Horizon – A City on the Rise, Comprehensive Plan designates this area as medium density residential. **(ATTACHMENT XIII)**
- In accordance with the zoning ordinance, the Planning and Zoning Commission and the City Commission may impose conditions of approval as necessary to ensure that a use authorized by a Special Use Permit (SUP) is compatible with and complementary to adjacent properties.

Funding (if applicable):

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

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

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

Staff Recommendation:

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

1. Obtaining and maintaining all required State and City permits.
2. Providing and maintaining the required parking in accordance with City regulations.
3. Installing and maintaining video surveillance with a minimum 30-day retention period.
4. Complying with all applicable requirements administered by the Planning and Zoning Division, Building Inspections Division, Fire Prevention Bureau, and Police Department
5. Hours of operation shall be Sunday through Saturday, from 12:00 p.m. to 2:00 a.m.

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

Comments:

Staff recommends approval of the amendment to the Special Use Permit.

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

PLANNING AND ZONING COMMISSION

May 12, 2026

ACTION ITEMS/PUBLIC HEARINGS

- 1) Public hearing and take action to consider a request to amend the previously approved Special Use Permit (SUP) to allow a Civic Lodge in a Multi-Family Residential (“M-2”) District, located at 2006 Whalen Road, bearing a legal description of 2.5420 acres out of the South 5 acres and 0.62 acres out of 2.1550 acres, also out of the South 5 acres, Lot 14, Block 147, San Benito Land and Water Company Subdivision. Applicant: Narciso Villela III (Commander), c/o Veterans of Foreign Wars Post 2410.**

City Planner Soledad Núñez presented the request to amend the previously approved SUP as follows:

- The Legal Notice Map with the Subject Property highlighted that was sent out to surrounding property owners was used to present the item.
- Ms. Núñez identified that the only thing being requested is the amendment on the hours. The previous SUP was approved last April and the hours were from 12:00 p.m. (noon) to 12:00 a.m. (midnight). The request is now to go from 12:00 p.m. (noon) to 2:00 a.m. Ms. Núñez repeated that this was the only change and that everything was staying the same. She explained that because the zoning is currently Multi Family [Residential] (M 2), a Special Use Permit (SUP) is needed for their operation.
- Two (2) Site plans were presented to the Board – a current site plan and one proposed. Ms. Núñez shared that the group had their groundbreaking yesterday and that they would be getting a brand-new facility.
- An Aerial View of the Subject Property was presented.
 - Surrounding Land Uses include vacant land, single-family residences next door, vacant land all around and then Windsor Atrium and the Reata Apartments.
 - [The applicant] is proposing to operate from 12:00 p.m. (noon) to 2:00 a.m.
 - Based off the Site Plan provided, they are proposing a ten thousand, seven hundred (10,700) square-foot building.
 - Based off that square footage, they will be required [to have] one hundred and seven (107) parking spaces. They are providing one hundred and fourteen (114) parking spaces.
- The existing Site Plan was presented.
- The proposed Site Plan was presented. Ms. Núñez pointed out the building and all their parking.
- Surrounding properties are zoned Multi Family (M 2) district to the north, south, east and west and General Retail (GR) district to the northwest.
- The Fire Prevention Bureau, Building Inspections and Police Departments all reviewed this Special Use Permit request. The Fire Marshall and Police recommended approval. Building Inspections is requesting that if approved, [the applicant] turn in all the required documentation [and] construction plans to meet the requirements of the 2024 building codes.
- The Floor Plan as it is currently, was presented.

- A Street View from Wayland Road was presented. Ms. Núñez noted the temporary trailer in the back. She reported that they did have a building permit and will begin construction, probably starting to demo the building, fairly soon.
- The Future Land Use Map of the Harlingen Horizon Comprehensive Plan designates this area as medium-density residential. The [use] is necessarily in line with the Future Land Use Plan, but the VFW has been there for several years. Ms. Núñez reiterated that the use was not changing and staying the same. She said that the only thing that was changing is that they are getting an upgraded building and their hours of operation that they are [now] requesting are from 12:00 p.m. (noon) to 2:00 a.m.
- Staff is recommending approval of the Special Use Permit request subject to the applicant following the conditions listed –
 - Obtaining [and maintain] all their state and city permits,
 - Providing and maintaining the required parking,
 - Installing and maintaining video surveillance with a minimum thirty (30) day retention period,
 - Complying with all the applicable requirement requirements administered by Planning and Zoning, Building Inspections, Fire Prevention [Bureau] and Police Department, and
 - That their hours of operation be Sunday through Saturday, 12:00 PM (noon) to 2:00 AM.

Chairman Consiglio thanked Ms. Núñez for the good presentation. The Chairman indicated he would ask a question to be clear, for transparency for the public. The Chairman asked if the request to amend the previously approved SUP just had to do with the hours; if that was it. Ms. Núñez said that was correct and that it was just the hours. He confirmed that the extra information she provided was just an extra reminder. Ms. Núñez again indicated yes. The Chairman acknowledged the response and commented that the item was pretty cut and dry. He stated that [the Board] approved this last year and mentioned that [the Board] always warns everybody that applies for bars if they are sure those are the hours they want. He said they do that a lot. The Chairman indicated that he would proceed to the Public Hearing.

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

The Chairman asked if there were any questions for Staff or if there was a motion.

Cmr. Cantu indicated she had a question. She said she remembered approving [the SUP] last time and that there was a family a little bit concerned, if she was not mistaken, about how close they were. She said she couldn't recall if the hours of operation was part of the reason. Ms. Núñez stated that she thought the main concern that family had was the noise and the lights. She reported that the VFW has taken that into account so the requirements in place to kind of mitigate those issues is that they have to have a six (6) foot buffer, at least around the portion abutting the home. Ms. Núñez showed the location of the home on a map. Ms. Núñez stated that Staff did send out nine (9) notices and that Staff did not receive any calls at all this time

around. She indicated that she didn't know if the individual still feels the same or does not but that they hadn't called this time. Cmr. Cantu acknowledged this response.

Cmr. Cantu asked about the hours of operation. She asked if Ms. Núñez remembered if they had requested up to twelve (12:00 p.m., midnight) because of that or if that was the reason why. Cmr. Cantu said she couldn't remember the details but just remembered that they were very adamant about having it right next door and it was going to be a bar and the lights and all of that. Ms. Núñez said she didn't think so. Assistant Director, Joel Olivo stated that he thought those were just the [normal] hours of operation. Cmr. Cantu asked if that was what it was now, up to twelve (12:00 p.m., midnight). Ms. Núñez stated that the current hours were up to twelve (12:00 p.m., midnight). Ms. Núñez continued saying that the main issue was the people being drunk and the loud noise. Administrative Assistant Sabina Ramirez added that she recalled that there was concern about the proximity to the home and about a bedroom window being right there and the noise and light coming in. She said there was also enhanced lighting to make sure the parking was safe [but that they would adjust to make sure it didn't shine directly]. Cmr. Cantu said she just wanted to make sure that [the family] was informed because extending the hours would definitely affect especially if they were that close. Ms. Núñez reiterated that they did get a notice. She said they were sent the notice because they fell within the two hundred (200) foot buffer. Ms. Núñez also stated that they did not call the office. The Chairman indicated he had no memory of the item but indicated that the action taken was approval. He asked if that was correct. Ms. Núñez said yes. The Chairman then asked if there were any additions or additional conditions to the SUP. Ms. Núñez again said no.

Planning and Development Director Ana Hernandez added that if this becomes an issue, the new hours of operation, she said that hopefully those people will call in to report either to the Police Department or to [the Planning and Development Office]. She said the Staff could, in the future, amend the Special Use Permit or even revoke it if they needed to. She said this was an option and that this was the power of a Special Use Permit. Chairman Consiglio asked if this was the case if they made the SUP renewable. Director Hernandez said no and that this was if in the future, if there was any sort of complaints from that neighbor, that this was something Staff could do. Chairman Consiglio estimated that the hall has been there for seventy (70) years. Ms. Núñez told him yes, adding "at least".

Cmr. Peña asked if when plans come in, if it would necessarily include a look at the construction and especially anything dampening that could go into the walls. Ms. Núñez said yes and explained that they would have to comply with the 2024 building codes which is what they have right now. She said they have to comply with all the zoning ordinances as far as landscaping, buffers and anything like that. She reiterated that they do have an approved permit. She said that they are already [going to] start construction and that the only thing changing is their hours of operation. She added that through the review process, they did have to comply with all the requirements by every department. Cmr. Peña acknowledged the response.

Cmr. Thomas asked if the previous SUP that was done last year, if that was for hours of operation also. Ms. Núñez said it encompassed the hours of operation. Cmr. Thomas asked what the purpose of the SUP was before. Ms. Núñez explained that it was because of the use, because it falls within a multi-family zoning. She said the type of use requires a Special Use Permit.

Chairman Consiglio questioned that all types of bars require a Special Use Permit. Ms. Núñez said that they did but said this was more of a civic lodge. Cmr. Thomas clarified her questions asking what it was last year that made them bring it up here. She asked what the reason was and what “triggered”, as added by the Chairman. Ms. Núñez said it was the use. She said it was this and that the use within the current zoning requires a Special Use Permit. She added that if they would have been in a General Retail (GR) location, this would not have been required.

Director Hernandez asked Mr. Olivo to please [help] clarify. Mr. Olivo added that the previous use [civic lodge] didn’t have a Special Use Permit [since] it was considered grandfathered. He said that because they came in with a new site plan to expand, that this triggered the Special Use Permit the last time. The Board discussed that it was the construction. Cmr. Thomas indicated that she now understood.

Chairman Consiglio asked if the applicant was present. It was established that the Commander had sent representatives on his behalf due to a scheduling conflict. The Chairman asked the representative if he wanted to approach the podium. The Chairman commented that Harlingen was a community for our neighbors and citizens and that this was a neighbor there. He asked if there were any plans to enhance that buffer zone with the neighbors.

Carlos De La Rosa, Canteen Manager

Mr. De La Rosa stated that the current building is more than twenty (20) feet from that and that they were not utilizing, at this current moment, the hall. He said it is very rarely used any more. He said that before it was used quite a bit and that was a lot on that side of the building. Mr. De La Rosa said that the primary use of the hall is storage for Toys for Tots and repeated that they very rarely use the hall and that it was maybe once a month that they would use it like with the groundbreaking to let people in to eat and stuff like that. He also explained that there will be a member that has a graduation party and that it’s not something where they are holding loud events like they used to. He said they had shows there and stuff like that. He said they were not doing anything like that. The Chairman asked if that was true even with the new building. Mr. De La Rosa said he hadn’t seen anything but added that the new construction will have better sound control in it, adding that it will be up to date. He said that the building has been built over three times. He said it was one (1) building then another building over another building. He said the acoustics were horrible. Chairman Consiglio started to say that the concern was for the neighbors, to be good neighbors. Mr. De La Rosa said that with the new building, when they talked to [Texas] Noble [Builders], that on that side with the construction, there was to be some type of acoustic control.

Chairman Consiglio asked Mr. De La Rosa to state his name for the record. Mr. De La Rosa did. The Chairman thanked him.

Chairman Consiglio asked if there were any other questions for Staff or the applicant representative, or if there was a motion. Cmr. Cruz-Velázquez made the motion to approve. Cmr. Peña seconded the motion. The Chairman asked if there was any further discussion and upon hearing none, moved the motion to a vote. The motion passed unanimously. The Chairman joked that they would see them there at 1:30 a.m. There was laughter. Mr. De La

Rosa added that it would only be a couple of days out of the week. The Chairman acknowledged the response.

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(b)

Meeting Date: **May 20, 2026**

Agenda Item:

Public hearing for a Special Use Permit ("SUP") to allow a bar in a Light Industry ("LI") District located at 1510 N. Commerce Street, Suite A, bearing a legal description of Lot 3, Re-plat of Lot 1, Block 1, Casa Blanca Subdivision. Applicant: Tomas Diaz. Attachment (**Planning & Development**)

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

Signature: *Ana Hernandez*

Brief Summary:

Project Timeline

- April 16, 2026 – Application for Special Use Permit ("SUP") submitted to the city. (**ATTACHMENT I**)
- April 23, 2026 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- April 25, 2026 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- May 12, 2026 - Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission (P&Z).
- May 20, 2026 – Public hearing and consideration of requested SUP via 1st ordinance reading scheduled before the City Commission.
- June 03, 2026 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Pursuant to Section 111-62 of the City of Harlingen Code of Ordinances, a bar/lounge in a Light Industry ("LI") District requires the approval of a Special Use Permit by the City Commission.
- The applicant is requesting a Special Use Permit to operate a bar/lounge as the business owner at 1510 N. Commerce Street, Suite A. In the past this same location has been the site for dancehall, nightclub, and bar lounge types of uses. The most recent was a bar by the name of "Sleepwalkers" that closed on April 02, 2026. The proposed bar will operate under the name, "First National Bar". Suite A consists of approximately 4,626 square feet. Other buildings that are occupied or vacant which comprise this commercial location include Texas Café, and vacant Suite B. The requirement for off-street parking for the proposed First National Bar is 55 spaces. A site plan submitted shows 56 parking spaces are proposed. The applicant has indicated compliance with parking requirements through assigned and shared parking. The proposed hours of operation will be seven days a week from 4 PM to 2 AM. The applicant intends to have live music on Friday and Saturday. Sunday through Thursday music will be provided by a DJ. (**ATTACHMENT II-IV**).

- Surrounding properties are zoned Light Industry ("LI") District in all directions. Surrounding land uses include Anita Hair Salon, JA's Auto Repair, Texas Cafe, Union Pacific and Missouri Pacific Railroads. Other uses along North Commerce Street include apartments, commercial/industrial businesses, as well as vacant commercial buildings. **(ATTACHMENTS VII)**
- The City of Harlingen Building Inspections Division, Fire Prevention Bureau, Health and Police Departments reviewed the SUP application. The departments reported no objection to the proposed request subject to adhering to the Harlingen Code of Ordinances and procedures administered by each department **(ATTACHMENTS VIII-XI)**.
- The applicant must obtain and maintain the proper State and City permits.
- At present, staff have not received any phone calls, letters or e-mails with concerns regarding this business. Staff had sent out six (6) legal notices to surrounding property owners. **(ATTACHMENT VI)**
- In accordance with the zoning ordinance, the P&Z and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

Funding (if applicable):

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

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

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

Staff Recommendation:

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

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

City Manager's approval: *676* ☐ Yes ☐ No ☒ N/A

Comments:

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

PLANNING AND ZONING COMMISSION
May 12, 2026

ACTION ITEMS/PUBLIC HEARINGS

- 2) Public hearing and take action to consider a request for a Special Use Permit (SUP) to allow a bar in a Light Industry (“LI”) District located at 1510 N. Commerce Street, Suite A, bearing a legal description of Lot 3, Block 1, Replat of Casa Blanca Subdivision. Applicant: Tomas Diaz**

City Planner Rodrigo Sanchez presented the request for a Special Use Permit (SUP) before the Board as follows:

- The Legal Notice Map with the Subject Property highlighted was used to present the item. Mr. Sanchez shared that in the past, this same location has been the site for a dance hall or nightclub and different types of bar lounges. The most recent was a bar by the name of Sleepwalkers but it closed on April the second of this year.
- The proposed bar will operate under the name of “First National Bar”.
- Suite A consists of approximately four thousand, six hundred twenty-six (4,626) square feet.
- Other [surrounding] lands uses nearby adjacent [include] Texas Café, Anita Hair Salon, JA’s Auto Repair and of course the railroads on the west and the east.
- The requirement for parking is fifty-five (55) spaces. Staff has a site plan that shows that they will be providing fifty-six parking spaces through their own parking and shared parking.
- The proposed hours of operation will be seven (7) days a week and that will be from 4:00 p.m. to 2:00 a.m.
- The applicant does intent to have live music on Friday and Saturday, and Sunday through Thursday, music will be provided by DJ.
- Surrounding zoning is Light Industry (LI) in all directions. Mr. Sanchez stated that adjacent uses were mentioned.
- The City of Harlingen Building Inspections Division, the Fire Prevention Bureau, the Health and the Police Departments all reviewed this application, and they really did not have any objections other than to say that the applicants, as they prepare this and follow the process, need to adhere to the code of ordinances and the procedures that each department will require.
- Mr. Sanchez reported that Staff has not received any phone calls with any kinds of concerns, any letters, no emails, no concerns about this business restarting again. He said that Staff did send out six (6) letters to surrounding property owners and we did not hear anything back.
- Staff is recommending approval subject to:
 - Obtaining and maintaining the proper State and City permits,
 - Providing video surveillance with a minimum 30-day retention period at minimum,
 - Complying with the requirements administered Planning and Zoning, Building Inspections, Fire and Health and of course the Police Departments, and

- Hours of operation to be approved by ordinance will be 4:00 p.m. to 2:00 a.m., seven (7) days a week.
- Once again, Mr. Sanchez repeated that that Staff recommends approval. He stated that the applicant was present this evening.

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

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

Chairman Consiglio asked if there were any questions for Staff or the applicant or if there was a motion.

Cmr. Peña indicated that his question will always be the same in so far as security measures. He asked if they will have armed security or not. Mr. Sanchez indicated that he would defer to the applicant to speak to that.

Tomas Diaz, applicant

Mr. Diaz presented himself before the Board. He said that regarding armed security, they will have security but that he was unsure about armed [security]. He said that they have never had it before, adding that not unless the City requires it. Cmr. Peña acknowledged the response. The Board thanked the applicant. Chairman Consiglio commented that he didn't think the City does [require armed security]. Director Hernandez stated that she was not sure but that this was something that would have been brought up by Chief Alvear. She said the Police Department also gets to review the applications. Chairman Consiglio acknowledged this response.

The Chairman asked the applicant if he ran other bars in town. The applicant indicated he did and made his way up to the podium. Mr. Diaz stated the name of the bar was "La Malquerida". The Chairman asked where that one was at. Mr. Diaz said it was on Ed Carey. The Chairman acknowledged the response, stating that this would then be Mr. Diaz' second location then. Mr. Diaz acknowledged this affirmatively.

Chairman Consiglio asked if there were any other questions for the applicant and/or Staff.

Cmr. Thomas asked if it was said what the previous use of this building was or if the most recent use was also a bar. Chairman Consiglio responded affirmatively. He said it was Sleepwalkers. Cmr. Thomas was able to recall the information.

Chairman Consiglio asked if there were any other questions or if there was a motion. Cmr. Cruz-Velázquez made the motion to approve. Cmr. Peña seconded the motion. The Chairman asked if there was any further discussion and upon hearing none, moved the motion to a vote. The motion passed unanimously.

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(C)

Meeting Date: **May 20, 2026**

Agenda Item:

Public hearing for the voluntary annexation, and establishment of initial zoning of Light Industry ("LI") District upon annexation for approximately 7.401 acres, more or less, out of Lot 5, Block 2, Harlingen Industrial Park No. 2 Subdivision, located at 109 FM 509, Cameron County, Texas, together with any adjacent county road right-of-way required to be annexed by Texas Local Government Code Section 43.106. Applicant: JMP Holdings, LLC. Attachment **(Planning & Development)**.

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

Signature: *Ana Hernandez*

Brief Summary:

Project Timeline

- March 23, 2026- Application for annexation and establishment of zoning submitted to the City. **(ATTACHMENT I-III)**
- April 10, 2026 – In accordance with State and local law, notice of required public hearings mailed to property owners within 200 feet of subject tract.
- April 11, 2026 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- April 24, 2026 – Posting of the public notice on the city's website.
- April 28, 2026 – Public hearing to recommend the annexation and the rezoning by the Planning and Zoning Commission.
- May 6, 2026 – Public hearing and consideration of annexation and rezoning by the City Commission via First Ordinance Reading.
- May 20, 2026 – Public hearing and consideration of annexation ordinance by the City Commission via Second and final reading.

Summary

- JMP Holdings, LLC have requested the voluntary annexation of 7.401 acres of land. The property has frontage and is contiguous to the City limits via FM 509.
- Pursuant to Section 43.106 of the Texas Local Government Code, the entire width of a county road fronting the subject property must also be included in the annexation request if the road is owned or maintained by county. According to County Engineer, Progress Road is not maintained or is owned by Cameron County, therefore, the subject road right-of-way is not included in the request as originally proposed.
- The property is a subdivided lot. There is an existing 14,400 square ft. warehouse on the property. The property has 645 feet of frontage on FM 509 and 415.29 feet of frontage on Progress Drive. **(ATTACHMENT III-VI)**

- Water and sewer services for this property are provided by the Harlingen Waterworks System.
- Upon annexation, the property will be zoned to Light Industry ("LI") District. The property owner is proposing an industrial warehouse on the property. **(ATTACHMENT VII)**
- The Future Land Use Plan (FLUP) component of the Harlingen Horizon – A City on the Rise Comprehensive Plan shows this area as industrial use. The requested initial zoning is consistent with the Future Land Use Plan. **(ATTACHMENT VIII)**
- To the present, staff has not received any calls in objection to the requested annexation and establishment of initial zoning.
- The subject annexation will require three public hearings and two readings of the ordinance. The above timeline delineates the annexation and rezoning process.
- In 2026 the city has annexed 35.754 acres of land thus far. In 2025 the city annexed a total of 585.37 acres. In 2024 the city annexed a total of 103.94 acres. In 2023, the city annexed 19.94 acres. In 2022, the city annexed 71.1 acres. In 2021, the city annexed 1.47 acres.

Funding (if applicable):

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 annexation and initial zoning request.

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

Comments:

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

PLANNING AND ZONING COMMISSION

April 28, 2026

ACTION ITEMS/PUBLIC HEARINGS

- 3) Public hearing and take action to consider a request for the voluntary annexation and establishment of initial zoning of Light Industry ("LI") District upon annexation for approximately 7.401 acres, more or less, out of Lot 5, Block 2, Harlingen Industrial Park No. 2 Subdivision, located at 109 FM 509, Cameron County, Texas, together with any adjacent county road right-of-way required to be annexed by Texas Local Government Code Section 43.106. Applicant: JMP Holdings, LLC

Assistant Planning and Development Director Joel Olivo presented the request for voluntary annexation and establishment of initial zoning as follows:

- The Legal Notice Map of the Subject Property was used to present the item.
- The property has frontage and is contiguous to the City Limit via FM 509.
- The developer is proposing industrial use. As shown, the property is located on the west side of FM 509, north of 106.
- The Survey of the property was presented.
- Currently there is an industrial warehouse on the property. The developer is proposing an additional warehouse on the property.
- Mr. Olivo explained that per the Local Government Code, whenever a property fronts a county road, which in this case is Progress Drive, Staff is required to include the entire width of the road plus the remaining right-of-way on both sides, assuming that it is owned by the county and maintained by the county. However, per the county engineer, this road is not part of their county road inventory. It is not owned by the county so the right-of-way for Progress Drive is not included in the annexation request
- An Aerial View of the Subject Property was presented.
- Water and sewer services are provided by Harlingen Water Works since there is currently an existing fourteen thousand (14, 000) square foot warehouse on the property.
- A Street View of the property showing the existing fourteen thousand (14, 000) square foot warehouse was presented.
- The Future Land Use Map shows this [area] as industrial use and the developer has requested Light Industrial Use upon annexation and so it is consistent with the Future Land Use Plan.
- Staff is recommending approval of the request.
- Mr. Olivo made himself available to answer any questions on the item.

Chairman Consiglio stated that his main question or concern is regarding the road because the item reads "adjacent County Road right-of-way required to be annexed by Texas local government code" but then the County is simply saying that they don't maintain it and so the code does not apply. The Chairman asked if Mr. Olivo was saying that the Code did not apply to them. Mr. Olivo stated that in this case, it doesn't apply since the county does not own that road and they do not maintain it. Mr. Olivo shared that Staff did some research and found that there is a resolution that was passed back in 1986 that shows that the City is responsible for maintaining this road. The Chairman said that his main concern is that there is a responsible party for that road at some point. Mr. Olivo said yes. The Chairman confirmed that this would be the City of Harlingen. The Chairman confirmed that this won't be an abandoned road. Mr. Olivo said no.

Cmr. Sanchez asked if it was inside the City Limits already. Mr. Olivo said it was not inside the City Limits but that a resolution was passed by City Commission in 1986 that the City would be maintaining that road.

Chairman Consiglio asked if [the City] was annexing that road. Mr. Olivo said no. The Chairman questioned that [the City] was "on the hook" to maintain it and therefore why we would not annex. Director Hernandez added that we could include it. The Chairman then asked if this was the whole road including the cul-de-sac or the little section. Mr. Olivo said it was the section that fronts the property. The Chairman acknowledged this response.

Cmr. Sanchez asked about the coloring of the map and City Limit. Mr. Olivo explained that the color was the Future Land Use. He said that the City Limit currently goes along the red areas and of course along [FM] 509. He further explained that there was another property to the east.

Cmr. Cruz-Velázquez asked if [the road] was not being annexed because [the applicant] didn't voluntarily request it or... Director Hernandez stated that they originally did not request the road and only wanted to annex the tracts. She explained that the Texas Local Government code requires or that there is a special provision for county roads. She said that originally Staff thought that because it was in county, it had to be annexed. She said that later on, they found out, after confirming with the county engineer that it was not in the inventory, that [the City] was not legally required to annex it. She further explained that if they did decide to annex, they would only be responsible for annexing whatever is fronting the existing two (2) tracts and not the whole road. Chairman Consiglio asked further clarifying questions. Director Hernandez stated that the applicant did not ask for the road but that it is required by state law. Attorney Mark Sossi confirmed that since [the applicant] does not own [the road], they don't have standing to ask for a voluntary annexation. He explained that the City's obligation falls from the statute and that the statute addresses county roads but [that in this case,] the county said it was not their road. He stated that there is a liability in annexing a road that has not been previously maintained by the county. He said that this is why the [Planning and Development] department was taking that position. He added that at some point the City and county will need to resolve who maintains this. Attorney Sossi said that as far as they know, it is a public road but that the [county's] position is that it is not in their inventory. Chairman Consiglio thanked Attorney Sossi for providing some clarity.

Chairman Consiglio stated that there was a Public Hearing for this item but asked if there were any other questions for Mr. Olivo first. Upon hearing none, he proceeded to the Public Hearing.

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

Chairman Consiglio asked if there was a motion. Cmr. Peña indicated he so moved [to approve] the motion. Cmr. Cruz-Velázquez seconded the motion. The Chairman asked if there was any further discussion and upon hearing none, move the motion to a vote. The motion passed unanimously.

**AGENDA ITEM
EXECUTIVE SUMMARY**

9(d)

Meeting Date: **May 20, 2026**

Agenda Item:

Public hearing for the voluntary annexation and establishment of initial zoning of Residential, Single Family ("R-1") District upon annexation for a 1.15 acre tract of land out of Block 47, Lon C. Hill Subdivision, located on the south side of Morris Road approximately 2,630 feet east of Rangerville Road, together with a 0.16 acre tract out of Morris Road (a 60-foot right-of-way) out of Block 47, Lon C. Hill Subdivision. Applicant: Roberto Lopez. Attachment **(Planning & Development)**.

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

Signature: *Ana Hernandez*

Brief Summary:

Project Timeline

- March 4, 2026 – Application for a voluntary annexation and initial zoning submitted to the city. **(ATTACHMENT I)**
- April 11, 2026 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- April 10, 2026 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- April 24, 2026 – In accordance with State and local law, notice of required public hearing posted on the city's website.
- April 28, 2026 – Public hearing to recommend the annexation and the rezoning by the Planning and Zoning Commission.
- May 6, 2026 – Public hearing and consideration of annexation and assignment of the initial zoning by the City Commission via First Ordinance Reading.
- May 20, 2026 – Consideration of annexation and assignment of the initial zoning ordinance by the City Commission via Second and final reading.

Summary

- Guzman and Muñoz Engineering, on behalf of Roberto and Maria Elvia Lopez, have requested the voluntary annexation of approximately 1.15 acres of land. The property has frontage and is contiguous to the city limits via Morris Road. **(ATTACHMENT III)**.
- Upon annexation, the property will be zoned Residential, Single-Family ("R-1") District. The owner is proposing to develop a single-family residence on the property.
- Water and sewer services will be provided by the Harlingen Waterworks System.
- Properties to the north are zoned Residential, Single-Family, while properties to the south, east, and west are located in the County. Surrounding land uses

include single-family residential homes to the north and east, and vacant land in agricultural use to the south and west. **(ATTACHMENTS IV AND V).**

- The Future Land Use Plan component of the Harlingen Horizon – A City on the Rise, Comprehensive Plan designates this area as Low Density Residential **(ATTACHMENT VI).**
- Staff has not received any inquiries regarding the voluntary annexation or the initial establishment of Residential, Single-Family zoning. A total of nine (9) notices were mailed to surrounding property owners within a 200-foot radius.
- The proposed annexation will require three public hearings and two readings of the ordinance. The timeline outlines the annexation and rezoning process.
- In 2026, the city annexed 35.754 acres of land. In 2025, the city annexed 585.37 acres of land. In 2024, the city annexed a total of 103.94 acres; in 2023, 19.94 acres; in 2022, 71.10 acres; and in 2021, 1.47 acres.

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:

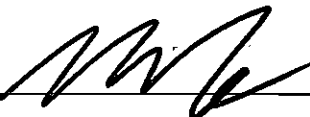
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the voluntary annexation and initial zoning request.

Comments:

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

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

PLANNING AND ZONING COMMISSION

April 28, 2026

ACTION ITEMS/PUBLIC HEARINGS

- 4) Public hearing and take action to consider a request for the voluntary annexation and establishment of initial zoning of Residential, Single Family ("R-1") District upon annexation for a 1.15 acre tract of land out of Block 47, Lon C. Hill Subdivision, located on the south side of Morris Road approximately 2,630 feet east of Rangeville Road, together with a 0.16 acre tract out of Morris Road (a 60-foot right-of-way) out of Block 47, Lon C. Hill Subdivision. Applicant: Roberto Lopez

City Planner Soledad Núñez presented the request for voluntary annexation and establishment of initial zoning as follows

- The Legal Notice Map for the Subject Property with the property highlighted was used to present the item.
- Guzman and Munoz Engineering are the requesters on behalf of Mr. and Mrs. Roberto and Maria Elvia Lopez.
- Upon annexation, the property will be zoned Single Family Residential (R1). The property owners plan to develop a single-family residence on the property.
- An Aerial View of the Subject Property was presented.
- Water and sewer services will be provided by Harlingen Water Works.
- A survey of the Subject Property was presented.
- Properties to the north are zoned Residential Single Family (R1). Properties to the south, east and west are located in Cameron County. Surrounding Land Uses include single family residential homes to the north and east and vacant land and agricultural use to the south and west.
- A Street View of the Subject Property from Morris Road was presented.
- The Future Land Use Map of the Harlingen Comprehensive Plan – Harlingen Horizon shows this area as low density residential so the request for initial zoning for Residential Single-Family (R1) is in line with the Future Land Use Plan.
- Staff did not receive any calls regarding the voluntary annexation or initial zoning. Staff mailed nine (9) notices.
- Staff is recommending approval of the voluntary annexation and initial zoning request.

Chairman Consiglio thanked Ms. Núñez and asked if there were any questions for City Staff. Upon hearing none, he indicated he would proceed into Public Hearing.

The Public Hearing for the annexation [and initial zoning] was opened. The Chairman asked if there was anybody that would like to speak on this item. Upon hearing and seeing none, the Public Hearing was closed.

Chairman Consiglio asked if there was a motion.

Cmr. Sanchez indicated he had a question. He asked if the annexation did include the right-of-way on Morris [Road]. Ms. Núñez said it did and explained that the City owns the northern part

of Morris [Road] and that they were annexing the southern half. There was some discussion about owning part of road and the only parts would be maintained. Ms. Núñez said that there were a couple roads like that and that this would be the case in some instances. She used the example of Garrett Road. She said the City entered into an agreement with County to pave the whole thing. Director Hernandez clarified that the City would also be annexing Louisiana Street.

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

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **May 20, 2026**

Agenda Item:

Public hearing imposing a temporary moratorium on the acceptance, processing, and 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.

Prepared By (Print Name): Gabriel Gonzalez

Title: City Manager

Signature:



Brief Summary:

Funding (if applicable):

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

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

Finance Director's approval:

☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the resolution.

City Manager's approval:



☐ Yes ☐ No ☒ N/A

Comments:

City Attorney's approval:



☒ Yes ☐ No ☐ N/A

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(2)

Meeting Date: **May 20, 2026**

Agenda Item:

Consideration and possible action to approve and ordinance on first reading to amend the previously approved Special Use Permit (SUP) to allow a Civic Lodge in a Multi-Family ("M-2") District, located at 2006 Whalen Road, bearing a legal description of 2.5420 acres out of the South 5 acres and 0.62 acres out of 2.1550 acres, also out of the South 5 acres, Lot 14, Block 147, San Benito Land and Water Company Subdivision. Applicant: Narciso Villela III (Commander), c/o Veterans of Foreign Wars Post 2410. Attachment (**Planning & Development**)

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

Signature: *Ana Hernandez*

Brief Summary:

Project Timeline

- April 15, 2026 – Application for Special Use Permit ("SUP") submitted to the City. (**ATTACHMENT I**)
- April 23, 2026 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- April 25, 2026 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- May 12, 2026 - Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission (P&Z).
- May 20, 2026 – Public hearing and consideration of requested SUP via 1st ordinance reading scheduled before the City Commission.
- June 3, 2026 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Per the Code of Ordinances, a Civic Lodge within a Multi-Family ("M-2") District requires approval of a Special Use Permit (SUP) by the City Commission.
- The applicant is requesting an amendment to the previously approved Special Use Permit to continue operating a civic lodge at its current location and to modify the establishment's hours of operation. The original Special Use Permit (SUP) was approved by the City Commission on April 16, 2025. (**ATTACHMENT II AND III**)
- Based on the site plan and information submitted by the applicant, the applicant is proposing to build a 10,700 square foot facility to replace the current building that is on the property. The property has 270 feet of frontage on Whalen Road and has a depth of 550 feet. The applicant plans to operate Sunday through Saturday, and the amended hours of operation would be from 12:00pm to 2:00am. Based on the site plan provided, 107 parking spaces are required and there are 114 parking spaces provided. (**ATTACHMENT II – IV**).
- Surrounding properties are zoned Residential, Multi-Family ("M-2") District to the north, south, east, and west, and General Retail ("GR") District to the northwest. Surrounding land uses include a single-family residence to the south; vacant land to the north; vacant land and Harlingen Collegiate High School to the west; and, to the east, vacant land, the Reata Apartments, and Windsor Atrium. (**ATTACHMENTS V-VII**).

- The Fire Prevention Bureau and Harlingen Police Department have reviewed the application and recommend approval, subject to compliance with all applicable permitting requirements of the City of Harlingen and the State. The Buildings Division reviewed the application and advised that, if approved, the applicant/property owner must submit construction plans for review and ensure that all documents comply with the 2024 International Building Code and its associated family of codes. Additionally, the Health Department advised they do not have jurisdiction or requirements in reference to the Special Use Permit request. **(ATTACHMENTS IX-XII)**
- The applicant must obtain and maintain the proper State and City permits.
- Staff has not received any objections to the request. A total of nine (9) notices were mailed to property owners within 200 feet of the subject property.
- The Future Land Use Component of the Harlingen Horizon – A City on the Rise, Comprehensive Plan designates this area as medium density residential. **(ATTACHMENT XIII)**
- In accordance with the zoning ordinance, the Planning and Zoning Commission and the City Commission may impose conditions of approval as necessary to ensure that a use authorized by a Special Use Permit (SUP) is compatible with and complementary to adjacent properties.

Funding (if applicable):

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

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

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

Staff Recommendation:

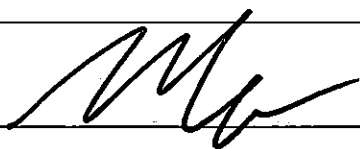
Staff recommends approval of the request, subject to compliance with the following conditions:

1. Obtaining and maintaining all required State and City permits.
2. Providing and maintaining the required parking in accordance with City regulations.
3. Installing and maintaining video surveillance with a minimum 30-day retention period.
4. Complying with all applicable requirements administered by the Planning and Zoning Division, Building Inspections Division, Fire Prevention Bureau, and Police Department
5. Hours of operation shall be Sunday through Saturday, from 12:00 p.m. to 2:00 a.m.

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

Comments:

Staff recommends approval of the amendment to the Special Use Permit.

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 2006 N. Whalen Rd Harlingen, TX. 78550 Nearest Intersection Business 77(Proposed) Subdivision Name San Benito Land & Water Co. SUBD 2.5420 AC of S 5.0 AC Lot 14 Block 147Existing Zoning Designation Residential Multifamily Future Land Use Plan Designation _____**OWNER/APPLICANT INFORMATION:** (Please PRINT or TYPE)Applicant/Authorized Agent Narciso Villela III Phone 956-320-4806 FAX _____Email Address (for project correspondence only): vfwpost2410@gmail.comMailing Address 2006 N. Whalen Rd City Harlingen State TX Zip 78550Property Owner Veterans of Foreign Wars Phone 956-399-4011 FAX _____Email Address (for project correspondence only): vfwpost2410@gmail.comMailing Address 2006 N. Whalen Rd City Harlingen State TX Zip 78550**Select appropriate process for which approval is sought. Attach completed checklists with this application.**

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

Please provide a basic description of the proposed project: Amendment of extending our business hours from the current times of 12:00pm -12:00am to 12:00pm - 02:00am.

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: Narciso Villela III (Commander) Date 04/01/2026Property Owner(s) Signature: Narciso Villela III (Commander) Date 04/01/2026

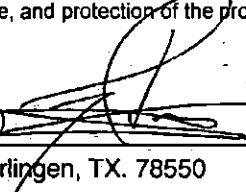
Accepted by: _____ Date: _____

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

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

Complete

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

Owner: Narciso Villela III (Commander)  Date 04/01/2026

Owner Address: 2006 N. Whalen Rd Harlingen, TX. 78550

Phone/Fax: 956-399-4011

Signature: _____

Attachment II – Site Plan

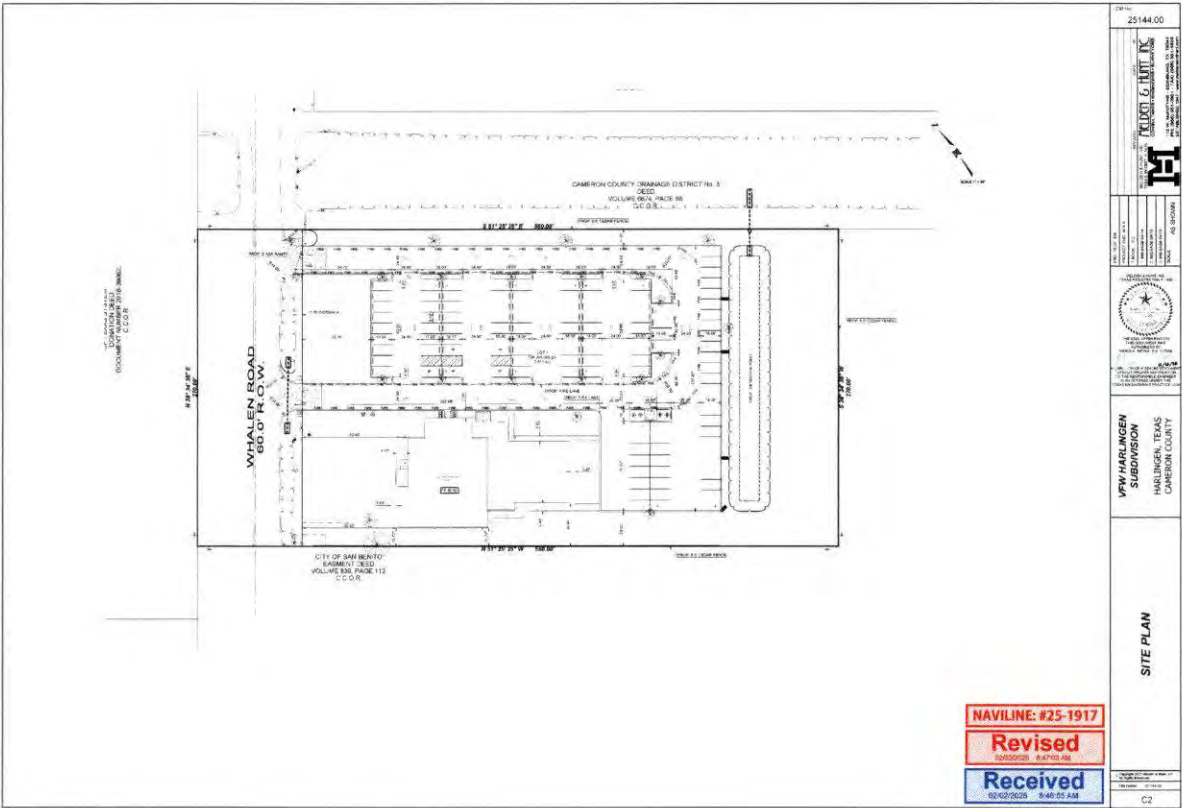


Attachment III – Floor Plan



-  Table
-  Gaming Machines
-  Open Area
-  Entrance
-  Emergency Exit
-  Staff Entrance

Attachment IV – Site Plan



Attachment V – Original Ordinance

ORDINANCE NO. 25-22

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (ORDINANCE NO. 16-8) OF THE CITY OF HARLINGEN: TO ISSUE A SPECIAL USE PERMIT (SUP) TO THE VETERANS OF FOREIGN WARS POST 2410 TO ALLOW A CIVIC LODGE IN A RESIDENTIAL, MULTI-FAMILY ("M-2") DISTRICT LOCATED AT 2006 WHALEN ROAD, BEARING A LEGAL DESCRIPTION OF 2.5420 ACRES AND 0.62 ACRES OUT OF THE SOUTH 5 ACRES OF LOT 14, BLOCK 147, SAN BENITO LAND AND WATER COMPANY SUBDIVISION. APPLICANT: CHRISTINE BLOUCH & RENE CAPISTRAN C/O VETERANS OF FOREIGN WARS POST 2410

WHEREAS, the Planning and Zoning Commission of the City of Harlingen pursuant to Harlingen's Zoning Ordinance procedure, has recommended a special use permit 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 special use permit having been fully made and complied with as required by said Code of Ordinances and applicable laws of the State of Texas; and the City Commission of the City of Harlingen having held public hearings with reference thereto, being duly and thoroughly heard; and after consideration of the evidence presented, said City Commission is of the opinion that it is in the best interest of the City of Harlingen that said Code of Ordinances be amended as indicated, now, therefore,

BE IT ORDAINED BY THE CITY OF HARLINGEN

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

Special Use Permit (SUP) to allow a Civic Lodge in a Residential, Multi-Family ("M-2") District located at 2006 Whalen Road, bearing a legal description of 2.5420 acres and 0.62 acres, out of Lot 14, Block 147, San Benito 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 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 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. Obtaining and maintaining proper State and City permits.
2. Providing and maintaining the required parking in accordance with city regulations.
3. Must provide video surveillance with a minimum 30-day retention; and,
4. Complying with the requirements administered by the Planning and Zoning, Building Inspections, Fire Prevention, and Police Departments.
5. Hours of operation are Sunday – Saturday from 12:00pm to 12:00am.

Attachment V – Original Ordinance

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

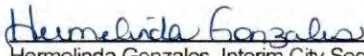
FINALLY ENACTED this 16th day of April, 2025 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present, and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN



Norma Sepulveda, Mayor

ATTEST:

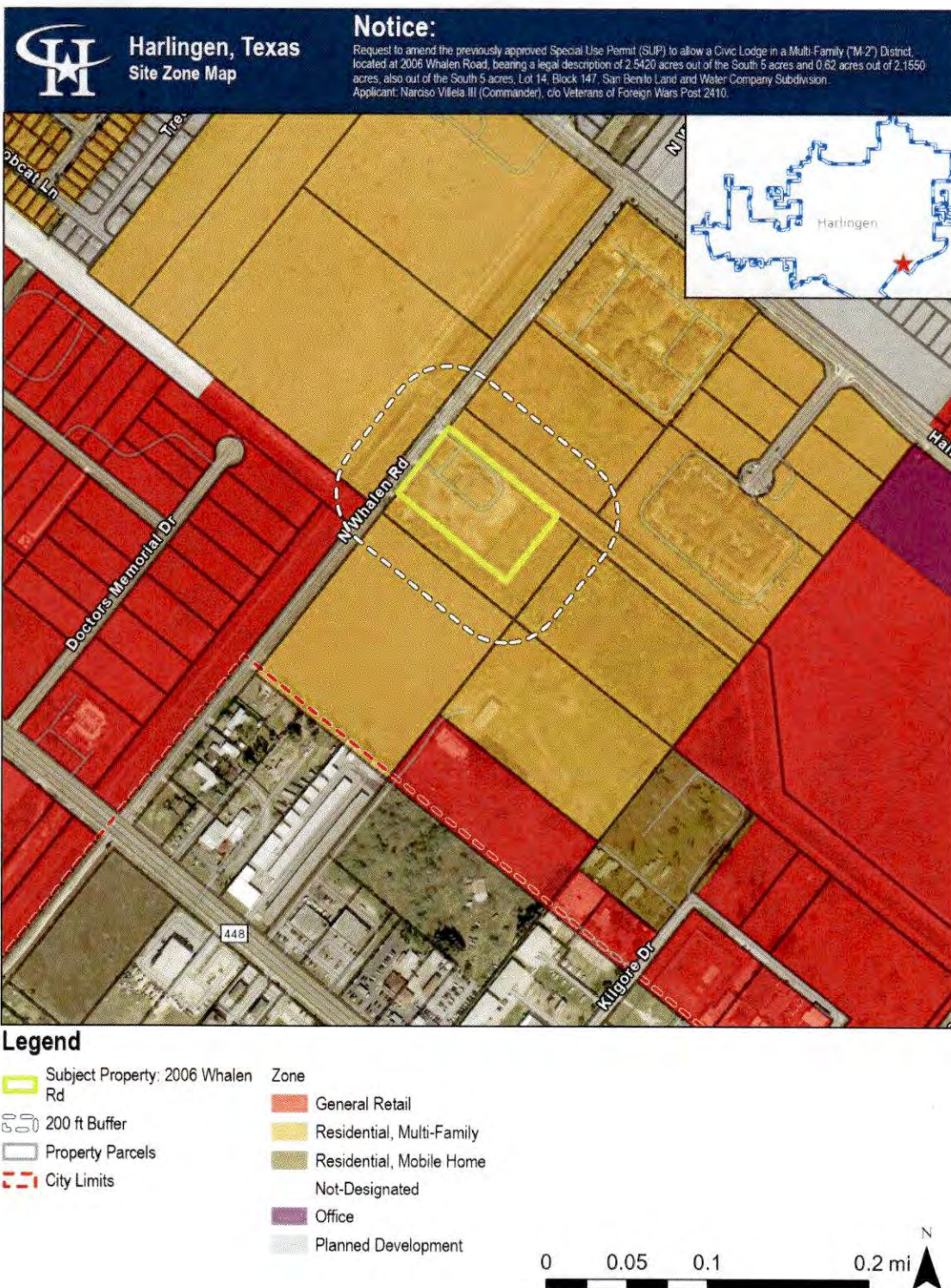


Hermelinda Gonzales, Interim City Secretary

Exhibit "A"



Attachment VI – Zoning Map



Attachment VII – Street View

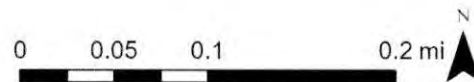


Attachment VIII - Aerial



Legend

- Subject Property: 2006 Whalen Rd
- 200 ft Buffer
- Property Parcels
- City Limits





Specific Use Permit (“SUP”) Routing Slip

Applicant: Narciso Villela III

Phone No.: (956) 320-4806

Location: 2006 N Whalen Road

Project Description: Request to amend the previously approved Special Use Permit (SUP) to allow a Civic Lodge in a Multi-Family (“M-2”) District, located at 2006 Whalen Road, bearing a legal description of 2.5420 acres out of the south 5 acres and 0.62 acres out of 2.1550 acres, also out of the south 5 acres, Lot 14, Block 147, San Benito 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 the building permit.**

Fire Marshal Juan Saucedo Jr.

Juan Saucedo Jr.

Date: April 20, 2026



Specific Use Permit ("SUP") Routing Slip

Applicant: Narciso Villela III (Commander) c/o VFW post 2410

Phone No.: (956) 320-4806

Location: 2006 Whalen Road

Project Description: Request to amend the previously approved Special Use Permit (SUP) to allow a Civic Lodge in a Multi-Family ("M-2") District, located at 2006 Whalen Road, bearing a legal description of 2.5420 acres out of the south 5 acres and 0.62 acres out of 2.1550 acres, also out of the south 5 acres, Lot 14, Block 147, San Benito Land and Water Company Subdivision.

Department: Health

Approval: YES NO

Comments: Health Department has no jurisdiction or requirements in reference to this Special Use Permit.

James Padilla

Signature

4-24-26

Date

Attachment XI – Building Permits/Inspections



Specific Use Permit ("SUP") Routing Slip

Applicant: Narciso Villela III (Commander) c/o VFW post 2410

Phone No.: (956) 320-4806

Location: 2006 Whalen Road

Project Description: Request to amend the previously approved Special Use Permit (SUP) to allow a Civic Lodge in a Multi-Family ("M-2") District, located at 2006 Whalen Road, bearing a legal description of 2.5420 acres out of the south 5 acres and 0.62 acres out of 2.1550 acres, also out of the south 5 acres, Lot 14, Block 147, San Benito Land and Water Company Subdivision.

Department: Building Permits and Inspections Division

Approval: ☐ YES ☐ NO ☒ PENDING

Comments:

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

Raul Rodriguez
Signature

05/05/2025
Date



Specific Use Permit ("SUP") Routing Slip

Applicant: Narciso Villela III (Commander) c/o VFW post 2410

Phone No.: (956) 320-4806

Location: 2006 Whalen Road

Project Description: Request to amend the previously approved Special Use Permit (SUP) to allow a Civic Lodge in a Multi-Family ("M-2") District, located at 2006 Whalen Road, bearing a legal description of 2.5420 acres out of the south 5 acres and 0.62 acres out of 2.1550 acres, also out of the south 5 acres, Lot 14, Block 147, San Benito Land and Water Company Subdivision.

Department: POLICE

Approval: YES NO

Comments:

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

Alfredo Alvear, BSCJ, CPM
Chief of Police

4/28/26

Date



ORDINANCE NO. 26-_____

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: AMENDING THE PREVIOUSLY APPROVED SPECIAL USE PERMIT (SUP) ISSUED TO THE VETERANS OF FOREIGN WARS POST 2410 TO ALLOW A CIVIC LODGE IN A RESIDENTIAL, MULTI-FAMILY ("M-2") DISTRICT LOCATED AT 2006 NORTH WHALEN ROAD, BEARING A LEGAL DESCRIPTION OF 2.5420 ACRE OUT OF THE SOUTH 5 ACRES AND 0.62 ACRES OUT OF 2.1550 ACRES, ALSO OUT OF THE SOUTH 5 ACRES, LOT 14, BLOCK 147, 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 special use permit 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 special use permit having been fully made and complied with as required by said Code of Ordinances 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 25-22) be and the same is herewith amended by the following described property being changed for permissive zone use as indicated in Exhibits "A", "B", and "C":

Amending the previously approved Special Use Permit (SUP) to allow a Civic Lodge in a Multi-Family ("M-2") District, located at 2006 Whalen Road, bearing a legal description of 2.5420 acres out of the South 5 acres and 0.62 acres out of 2.1550 acres, also out of the South 5 acres, Lot 14, Block 47.

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 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", "B", and "C" and shall comply with the conditions as listed below:

1. Obtaining and maintaining proper State and City permits.
2. Providing and maintaining the required parking in accordance with city regulations.
3. Must provide video surveillance with a minimum 30-day retention; and,
4. Complying with all applicable requirements administered by the Planning and Zoning Division, Building Inspections Division, Fire Prevention Bureau, and Police Department.
5. Hours of operation are Sunday – Saturday from 12:00pm to 2:00am.

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"

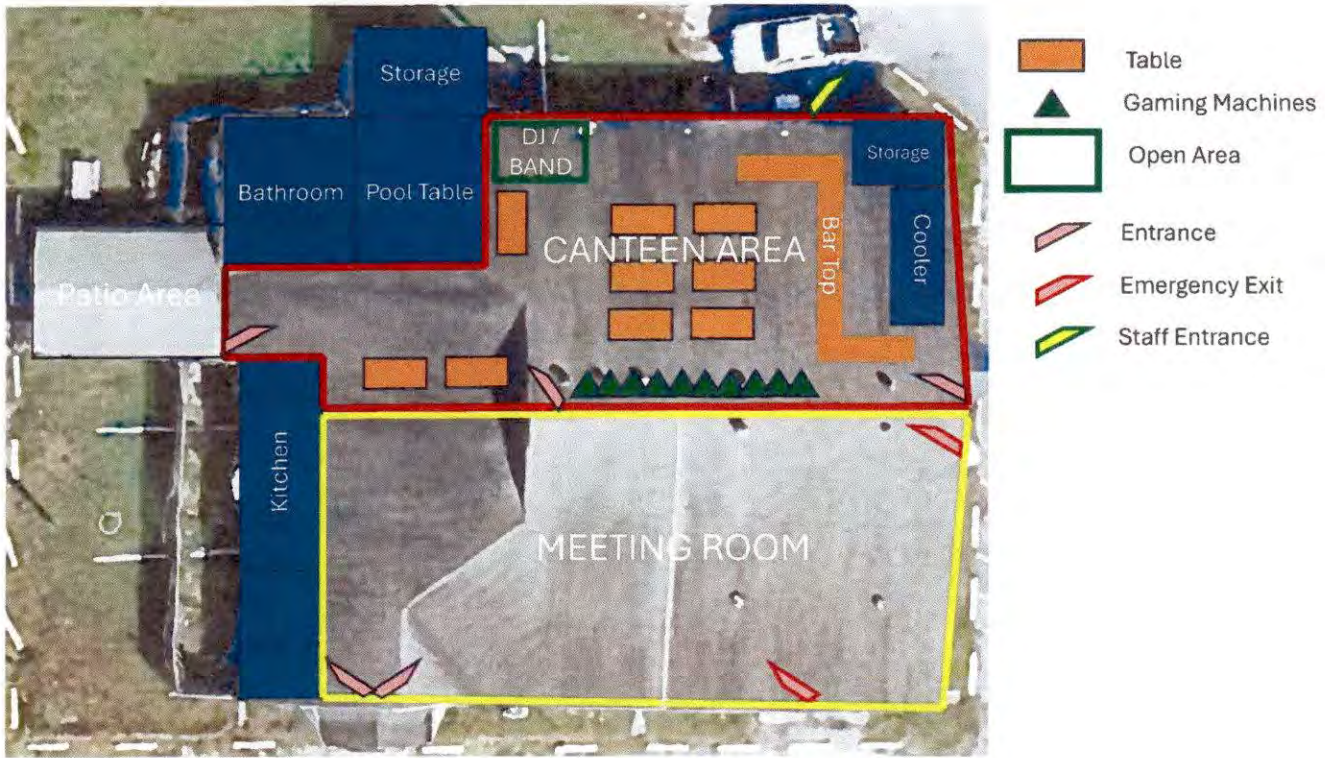
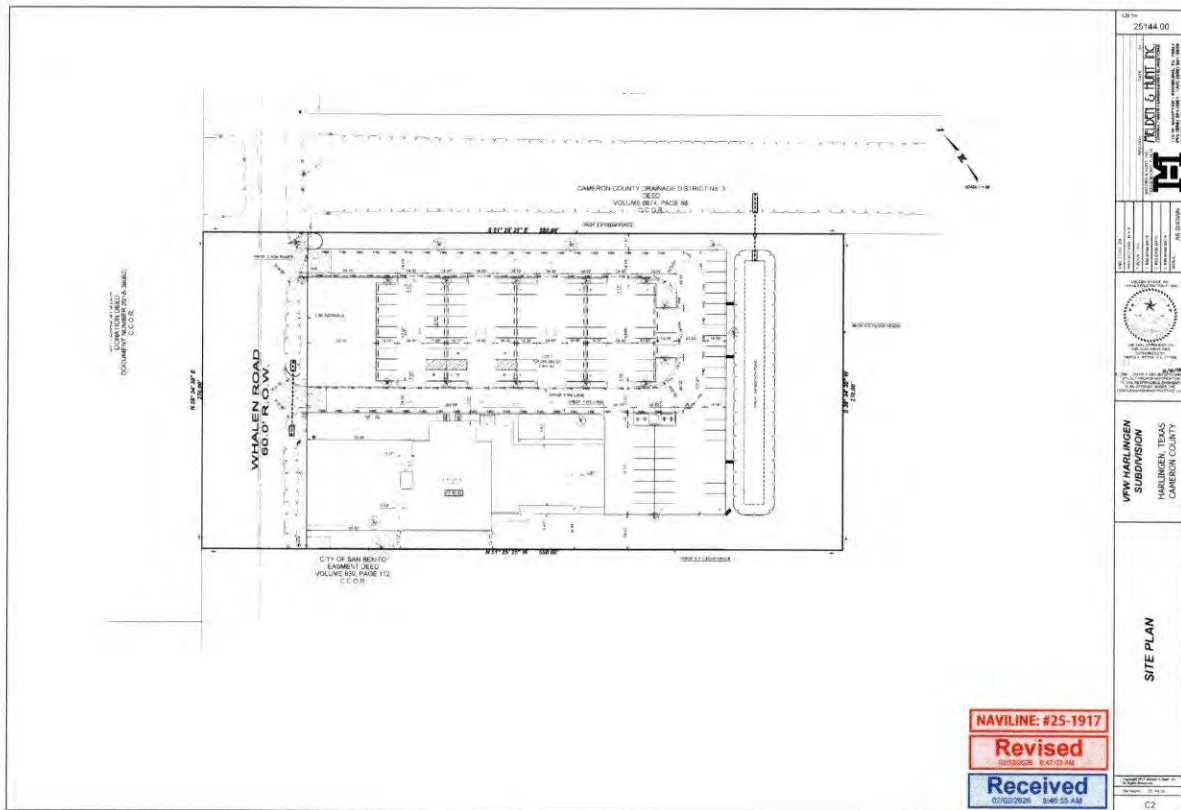


Exhibit "C"



**AGENDA ITEM
EXECUTIVE SUMMARY**

10(b)

Meeting Date: **May 20, 2026**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading for a Special Use Permit ("SUP") to allow a bar in a Light Industry ("LI") District located at 1510 N. Commerce Street, Suite A, bearing a legal description of Lot 3, Re-plat of Lot 1, Block 1, Casa Blanca Subdivision. Applicant: Tomas Diaz. Attachment **(Planning & Development)**

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

Signature: *Ana Hernandez*

Brief Summary:

Project Timeline

- April 16, 2026 – Application for Special Use Permit ("SUP") submitted to the city. **(ATTACHMENT I)**
- April 23, 2026 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- April 25, 2026 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- May 12, 2026 - Public hearing and consideration of requested Special Use Permit by the Planning and Zoning Commission (P&Z).
- May 20, 2026 – Public hearing and consideration of requested SUP via 1st ordinance reading scheduled before the City Commission.
- June 03, 2026 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Pursuant to Section 111-62 of the City of Harlingen Code of Ordinances, a bar/lounge in a Light Industry ("LI") District requires the approval of a Special Use Permit by the City Commission.
- The applicant is requesting a Special Use Permit to operate a bar/lounge as the business owner at 1510 N. Commerce Street, Suite A. In the past this same location has been the site for dancehall, nightclub, and bar lounge types of uses. The most recent was a bar by the name of "Sleepwalkers" that closed on April 02, 2026. The proposed bar will operate under the name, "First National Bar". Suite A consists of approximately 4,626 square feet. Other buildings that are occupied or vacant which comprise this commercial location include Texas Café, and vacant Suite B. The requirement for off-street parking for the proposed First National Bar is 55 spaces. A site plan submitted shows 56 parking spaces are proposed. The applicant has indicated compliance with parking requirements through assigned and shared parking. The proposed hours of operation will be seven days a week from 4 PM to 2 AM. The applicant intends to have live music on Friday and Saturday. Sunday through Thursday music will be provided by a DJ.

(ATTACHMENT II-IV).

- Surrounding properties are zoned Light Industry ("LI") District in all directions. Surrounding land uses include Anita Hair Salon, JA's Auto Repair, Texas Cafe, Union Pacific and Missouri Pacific Railroads. Other uses along North Commerce Street include apartments, commercial/industrial businesses, as well as vacant commercial buildings. **(ATTACHMENTS VII)**
- The City of Harlingen Building Inspections Division, Fire Prevention Bureau, Health and Police Departments reviewed the SUP application. The departments reported no objection to the proposed request subject to adhering to the Harlingen Code of Ordinances and procedures administered by each department **(ATTACHMENTS VIII-XI).**
- The applicant must obtain and maintain the proper State and City permits.
- At present, staff have not received any phone calls, letters or e-mails with concerns regarding this business. Staff had sent out six (6) legal notices to surrounding property owners. **(ATTACHMENT VI)**
- In accordance with the zoning ordinance, the P&Z and City Commission may impose requirements and conditions of approval as are needed to ensure that a use requested by a SUP is compatible and complementary to adjacent properties.

Funding (if applicable):

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

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

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

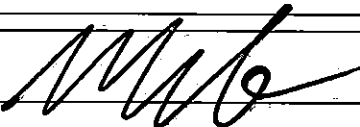
Staff Recommendation:

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

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

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

Comments:

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

Attachment I

CITY OF HARLINGEN PLANNING AND ZONING DIVISION MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 1510 N COMMERCE ST Nearest Intersection Orange Heights & Commerce St
(Proposed) Subdivision Name Re plat of Casa Blanca Subd Lot 3 Block 1
Existing Zoning Designation Light Industry Future Land Use Plan Designation Light Industry

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Tomas Diaz Phone 956 536 1768 FAX _____
Email Address (for project correspondence only): tomasdjdi.iz@hotmail.com
Mailing Address 1510 N Commerce St Ste A City Harlingen State Tx Zip 78550
Property Owner Tomas Diaz Phone 956 536 1768 FAX _____
Email Address (for project correspondence only): tomasdjdi.iz@hotmail.com
Mailing Address 1510 N Commerce St Ste A City Harlingen State Tx Zip 78550

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

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

Please provide a basic description of the proposed project: The project consists of opening and operating a bar where music will be played and alcoholic beverages are consumed.

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: 4-16-2026

Property Owner(s) Signature: [Signature] Date: 4-16-2026

Accepted by: [Signature] Date: _____

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

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

Complete

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

- 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.

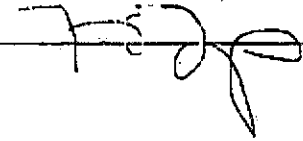
Any other information (elevation drawings, pictures, etc.) in support of the subject request.

- 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.

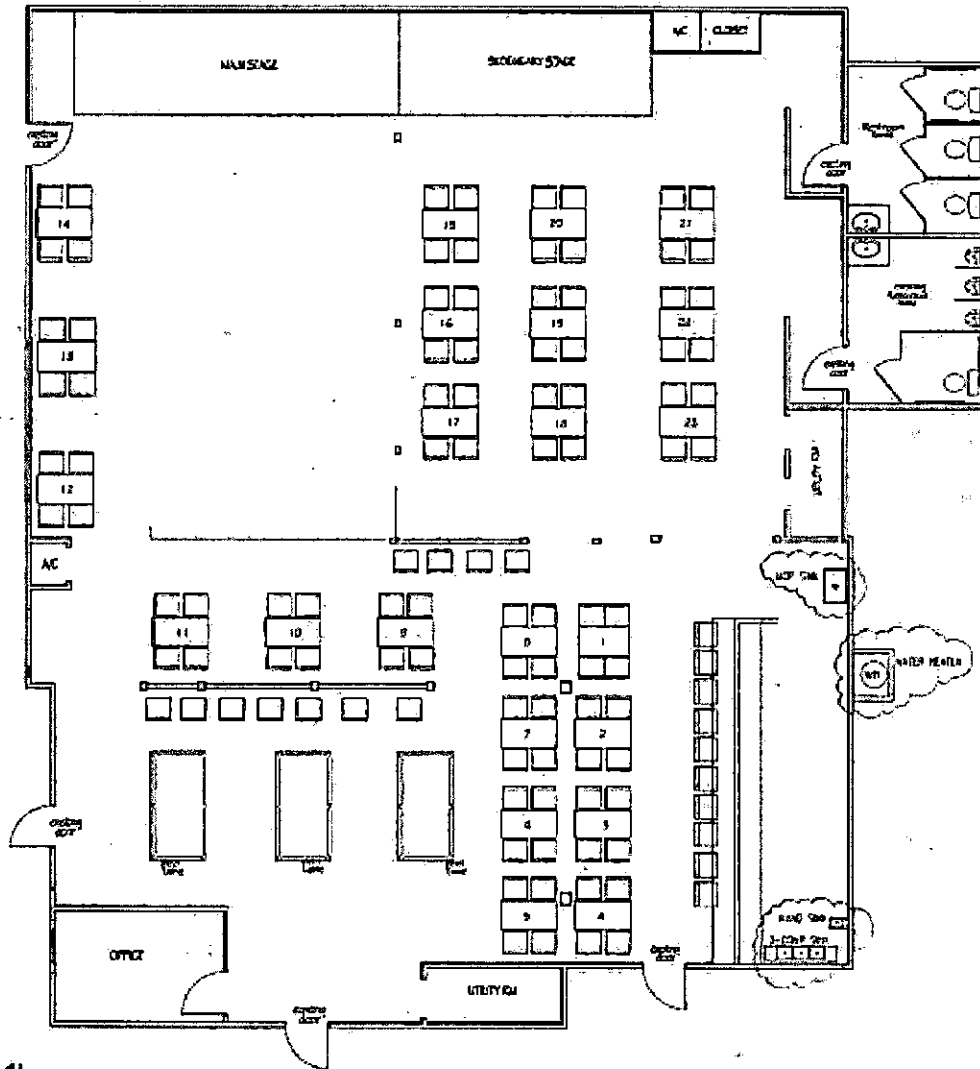
Owner: Tomás Díaz Date: 4-16-2025

Owner Address: 13211 White Oak Dr West Harlingen Tx 78542

Phone/Fax: 956 536 1743

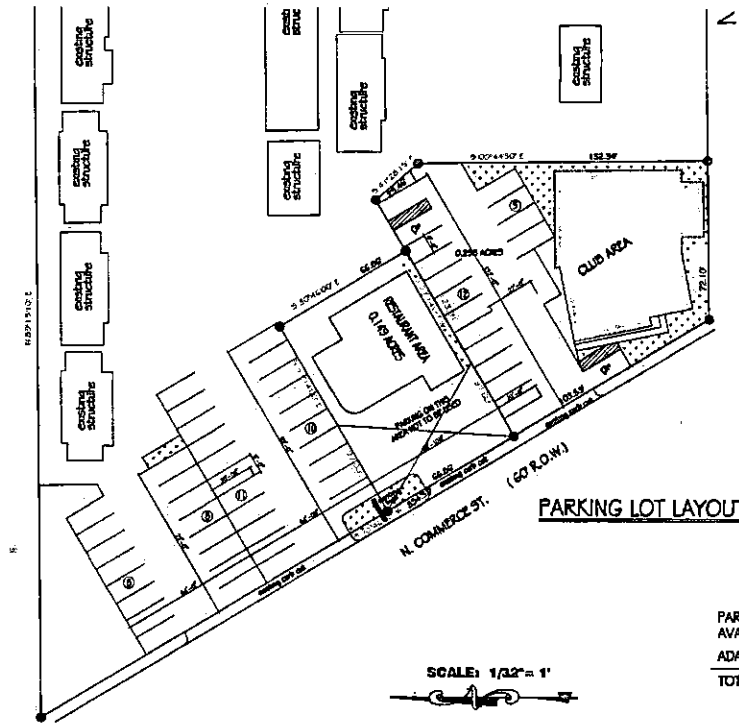
Signature: 

Attachment II



Attachment III

Parking Plan



PARKING LOT LAYOUT

SCALE: 1/32" = 1'

PARKING SPACES AVAILABLE	54
ADA SPACES	2
TOTAL	56

1810 N. COMMERCE ST.

HARLINGEN

TEXAS

Attachment IV

First National Bar – proposed location

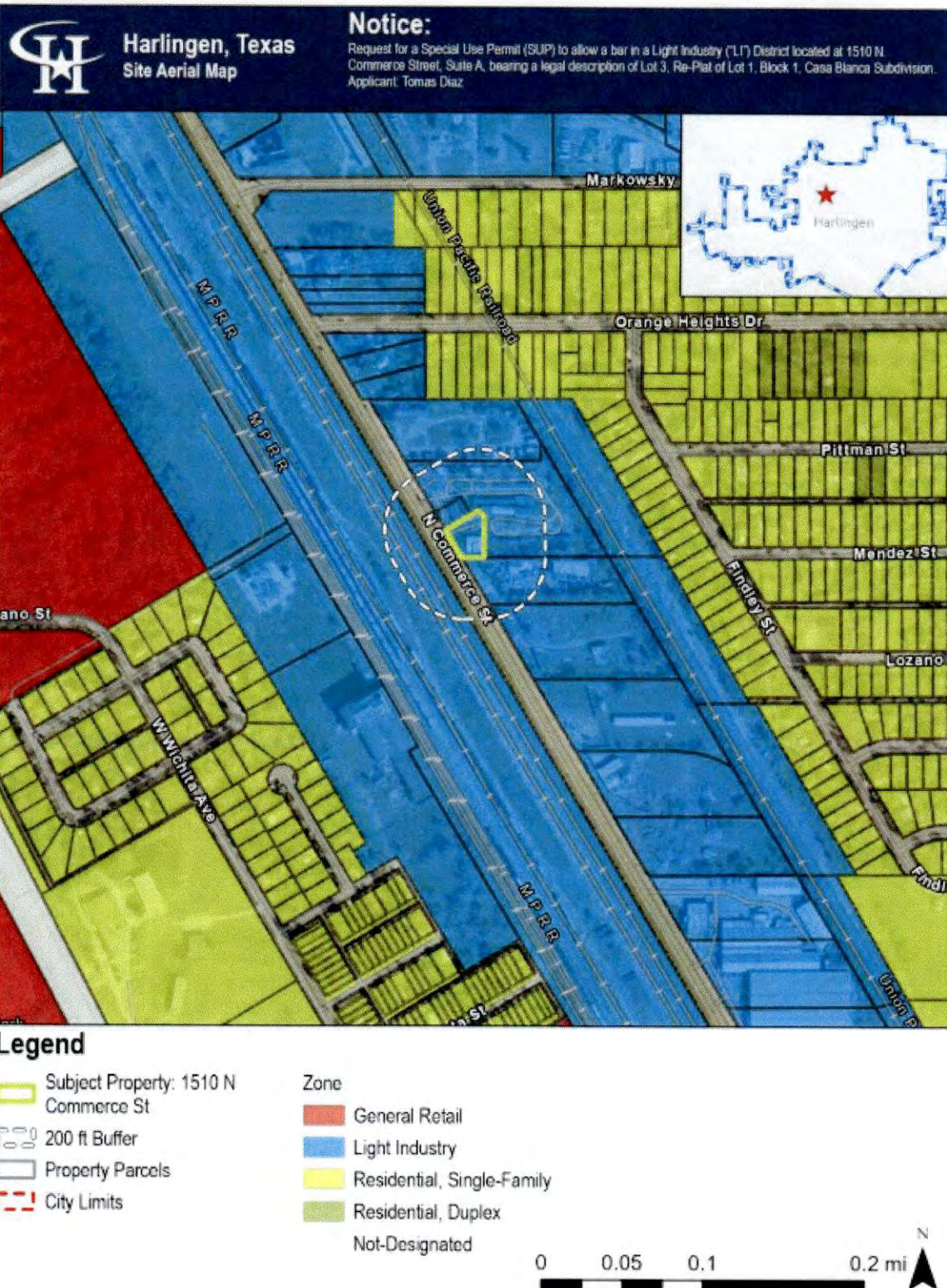


Attachment V

First National Bar – proposed location



Attachment VI



2

Attachment VIII



Specific Use Permit ("SUP") Routing Slip

Applicant: Tomas Diaz

Phone No.: (956) 536-1768

Location: 1510 N Commerce Street Suite A

Project Description: Request for a Special Use Permit (SUP) to allow a Bar in a Light Industry ("LI") District located at 1510 N. Commerce Street, Suite A, bearing a legal description of Lot 3, Re-plat of Lot 1, Block 1, Casa Blanca Subdivision.

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: April 22, 2026

Attachment IX



Special Use Permit ("SUP") Routing Slip

Applicant: Tomas Diaz

Phone No.: (956) 536-1768

Location: 1510 N. Commerce, Suite A

Project Description: Request for a Special Use Permit (SUP) to allow a Bar in a Light Industry ("LI") District located at 1510 N. Commerce Street, Suite A, bearing a legal description of Lot 3, Re-plat of Lot 1, Block 1, Casa Blanca Subdivision.

Department: Building Permits and Inspections Department

Approval: ☐ YES ☐ NO ☒ PENDING

Comments:

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

Raul Rodriguez

Signature

04/28/2025

Date



Special Use Permit ("SUP") Routing Slip

Applicant: Tomas Diaz

Phone No.: (956) 536-1768

Location: 1510 N. Commerce, Suite A

Project Description: Request for a Special Use Permit (SUP) to allow a Bar in a Light Industry ("LI") District located at 1510 N. Commerce Street, Suite A, bearing a legal description of Lot 3, Re-plat of Lot 1, Block 1, Casa Blanca Subdivision.

Department: HARLINGEN POLICE DEPT.

Approval: ☒ YES ☐ NO

Comments:



Alfredo Alvear, BSCJ, CPM
Chief of Police

4/28/26

Date

Attachment XI



Special Use Permit ("SUP") Routing Slip

Applicant: Tomas Diaz

Phone No.: (956) 536-1768

Location: 1510 N. Commerce, Suite A

Project Description: Request for a Special Use Permit (SUP) to allow a Bar in a Light Industry ("LI") District located at 1510 N. Commerce Street, Suite A, bearing a legal description of Lot 3, Re-plat of Lot 1, Block 1, Casa Blanca Subdivision.

Department: Health

Approval: ☒ YES ☐ NO

Comments: The plans submitted for Tomas Diaz, located at 1510 N Commerce St., meets minimum health requirements for a bar only, at this time. If this location plans to prepare, cook, or serve any food, then other cooking equipment will be required. These review notes are general in nature and are not intended to be all inclusive.

Signature 

Date: 4-22-2026

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 TOMAS DIAZ TO ALLOW A BAR IN A LIGHT INDUSTRY ("LI") DISTRICT LOCATED AT 1510 N. COMMERCE STREET, SUITE A, BEARING A LEGAL DESCRIPTION OF LOT 3, RE-PLAT OF LOT 1, BLOCK 1, CASA BLANCA 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 in Exhibit "A".

Special Use Permit (SUP) to Tomas Diaz to allow a bar in a Light Industry ("LI") District located at 1510 N. Commerce Street, Suite A, bearing a legal description of Lot 3, Re-Plat of Lot 1, Block 1, Casa Blanca 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" and shall comply with the conditions as listed below:

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

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

FINALLY ENACTED this ____ day of _____, 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.

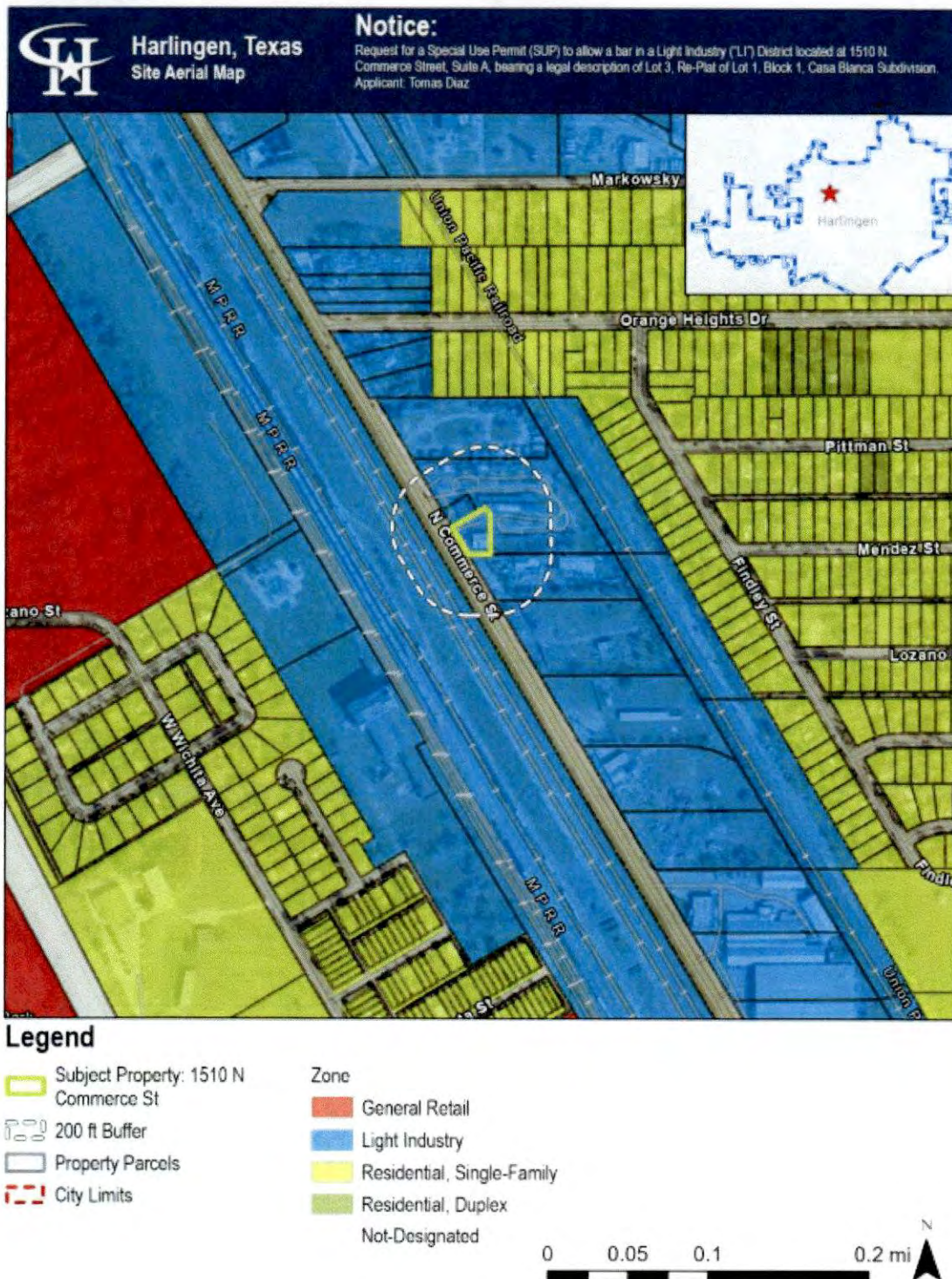
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

EXHIBIT "A"



The floor plan of the main building includes the following areas and equipment:

- Main Stage** and **Secondary Stage** at the top.
- AC** (Air Conditioning) units in the top right and middle left.
- Restrooms** (Men, Women, and Baby) located on the right side.
- Utility Room** at the bottom center.
- Office** at the bottom left.
- Waiting Area** with numbered chairs (1-23) in the center.
- Storage** areas labeled "STORAGE" and "STORAGE 2" on the right.
- Water Heater** and **WV** (Water Valve) on the right side.
- Hand Dryer** and **3-Door Dry** at the bottom right.
- Entrance** and **Exit** doors are marked.

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(c)

Meeting Date: **May 20, 2026**

Agenda Item:

Consideration and possible action to approve an ordinance on second and final reading for the voluntary annexation, and establishment of initial zoning of Light Industry ("LI") District upon annexation for approximately 7.401 acres, more or less, out of Lot 5, Block 2, Harlingen Industrial Park No. 2 Subdivision, located at 109 FM 509, Cameron County, Texas, together with any adjacent county road right-of-way required to be annexed by Texas Local Government Code Section 43.106. Applicant: JMP Holdings, LLC. Attachment (**Planning & Development**).

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

Brief Summary:

Project Timeline

- March 23, 2026- Application for annexation and establishment of zoning submitted to the City. (**ATTACHMENT I-III**)
- April 10, 2026 – In accordance with State and local law, notice of required public hearings mailed to property owners within 200 feet of subject tract.
- April 11, 2026 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- April 24, 2026 – Posting of the public notice on the city's website.
- April 28, 2026 – Public hearing to recommend the annexation and the rezoning by the Planning and Zoning Commission.
- May 6, 2026 – Public hearing and consideration of annexation and rezoning by the City Commission via First Ordinance Reading.
- May 20, 2026 – Public hearing and consideration of annexation ordinance by the City Commission via Second and final reading.

Summary

- JMP Holdings, LLC have requested the voluntary annexation of 7.401 acres of land. The property has frontage and is contiguous to the City limits via FM 509.
- Pursuant to Section 43.106 of the Texas Local Government Code, the entire width of a county road fronting the subject property must also be included in the annexation request if the road is owned or maintained by county. According to County Engineer, Progress Road is not maintained or is owned by Cameron County, therefore, the subject road right-of-way is not included in the request as originally proposed.
- The property is a subdivided lot. There is an existing 14,400 square ft. warehouse on the property. The property has 645 feet of frontage on FM 509 and 415.29 feet of frontage on Progress Drive. (**ATTACHMENT III-VI**)

- Water and sewer services for this property are provided by the Harlingen Waterworks System.
- Upon annexation, the property will be zoned to Light Industry ("LI") District. The property owner is proposing an industrial warehouse on the property. **(ATTACHMENT VII)**
- The Future Land Use Plan (FLUP) component of the Harlingen Horizon – A City on the Rise Comprehensive Plan shows this area as industrial use. The requested initial zoning is consistent with the Future Land Use Plan. **(ATTACHMENT VIII)**
- To the present, staff has not received any calls in objection to the requested annexation and establishment of initial zoning.
- The subject annexation will require three public hearings and two readings of the ordinance. The above timeline delineates the annexation and rezoning process.
- In 2026 the city has annexed 35.754 acres of land thus far. In 2025 the city annexed a total of 585.37 acres. In 2024 the city annexed a total of 103.94 acres. In 2023, the city annexed 19.94 acres. In 2022, the city annexed 71.1 acres. In 2021, the city annexed 1.47 acres.

Funding (if applicable):

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

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

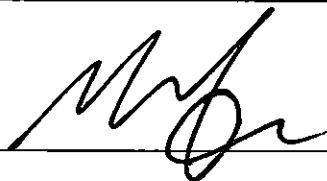
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the annexation and initial zoning request.

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

Comments:

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

Attachment I- Application

CITY OF HARLINGEN PLANNING AND ZONING DIVISION MASTER APPLICATION

PROPERTY INFORMATION (Please PRINT or TYPE)

Project Address 109 FM 509, Harlingen, Texas 78550 Nearest Intersection Progress Road and FM 509
(Proposed) Subdivision Name HARLINGEN INDUSTRIAL PARK #2 Lot 5 Block 2
Existing Zoning Designation N/A located in County Future Land Use Plan Designation Light Industrial

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Cindy Hopkins, Owners Agent Phone 956-778-3255 FAX _____
Email Address (for project correspondence only): Cindy@CHopkinsRealEstate.com
Mailing Address 222 E Van Buren, #617 City Harlingen State TX Zip 78550
Property Owner JMP HOLDINGS, LLC Phone 815-405-9443 FAX _____
Email Address (for project correspondence only) JAY PETERSON <uvibird@aol.com>
Mailing Address 216 Centerview Dr Ste 140 City Brentwood State TN Zip US 37027-2726

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

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

Please provide a basic description of the proposed project: Property to be annexed into the City of Harlingen

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 Cynthia L. Hopkins Date: March 23, 2026

Property Owner(s) Signature Jay Peterson Date: March 23, 2026

Accepted by: _____ Date: _____

Attachment II- Petition

JMP HOLDINGS LLC.
216 Centerview Dr Ste 140,
Brentwood , TN 37027

March 18, 2026

Ms. Ana Hernandez
City of Harlingen Planning and Zoning Director
502 E Tyler
Harlingen, TX 78550

BEING 2.40 ACRES OF LAND out of Lot 5, Block 2, Harlingen Industrial Park No. 2, Cameron County, Texas, according to the map or plat thereof recorded in Cabinet 1, Slot 727-B & 728-A&B, Map Records of Cameron County, Texas, said 2.40 Acre tract being more particularly described by notes and bounds as follows:

BEING 5.00 ACRES OF LAND out of Lot 5, Block 2, Harlingen Industrial Park No. 2, Cameron County, Texas, according to the map or plat thereof recorded in Cabinet 1, Slot 727-B & 728-A&B, Map Records of Cameron County, Texas, said 5.00 Acre tract being more particularly described by notes and bounds as follows:

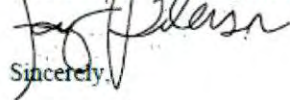
Harlingen, Texas

RE: Annexation of two tracks. See above.

Ms. Hernandez:

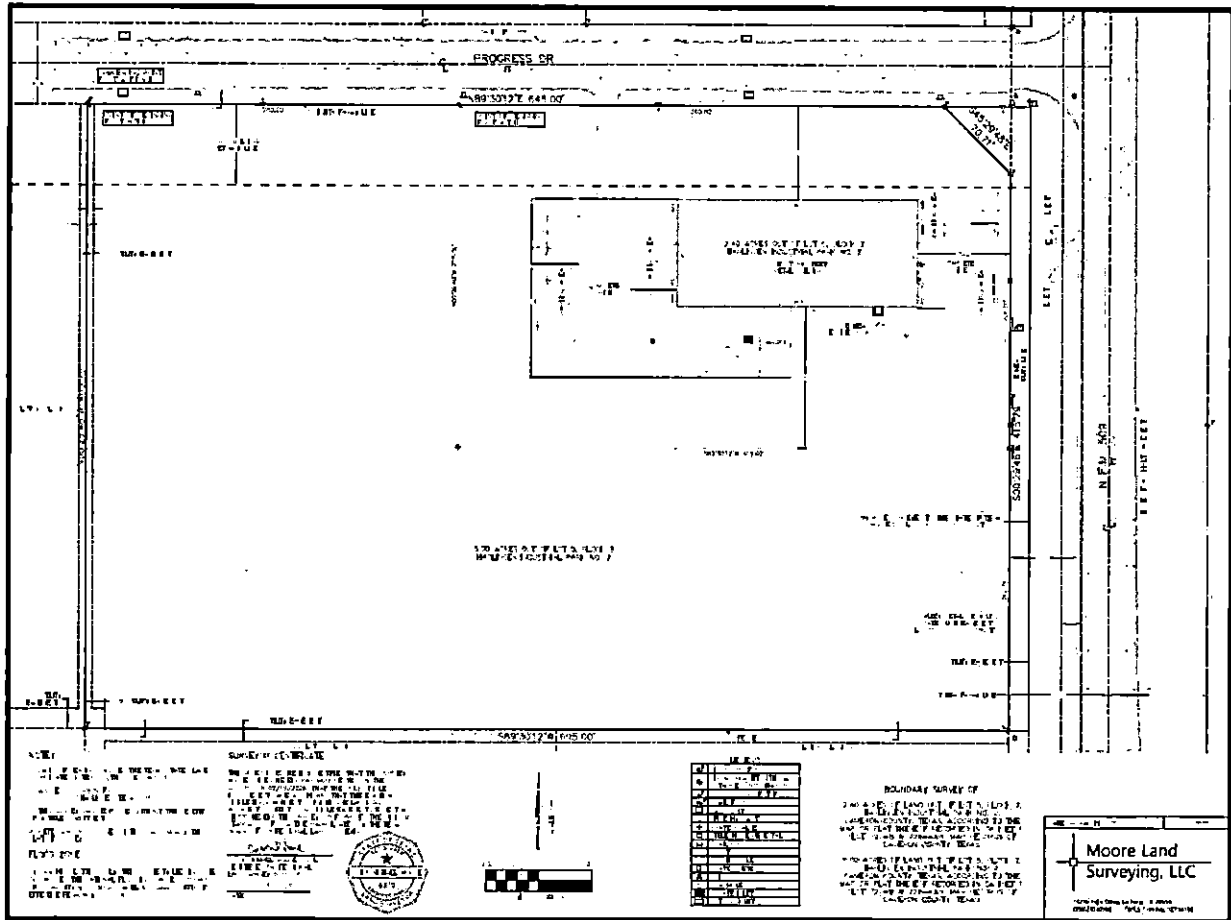
We would like to voluntarily annex this property into the City of Harlingen as your earliest convenience.

Please let me know if you need anything else.


Sincerely,

Jay Peterson
JMP HOLDINGS, LLC

Attachment III- Survey



Attachment IV- Metes and Bounds

Moore Land Surveying, LLC

14216 Palis Drive, La Feria, TX 78559

(956)245-0988

TBPLS Firm No. 10194186

March 05, 2026

METES AND BOUNDS

5.00 ACRES OF LAND

BEING 5.00 ACRES OF LAND out of Lot 5, Block 2, Harlingen Industrial Park No. 2, Cameron County, Texas, according to the map or plat thereof recorded in Cabinet 1, Slot 727-B & 728-A&B, Map Records of Cameron County, Texas, said 5.00 Acre tract being more particularly described by metes and bounds as follows:

COMMENCING at an iron rod found for the Northwest corner of Lot 5, being on the South right of way of Progress Drive (having 60 feet of right of way), for the Northwest corner and **POINT OF BEGINNING** of the tract herein described;

- 1) **THENCE** along the South right of way of Progress Drive and the North boundary of Lot 5, **NORTH 89 DEG. 30 MIN. 12 SEC. EAST** a distance of **280.00 FEET** to an iron rod with plastic cap stamped "MOORE 6370" set, for a corner of the tract herein described;
- 2) **THENCE** leaving the North boundary of Lot 5, **SOUTH 00 DEG. 29 MIN. 48 SEC. EAST** a distance of **255.00 FEET** to an iron rod with plastic cap stamped "MOORE 6370" set, for a corner of the tract herein described;
- 3) **THENCE NORTH 89 DEG. 30 MIN. 12 SEC. EAST** a distance of **415.00 FEET** to an iron rod with plastic cap stamped "MOORE 6370" set on the West right of way of F.M. 509 (having 150 feet of right of way), for the Northeast corner of the tract herein described;
- 4) **THENCE** along the West right of way of F.M. 509, **SOUTH 00 DEG. 29 MIN. 48 SEC. EAST** a distance of **210.79 FEET** to an iron rod found for the Southeast corner of Lot 5, for the Southeast corner of the tract herein described;
- 5) **THENCE** along the South boundary of Lot 5, **SOUTH 89 DEG. 30 MIN. 12 SEC. WEST** a distance of **695.00 FEET** to a concrete monument found for the Southwest corner of Lot 5, for the Southwest corner of tract herein described;
- 6) **THENCE** along the West boundary of Lot 5, **NORTH 00 DEG. 29 MIN. 48 SEC. WEST** a distance of **465.79 FEET** to the **POINT OF BEGINNING**, Containing 5.00 Acres of land within these metes and bounds.

Basis of bearings are as per the Texas State Plane-Coordinate System, South Zone, NAD 83. A plat of survey accompanies this metes and bounds description.

C. Moore

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

3/5/26

Date



Attachment IV- Metes and Bounds cont.

Moore Land Surveying, LLC

14216 Palis Drive, La Feria, TX 78559

(956)245-0988

TBPLS Firm No. 10194186

March 05, 2026

**METES AND BOUNDS
2.40 ACRES OF LAND**

BEING 2.40 ACRES OF LAND out of Lot 5, Block 2, Harlingen Industrial Park No. 2, Cameron County, Texas, according to the map or plat thereof recorded in Cabinet L, Slot 727-B & 728-A&B, Map Records of Cameron County, Texas, said 2.40 Acre tract being more particularly described by metes and bounds as follows:

COMMENCING at the Northwest corner of Lot 5, being on the South right of way of Progress Drive (having 60 feet of right of way);

THENCE along the South right of way of Progress Drive and the North boundary of Lot 5, **NORTH 89 DEG. 30 MIN. 12 SEC. EAST** a distance of **280.00 FEET** to an iron rod with plastic cap stamped "MOORE 6370" set for the Northwest corner and **POINT OF BEGINNING** of the tract herein described;

1) **THENCE** continuing along the South right of way of Progress Drive and the North boundary of Lot 5, **NORTH 89 DEG. 30 MIN. 12 SEC. EAST** a distance of **365.00 FEET** to an iron rod found, for the Northeast corner of the tract herein described;

2) **THENCE SOUTH 45 DEG. 29 MIN. 48 SEC. EAST** a distance of **70.71 FEET** to an iron rod found on the West right of way of F.M. 509 (having 150 feet of right of way) for a corner of the tract herein described;

3) **THENCE** along the West right of way of F.M. 509, **SOUTH 00 DEG. 29 MIN. 48 SEC. EAST** a distance of **205.00 FEET** to an iron rod with plastic cap stamped "MOORE 6370" set for the Southeast corner of the tract herein described;

4) **THENCE** leaving the West right of way of F.M. 509, **SOUTH 89 DEG. 30 MIN. 12 SEC. WEST** a distance of **415.00 FEET** to an iron rod with plastic cap stamped "MOORE 6370" set for the Southwest corner of the tract herein described;

5) **THENCE NORTH 00 DEG. 29 MIN. 48 SEC. WEST** a distance of **255.00 FEET** to the **POINT OF BEGINNING**. Containing 2.40 Acres of land within these metes and bounds.

Basis of bearings are as per the Texas State Plane Coordinate System, South Zone, NAD 83. A plat of survey accompanies this metes and bounds description.


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

3/5/26
Date



Attachment V- Street View



Attachment VI- Aerial Map



Harlingen, Texas Site Aerial Map

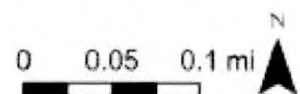
Notice:

Request for the voluntary annexation and establishment of initial zoning of Light Industry (LI) District upon annexation for approximately 7.401 acres, more or less, out of Lot 5, Block 2, Harlingen Industrial Park No. 2 Subdivision, located at 109 FM 509, Cameron County, Texas, together with any adjacent county road right-of-way required to be annexed by Texas Local Government Code Section 43.106.
Applicant: JMP Holdings, LLC



Legend

-  Subject Property: 109 FM 509
-  200 ft Buffer
-  Property Parcels
-  City Limits



Attachment VII- Zoning Map



Harlingen, Texas Site Zone Map

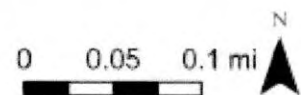
Notice:

Request for the voluntary annexation and establishment of initial zoning of Light Industry ("LI") District upon annexation for approximately 7.401 acres, more or less, out of Lot 5, Block 2, Harlingen Industrial Park No. 2 Subdivision, located at 109 FM 509, Cameron County, Texas, together with any adjacent county road right-of-way required to be annexed by Texas Local Government Code Section 43.106.
Applicant: JMP Holdings, LLC



Legend

- | | |
|------------------------------|----------------|
| Subject Property: 109 FM 509 | Zone |
| 200 ft Buffer | Heavy Industry |
| City Limits | Light Industry |
| Property Parcels | |



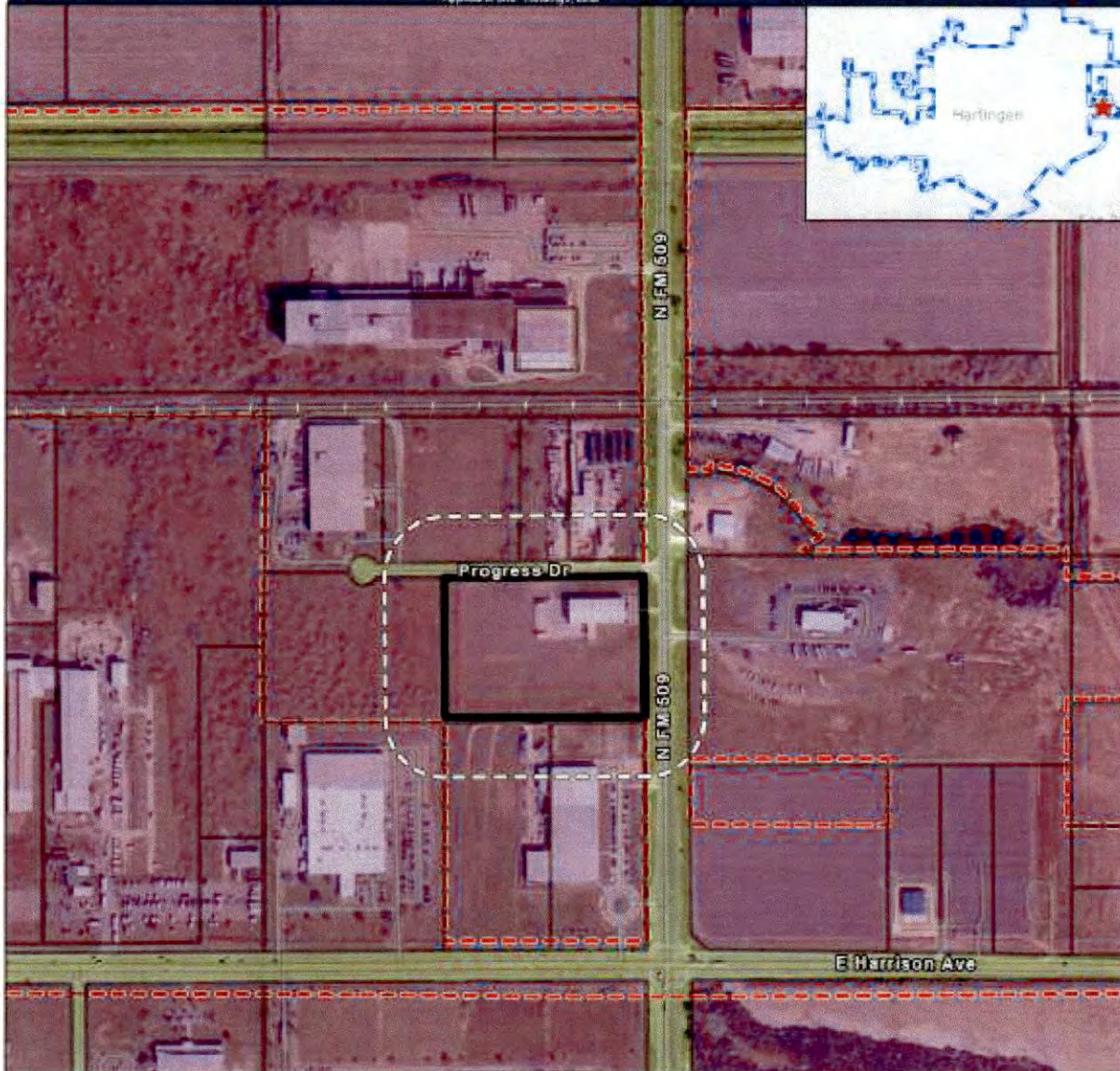
Attachment VIII- Future Land Use Map



Harlingen, Texas Site Future Land Use Map

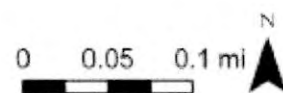
Notice:

Request for the voluntary annexation and establishment of initial zoning of Light Industry ("LI") District upon annexation for approximately 7.401 acres, more or less, out of Lot 5, Block 2, Harlingen Industrial Park No. 2 Subdivision, located at 109 FM 509, Cameron County, Texas, together with any adjacent county road right-of-way required to be annexed by Texas Local Government Code Section 43.106, Applicant: JNP Holdings, LLC.



Legend

- | | |
|------------------------------|---|
| Subject Property: 109 FM 509 | Future Land Use Designation: Agricultural |
| 200 ft Buffer | Industrial |
| Property Parcels | |
| City Limits | |



ORDINANCE NO. 26-_____

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HARLINGEN BY ANNEXING, FOR FULL PURPOSE, 7.401 ACRES, MORE OR LESS, OUT OF LOT 5, BLOCK 2, HARLINGEN INDUSTRIAL PARK NO. 2 SUBDIVISION, LOCATED AT 109 FM 509, CAMERON COUNTY, TEXAS TOGETHER WITH ANY ADJACENT COUNTY ROAD RIGHT-OF-WAY REQUIRED TO BE ANNEXED BY TEXAS LOCAL GOVERNMENT CODE SECTION 43.106, AND THE ESTABLISHMENT OF THE INITIAL ZONING OF LIGHT INDUSTRY ("LI") DISTRICT UPON ANNEXATION; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Harlingen, Texas (the "City") desires to annex approximately 7.401 acres of land out of Lot 5, Block 2, Harlingen Industrial Park No. 2 Subdivision and to establish the initial zoning of Light Industry ("LI") District as shown in Exhibit "A", and

WHEREAS, pursuant to Chapter 43, Section 43.003, of the Texas Local Government Code, a home-rule municipality may extend the boundaries of the municipality and annex area adjacent to the municipality which are contained in the municipality's extra-territorial jurisdiction (ETJ); and

WHEREAS, Chapter 43, Subchapter C-3 of the Texas Local Government Code authorizes municipalities to annex an area on the request of all property owners in an area; and

WHEREAS, in accordance with Texas Local Government Code, Chapter 43, Subchapter C-3, Section 43.0672, the City has negotiated and entered into a written agreement with the owner of the Property regarding the provision of services to the Property upon annexation, of which the applicable annexation services agreement and schedule is attached hereto and incorporated herein as Exhibit "B," and

WHEREAS, the City Commission provided public notice and held public hearings on April 28, May 6, and May 20, 2025, for all interested persons to attend and be heard in accordance with Texas Local Government Code, Chapter 43, Subchapter C-3, § 43.0673; and

WHEREAS, at such hearings all interested persons were heard concerning the advisability of annexing such tracts of land; and

WHEREAS, the City Commission of the City of Harlingen, finds that the inclusion of such additional area will be of benefit to the City of Harlingen; now therefore

BE IT ORDAINED BY THE CITY OF HARLINGEN:

Section 1. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Commission and made a part hereof for all purposes as findings of fact.

Section 2. The Property, lying outside of, but adjacent to and adjoining the City and located within the City's ETJ, is hereby annexed into the City, and the boundaries of the City are extended to include the Property within the corporate limits of the City. From and after the date of this ordinance, the Property shall be entitled to all the rights and privileges of the City and shall be bound by all the acts, ordinances, resolutions, and regulations of the City.

Section 3. The City finds annexation of the Property to be in the public interest due the Property promoting economic growth of the City.

Section 4. The City Manager is hereby authorized and directed to take appropriate action to have the official map of the City revised to reflect the addition to the City's Corporate Limits and the City Secretary is directed to file a certified copy of this Ordinance in the office of the County Clerk of Cameron County, Texas, and in the official records of the City.

Section 5. If for any reason any section, paragraph, subdivision, clause, phrase, word, or other provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this Commission that every section,

paragraph, subdivision, clause phrase, word, or provision hereof shall be given full force and effect for its purpose.

Section 6. This Ordinance will take effect upon its adoption by the City Commission in accordance with the provisions of Article V, Section 5 of the City Charter.

APPROVED ON FIRST READING on this ____ day of ____ 2026

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

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

This is a technical drawing of a land survey plat. The drawing shows a large rectangular area with various boundary lines and dimensions. Key features include:

- Top Boundary:** Labeled "PROGRESS DR" and "N 89° 30' 27" E 645.00'".
- Right Boundary:** Labeled "N 89° 30' 27" E 645.00'".
- Bottom Boundary:** Labeled "S 89° 30' 27" E 645.00'".
- Left Boundary:** Labeled "S 89° 30' 27" E 645.00'".
- Internal Features:** A large rectangular area in the center is labeled "MOORE LAND SURVEYING, LLC". There are also smaller rectangular areas and lines within the main boundary.
- Dimensions:** Various dimensions are provided, such as "500.7548' (17' 6")" and "500.7548' (17' 6")".
- Survey Data Table:** A table at the bottom right lists survey data, including bearings and distances.
- Scale Bar:** A scale bar is located at the bottom center, showing distances in feet.
- North Arrow:** A north arrow is located at the bottom center, pointing towards the top of the page.
- Professional Seal:** A circular professional seal is located at the bottom center, indicating the surveyor's credentials.
- Moore Land Surveying, LLC:** The name of the surveying company is prominently displayed in the center of the drawing.

EXHIBIT "A"

Moore Land Surveying, LLC

14216 Palis Drive, La Feria, TX 78559

(956)245-0988

TBPLS Firm No. 10194186

March 05, 2026

METES AND BOUNDS 5.00 ACRES OF LAND

BEING 5.00 ACRES OF LAND out of Lot 5, Block J, Harlingen Industrial Park No. 2, Cameron County, Texas, according to the map or plat thereof recorded in Cabinet 1, Slot 727-B & 728-A&B, Map Records of Cameron County, Texas, said 5.00 Acre tract being more particularly described by metes and bounds as follows:

COMMENCING at an iron rod found for the Northwest corner of Lot 5, being on the South right of way of Progress Drive (having 60 feet of right of way), for the Northwest corner and POINT OF BEGINNING of the tract herein described;

- 1) THENCE along the South right of way of Progress Drive and the North boundary of Lot 5, NORTH 89 DEG. 30 MIN. 12 SEC. EAST a distance of 280.00 FEET to an iron rod with plastic cap stamped "MOORE 6370" set for a corner of the tract herein described;
- 2) THENCE leaving the North boundary of Lot 5, SOUTH 00 DEG. 29 MIN. 48 SEC. EAST a distance of 255.00 FEET to an iron rod with plastic cap stamped "MOORE 6370" set for a corner of the tract herein described;
- 3) THENCE NORTH 89 DEG. 30 MIN. 12 SEC. EAST a distance of 415.00 FEET to an iron rod with plastic cap stamped "MOORE 6370" set on the West right of way of F.M. 509 (having 150 feet of right of way), for the Northeast corner of the tract herein described;
- 4) THENCE along the West right of way of F.M. 509, SOUTH 00 DEG. 29 MIN. 48 SEC. EAST a distance of 210.79 FEET to an iron rod found for the Southeast corner of Lot 5, for the Southeast corner of the tract herein described;
- 5) THENCE along the South boundary of Lot 5, SOUTH 89 DEG. 30 MIN. 12 SEC. WEST a distance of 695.00 FEET to a concrete monument found for the Southwest corner of Lot 5, for the Southwest corner of tract herein described;
- 6) THENCE along the West boundary of Lot 5, NORTH 00 DEG. 29 MIN. 48 SEC. WEST a distance of 465.79 FEET to the POINT OF BEGINNING. Containing 5.00 Acres of land within these metes and bounds.

Basis of bearings are as per the Texas State Plane Coordinate System, South Zone, NAD 83. A plat of survey accompanies this metes and bounds description.

C. Moore

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

3/5/26
Date



EXHIBIT "A"

Moore Land Surveying, LLC

14216 Palis Drive, La Feria, TX 78559 (956)245-0988

TBPLS Firm No. 10194186

March 05, 2026

METES AND BOUNDS 2.40 ACRES OF LAND

BEING 2.40 ACRES OF LAND out of Lot 5, Block 2, Harlingen Industrial Park No. 2, Cameron County, Texas, according to the map or plat thereof recorded in Cabinet 1, Sios 727-B & 728-A&B, Map Records of Cameron County, Texas, said 2.40-Acre tract being more particularly described by metes and bounds as follows:

COMMENCING at the Northwest corner of Lot 5, being on the South right of way of Progress Drive (having 60 feet of right of way);

THENCE along the South right of way of Progress Drive and the North boundary of Lot 5, **NORTH 89 DEG. 30 MIN. 12 SEC. EAST** a distance of **280.00 FEET** to an iron rod with plastic cap stamped "MOORE 6370" set, for the Northwest corner and **POINT OF BEGINNING** of the tract herein described;

1) **THENCE** continuing along the South right of way of Progress Drive and the North boundary of Lot 5, **NORTH 89 DEG. 30 MIN. 12 SEC. EAST** a distance of **365.00 FEET** to an iron rod found, for the Northeast corner of the tract herein described;

2) **THENCE SOUTH 45 DEG. 29 MIN. 48 SEC. EAST** a distance of **70.71 FEET** to an iron rod found on the West right of way of F.M. 509 (having 150 feet of right of way), for a corner of the tract herein described;

3) **THENCE** along the West right of way of F.M. 509, **SOUTH 00 DEG. 29 MIN. 48 SEC. EAST** a distance of **205.00 FEET** to an iron rod with plastic cap stamped "MOORE 6370" set, for the Southeast corner of the tract herein described;

4) **THENCE** leaving the West right of way of F.M. 509, **SOUTH 89 DEG. 30 MIN. 12 SEC. WEST** a distance of **415.00 FEET** to an iron rod with plastic cap stamped "MOORE 6370" set, for the Southwest corner of the tract herein described;

5) **THENCE NORTH 00 DEG. 29 MIN. 48 SEC. WEST** a distance of **255.00 FEET** to the **POINT OF BEGINNING**. Containing 2.40 Acres of land within these metes and bounds.

Basis of bearings are as per the Texas State Plane Coordinate System, South Zone, NAD 83. A plat of survey accompanies this metes and bounds description.


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

3/5/26
Date



EXHIBIT "B"

ANNEXATION SERVICE AGREEMENT

SECTION 1. Pursuant to the provisions of V.T.C.A., Local Government Code Section 43.0672, in connection to the voluntary annexation of 4.50 acres of land out of Lot 5, Block 1, Harlingen Industrial Park Subdivision No. 4, Cameron County, Texas, the owners(s) of the land in the area and the City of Harlingen ("City"), collectively referred to herein as the "Parties", hereby enter into this written Annexation Service Agreement as follows:

- A. Services to be provided on the effective date of annexation unless otherwise specified.
1. Police Protection
Patrolling, radio response to calls and other routine police services using present personnel and equipment will be provided on the effective date of annexation. Patrol positions will be added when population warrants.
 2. Fire Protection
Fire protection by the present personnel and equipment of the fire fighting force within the limitations of available water will be provided on the effective date of annexation.
 3. Emergency Medical Services
Emergency medical services will be provided through contract services on the effective date of annexation.
 4. Environmental Health and Code Compliance
Health protection including the elimination of weedy lots, illegal dumping, unsanitary septic systems, sources of standing water and other public nuisances will be provided on the effective date of annexation.

Regulation of animal and fowl density will be provided on the effective date of annexation.
 5. Solid Waste Collection
Pick up will begin on the effective date of annexation at the same level of service and cost provided to other similar areas presently found within the City of Harlingen.

Brush collection will be on a periodic basis as established by the City Sanitation Department with an active utility account.

6. Operation and maintenance of public water and wastewater facilities
Routine maintenance of existing water and wastewater facilities owned by Harlingen Waterworks System that are not within the service area of another water or wastewater utility will begin on the effective date of annexation.
7. Operation and maintenance of public roads and streets
Routine maintenance of public roads and streets will begin on the effective date of annexation on the same basis as presently occurs in the city.

SIGNED this ____ day of _____, 2026.

CITY OF HARLINGEN

By: _____
Gabriel Gonzalez, CPM, City Manager

PROPERTY OWNER(S) OF THE PROPERTY DESCRIBED ABOVE

By: _____
JMP Holdings, LLC

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(d)

Meeting Date: **May 20, 2026**

Agenda Item:

Consideration and possible action to approve an ordinance on second and final reading request for the voluntary annexation and establishment of initial zoning of Residential, Single Family ("R-1") District upon annexation for a 1.15 acre tract of land out of Block 47, Lon C. Hill Subdivision, located on the south side of Morris Road approximately 2,630 feet east of Rangerville Road, together with a 0.16 acre tract out of Morris Road (a 60-foot right-of-way) out of Block 47, Lon C. Hill Subdivision. Applicant: Roberto Lopez. Attachment **(Planning & Development)**.

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

Signature: *Ana Hernandez*

Brief Summary:

Project Timeline

- March 4, 2026 – Application for a voluntary annexation and initial zoning submitted to the city. **(ATTACHMENT I)**
- April 11, 2026 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- April 10, 2026 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- April 24, 2026 – In accordance with State and local law, notice of required public hearing posted on the city's website.
- April 28, 2026 – Public hearing to recommend the annexation and the rezoning by the Planning and Zoning Commission.
- May 6, 2026 – Public hearing and consideration of annexation and assignment of the initial zoning by the City Commission via First Ordinance Reading.
- May 20, 2026 – Consideration of annexation and assignment of the initial zoning ordinance by the City Commission via Second and final reading.

Summary

- Guzman and Muñoz Engineering, on behalf of Roberto and Maria Elvia Lopez, have requested the voluntary annexation of approximately 1.15 acres of land. The property has frontage and is contiguous to the city limits via Morris Road. **(ATTACHMENT III)**.
- Upon annexation, the property will be zoned Residential, Single-Family ("R-1") District. The owner is proposing to develop a single-family residence on the property.
- Water and sewer services will be provided by the Harlingen Waterworks System.
- Properties to the north are zoned Residential, Single-Family, while properties to the south, east, and west are located in the County. Surrounding land uses

include single-family residential homes to the north and east, and vacant land in agricultural use to the south and west. **(ATTACHMENTS IV AND V).**

- The Future Land Use Plan component of the Harlingen Horizon – A City on the Rise, Comprehensive Plan designates this area as Low Density Residential **(ATTACHMENT VI).**
- Staff has not received any inquiries regarding the voluntary annexation or the initial establishment of Residential, Single-Family zoning. A total of nine (9) notices were mailed to surrounding property owners within a 200-foot radius.
- The proposed annexation will require three public hearings and two readings of the ordinance. The timeline outlines the annexation and rezoning process.
- In 2026, the city annexed 35.754 acres of land. In 2025, the city annexed 585.37 acres of land. In 2024, the city annexed a total of 103.94 acres; in 2023, 19.94 acres; in 2022, 71.10 acres; and in 2021, 1.47 acres.

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 voluntary annexation and initial zoning request.

Comments:

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

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

Attachment I- Application

CITY OF HARLINGEN PLANNING AND ZONING DIVISION MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address 436937 Nearest Intersection Louisiana Street and Morris
(Proposed) Subdivision Name Lopez V Subdivision Lot _____ Block 47
Existing Zoning Designation Residential Future Land Use Plan Designation Residential

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Guzman and Munoz Engineering & Phone 956.565.4637 FAX _____
Email Address (for project correspondence only): jmunoz@gmes.biz
Mailing Address 2020 E. Expressway 83 City Mercedes State Texas Zip 78570
Property Owner Roberto Lopez and Maria Elvia Lopez Phone 956.535.3368 FAX _____
Email Address (for project correspondence only): roberto.lopez@robertolopezcpa.com
Mailing Address 1118 Whitewing Drive City Harlingen State Texas Zip 78550

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

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

Please provide a basic description of the proposed project: A 1.15 Acre tract of land, out of block Forty-Seven (47)

Lon C. Hill Subdivision

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

Applicant's Signature: _____ Date: _____

Property Owner(s) Signature: Roberto Lopez Date: 2-24-26

Accepted by: _____ Date: _____

Attachment II – Petition Requesting Annexation

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

TO THE MAYOR OF THE GOVERNING BODY OF Harlingen, TEXAS:

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby [if applicable: waive the requirement to be offered a development agreement pursuant to Section 43.016, and] petition your honorable Body to extend the present city limits so as to include as part of the City of Harlingen, Texas, the following described territory, to wit:

(Here describe the territory covered by the petition)

We certify that the above described tract of land is contiguous and adjacent to the City of Harlingen, Texas, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: R. Lopez

Signed: Maria Elvia Lopez

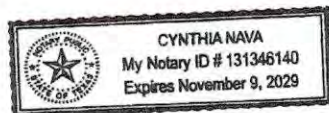
Signed: _____

THE STATE OF TEXAS

COUNTY OF Cameron

BEFORE ME, the undersigned authority, on this day personally appeared Maria Elvia Lopez, Roberto Lopez, and Maria Elvia Lopez, known to me to be the persons whose names are subscribed to the foregoing instrument and each acknowledged to me that he executed the same for the purposes and consideration therein expressed.

Given under my hand and seal of office, this 2nd day of March, 2026.



Cynthia Nava
Notary Public in and for
Cameron County, Texas.

Attachment III



Harlingen, Texas Site Zone Map

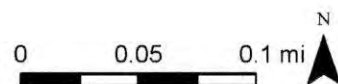
Notice:

Request for the voluntary annexation and establishment of initial zoning of Residential, Single Family ("R-1") District upon annexation for a 1.15 acre tract out of Block 47, Lon C. Hill Subdivision, located on the south side of Morris Road approximately 2,630 feet east of Rangerville Road, together with a 0.16 acre tract out of Morris Road (a 60-foot right-of-way) out of Block 47, Lon C. Hill Subdivision.
Applicant: Roberto Lopez



Legend

- | | |
|--|----------------------------|
| Subject Property: 1.152 Acre | Zone |
| Tract of Land out of Block Forty-Seven (47), Lon C. Hill Subdivision | Residential, Single-Family |
| 200 ft Buffer | Office |
| Property Parcels | |
| City Limits | |



Attachment IV – Street View

View from Morris Road



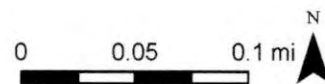
Attachment V – Aerial View

AERIAL



Legend

-  Subject Property: 1.152 Acre
-  Tract of Land out of Block Forty-Seven (47), Lon C. Hill Subdivision
-  200 ft Buffer
-  Property Parcels
-  City Limits



Attachment VI – Future Land Use Map



Harlingen, Texas Site Future Land Use Map

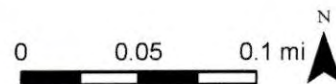
Notice:

Request for the voluntary annexation and establishment of initial zoning of Residential, Single Family ("R-1") District upon annexation for a 1.15 acre tract of land out of Block 47, Lon C. Hill Subdivision, located on the south side of Morris Road, approximately 2,630 feet east of Rangerville Road, together with a 0.16 acre tract out of Morris Road (a 60-foot right-of-way) out of Block 47, Lon C. Hill Subdivision.
Applicant: Roberto Lopez



Legend

- | | |
|--|---|
|  Subject Property: 1.152 Acre | Future Land Use Designation |
|  Tract of Land out of Block Forty-Seven (47), Lon C. Hill Subdivision |  Institutional |
|  200 ft Buffer |  Lower Density Residential |
|  Property Parcels | |
|  City Limits | |



Attachment VII – Metes & Bounds Description



2020 East Expressway 83
Mercedes, Texas 78570

GUZMAN & MUÑOZ
ENGINEERING AND SURVEYING, INC.

PHONE: (956) 565-4637
FAX: (956) 565-4636

METES & BOUNDS DESCRIPTION 0.16 ACRE TRACT

Being a 0.16 Acre Tract out of Morris Road (a 60-Foot Right of Way), out of Block 47, Lon C. Hill Subdivision, Cameron County, Texas as recorded in Volume 2, Page 25, Map Records of Cameron County, Texas, said 0.16 Acre tract to be dedicated to the City of Harlingen and being more particularly described as follows:

COMMENCING at a cotton picker spindle set at the intersection of the centerlines of Morris Road (60-foot ROW) and Louisiana St (60-foot ROW), said intersection being the Northwest corner of said Block 47, Lon C. Hill Subdivision and the Northwest corner of said 0.16 acre tract and the **POINT OF BEGINNING**

THENCE, S 63° 04' 19" E, along the centerline of Morris Road, a distance of 227.18 feet to a point for the Northeast corner of the herein described 0.16 acre tract;

THENCE, S 26° 57' 04" W, at a distance of 20.0 feet pass the Northeast corner of a 0.05 Acre strip of Right of Way dedicated to Cameron County as recorded in Volume 1004, Page 37, Deed Records of Cameron County, Texas, continuing for a total distance of 30.00 feet to a found 1/2 inch iron rod for the Southeast corner of the herein described 0.16 Acre tract, same being the Southeast corner of said 0.05 Acre strip, same being the Northeast corner of the Roberto & Maria Lopez tract as described in Document No. 2021-52361, Official Records of Cameron County, Texas;

THENCE, N 63° 01' 53" W, at a distance of 207.20 feet, pass the Southwest corner of said 0.05 acre strip, continuing for a total distance of 227.20 feet to a cotton picker spindle set for the Southwest corner of said 0.16 Acre tract, same being the Northwest corner of said Lopez tract;

THENCE, N 26° 58' 52" E, along the West boundary line of said Block 47, a distance of 30.00 feet to the **POINT of BEGINNING** and containing 0.16 Acre of land, more or less.

Basis of Bearings is Grid North, Texas State Plane Coordinate System, South Zone, (4205), NAD 83.


Carlos C. Aguilar, RPLS No. 4997 (TX)
GUZMAN & MUNOZ Engineering
& Surveying, Inc.
TBPE&LS Firm Registration No. 10087700

04/02/26
Date



Attachment VII – Metes & Bounds Description



GUZMAN & MUÑOZ
ENGINEERING AND SURVEYING, INC.

2020 East Expressway 83
Mercedes, Texas 78570

PHONE: (956) 565-4637
FAX: (956) 565-4636

METES & BOUNDS DESCRIPTION Lot 1, Block 47, Lon C. Hill Subdivision Cameron County, Texas

Being a 1.152 Acre (1.00 Acre Net Acreage) Tract of Land out of Block Forty-Seven (47), Lon C. Hill Subdivision, Cameron County, Texas as recorded in Volume 2, Page 25, Map Records of Cameron County, Texas, said 1.152 Acre tract out of the 16.191 Acre tract deeded to Natividad Valencia and Beatrice Lopez Valencia as recorded in Volume 1269, Page 472, Official Records of Cameron County, Texas, said 1.152 Acre tract being more particularly described as follows:

COMMENCING at the centerline intersection of Morris Road (60-foot ROW) and West Louisiana Street (60-foot ROW), said intersection being the Northwest corner of Block 47, Lon C. Hill Subdivision, as shown on the map recorded in Volume 2, Page 25, Map Records of Cameron County, Texas; THENCE, along the centerline of West Louisiana Street, same being the West boundary line of Block 47, S 26° 58' 52" W, a distance of 30.0 feet to a found 1/2 inch iron rod for the Northwest corner of said 1.152 Acre (Gross Acreage) tract and the POINT OF BEGINNING of the herein described tract;

THENCE, S 63° 01' 59" E, at a distance of 30.0 feet, pass the East boundary of the West Louisiana Street ROW and the Northwest corner of said 1.00 Acre lot, continuing for a total distance of 227.20 feet to a point for the Northeast corner of the herein described lot;

THENCE, S 26° 57' 04" W, a distance of 220.83 to a point for the Southeast corner of said 1.00 Acre lot described herein;

THENCE, N 63° 02' 07" W, at a distance of 197.31 feet, pass the Southwest corner of said 1.00 acre lot and the East line of the West Louisiana Street ROW, continuing for a total distance of 227.31 for the Southwest corner of said 1.152 Acre tract and the centerline of West Louisiana Street;

THENCE, N 26° 58' 52" E, a distance of 220.84 feet to the POINT of BEGINNING and Containing 1.152 Acres (Gross Acreage) of land, more or less.

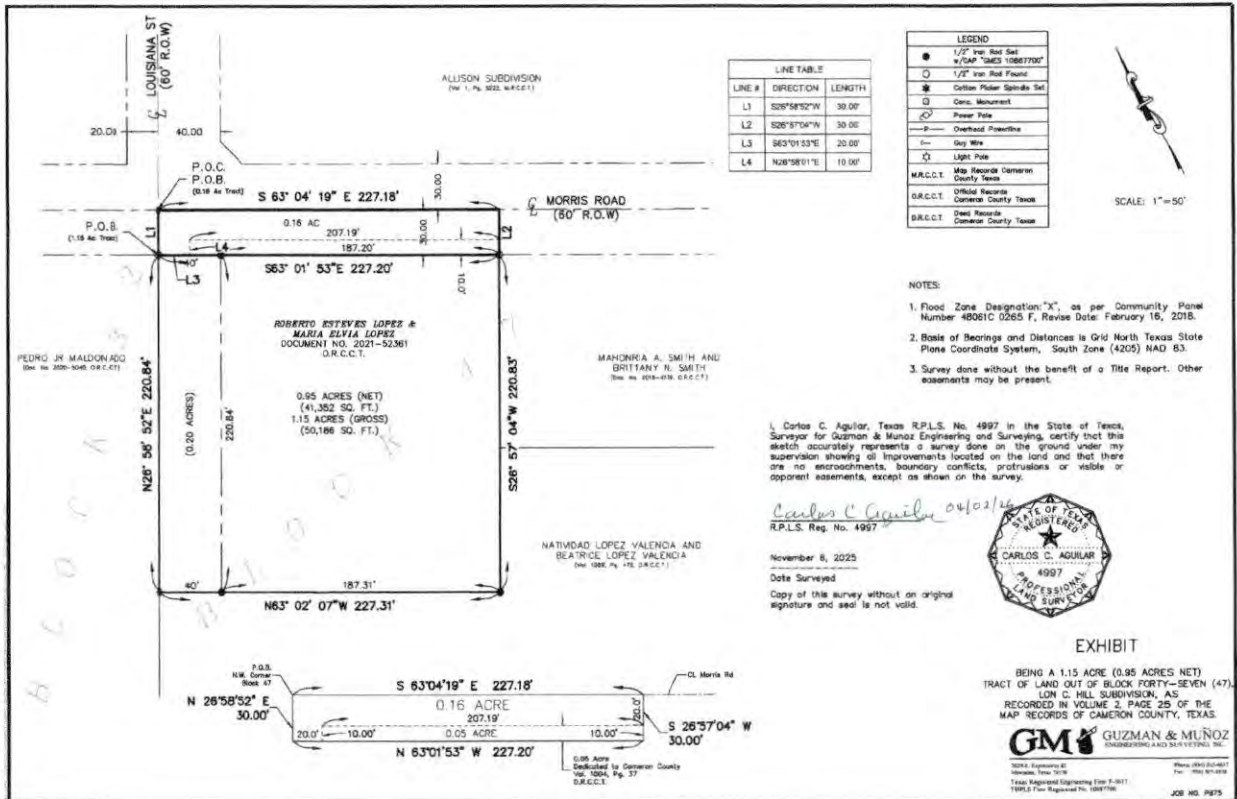
Basis of Bearings in Grid North, Texas State Plane Coordinate System, South Zone, (4205), NAD 83.

Carlos C Aguilar
Carlos C. Aguilar, RPLS No. 4997 (TX)
GUZMAN & MUNOZ Engineering
& Surveying, Inc.
TBPE&LS Firm Registration No. 10087700

03/02/26
Date



Attachment VIII – Survey



ORDINANCE NO. 26-_____

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF HARLINGEN BY ANNEXING, FOR FULL PURPOSE, A 1.15 ACRE TRACT OF LAND OUT OF BLOCK 47, LON C. HILL SUBDIVISION, LOCATED ON THE SOUTH SIDE OF MORRIS ROAD, APPROXIMATELY 2,630 FEET EAST OF RANGERVILLE ROAD, TOGETHER WITH A 0.16 ACRE TRACT OUT OF MORRIS ROAD (A 60-FOOT RIGHT-OF-WAY) OUT OF BLOCK 47, LON C. HILL SUBDIVISION; BINDING THE LAND TO ALL OF THE ACTS, ORDINANCES, RESOLUTIONS, AND REGULATIONS OF THE CITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Harlingen, Texas (the “City”) desires to annex a 1.15-acre tract of land out of Block 47, Lon C. Hill Subdivision, located on the south side of Morris Road, approximately 2,630 feet east of Rangerville Road together with a 0.16-acre tract out of Morris Road (a 60-foot right-of-way) out of Block 47, Lon C. Hill Subdivision and to establish the initial zoning of Residential, Single-Family (“R-1”) District as shown in Exhibits “A”, and “B”, and

WHEREAS, pursuant to Chapter 43, Section 43.003, of the Texas Local Government Code, a home-rule municipality may extend the boundaries of the municipality and annex area adjacent to the municipality which are contained in the municipality’s extra-territorial jurisdiction (ETJ); and

WHEREAS, Chapter 43, Subchapter C-3 of the Texas Local Government Code authorizes municipalities to annex an area on the request of all property owners in an area; and

WHEREAS, the City Commission provided public notice and held public hearings on April 28, 2026, May 6, 2026, and May 20, 2026, for all interested persons to attend and be

heard in accordance with Texas Local Government Code, Chapter 43, Subchapter C-3, § 43.0673; and

WHEREAS, at such hearings all interested persons were heard concerning the advisability of annexing such tracts of land; and

WHEREAS, the City Commission of the City of Harlingen, finds that the inclusion of such additional area will be of benefit to the City of Harlingen; now therefore

BE IT ORDAINED BY THE CITY OF HARLINGEN:

- Section 1.** The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Commission and made a part hereof for all purposes as findings of fact.
- Section 2.** The Property, lying outside of, but adjacent to and adjoining the City and located within the City's ETJ, is hereby annexed into the City, and the boundaries of the City are extended to include the Property within the corporate limits of the City. From and after the date of this ordinance, the Property shall be entitled to all the rights and privileges of the City and shall be bound by all the acts, ordinances, resolutions, and regulations of the City.
- Section 3.** The City finds annexation of the Property to be in the public interest due to the Property promoting economic growth of the City.
- Section 4.** The City Manager is hereby authorized and directed to take appropriate action to have the official map of the City revised to reflect the addition to the City's Corporate Limits and the City Secretary is directed to file a certified copy of this Ordinance in the office of the County Clerk of Cameron County, Texas, and in the official records of the City.
- Section 5.** If for any reason any section, paragraph, subdivision, clause, phrase, word, or other provision of this ordinance shall be held invalid or unconstitutional by final judgment of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision, clause, phrase, word, or provision of this ordinance, for it is the definite intent of this Commission that every section, paragraph, subdivision, clause phrase, word, or provision hereof shall be given full force and effect for its purpose.

Section 6. This Ordinance will take effect upon its adoption by the City Commission in accordance with the provisions of Article V, Section 5 of the City Charter.

APPROVED ON FIRST READING on this 6th day of May 2026.

APPROVED, PASSED, AND ADOPTED ON SECOND AND FINAL READING on this 20th day of May 2026.

CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera, City Secretary

LOUISIANA ST
(60' R.O.W.)

20.00' 40.00'

P.O.C.
P.O.B.
(15' Ac. Tract)

S 63° 04' 19" E 227.15'

0.16 AC

207.19'

187.30'

563° 01' 53" E 227.20'

207.19'

187.30'

MORRIS ROAD
(80' R.O.W.)

ROBERTO ESTEVES LOPEZ &
MARIA ELVIA LOPEZ
DOCUMENT NO. 3221-52361
O.R.C.C.T.

0.65 ACRES (NET)
(41,332 SQ. FT.)
1.15 ACRES (GROSS)
(50,189 SQ. FT.)

MAHONRA A. SMITH AND
BRITANNY N. SMITH
(Doc. No. 328-646, O.R.C.C.T.)

NATIVIDAD LOPEZ VALENZUELA AND
BEATRICE LOPEZ VALENZUELA
(Doc. 1898, Pg. 475, O.R.C.C.T.)

LINE TABLE

LINE #	DIRECTION	LENGTH
L1	62°58'32"W	30.00'
L2	S27°04'04"W	30.00'
L3	S27°01'53"E	20.00'
L4	R25°30'1"E	10.00'

LEGEND

- 1/4" Iron Rod Set
- 1/4" Iron Rod Found
- ⊙ Center Marker Spindle Set
- Cond. Monument
- Paper Pole
- ⊙ Surveyed Posthole
- Day Sign
- ⊙ Light Pole

MA.R.C.C.T. See Records Concerning
County Clerk's Office

MA.R.C.C.T. Official Records
County Clerk's Office

MA.R.C.C.T. Deed Records
County Clerk's Office

SCALE: 1"=50'

NOTES

- Flood Zone Designation: "X", as per Community Flood Map Number 40081C 0255 F, Revised Date: February 16, 2018.
- Base of Bearings and Distances to Grid North Texas State Plane Coordinate System, South Zone (4205) NAD 83.
- Survey done without the benefit of a Title Report. Other encumbrances may be present.

1. Carlos C. Aguilar, Texas R.P.L.S. No. 4997 in the State of Texas, Surveyor for Guzman & Munoz Engineering and Surveying, certify that this sketch accurately represents O survey done on the ground under my supervision showing all improvements located on the land and that there are no encroachments, boundary conflicts, protrusions or voids or apparent encumbrances, except as shown on the survey.

Carlos C. Aguilar 04/01/16
R.P.L.S. Reg. No. 4997

November 6, 2025
Date Surveyed

Copy of this survey without an original signature and seal is not valid.

SEAL OF THE STATE OF TEXAS
REGISTERED PROFESSIONAL SURVEYOR
CARLOS C. AGUILAR
4997

EXHIBIT

BEING A 1.15 ACRES (NET)
TRACT OF LAND OUT OF BLOCK FORTY-SEVEN (47)
LION C. HILL SUBDIVISION, AS
RECORDED IN VOLUME 2, PAGE 23 OF THE
MAP RECORDS OF CAMERON COUNTY, TEXAS.

GUZMAN & MUÑOZ
ENGINEERING AND SURVEYING, P.C.

1100 E. UNIVERSITY BLVD., SUITE 100
LUBBOCK, TEXAS 79401
TEL: 797-222-1100
FAX: 797-222-1101
WWW.GUZZMANMUNOZ.COM

Exhibit "B"



2020 East Expressway 83
Mercedes, Texas 78570

GUZMAN & MUÑOZ
ENGINEERING AND SURVEYING, INC.

PHONE: (956) 565-4637
FAX: (956) 565-4636

METES & BOUNDS DESCRIPTION 0.16 ACRE TRACT

Being a 0.16 Acre Tract out of Morris Road (a 60-Foot Right of Way), out of Block 47, Lon C. Hill Subdivision, Cameron County, Texas as recorded in Volume 2, Page 25, Map Records of Cameron County, Texas, said 0.16 Acre tract to be dedicated to the City of Harlingen and being more particularly described as follows:

COMMENCING at a cotton picker spindle set at the intersection of the centerlines of Morris Road (60-foot ROW) and Louisiana St (60-foot ROW), said intersection being the Northwest corner of said Block 47, Lon C. Hill Subdivision and the Northwest corner of said 0.16 acre tract and the **POINT OF BEGINNING**

THENCE, S 63° 04' 19" E, along the centerline of Morris Road, a distance of 227.18 feet to a point for the Northeast corner of the herein described 0.16 acre tract;

THENCE, S 26° 57' 04" W, at a distance of 20.0 feet pass the Northeast corner of a 0.05 Acre strip of Right of Way dedicated to Cameron County as recorded in Volume 1004, Page 37, Deed Records of Cameron County, Texas, continuing for a total distance of 30.00 feet to a found 1/2 inch iron rod for the Southeast corner of the herein described 0.16 Acre tract, same being the Southeast corner of said 0.05 Acre strip, same being the Northeast corner of the Roberto & Maria Lopez tract as described in Document No. 2021-52361, Official Records of Cameron County, Texas;

THENCE, N 63° 01' 53" W, at a distance of 207.20 feet, pass the Southwest corner of said 0.05 acre strip, continuing for a total distance of 227.20 feet to a cotton picker spindle set for the Southwest corner of said 0.16 Acre tract, same being the Northwest corner of said Lopez tract;

THENCE, N 26° 58' 52" E, along the West boundary line of said Block 47, a distance of 30.00 feet to the **POINT of BEGINNING** and containing 0.16 Acre of land, more or less.

Basis of Bearings is Grid North, Texas State Plane Coordinate System, South Zone, (4205), NAD 83.


Carlos C. Aguilar, RPLS No. 4997 (TX)
GUZMAN & MUNOZ Engineering
& Surveying, Inc.
TBPE&LS Firm Registration No. 10087700

04/02/26
Date



Exhibit "B"



GUZMAN & MUÑOZ
ENGINEERING AND SURVEYING, INC.

2020 East Expressway 83
Mercedes, Texas 78570

PHONE: (956) 565-4637
FAX: (956) 565-4636

METES & BOUNDS DESCRIPTION Lot 1, Block 47, Lon C. Hill Subdivision Cameron County, Texas

Being a 1.152 Acre (1.00 Acre Net Acreage) Tract of Land out of Block Forty-Seven (47), Lon C. Hill Subdivision, Cameron County, Texas as recorded in Volume 2, Page 25, Map Records of Cameron County, Texas, said 1.152 Acre tract out of the 16.191 Acre tract deeded to Natividad Valencia and Beatrice Lopez Valencia as recorded in Volume 1269, Page 472, Official Records of Cameron County, Texas, said 1.152 Acre tract being more particularly described as follows:

COMMENCING at the centerline intersection of Morris Road (60-foot ROW) and West Louisiana Street (60-foot ROW), said intersection being the Northwest corner of Block 47, Lon C. Hill Subdivision, as shown on the map recorded in Volume 2, Page 25, Map Records of Cameron County, Texas; THENCE, along the centerline of West Louisiana Street, same being the West boundary line of Block 47, S 26° 58' 52" W, a distance of 30.0 feet to a found 1/2 inch iron rod for the Northwest corner of said 1.152 Acre (Gross Acreage) tract and the POINT OF BEGINNING of the herein described tract;

THENCE, S 63° 01' 59" E, at a distance of 30.0 feet, pass the East boundary of the West Louisiana Street ROW and the Northwest corner of said 1.00 Acre lot, continuing for a total distance of 227.20 feet to a point for the Northeast corner of the herein described lot;

THENCE, S 26° 57' 04" W, a distance of 220.83 to a point for the Southeast corner of said 1.00 Acre lot described herein;

THENCE, N 63° 02' 07" W, at a distance of 197.31 feet, pass the Southwest corner of said 1.00 acre lot and the East line of the West Louisiana Street ROW, continuing for a total distance of 227.31 for the Southwest corner of said 1.152 Acre tract and the centerline of West Louisiana Street;

THENCE, N 26° 58' 52" E, a distance of 220.84 feet to the POINT of BEGINNING and Containing 1.152 Acres (Gross Acreage) of land, more or less.

Basis of Bearings in Grid North, Texas State Plane Coordinate System, South Zone, (4205), NAD 83.

Carlos C. Aguilar

Carlos C. Aguilar, RPLS No. 4997 (TX)
GUZMAN & MUNOZ Engineering
& Surveying, Inc.
TBPE&LS Firm Registration No. 10087700

03/02/26
Date



Exhibit "C"

ANNEXATION SERVICE AGREEMENT

SECTION 1. Pursuant to the provisions of V.T.C.A., Local Government Code Section 43.0672, in connection to the voluntary annexation of 1.15 acres of land out of Block 47, Lon C. Hill Subdivision, with a 0.16 acre tract out of Morris Road (a 60-foot right-of-way), out of Block 47, Lon C. Hill Subdivision, Cameron County, Texas, the owners(s) of the land in the area and the City of Harlingen ("City"), collectively referred to herein as the "Parties", hereby enter into this written Annexation Service Agreement as follows:

- A. Services to be provided on the effective date of annexation unless otherwise specified.
1. Police Protection
Patrolling, radio response to calls and other routine police services using present personnel and equipment will be provided on the effective date of annexation. Patrol positions will be added when population warrants.
 2. Fire Protection
Fire protection by the present personnel and equipment of the fire fighting force within the limitations of available water will be provided on the effective date of annexation.
 3. Emergency Medical Services
Emergency medical services will be provided through contract services on the effective date of annexation.
 4. Environmental Health and Code Compliance
Health protection including the elimination of weedy lots, illegal dumping, unsanitary septic systems, sources of standing water and other public nuisances will be provided on the effective date of annexation.

Regulation of animal and fowl density will be provided on the effective date of annexation.
 5. Solid Waste Collection
Pick up will begin on the effective date of annexation at the same level of service and cost provided to other similar areas presently found within the City of Harlingen.

Brush collection will be on a periodic basis as established by the City Sanitation Department with an active utility account.

Exhibit "C"

6. Operation and maintenance of public water and wastewater facilities
Routine maintenance of existing water and wastewater facilities owned by Harlingen Waterworks System that are not within the service area of another water or wastewater utility will begin on the effective date of annexation.
7. Operation and maintenance of public roads and streets
Routine maintenance of public roads and streets will begin on the effective date of annexation on the same basis as presently occurs in the city.

SIGNED this ____ day of _____, 2026.

CITY OF HARLINGEN

By: _____
Gabriel Gonzalez, CPM, City Manager

PROPERTY OWNER(S) OF THE PROPERTY DESCRIBED ABOVE

By: _____
Roberto Lopez

By: _____
Maria Elvia Lopez

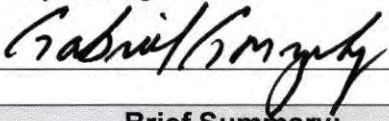
**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **May 20, 2026**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading imposing a temporary moratorium on the acceptance, processing, and 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.

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

Signature: 

Brief Summary:

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval of the resolution.

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

Comments:

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

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

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(f)

Meeting Date: **May 20, 2026**

Agenda Item:

Consideration and possible action to recommend to the City Commission approval of the preliminary construction plans and final plat, with conditions, for the proposed replat of Lots 19 and 20, Block 2, Parkwood Addition Subdivision; and consideration of a variance request to the required park fees for Lot 20 within said subdivision, located north of Mesquite Drive, approximately 206.57 feet east of East Parkwood Street. Applicant: Scheibe Consulting, Inc., c/o Barry W. Jackson. Attachment (**Planning & Development**)

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

Brief Summary:

Project Timeline

- December 8, 2025 – Preliminary Construction Plans and Final Plat application submitted to the City. (**ATTACHMENT I**)
- January 8, 2026 – Comments outlining deficiencies sent to engineer.
- January 19, 2026 – Preliminary construction plans and final plat resubmitted to the City.
- February 4, 2026 – Comments outlining deficiencies sent to engineer.
- February 19, 2026 – Preliminary construction plans and final plat resubmitted to the City.
- February 19, 2026 – Variance request submitted to the City for the Park Fees.
- March 16, 2026 – Preliminary construction plans and final plat deemed complete.
- April 14, 2026 – Consideration of the preliminary construction plans and final plat with conditions and a variance request by the Planning and Zoning Commission.
- May 20, 2026 – Consideration of the preliminary construction plans and final plat with conditions and a variance request by the City Commission.

Summary:

- The proposed Lots 19 & 20 Parkwood Addition Subdivision Replat consists of two residential, single-family lots, being replatted to adjust the lot lines on the subject properties. The subdivision is located inside City limits.
- The proposed development is consistent with the Residential, Single-Family zoning for the properties.
- All drainage improvements will be designed in accordance with the City's current standards, including compliance with the 50-year storm event requirement.
- Water and wastewater services for the proposed development will be provided by the Harlingen Waterworks System (HWWWS).

- Park fees must be paid for the subdivision. Park fees are \$500 per dwelling unit/lot. A total of \$1,000.00 will have to be paid in park fees prior to subdivision recording. The fees will go to Park Zone 2 (the southeast zone). **(ATTACHMENT X)**
- The developer is requesting a variance to the park fees on Lot 20, since Lot 19 is already developed with a single-family residence and has been developed for several years. The applicant is replatting the property to adjust the lot lines on the lots and sell the second lot for a single-family residence development.
- Pursuant to Section 109-193(e) a discount of up to 50 percent of the required park fee can be granted to developers in those cases where significant amenities, such as, swimming pools, tennis courts, basketball courts, ball fields or walking trails are being provided within the development for the benefit of those residing therein.
- The proposed replat involves property in which one of the lots is already developed with an existing single-family residence. Given that the replat does not represent a full increase in new residential impact—only one additional buildable lot is effectively being created.
- A similar variance was approved December 18, 2024, by the City Commission for the Lot 12, Block 1, Clift Addition and Lot 1, Block 2, Mason Subdivision Replat located at the northeast corner of 13th Street and East Crockett Avenue. However, each variance request must be considered independently based on the specific conditions of the property.
- All items identified on the preliminary and final plat checklist will be addressed prior to the recording of the final plat.
- In accordance with Section 109-27 of the City of Harlingen Code of Ordinances, no variance shall be recommended unless the planning and zoning commission finds:
 - (1) There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of this chapter would deprive the applicant of the reasonable use of the land;
 - The subject property consists of two previously platted lots, one which has been developed with an existing single-family residence since 1955. The current lot configuration is irregular and does not efficiently accommodate the existing development pattern or the functional use of the property.
 - The proposed replat adjusts the shared lot line between the two lots to create more regular, conforming parcels that better align with the existing residential use and allow for the reasonable development of the second lot.
 - Strict application of the park fee requirement would treat both resulting lots as entirely new development, despite the fact that one lot is already developed and has long contributed to park demand. This would require payment of park fees for more impact than the development actually creates, as only one new dwelling unit is being added
 - (2) The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant;

- The requested variance preserves the applicant's ability to reasonably use and develop the property in a manner consistent with existing zoning and surrounding development patterns. The proposed adjustment achieves compliance with zoning requirements, as both resulting lots exceed the minimum 6,000 square feet required for single-family residential development.
 - Without the variance, the applicant would be required to pay park fees that exceed the proportional impact of the replat, which could discourage or limit the ability to develop or sell the second lot.
 - Granting the variance ensures the applicant can realize the reasonable economic and functional use of the property without being subject to duplicative or excessive fees.
- (3) The granting of the variance will not be detrimental to the public health, safety or welfare, or injurious to other property in the area;
- The requested variance will not be detrimental to public health, safety, or welfare, as it does not introduce additional density beyond what is permitted under the existing zoning.
 - The replat results in only one additional buildable lot, and all infrastructure improvements, including drainage, water, and wastewater services, will comply with applicable City standards.
- (4) The granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of this chapter;
- The proposed replat is a minor adjustment to an existing lot line within an established subdivision and does not alter the overall subdivision pattern.
 - The adjustment is minor in nature and both resulting lots will comply with zoning requirements, including minimum lot size, and will remain consistent with the surrounding neighborhood layout.
 - Granting the variance will not interfere with the orderly subdivision of other land or encourage nonconforming development practices, as this request is specific to an already developed property.
- (5) The granting of the variance will not have the effect of allowing subdivision of land that is inconsistent with chapter 48 of this code pertaining to utility extension policy or with the city's comprehensive plan or master plans for water and sewer infrastructure.
- The proposed replat and variance are consistent with the City's Comprehensive Plan, HWWWS Water and Wastewater Master plans, and utility extension consistent with Chapter 48 of Harlingen's Code of Ordinances.

- The variance pertains only to the proportional application of park fees and does not affect land use intensity, infrastructure demand, or long-term planning objectives.
 - The requested variance is limited in scope and ensures that park fee requirements are applied in a manner that is fair, proportional, and consistent with the intent of the ordinance.
- In addition, the Code of Ordinances states “Financial hardship to the subdivider standing alone, shall not be deemed to constitute “undue hardship”.
 - A majority vote of the City Commission shall be required to override a recommendation for or against the variance from the Planning & Zoning Commission.

Staff Recommendation:

Staff recommends approval of the variance as:

1. The requested variance complies with the findings outlined in Section 109-27 of the Code of Ordinances.
2. The request involves a replat of two previously platted lots, one of which is already developed with an existing single-family residence, resulting in only one additional buildable lot. Accordingly, the variance ensures that park fee requirements are applied in a manner proportional to the development's actual impact.
3. A similar variance was approved on December 18, 2024, for Lot 12, Block 1, Clift Addition, and Lot 1, Block 2, Mason Subdivision Replat, located at the northeast corner of 13th Street and East Crockett Avenue. While this action reflects a prior decision by the City Commission, it does not establish precedent, and each variance request must be evaluated independently based on the specific conditions of the property.

If the variance is approved, staff recommends approval of the preliminary construction plans and final plat, subject to the following conditions:

4. Complying with the requirements from the Engineering Department, HWWS, Fire Prevention Bureau, and Planning & Zoning Division, as outlined in the attached comments. **(ATTACHMENT V – IX)**

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount for this purpose?

☐ Yes ☐ No*

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

Finance Director's approval:

☐ Yes ☐ No ☐ N/A

City Manager's approval:



☒ Yes ☐ No ☐ N/A

Comments:

City Attorney's approval:



☒ Yes ☐ No ☐ N/A

Attachment I—Subdivision Application

CITY OF HARLINGEN PLANNING AND ZONING DIVISION MASTER APPLICATION

PROPERTY INFORMATION: (Please PRINT or TYPE)

Project Address _____ Nearest Intersection _____
(Proposed) Subdivision Name RePlat of Lot 19220 Lot _____ Block _____
Existing Zoning Designation Residential Future Land Use Plan Designation Residential

OWNER/APPLICANT INFORMATION: (Please PRINT or TYPE)

Applicant/Authorized Agent Johnny Garcia Phone 956-423-1702 FAX _____
Email Address (for project correspondence only): Johnny Garcia @ Scheibe Consulting.com
Mailing Address 1221 E. Tyler Ave. City Harlingen State Tx Zip 78550
Property Owner Barry W. Jackson Phone 956-367-0070 FAX _____
Email Address (for project correspondence only): _____
Mailing Address _____ City Harlingen State Tx Zip 78550

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

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

Please provide a basic description of the proposed project: _____

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: _____

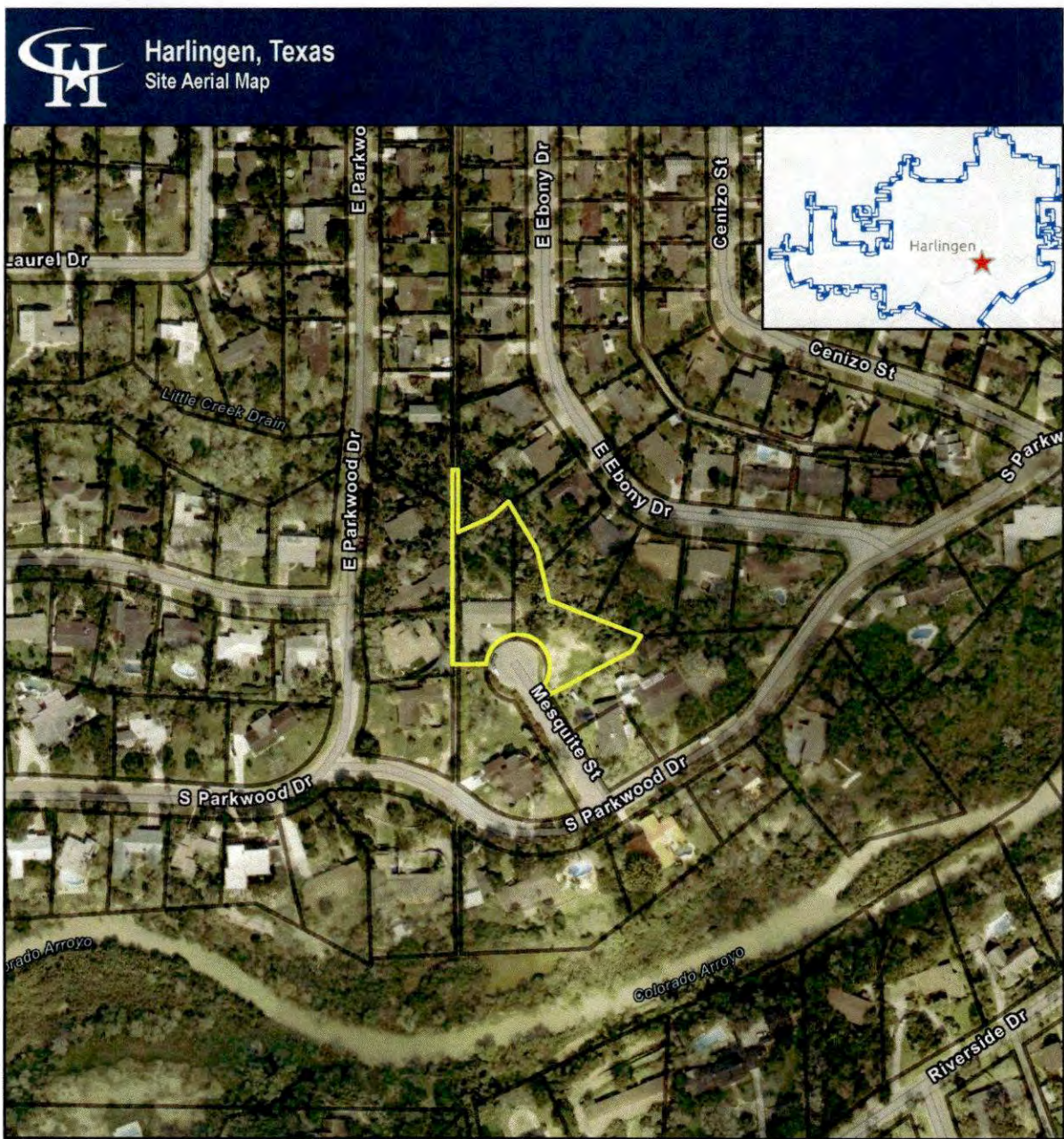
Property Owner(s) Signature: [Signature] Date: _____

Accepted by: _____ Date: _____

46

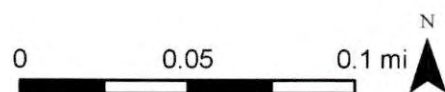


Attachment III — Aerial View



Legend

- Subject Property: Lots 19 & 20
Parkwood Addition Replat
- Property Parcels



Attachment IV — Street View

Street View from Mesquite Drive



Attachment IV – Street View

Street View from Mesquite Drive



Attachment V – Planning



Planning and Development Department
502 E. Tyler Avenue
Harlingen, TX 78550
(956) 216-5101

3/30/2026

Scheibe Consulting
1221 E. Tyler Avenue
Harlingen, Texas 78550

Re: Lots 19 & 20 Parkwood Addition Subdivision Replat

Dear Mr. Garcia,

City staff reviewed the preliminary plans and final plat of the proposed "**Lots 19 & 20 Parkwood Addition Subdivision Replat**" submitted on February 19, 2026. The application is considered complete, subject to a list of conditions from different city departments. If you agree with the listed conditions, please visit the Planning and Development office to pay the \$250.00 subdivision application fee. Once the payment is received, the proposed subdivision will be considered "filed" and staff will place the subdivision in the next scheduled meeting of the Planning and Zoning Commission.

Preliminary and Final:

1. Pursuant to Sec. 109.91 – (c)(3)(e) of the Code of Ordinances Chapter 109 – Subdivisions, all new monuments set at subdivision corners shall be set to a sufficient depth to retain a stable and distinctive location, encased in concrete where location permits, shall be marked in a way that is traceable to the responsible surveyor, and shall conform to the appropriate state statutes.
 - a. Please provide elevations for these points.
2. Pursuant to Sec. 109-193 (a)(1)(c) of the Code of Ordinances Chapter 109 – Subdivisions, please note that there is a Park Land Dedication fee of \$500 per lot.
3. All other applicable fees must be paid prior to recording of the final plat.

Thank you,

Soledad A. Núñez

Soledad A. Núñez, CNU-A
City Planner



Engineering Department | 24200 FM 509, Harlingen, Texas 78550

March 4, 2026

Nadia M. Lopez, PE
Assistant City Engineer

Mr. Joel Olivo
Assistant Director for Planning and Development
502 E. Tyler Ave., Harlingen, Texas 78550

**RE: REVIEW OF REPLAT OF LOTS 19 & 20 PARKWOOD ADDITION SUBDIVISION
PRELIMINARY/FINAL – 3RD SUBMITTAL**

Dear Mr. Olivo,

Engineering does not have any additional comments regarding the preliminary/final plat documents for the above-mentioned subdivision per Section 109-128.(a) of the City of Harlingen City Ordinances.

- ☒ Approved
- ☐ Approved with Conditions
- ☐ Disapproved

Please note that this review shall be for conformance to subdivision regulations and the responsibility and liability for the adequacy of the design shall remain with the Engineer sealing the documents.

If you have any questions, please feel free to contact me at (956) 216-5223 or via email at nlopez@harlingentx.gov.

Sincerely,

Nadia M. Lopez, PE



Subdivision Review

Subdivision Name: Replat of Lots 19 & 20 Parkwood Addition

Proposed Use: 2 Residential Lots

Location: Located north of Mesquite Drive

Developer: Barry W. Jackson

Engineer: Scheibe Consulting / (956) 423-1702
johnnvgarcia@scheibeconsulting.com

Approval: ____ Yes ____ ☒ Yes with Comments ____ No

- Comments:**
1. As per Sec. 109-91 (d) (5) a fire hydrant plan which includes location of existing and proposed fire hydrants. Fire hydrants must be shown to create a coverage network of not more than 500-foot intervals measured along streets or other public access right-of-way for single-family residential subdivisions. In all other subdivisions, this distance must be a 150-foot radius.
 2. As per Sec. 109-124 (h) (2) a fire hydrant shall be placed at a distance not exceeding 150 feet from any building requiring fire sprinklers and/or standpipes.

Juan Saucedo Jr. Fire Marshal
Departmental Official Signature

(956) 216-5790
Contact Number

Fire Prevention
Department

jsauceda@harlingentx.gov
Contact E-mail

January 7, 2026
Date

Juan Saucedo Jr
Signature

Attachment VIII– Harlingen Water Works System



HARLINGEN
WATERWORKS
SYSTEM

REPLAT OF LOTS 19 & 20 PARKWOOD ADDITION PLAT SUBMITTAL #3

March 6, 2026

To: Soledad A. Nunez
Planning & Zoning Dept.
City of Harlingen

From: David Vasquez, Engineering Technician
Engineering Dept.
Harlingen Waterworks System

Response:

APPROVED with CONDITIONS

UTILITY PLAN COMMENTS:

No.	Comment/Revision	Addressed
1	REPEAT COMMENT: Attach HWWWS standard details for the water and sewer service connections.	

ADDITIONAL COMMENTS:

- If the developer requests HWWWS to execute the plat prior to completion of the modifications to the existing water & sewer facilities, a Letter of Credit (LOC) or a Check in an amount equal to the developer's estimated costs of construction must be submitted to HWWWS. The developer's engineer is to submit a cost estimate for this work for review and approval by HWWWS prior to submission of the LOC or check.
- A full set of water and sewer construction plans must be submitted to Harlingen Waterworks System for review and approval prior to commencement of construction.
- Response to Conditions of Approval are required prior to Signing of a Plat. Submitter must mark Yes or No in the Addressed column. Mylars missing response to Conditions for Approval will not be Signed.
- HWWWS comments subject to modification based on additional information of future comments issued by the City of Harlingen, changes made to the plans after approval has been given, or if new information is uncovered through field discovery.

Attachment IX – Public Works (Traffic)

From: [Arnold Campos](#)
To: [Sol Nunez](#)
Cc: [Ruth Trevino](#)
Subject: RE: Lots 19 & 20 Parkwood Addition Replat Prelim/Final 2nd Submittal
Date: Tuesday, February 3, 2026 12:00:01 PM
Attachments: [image001.png](#)
[image002.png](#)

Good morning Sol,

This is clear as a streetlight currently exists at the cul-de-sac on Mesquite St.

Thank you,



Arnold Campos Jr.
Public Works- Traffic Signal Maintenance Supervisor
City of Harlingen
404 S 54th Street Harlingen, TX 78550
Office (956) 216-5324 Cell (956) 245-6023

-----Original Appointment-----

From: Sol Nunez <soln@harlingentx.gov>

Sent: Monday, January 19, 2026 4:56 PM

To: Sol Nunez; Ana Hernandez; Arnold Campos; Carlos Cardenas; Christopher Torres; Claudia Reyes; Daniel Diaz; Daniel Villafranco; David Vasquez - HWWS; Dr. Josh Ramirez; Gabriel Trevino - HWWS; Guillermo Rodriguez; Isac Ramirez; Joel Olivo; Jose M. Aceves; Joseph Lunn - HWWS; Juan Saucedo Jr. - HFD; Nadia Lopez; Oscar Garcia; Ramiro Robledo; Roberto Hernandez; Rodrigo Sanchez; Roxanne Encinia - HFD; Rudy Gonzalez; Ruth Trevino; Sabina Ramirez; Sandee Alvarez

Subject: Lots 19 & 20 Parkwood Addition Replat Prelim/Final 2nd Submittal

When: Monday, February 2, 2026 4:30 PM-5:00 PM (UTC-06:00) Central Time (US & Canada).

Where: Planning

Good afternoon,

Please review the attached plans for the proposed replat of Lots 19 & 20, Parkwood Addition Subdivision. Please provide comments on or before the end of day **Monday, February 2nd**. For any questions or more information, please contact the Planning Office at 956-216-5267. Thank you.

Sincerely,

Solstad A. Nunez, CNU-A
City Planner

Attachment X – Park Zones Map

PARK ZONES WITH ETJ AREA SHOWN

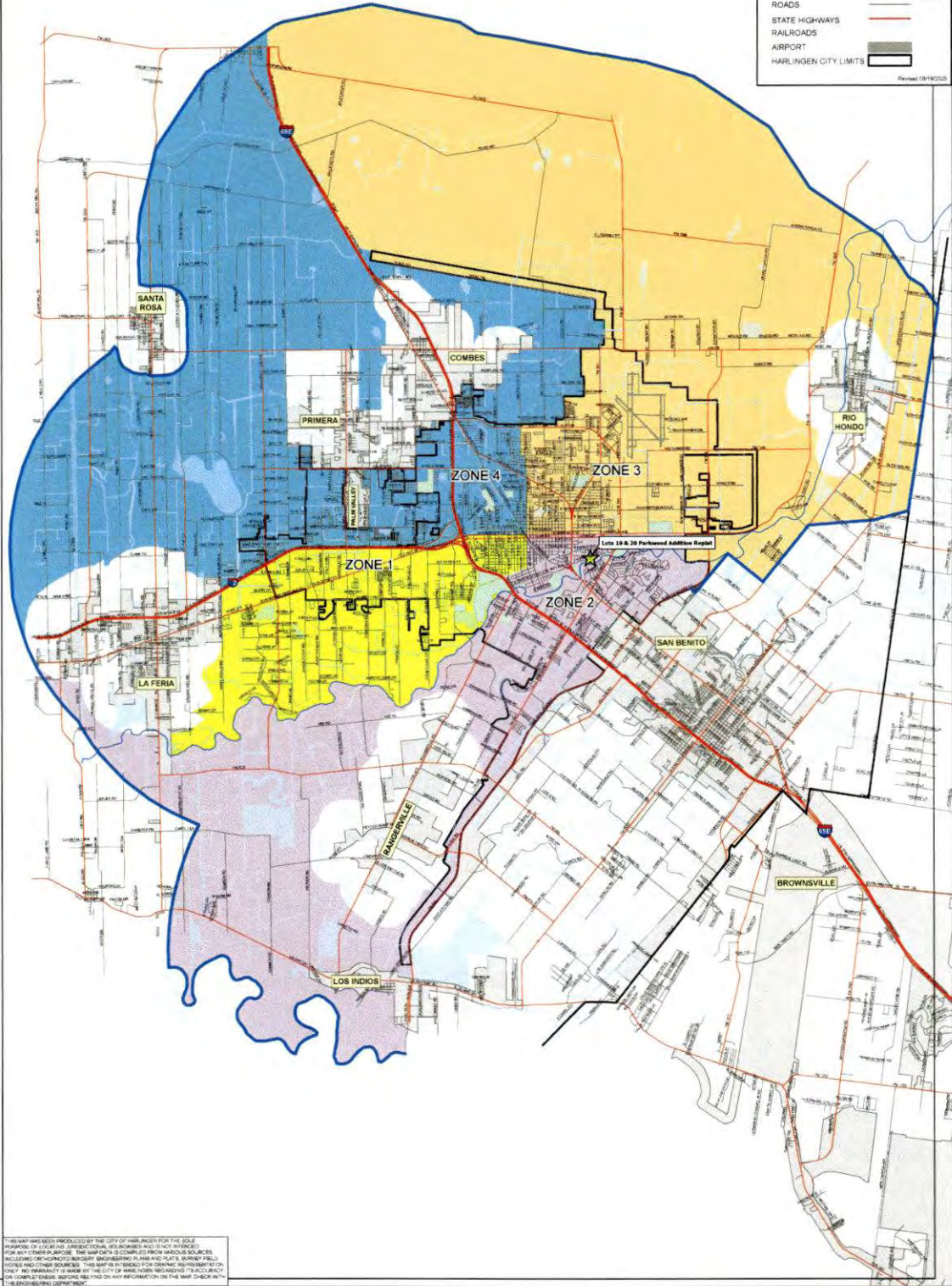
PARK ZONES

ZONE 1
ZONE 2
ZONE 3
ZONE 4



5 MILE ETJ
ROADS
STATE HIGHWAYS
RAILROADS
AIRPORT
HARLINGEN CITY LIMITS

Revised: 09/19/2025



THIS MAP HAS BEEN PREPARED BY THE CITY OF HARLINGEN FOR THE SOLE PURPOSE OF LOCATING JURISDICTIONAL BOUNDARIES AND IS NOT INTENDED FOR ANY OTHER PURPOSE. THE MAP DATA IS COMPILED FROM VARIOUS SOURCES INCLUDING OFFICIAL CITY RECORDS, AERIAL PHOTOGRAPHS, AND PUBLIC FIELD SURVEYS AND OTHER SOURCES. THIS MAP IS TO BE USED FOR GENERAL INFORMATION ONLY. NO WARRANTY IS MADE BY THE CITY OF HARLINGEN REGARDING THE ACCURACY OR COMPLETENESS. BEFORE RELYING ON ANY INFORMATION ON THE MAP, CHECK WITH THE ENGINEERING DEPARTMENT.

AGENDA ITEM EXECUTIVE SUMMARY

Meeting Date: **May 20, 2026**

Agenda Item:

Consideration and Possible action to renew the MarshMcLennan Agency (McGriff) Employee Benefits Broker Agreement for the City of Harlingen Fiscal Year 2026-2027 and to authorize the City Manager to sign the Contract. Attachment (Human Resources)

Prepared By (Print Name): Richard B Jones
Title: Director of Human Resources

Signature: 

Brief Summary:

The City received notification regarding this renewal regarding the Employee Benefits Broker Service Agreement from MarshMcLennan Agency (McGriff) which remains the same as previous years. The City does provide for this contract for MarshMcLennan Agency to negotiate and service health and benefit coverages for the City.

Funding (if applicable):

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

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

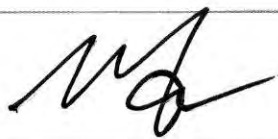
Finance Director's approval: ☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval of the resolution.

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

Comments:

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



CLIENT SERVICE AGREEMENT

This Client Service Agreement and any statement of work, Exhibits and Appendices hereto (this "**Agreement**") is made as of July 1, 2026, (the "**Effective Date**"), by and between City of Harlingen (herein referred to as "**Client**"), and McGriff, A Marsh & McLennan Agency LLC (herein referred to as ("**MMA**").

NOW, THEREFORE, in consideration of mutual covenants and representations set forth in the Agreement, the parties hereby agree as follows:

Article I. Services Provided by MMA

MMA shall provide the services outlined on the Statement of Work ("SOW") attached to this Agreement as Exhibit A and signed by the Client (the "**Services**") and which may be amended, from time to time, by mutual written agreement of the parties. To the extent there is a direct conflict between the terms of this Agreement and an SOW, the terms of the SOW shall control.

Article II. Term/Termination

2.1 Term

This Agreement shall begin on the Effective Date and continue until (a) a termination occurs pursuant to provision 2.2; or (b) the end of a service period as described in the SOW, whichever occurs earlier. MMA's obligations to provide Services hereunder will terminate upon termination of the Agreement for any reason.

2.2 Termination

This Agreement, and any SOW attached hereto, may be terminated for convenience by either party by providing 90 days' prior written notice. This Agreement may be terminated by MMA for Client's non-payment of fees as provided on the SOW. Any termination of this Agreement shall not relieve Client of its obligations to pay for Services rendered and/or earned by MMA up to and including the effective date of the termination.

2.3 Events Upon Termination

Upon termination of this Agreement, Client shall pay to MMA any and all fees due and owing to MMA calculated in accordance with the Exhibit A - SOW for the period ending at the end of the 90-day notice period. Notwithstanding any termination of this agreement, any retail commissions collected by MMA shall be considered fully earned upon receipt.

Article III. Confidentiality

3.1 Each of MMA and Client is likely to disclose information (in such capacity, the "**Disclosing Party**") to the other (in such capacity, the "**Receiving Party**") from time to time in the course of the provision of the Services, which is marked or designated as confidential or proprietary at or prior to disclosure or which would appear to a reasonably prudent person to be confidential and/or proprietary in nature ("**Confidential Information**"). Confidential Information shall also include this Agreement and all business strategies, plans and procedures, business information, proprietary information, scientific information, product plans, sales information and plans, data, and trade secrets of the Disclosing Party. Notwithstanding the foregoing, "Confidential Information" shall not include any information or materials that: (a) are or become known to the general public through no act or omission of the Receiving Party, (b)

are received by the Receiving Party from a third party that the Receiving Party reasonably believes was legally entitled to disclose the same, (c) were legally in the Receiving Party's possession prior to disclosure by Client; (d) are developed by or for the Receiving Party independently of the Disclosing Party's Confidential Information, or (e) are de-identified and aggregated. In the event the Receiving Party is requested or required by legal or regulatory authority to disclose any Confidential Information, the Receiving Party may, unless prohibited by law or regulation, disclose such information; provided, that prior to any such disclosure, the Receiving Party shall advise the Disclosing Party of such required disclosure promptly upon learning thereof such that the Disclosing Party may seek an appropriate protective order. In the event that a protective order or other remedy is not obtained, the Receiving Party agrees to furnish only that portion of the Confidential Information that it reasonably determines is consistent with the scope of the subpoena or demand.

The Receiving Party (a) shall safeguard and maintain in confidence all Confidential Information of the Disclosing Party provided to or learned or developed during the course of performing such Receiving Party's obligations hereunder and (b) shall not use or copy any Confidential Information, or authorize or permit others to use any such Confidential Information, for any purposes other than, in the case of MMA as the Receiving Party, to perform the Services. Notwithstanding anything to the contrary in this Agreement, Client expressly agrees that (i) MMA may share the Client's Confidential Information with carriers, third party providers, intermediaries and related parties in furtherance of the Services (and the same shall not be considered agents or representatives of MMA for this purpose) and (ii) MMA is expressly permitted to de-identify and aggregate Confidential Information for preparing commercially available normative and benchmarking data and for internal and external research, analysis, and product development purposes.

The confidentiality obligations contained in this section with respect to any Confidential Information shall survive for a period of two (2) years from receipt of such Confidential Information, or for such longer period as required by applicable law.

3.2 [Intentionally Blank.]

3.3 Ownership Rights

Client acknowledges and agrees that except to the extent they constitute Work (as defined below), all products, forms, procedures, pricing, and other materials, including any hardware or software products, proposals, and templates, utilized or made available by MMA to Client in connection with any Services rendered hereunder (collectively, the "**Products**") are the sole property of MMA. Client acknowledges and agrees that nothing herein shall be construed to grant or create any ownership rights in any hardware and software owned, operated by, or licensed to MMA. Client shall have no title or other ownership right to or interest in any of such Products, nor shall it acquire any such right, title, or interest by use thereof in accordance with this Agreement. Client shall not license, market, modify, sell, or transfer any of such Products, in whole or in part.

3.4 Deliverables and Intellectual Capital

Only materials prepared by MMA specifically, solely and exclusively for Client pursuant to this Agreement (the "**Work**") shall be owned by Client. Notwithstanding the foregoing, MMA will retain all ownership and copyright, patent and other intellectual property rights in the methodologies, methods of analysis, ideas, concepts, know-how, models, tools, techniques, skills, knowledge and experience owned or possessed by MMA before the commencement of, or developed or acquired by MMA during or after, the performance of the Services, including without limitation, all systems, software, algorithms, specifications, documentation and other materials created, owned or licensed and used by MMA or our affiliates or subcontractors in the course of providing the Services and the Work (collectively, the "**Intellectual Property**"), and shall not be restricted in any way with respect thereto.

Client will not use, in a manner other than as mutually contemplated when MMA was first retained by Client to perform the applicable Services, or disclose to any third party, any material, Work, Products and/or Intellectual Property supplied by MMA under this Agreement. MMA shall have no liability with respect to: (i) modifications made by any person other than MMA to the Work, Intellectual Property or other work product or deliverables provided to Client by MMA or (ii) any third party's use or reliance on the Work, Intellectual Property or other work product or deliverables provided to Client by MMA.

Article IV. Indemnification; Limitation of Liability; Disclaimers

4.1 Indemnity

MMA agrees to indemnify and hold harmless Client from and against any and all Losses (as defined below) to the extent resulting from (i) MMA's breach of this Agreement or (ii) MMA's negligence or willful misconduct in the performance of Services hereunder.

Client agrees to indemnify and hold harmless MMA from and against any and all Losses to the extent resulting from (i) Client's breach of this Agreement, (ii) any third party claims against MMA arising out of the Services, except to the extent resulting from MMA's negligence or willful misconduct, (iii) Client's negligent acts or omissions, or (iv) MMA's or a third party provider's reliance on the accuracy of information provided by Client hereunder.

4.2 Limitation of Liability

MMA shall not be liable for any indirect, incidental, consequential, punitive or other special damages suffered by Client arising out of or related to this Agreement, even if advised of the possibility of such damages. The aggregate liability of MMA, its affiliates and any officer, director or employee of MMA and its affiliates ("**MMA Parties**") to Client, its affiliates, and its and their officers, directors or employees and any third party (including any benefit plan, its fiduciaries or any plan sponsor) for any and all Losses arising out of or relating to the provision of any Services at any time by any of the MMA Parties shall not exceed an amount equal to one times revenues earned by MMA with respect to the applicable service period. MMA shall have no liability for the acts or omissions of any third party (other than any subcontractor performing Services hereunder). "**Losses**" as used herein shall mean any and all claims, damages, losses, judgments, costs, and expenses of any kind, including reasonable attorneys' fees.

4.3 Disclaimers

MMA does not assume any responsibility or authority hereunder for (i) the design, funding or operation of any Client-sponsored employee welfare benefit plan (as defined in ERISA Section 3(1)) or for compliance of any such plan with ERISA, including any aspect of COBRA, (ii) duties incumbent upon a "plan sponsor" or "covered entity" under HIPAA privacy and security rules, (iii) funding claims for benefits under any Health Savings Account (HSA) or employee welfare benefit plan or the payment of fees to third parties providing services or products to Client or its employees, (iv) insuring or underwriting any liability to provide benefits under any employee welfare plan, (v) the acts or omissions of any automated clearing house or other financial institution, or (vi) Wrap Plan documents prepared by third parties. MMA specifically disclaims any warranty regarding the compliance of Client's employee health and benefits plan with ERISA.

MMA does not act on behalf of any insurer or other service provider, is not bound to utilize any particular insurer or service provider, and does not have the authority to make binding commitments on behalf of any insurer or service provider. MMA does not guarantee or make any representation or warranty that coverage or services can be placed on terms acceptable to Client. MMA is not responsible for the solvency or ability to pay claims of any insurance carrier or the solvency or ability of any service provider to provide service. Client agrees that all decisions regarding the amount, type or terms of coverage shall be Client's ultimate responsibility. While MMA may provide advice and recommendations, Client must decide the specific coverages that are appropriate for its particular circumstances and financial position. The form of MMA's compensation, whether by commission, fee, or both, shall not affect MMA's role as insurance broker or the scope of the services to be provided by MMA.

MMA's service obligations to you are solely contractual in nature. The parties acknowledge and agree that, in performing the Services, MMA and its affiliates are not acting as a fiduciary for Client, except to the extent required by applicable law, and do not otherwise have a fiduciary or other enhanced duty to you.

In the event that a service, resource or tool listed on Exhibit A is being provided by a party that is not a subcontractor or MMA's the provision of such service, resource, or tool may be subject to terms and conditions or contract to be entered into between Client and such third-party provider. MMA shall have no liability with respect to any service, resource or tool not provided directly by MMA and/or one of its subcontractors.

Client shall be responsible for any fee or penalty arising out of or relating to its benefit plans that is assessed by the Internal Revenue Service, the Department of Labor, and/or other federal or state governmental agencies.

MMA is not engaged in the practice of law or tax accounting and the Services provided hereunder do not constitute and are not a substitute for legal, tax and/or accounting advice. Accordingly, MMA recommends that Client secure the advice of competent legal counsel and/or tax advisor with respect to any legal or tax matters related to the Services or otherwise.

The Patient Protection and Affordable Care Act (ACA) is a complex law. Any statements or guidance regarding the ACA made by MMA concerning tax, accounting, or legal matters are based solely on our experience as insurance brokers and risk consultants and are not to be relied upon as accounting, tax, or legal advice.

Article V. Representations

5.1 Compliance with Applicable Law and Regulation

Each party agrees to comply in all material respects with all federal, state, and local laws and regulations applicable to such party in carrying out its obligations under this Agreement.

5.2 Accuracy of Information

Client shall provide to MMA timely, complete and accurate information to enable MMA to perform its obligations and provide Services hereunder. Client assumes full responsibility for any Client information provided to MMA, a general agent or a service provider hereunder, including, but not limited to, its condition, content, format, usability, or correctness and MMA has no obligation to confirm or verify the accuracy, authenticity, or completeness of any information provided by Client. Client understands that the failure to provide necessary, complete and accurate information to MMA and/or a general agent or service provider, whether intentional or by error, could result in the voiding of coverage or denial of claims. Client acknowledges that MMA: (i) relies upon the accuracy of all information provided by Client in effecting and performing its obligations under this Agreement, and (ii) understands and agrees that MMA shall have no liability for its reliance on inaccurate or incomplete information.

5.3 Plan Fiduciary; Instructions

MMA is not a "plan administrator" or "fiduciary" as defined under ERISA. Client acknowledges, agrees and warrants that Client or the appropriate Covered Entity is the named plan administrator and/or fiduciary for the plan(s) within the meaning of the Employee Retirement Income Security Act of 1974, as amended ("**ERISA**"), and, notwithstanding anything to the contrary contained herein, that MMA is not a fiduciary and does not have any discretionary authority or responsibility with respect to the plan(s) or plan assets. It is understood and agreed that Client and/or the relevant plan(s) have full and final authority and responsibility for the plan(s), plan(s) assets, and plan(s) operation. Client, and not MMA, shall be solely responsible for the review and payment of claims for benefits provided under any benefit plan and for all appeals brought under any such benefit plan and/or ERISA. Client shall be responsible for meeting any ERISA trust requirements to the extent applicable. MMA does not assume any responsibility for receiving or reviewing claims for benefits under or in connection with any benefit plan. MMA shall not have any duty or power to act on behalf of Client or any participant in connection with the plan(s) other than as expressly stated in this Agreement or upon instruction from Client.

Article VI. Other Provisions

6.1 No Third-Party Beneficiaries

Neither this Agreement nor the provision of the Services is intended to confer any right or benefit on any third party.

6.2 Governing Law/Waiver of Jury Trial

This Agreement shall be governed by and construed in accordance with the laws of the State of New York, without regard to choice of law principles. Each party, on behalf of itself and its affiliates, to the fullest extent permitted by law, knowingly, voluntarily, and intentionally waives its right to a trial by jury in any action or other legal proceeding arising out of or relating to this Agreement or any services provided by MMA or its affiliates. The waiver applies to any action or legal proceeding, whether sounding in contract, tort or otherwise. Each party agrees not to include

any employee, officer, director or trustee of the other as a party in any action, proceeding or counterclaim relating to such dispute.

6.3 Amendment; Waiver:

No changes, amendments, or alterations shall be effective unless signed by duly authorized representatives of both parties. Neither the waiver by either party of a breach or violation of any provision of this Agreement nor the failure by either party to insist upon strict performance of any provision herein shall operate or be construed to be a waiver of any subsequent breach or violation thereof. To be effective, all waivers must be in writing and signed by an authorized officer of the party to be charged.

6.4 Exhibits; Entire Agreement

This Agreement (including any SOW, Exhibits and Appendices hereto) sets forth the complete and sole understanding between MMA and Client with respect to its subject matter and supersedes any and all prior or contemporaneous communications, discussions, agreements, understandings, promises, and/or representations made by either party to the other, whether oral, written, or in any other form not expressly included herein. This Agreement includes the following Exhibit:

- **EXHIBIT A** – Statement of Work & Compensation
- **EXHIBIT B** – Compensation Disclosure
- **EXHIBIT C** – Business Associate Agreement or Data Privacy & Security Addendum [IF REQUIRED]

[SIGNATURE PAGE FOLLOWS]

IN WITNESS WHEREOF, the parties, through their authorized representatives, have executed this Agreement as of the Effective Date.

McGriff, A Marsh & McLennan Agency LLC

City of Harlingen

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

STATEMENT OF WORK

This Statement of Work is entered into pursuant to the Client Service Agreement dated July 1, 2026, between the parties hereto, and sets forth the scope of services to be provided, and the compensation to be earned, by MMA. This SOW is subject to the terms and conditions contained in the Client Service Agreement.

PART 1 – SERVICE PERIOD from 7/1/26 to 6/30/27

PART 2 – SCOPE OF SERVICES

Medical Coverages

Employee Benefit Management Services

A. Strategic Benefit Planning. Agent/Broker will provide assistance in developing overall plan benchmarks and targets to ensure that the plan meets the objectives of Client and its employees.

B. Benefit Design. Agent/Broker will help to ensure that benefit designs are consistent with the strategic benchmarks and targets set forth in the strategic benefit planning process.

C. Administration. Agent/Broker will identify core administrative services, assess vendor performance, and manage vendor relationships to provide appropriate program administration.

D. Funding. Agent/Broker will provide counsel regarding program funding alternatives, including reviewing fee proposals and recommending budget rates, employee contribution rates, and COBRA rates.

E. Vendor Selection. Upon client request, Agent/Broker will prepare Request(s) for Proposal (RFP), analyze RFP's and prepare a summary report outlining responses. Vendors include, but are not limited to:

- Voluntary Worksite Programs
- Wellness and Population Health Management Programs
- Third Party Claims Administration
- Utilization Review Programs
- IRS Code Section 125 Programs
- Preferred Provider Network Plans
- Benefits Administration and Outsourcing Tools
- Communication Services
- Health Savings Account Services
- ERISA Compliance (i.e.: 5500 Filings, ERISA Wrap Document, SPDs)
- Private Exchange Solutions
- Retirement Plan Consulting Services
- Health and Welfare Actuarial Services

F. Communication. Agent/Broker will assist in drafting employee communications regarding benefit program performance and changes, and assist in the review of plan documents and insurance certificates during the planning and enrollment process.

G. Compliance Tools & Legislative Information. Agent/Broker will provide informational materials on legislative developments impacting employee benefit plans, including access to online reference tools on topics such as FMLA, COBRA, HIPAA, HIPAA Privacy, Section 125, ERISA, and ACA.

H. Meetings with Client and Vendors. Services will include attendance at and facilitation of the following meetings with Client and vendors to facilitate program management including day-to-day operations and planning program changes:

- Agent/Broker shall meet with Client on a quarterly basis to review all activities performed by Agent/Broker during the prior quarter. The meetings will include discussion of business concerns, including presentations of options and recommendations.

- Upon Client request, Agent/Broker shall meet with Client semi-annually to discuss review of the program, state of the marketplace, progress made toward strategic plan, and developments within Clients organization.

- Agent/Broker shall meet with Client annually to review the stewardship report for the preceding year, create a stewardship report outlining the goals and objectives for the upcoming year, and agree upon Agent/Broker's fees for the next twelve month period.

I. Stewardship Report. Agent/Broker will develop and implement a detailed account stewardship plan, which should include, but not be limited to, the following:

- Specific quantifiable and measurable goals and objectives for Agent/Broker's team relating to Client's programs; and

- Detailed work plans which lay out the account management plan, work schedules, areas of concentration, timing, and information requirements.

J. Data Analysis. Agent/Broker will provide Client with summary comparisons and work with Client and TPA to secure additional reports as needed for claims analysis.

PART 3 - COMPENSATION**1.1 Fee-Based Compensation**

MMA will deliver its Services to the Client in respect of the Fee Coverages for a fixed annual fee of \$42,500.00, plus any applicable sales tax if required by state law, to be billed as follows: Semi-Annual installments.

In the event this Services Agreement is terminated by the Client or by MMA for material breach by Client, with respect to Fee Coverages, MMA's fee shall be deemed earned in accordance with the following schedule [50% within the initial three (3) months of any annual service period described in the SOW, 75% if after three (3) months but before the end of the nine- (9) month period of an annual service period, and 100% after nine (9) months of any annual service period].

1.2 Third-Party Vendor Services

Client has opted to engage with the following identified third-party vendors whose services shall be paid for by the fee paid by client hereunder. In the event Client terminates MMA as broker of record with respect to any or all of the Client insurance plan(s), services under this Agreement will immediately terminate unless otherwise mutually agreed to in writing by the parties. Services will be provided in accordance with the terms and conditions of each respective third-party vendor and MMA disclaims any and all liability or loss incurred by client relating to such third-party services.

THIRD PARTY VENDOR	SERVICE PROVIDED

1.4 Out-of-Scope Services.

MMA can provide additional services at an additional cost. The cost and scope of additional services will be agreed in advance and reflected in an amendment to the SOW.

If there is a significant change in Client's operations that affects the complexity of Client's program or plan that may have the effect of increasing MMA's responsibilities and the Client's service needs, both parties agree to renegotiate MMA's compensation in good faith. Changes in scope include, but are not limited to, a change in operations due to merger or acquisition, a material increase in the number of employees and participants, a change in plan design and operations, and a change in Client's payroll or other systems vendor.

Please see Exhibit B for MMA's standard Compensation Disclosure which may be updated from time to time.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

McGriff, A Marsh & McLennan Agency LLC

City of Harlingen

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

EXHIBIT B: COMPENSATION DISCLOSURE

Marsh & McLennan Agency LLC ("MMA") prides itself on being an industry leader in the area of transparency and compensation disclosure. We believe you should understand how we are paid for the services we are providing to you. We are committed to compensation transparency and to disclosing to you information that will assist you in evaluating potential conflicts of interest.

As a professional insurance producer, MMA and its subsidiaries facilitate the placement of insurance coverage on behalf of our clients. As an independent insurance agent, MMA may have authority to obligate an insurance company on behalf of our clients and as a result, we may be required to act within the scope of the authority granted to us under our contract with the insurer. In accordance with industry custom, we are compensated either through commissions that are calculated as a percentage of the insurance premiums charged by insurers, or fees agreed to with our clients.

MMA engages with clients on behalf of itself and in some cases as agent on behalf of its non-US affiliates with respect to the services we may provide. For a list of our non-US affiliates, please visit: <https://mma.marshmma.com/non-us-affiliates>. In those instances, MMA will bill and collect on behalf of the non-US Affiliates amounts payable to them for placements made by them on your behalf and remit to them any such amounts collected on their behalf.

MMA receives compensation through one or a combination of the following methods:

- **Retail Commissions** – A retail commission is paid to MMA by the insurer (or wholesale broker) as a percentage of the premium charged to the insured for the policy. The amount of commission may vary depending on several factors, including the type of insurance product sold and the insurer selected by the client. If MMA places business through an affiliated wholesale broker or managing general agent, MMA will advise the client of this at or prior to placement.
- **Client Fees** – Some clients may negotiate a fee for MMA's services in lieu of, or in addition to, retail commissions paid by insurance companies. Fee agreements are in writing, typically pursuant to a Client Service Agreement, which sets forth the services to be provided by MMA, the compensation to be paid to MMA, and the terms of MMA's engagement. The fee may be collected in whole, or in part, through the crediting of retail commissions collected by MMA for the client's placements.
- **Contingent Commissions** – Many insurers agree to pay contingent commissions to insurance producers who meet set goals for all or some of the policies the insurance producers place with the insurer during the current year. The set goals may include volume, profitability, retention and/or growth thresholds. Because the amount of contingent commission earned may vary depending on factors relating to an entire book of business over the course of a year, the amount of contingent commission attributable to any given policy typically will not be known at the time of placement.
- **Supplemental Commissions** – Certain insurers and wholesalers agree to pay supplemental commissions, which are based on an insurance producer's performance during the prior year. Supplemental commissions are paid as a percentage of premium that is set at the beginning of the calendar year. This percentage remains fixed for all eligible policies written by the insurer during the ensuing year. Unlike contingent commissions, the amount of supplemental commission is known at the time of insurance placement. Like contingent commissions, they may be based on volume, profitability, retention and/or growth.
- **Wholesale Broking Commissions** – Sometimes MMA acts as a wholesale insurance broker. In these placements, MMA is engaged by a retail agent that has the direct relationship with the insured. As the wholesaler, MMA may have specialized expertise, access to surplus lines markets, or access to specialized insurance facilities that the retail agent does not have. In these transactions, the insurer typically pays a commission that is divided between the retail and wholesale broker pursuant to arrangements made between them.

MMA Client Service Agreement

- **Medallion Program and Sponsorships** – Pursuant to MMA's Medallion Program, participating carriers sponsor educational programs, MMA events and other initiatives. Depending on their sponsorship levels, participating carriers are invited to attend meetings and events with MMA executives, have the opportunity to provide education and training to MMA colleagues and receive data reports from MMA. Insurers may also sponsor other national and regional programs and events.
- **Other Compensation & Sponsorships** – From time to time, MMA may be compensated by insurers for providing administrative services on behalf of those insurers. Such amounts are typically calculated as a percentage of premium or are based on the number of insureds. Additionally, insurers may sponsor MMA training programs and events. MMA may also have arrangements with vendors who compensate MMA for referring clients for vendor services.

We will be pleased to provide you additional information about our compensation and information about alternative quotes upon your request. For more detailed information about the forms of compensation we receive please refer to our Marsh & McLennan Agency Compensation Guide at <https://www.marshmma.com/us/compensation-guide.html>.

Rev March 15, 2024

EXHIBIT C, IF REQUIRED:

Health Insurance Portability and Accountability Act (HIPAA)

BUSINESS ASSOCIATE AGREEMENT

To the extent that it applies, this Business Associate Agreement ("BAA") is incorporated into and forms an integral part of the Client Service Agreement, including any Statement of Work, ("Agreement") concluded by Client and Marsh & McLennan Agency LLC ("Business Associate"), each a Party and together the Parties.

1. **Definitions.** Capitalized terms not defined herein shall have the meanings ascribed to them in HIPAA or the Agreement.
2. **Applicability.** This BAA shall apply only with respect to and to the extent that Business Associate, in its role as Client's Business Associate, creates, receives, maintains, or transmits Protected Health Information for or on behalf of Client ("PHI"), in Client's role as a Covered Entity or as a Business Associate.
3. **Minimum Necessary.** Each Party shall limit its requests and disclosures to the minimum PHI that is necessary for Business Associate to perform the Services in accordance with the Agreement.
4. **Uses and Disclosures.** Business Associate may not Use or Disclose PHI except as permitted or Required by the Agreement or as permitted or Required by law. Except as limited in this BAA, Business Associate may Use and Disclose PHI:
 - 4.1. to perform the obligations and provide the Services described in the Agreement, provided that such Use or Disclosure would not violate HIPAA if done by Client;
 - 4.2. to provide data aggregation services to Client;
 - 4.3. to de-identify PHI in accordance with the de-identification standard set out in the Privacy Rule; and
 - 4.4. for its proper management and administration and to carry out its legal responsibilities, provided that any Disclosure may occur only if it is Required by law or Business Associate obtains reasonable assurances from the person to whom the PHI is Disclosed that it will be held confidentially and Used or further Disclosed only as Required by law or for the purpose for which it was Disclosed to such person, and the person promptly notifies Business Associate if the confidentiality of the PHI is breached.
5. **Business Associate's Obligations.**
 - 5.1. **Safeguards.** Business Associate shall use appropriate administrative, physical, and technical safeguards to prevent Use or Disclosure of PHI other than as provided for by this BAA. If applicable, Business Associate shall comply with the Security standards set out in 45 C.F.R. Part 164 regarding any Electronic PHI.
 - 5.2. **Reporting.** Business Associate shall promptly, and in no event later than two business days after determining the occurrence of a Use or Disclosure of PHI not provided for by this BAA, including a Security Incident or Breach of Unsecured PHI, notify Client in accordance with applicable law. The Parties agree that this section constitutes notice by Business Associate to Client of the ongoing occurrence of attempted but Unsuccessful Security Incidents for which no additional notice is required. For purposes of this BAA, the term "Unsuccessful Security Incident" includes, but is not limited to, pings and other broadcast attacks on Business Associate's firewall, port scans, unsuccessful log-on attempts, denials of service, and any other incident that does not result in unauthorized Use or Disclosure of PHI. Business Associate shall pay actual reasonable costs for notifications and credit monitoring services that are Required by law.
 - 5.3. **Subcontractors.** Business Associate shall ensure that any subcontractors that create, receive, maintain, or transmit PHI on its behalf agree to substantially the same restrictions and conditions as those that apply, directly or through this BAA, to Business Associate with respect to such PHI.
 - 5.4. **Access and Amendment.** Upon Client's written request and in the time and manner Required by law, Business Associate shall amend and/or provide Client with access to PHI in a Designated Record Set. Business Associate shall forward an individual or individual's designee's request to access or amend information in the Designated Record Set to Client within five calendar days of receipt.
 - 5.5. **Accounting.** Upon Client's written request and in the time and manner Required by law, Business Associate shall provide to Client an accounting of disclosures of an Individual's PHI to permit Client to

MMA Client Service Agreement

- respond to a request by an Individual for such an accounting. Business Associate shall document such disclosures of PHI and related information as would be required for Client to respond to a request by an Individual for an accounting of disclosures of PHI. Business Associate may impose a reasonable fee if Client requests an accounting more than once in any 12-month period.
- 5.6. **Delegation.** If Business Associate agrees in writing to carry out an obligation of Client under 45 CFR 164, Subpart E, Business Associate shall comply with the requirements of Subpart E that apply to Client in performing such an obligation.
- 5.7. **Disclosure.** Business Associate shall make internal practices, books, and records relating to the Use and Disclosure of PHI received from or created or received by Business Associate on Client's behalf available to the Secretary of Health and Human Services for the purpose of determining Client's or Business Associate's compliance with its obligations under HIPAA. Upon Client's written request, Business Associate shall promptly provide to Client a copy or summary of its client-releasable security and/or privacy policies.
6. **Mitigation.** Business Associate and Client shall mitigate, to the extent practicable, any harmful effect known to have arisen out of a Use or Disclosure of PHI in violation of this BAA.
7. **Client's Obligations.** Client represents and warrants that it has the right and authority to disclose PHI to Business Associate. Client shall
- 7.1. not ask Business Associate to Use or Disclose PHI in any manner that would violate applicable law or Client's privacy notice if done by a Covered Entity (unless permitted by HIPAA for a Business Associate);
 - 7.2. transfer all PHI to Business Associate in an encrypted format, to be mutually agreed by the Parties; and
 - 7.3. notify Business Associate in writing of (a) any limitation(s) in the Client's notice of privacy practices, to the extent that such limitation may affect Business Associate's use or disclosure of PHI, and any changes to it; (b) any changes in, or revocation of, an Individual's permission to Use or Disclose PHI, if such changes may impact Business Associate's Uses and Disclosures of PHI; and (c) any restriction on Use or Disclosure of PHI to which Client has agreed.
8. **Term.** This BAA shall continue in effect until the earlier of (a) termination by Client for material breach as set out in Section 9 below or (b) expiration of the Agreement.
9. **Termination.** Client may immediately terminate this BAA upon written notice to Business Associate if (a) Business Associate has materially breached this BAA and failed to cure such violation within 30 days after receipt such notice or (b) cure of such Breach is not possible.
10. **Return, Destruction, or Retention of PHI.** Except as provided in this section, upon termination of the Agreement, if feasible, Business Associate shall return or destroy all PHI received from Client or created or received on Client's behalf. If the return or destruction of the PHI is infeasible, Business Associate shall extend to it the protections of this BAA and limit further Uses and Disclosures to those purposes that make the return or destruction infeasible.
11. **Indemnity.** Subject to the limitation of liability set out in the Agreement, each Party ("Indemnifying Party") agrees to indemnify, hold harmless, and defend the other Party ("Indemnified Party") and its employees, officers, and directors from and against all claims, losses, liabilities, and costs, including reasonable attorneys' fees (collectively, "Losses") to the extent directly arising out of a Breach of this BAA by the Indemnifying Party. Neither Party shall be responsible for any Losses incurred by the other Party that are attributable to the other Party's acts or omissions. The Indemnified Party agrees to give the Indemnifying Party prompt and reasonable written notice any claim for indemnification and provide reasonable assistance in the defense of such Losses. The Indemnified Party retains the right to hire, at its own expense, separate counsel to participate in its own representation. In the event there is no Agreement otherwise describing a limitation of liability, MMA's aggregate liability arising under this BAA and Business Associate's provision of services shall not exceed that amount described in the Broker Transparency Disclosure provided to Client.
12. **Amendment.** The Parties may amend this BAA upon mutual written agreement.
13. **Survival.** The obligations under Sections 10 and 11 above shall survive termination of this BAA.

MMA Client Service Agreement

14. Miscellaneous. The Parties intend that this BAA be interpreted consistently with their intent to comply with HIPAA and other applicable law. If there is any conflict between a provision in this BAA and a provision in the Agreement, this BAA will control. Except where this BAA conflicts with the Agreement, all other terms of the Agreement remain unchanged. There are no intended third-party beneficiaries under this BAA.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement.

McGriff, A Marsh & McLennan Agency LLC

City of Harlingen

By: _____

By: _____

Printed Name: _____

Printed Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(h)

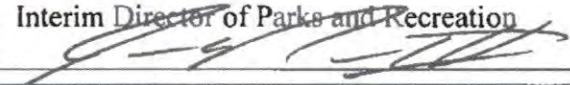
Meeting Date: **May 20, 2025**

Agenda Item:

Consideration and possible action to approve Interlocal Agreements between the City of Harlingen and HCISD for transportation and facility use related to the City of Harlingen Summer Playground Program and the City of Harlingen Summer Track Program from May 26, 2026 through July 16, 2026.

Prepared By (Print Name): Juan Mendiola

Title: Interim Director of Parks and Recreation

Signature: 

Brief Summary:

Summary:

Consideration and possible action to approve Interlocal Agreements between the City of Harlingen and the Harlingen Consolidated Independent School District for the City of Harlingen Summer Playground Program and the City of Harlingen Summer Track Program for the period of May 26, 2026 through July 16, 2026.

The agreements include:

1. An Interlocal Agreement for the use of HCISD transportation buses and related transportation operations for the City Summer Playground Program; and
2. An Interlocal Agreement for the use of HCISD facilities, including Sam Houston Elementary School, Bonham Elementary School, and Cano Freshman Academy, for Summer Playground and Summer Track Program operations.

The agreements establish terms related to transportation services, facility usage, supervision, scheduling, safety, maintenance responsibilities, background checks, insurance, and operational coordination between the City of Harlingen and HCISD.

Funding (if applicable):

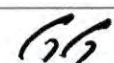
Are funds specifically designated in the current budget for the full amount ☐ Yes ☐ No* for this purpose?

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

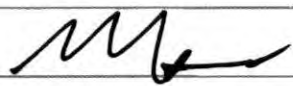
Finance Director's approval: ☐ Yes ☐ No ☒ N/A

Staff Recommendation:

Staff recommends we approve.

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 DISTRICT facilities; and

WHEREAS, the CITY and the DISTRICT find that entering into this Agreement will serve the public interest by providing structured youth recreational programming through the City of Harlingen Summer Playground Program 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 CITY may utilize DISTRICT facilities for the City of Harlingen Summer Playground Program, while ensuring safe operations, proper supervision, and continued coordination with DISTRICT facility needs.

II. FACILITIES

The DISTRICT grants the CITY use of the following facilities:

- Sam Houston Elementary School
- Bonham Elementary School
- Cano Freshman Academy

Use of these facilities shall be strictly limited to the dates, times, rooms, gymnasiums, cafeterias, restrooms, playground areas, and/or other areas approved by the DISTRICT and outlined in Exhibit "A" (Approved Schedule), which is incorporated herein by reference.

III. TERM

This Agreement shall commence on May 26, 2026, and terminate on July 16, 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 DISTRICT retains full authority over facility operations, scheduling, and maintenance.
- CITY use shall be limited strictly to the approved schedule outlined in Exhibit "A."
- DISTRICT programs, events, maintenance activities, summer school activities, and operations shall take priority when necessary.
- The DISTRICT may modify, suspend, or cancel facility use due to maintenance, weather, emergencies, safety concerns, or operational needs.
- Any use outside the approved schedule requires prior written approval from the DISTRICT.
- CITY shall comply with all facility use limitations and operational directives issued by DISTRICT staff.

V. SUPERVISION AND SAFETY

- The CITY shall provide adequate adult supervision for all participants at all times.
- CITY staff shall remain present during all facility use and actively supervise participants.
- CITY staff shall be responsible for managing participant conduct, attendance, check-in/check-out procedures, and program activities.
- CITY shall ensure all participants comply with DISTRICT facility rules, safety requirements, and applicable CITY program policies.
- DISTRICT staff may suspend activities or require removal of individuals for safety violations, misconduct, or noncompliance.

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

VI. OPERATIONS AND MAINTENANCE

DISTRICT Responsibilities

- Provide access to approved facilities during approved usage
- Maintain building systems, utilities, and general facility operations
- Coordinate facility access with CITY staff
- Identify approved areas available for CITY program use
- Notify CITY of any facility closures, restrictions, or operational conflicts when practical

CITY Responsibilities

- Provide program staff and supervision
- Ensure compliance with all facility rules and policies
- Provide necessary program equipment and supplies
- Maintain participant accountability and supervision during program hours
- Remove all trash and leave facility in acceptable condition after each use
- Report any damages, injuries, incidents, or facility concerns immediately to DISTRICT staff
- Ensure that CITY staff, volunteers, and participants remain within approved areas only

VII. INCIDENT REPORTING AND DOCUMENTATION

The CITY shall provide written notice to the DISTRICT's Authorized Representative within twenty-four (24) hours of any injury, accident, emergency, safety-related incident, property damage, or other significant occurrence during CITY's use of DISTRICT facilities. Such notice shall include, at a minimum: (a) the date, time, and location of the incident; (b) the identity of the individual(s) involved; (c) a description of the incident and any injuries or damages sustained; (d) the names and contact information of witnesses, if available; and (e) any actions taken in response. The CITY shall cooperate fully with the DISTRICT in any investigation of incidents occurring during CITY use.

The CITY's obligation to report under this Article shall not be limited to incidents involving CITY participants and shall extend to any incident that occurs within the approved facility areas during the CITY's scheduled use period.

VIII. BACKGROUND CHECKS

All CITY employees, program staff, and volunteers who will have direct contact with minors at DISTRICT facilities under this Agreement must have on file with the CITY a current criminal background check conducted within the preceding two (2) years. The CITY represents and warrants that, prior to the commencement of any activity under this Agreement, all such personnel have undergone a criminal background check in accordance with applicable law and CITY policy, and that no individual required to register as a sex offender under Chapter 62 of the Texas Code of Criminal Procedure shall be permitted access to DISTRICT facilities under this Agreement.

The DISTRICT reserves the right to request certification from the CITY that this requirement has been satisfied at any time during the term of this Agreement. The CITY shall provide such certification within five (5) business days of request.

IX. DAMAGE AND PROPERTY

The CITY shall be responsible for any damage to DISTRICT facilities caused by its participants, staff, volunteers, or activities beyond normal wear and tear. The DISTRICT shall determine the extent of damage and associated repair costs.

X. COMPENSATION

This Agreement is entered into as an intergovernmental agreement. No monetary compensation shall be exchanged between the parties. Each party shall be responsible for its own costs.

XI. ACCESS AND INSPECTION

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

XII. ADDITIONS AND ALTERATIONS

No alterations, installations, decorations, signage, or modifications to DISTRICT facilities shall be made by the CITY without prior written approval. Any approved improvements shall become the property of the DISTRICT unless otherwise agreed to in writing.

XIII. EMERGENCY, CLOSURE, AND FORCE MAJEURE

The DISTRICT may close or restrict access to facilities due to weather, mechanical failure, emergencies, public safety concerns, maintenance needs, or operational requirements. No guarantee of uninterrupted access is provided.

Neither party shall be liable to the other for failure or delay in performance caused by circumstances beyond that party's reasonable control, including but not limited to acts of God, severe weather, fire, flood, governmental action, public health emergency, or utility failure ("Force Majeure Event"). The affected party shall provide prompt written notice to the other party upon the occurrence of a Force Majeure Event. This provision does not affect the DISTRICT's retained authority to close or restrict facilities under this Article.

XIV. 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.

XV. INSURANCE

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

XVI. TERMINATION

This Agreement may be terminated by either party with thirty (30) days written notice delivered in accordance with Article XVII of this Agreement.

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

XVII. NOTICES AND AUTHORIZED REPRESENTATIVES

All formal written notices required or permitted under this Agreement shall be delivered by hand, certified mail (return receipt requested), or e-mail with confirmation of receipt, addressed as follows:

If to the CITY:

City Manager

City of Harlingen

118 E. Tyler Avenue

Harlingen, Texas 78550

With a copy to:

City Attorney

City of Harlingen

222 E. Van Buren, Suite 700A

Harlingen, Texas 78550

If to the DISTRICT:

Superintendent

Harlingen Consolidated Independent School District

407 N. 77 Sunshine Strip

Harlingen, Texas 78550

Each party shall designate an Authorized Representative responsible for day-to-day coordination under this Agreement. Until otherwise notified in writing, the CITY's Authorized Representative shall be the Director of Parks and Recreation, and the DISTRICT's Authorized Representative shall be the Superintendent or designee. Either party may change its Authorized Representative upon written notice to the other party in accordance with this Article.

XVIII. COMPLIANCE WITH LAW

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

XIX. NON-ASSIGNMENT

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

XX. VENUE AND GOVERNING LAW

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

XXI. ENTIRE AGREEMENT

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

XXII. EXECUTION

Executed in duplicate originals on the dates indicated below.

CITY OF HARLINGEN

HARLINGEN CONSOLIDATED

INDEPENDENT SCHOOL

DISTRICT

By: _____

By:

City Manager

Superintendent

Date: _____

Date:

ATTEST:

ATTEST:

City Secretary

Board President

EXHIBIT “A”

APPROVED SCHEDULE

City of Harlingen Summer Playground Program

Program Dates: May 26, 2026 through July 16, 2026

Approved Facilities:

- Sam Houston Elementary School
- Bonham Elementary School
- Cano Freshman Academy

Approved days, times, rooms, gymnasiums, track, cafeterias, restrooms, playground areas, and/or other approved spaces shall be coordinated and confirmed by the CITY and DISTRICT prior to commencement of the program.

THE STATE OF TEXAS
COUNTY OF CAMERON

INTER-LOCAL AGREEMENT BETWEEN THE CITY OF HARLINGEN
AND THE HARLINGEN CONSOLIDATED INDEPENDENT SCHOOL DISTRICT

This Agreement ("Agreement") is by and between the CITY OF HARLINGEN, a Home Rule Municipal Corporation situated in Cameron County, Texas, and acting herein by and through its duly authorized City Manager, hereinafter designated as "CITY", having its principal Administrative offices at 118 E. Tyler Street, Harlingen, Texas 78550, and the HARLINGEN CONSOLIDATED INDEPENDENT SCHOOL DISTRICT, hereinafter designated as "DISTRICT".

WHEREAS, Texas Government Code, Chapter 791, also known as the Inter-local Cooperation Act, authorizes local governments to contract with each other and with agencies of the state, to perform functions or services each party to the contract is authorized to perform individually;

PURPOSE

This Agreement is to provide school buses to the CITY for use during the 2026 School Summer Break for implementation of a "City Summer Recreation Program".

DESCRIPTION OF BUSES

The buses to be provided to and used by CITY are described as follows:

- A.) One Harlingen School bus described as No 175 (Bus 1), a 2020 Bluebird, 71-passenger school bus bearing ID #1BAKGCSA4LF367698C, and**
- B.) Second Harlingen School standby bus described as No. 179 (Bus 2), a 2020 Bluebird, 71-passenger school bus bearing ID #1BAKGCA2LF367702C;**

TERM

The term of this Contract is for Fifty-Two (52) days starting May 26, 2026, through July 16, 2026.

CONSIDERATION

The DISTRICT shall provide Bus (One) No. 175 and Bus (Two) No. 179 for the CITY to use Tuesday, May 26th through Thursday, July 16, 2026, from 8:00 a.m. to 6:00 p.m. The parties agree that one bus will be picked up on May 26, 2026, and will be stored on City property in a secure area located at 1006 South Commerce. The bus will be stored at this location for the duration of City summer programs. CITY will return the bus back to School of Transportation no later than the end of the day Thursday, July 16, 2026. Bus (Two) will be considered as a stand by bus in the event Bus (One) develops mechanical issues during the program.

DRIVERS

CITY shall employ bus drivers for the operation of the 2026 Summer Recreation and Track Program. DRIVER PRE-APPROVAL DEADLINE: Agreement requires City drivers to be pre-approved by DISTRICT prior to May 16, 2026 — less than 3 weeks from execution. Confirm Parks & Recreation is already coordinating driver vetting with HCISD to meet this deadline. No other person shall operate such school buses. All compensation for drivers shall be provided by CITY. Drivers shall not be considered an employee of the DISTRICT during such time as they are working for CITY under this Agreement.

COMPENSATION AND MAINTENANCE

Upon delivery of the buses to CITY, CITY shall inspect such buses, and report any existing damages, maintenance or repair deemed necessary before receiving. During the time such buses are utilized by CITY during the term of the Agreement, such buses shall be maintained and repaired at the expense of CITY. During the term of this Agreement, City shall

provide all gasoline, oil and other lubricants, and any replacement parts necessary to maintain such buses. The buses shall be delivered back to DISTRICT in the same condition as when delivered to CITY by DISTRICT, subject only to normal and reasonable wear and tear. CITY will also notify DISTRICT of replacement parts installed on the vehicles and the mileage of the vehicle if and when the oil is changed, or the vehicle is lubricated. Upon receiving buses from DISTRICT, CITY and DISTRICT shall note the current odometer reading of such buses and again upon delivery from the CITY to the DISTRICT. During the time that buses are in custody of CITY, the speedometer and odometers shall be maintained in a working condition at all times.

CITY shall pay DISTRICT \$19.13 per bus, per day that the buses are used by the City. CITY shall render payment to DISTRICT upon receiving bill from DISTRICT at end of this Agreement. Officials of DISTRICT shall have the authority to enter upon said buses and note from time to time the condition of the buses to facilitate preparing such bills for CITY. Pursuant to Section 79I.011 of the Texas Government Code, the City of Harlingen will make payment for the use of the buses from current revenues available to the City of Harlingen.

The daily compensation is intended to reimburse DISTRICT for ordinary and reasonable wear and tear on the vehicle being utilized by CITY, and does not include any type of profits, pecuniary advantage, or other gain in favor of the DISTRICT.

INSURANCE

As a part of the consideration for this Agreement, CITY shall obtain and maintain an insurance policy covering use of the school buses for a term not less than the term of this Agreement. Said insurance policy shall provide coverage at the same limits and on the same terms as the City of Harlingen's standard coverage for City-owned vehicles, as maintained by

the City in the ordinary course of its municipal operations. Said insurance policy shall provide coverage for the vehicles as hereinafter set forth:

One Harlingen School bus described as No 175 (Bus 1), a 2020 Bluebird, 71-passenger school bus bearing ID #1BAKGCSA4LF367698C, and

Second Harlingen School standby bus described as No. 179 (Bus 2), a 2020 Bluebird, 71-passenger school bus bearing ID #1BAKGCA2LF367702C;

MISCELLANEOUS PROVISIONS

A. **No Waiver of Governmental Immunity.** Nothing in this Agreement shall be construed as a waiver of governmental immunity by either party. Both the CITY and the DISTRICT expressly reserve all immunities and defenses available to them as governmental entities under the Constitution and laws of the State of Texas, including without limitation the Texas Tort Claims Act, Tex. Civ. Prac. & Rem. Code Chapter 101, and all applicable limitations on liability. Any liability of either party shall be limited to the extent permitted by applicable law.

B. **No Third-Party Beneficiaries.** This Agreement is entered into solely for the benefit of the CITY and the DISTRICT. Nothing in this Agreement, express or implied, is intended to or shall confer upon any other person or entity any legal or equitable right, benefit, or remedy of any nature whatsoever under or by reason of this Agreement. There are no third-party beneficiaries to this Agreement.

C. **No Joint Venture or Partnership.** This Agreement does not create a joint venture, partnership, agency relationship, or any other form of joint enterprise between the CITY and the DISTRICT. Each party shall remain an independent governmental entity responsible for its own acts, omissions, and obligations. No employee or agent of either party shall be deemed an employee or agent of the other party by virtue of this Agreement.

D. **Venue.** This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. Mandatory and exclusive venue for any dispute arising out of or relating to this Agreement shall be in a court of competent jurisdiction in Cameron County, Texas.

IMMUNITIES

The parties hereto desire to preserve all immunities granted to the parties by the Constitution and Statutes of the State of Texas. Any provisions of this Agreement deemed to invalidate or diminish such immunities is hereby agreed between the parties to be null and void.

Each party acknowledges that it has read, understands, and intends to be bound by the terms and conditions of this Agreement. District and City, through their duly appointed agents, have executed this agreement in duplicate originals.

City of Harlingen

Gabriel Gonzalez, City Manager

Date: _____

ATTEST:

Mayra Herrera, City Secretary

Harlingen Consolidated Independent School District on the _____ day of _____, 2026.

Dr. Veronica Kortan, Superintendent of Schools

ATTEST:

Secretary, Board of Trustees

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **May 20, 2026**

Agenda Item:	
Presentation and possible action to approve the final report for the Windshield Historic Resource Survey prepared by Integrated Environmental Solutions, LLC. (Historic Preservation)	
Prepared By: <i>Alexis Rojas</i>	
Brief Summary:	
The windshield survey included approximately 50 Texas Historical Commission resource forms and an overview of four areas within the city: Downtown, Sunshine Strip, Airport/Marine Military Academy, and Parkwood. The final report provides project details, historical context for each area, and recommendations for future work. On May 21, 2025, the City Commission awarded RFQ No. 2025-08 to Integrated Environmental Solutions to conduct the survey. On June 3, 2025, Mr. Gonzalez executed the contract with Integrated Environmental Solutions for the documentation of 55 buildings in the amount of \$19,164.99.	
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: <i>6/7</i>	Comments:
City Attorney's approval: <i>[Signature]</i>	

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **May 20, 2026**

Agenda Item:

Consideration and possible action to authorize the City Manager to award RFQ No. 2026-07 for Professional Services for the Historic Resources Survey funded through the Texas Preservation Trust Fund (TPTF) grant. Attachment **(DID)**.

Prepared By:

Alex R. Rojas

Brief Summary:

The City of Harlingen solicited qualifications under RFQ No. 2026-07 for professional services to conduct a Historic Resources Survey funded through the Texas Preservation Trust Fund (TPTF) grant administered by the Texas Historical Commission. The project will document and evaluate historic resources within designated areas of the City and must comply with all applicable TPTF requirements and preservation standards.

A total of six Statements of Qualifications (SOQs) were received and evaluated by the selection committee based on the established RFQ criteria. Following review and scoring, the committee developed a final ranking of the responding firms. The submitted RFQs and evaluation scoring sheets are attached for reference. Staff recommends authorization for the City Manager to negotiate and execute an agreement with the highest-ranked firm.

In the event negotiations are unsuccessful, approval of this item will also authorize the City Manager to proceed with negotiations with the next highest-ranked firm in accordance with procurement requirements.

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:

h

Comments:

City Attorney's approval:

[Signature]

RFQ No. 2026-07 Historic Resources Survey - TPTF 26
Committee Evaluation Results

Firm: SWCA

Evaluator Name	Project Approach	Professional Qualifications of Firm and Team	Firm Capability and Past Experience	Familiarity with Applicable Rules and Regulations	Total
Alexis Riojas	28	35	19	10	92
Ana Hernandez	28	38	19	10	95
Robert Rodriguez	28	28	20	10	86
Francisco Martinez	30	40	20	10	100
Total					373

RFQ No. 2026-07 Historic Resources Survey - TPTF 26
Committee Evaluation Results

Firm: Terracon, Inc.

Evaluator Name	Project Approach	Professional Qualifications of Firm and Team	Firm Capability and Past Experience	Familiarity with Applicable Rules and Regulations	Total
Alexis Riojas	25	35	17	9	86
Ana Hernandez	25	35	18	9	87
Robert Rodriguez	26	35	16	9	86
Francisco Martinez	30	40	18	8	96
Total					355

RFQ No. 2026-07 Historic Resources Survey - TPTF 26
Committee Evaluation Results

Firm: JMT

Evaluator Name	Project Approach	Professional Qualifications of Firm and Team	Firm Capability and Past Experience	Familiarity with Applicable Rules and Regulations	Total
Alexis Riojas	26	30	18	8	82
Ana Hernandez	25	30	16	8	79
Robert Rodriguez	26	24	20	10	80
Francisco Martinez	30	35	18	10	93
Total					334

RFQ No. 2026-07 Historic Resources Survey - TPTF 26
Committee Evaluation Results

Firm: Stantec Consulting Services, Inc.

Evaluator Name	Project Approach	Professional Qualifications of Firm and Team	Firm Capability and Past Experience	Familiarity with Applicable Rules and Regulations	Total
Alexis Riojas	23	32	15	8	78
Ana Hernandez	20	30	15	8	73
Robert Rodriguez	25	34	16	8	83
Francisco Martinez	30	40	20	10	100
Total					334

RFQ No. 2026-07 Historic Resources Survey - TPTF 26
Committee Evaluation Results

Firm: Colliers Engineering & Design

Evaluator Name	Project Approach	Professional Qualifications of Firm and Team	Firm Capability and Past Experience	Familiarity with Applicable Rules and Regulations	Total
Alexis Riojas	28	35	19	10	92
Ana Hernandez	20	30	15	7	72
Robert Rodriguez	22	20	16	10	68
Francisco Martinez	25	40	18	10	93
Total					325

RFQ No. 2026-07 Historic Resources Survey - TPTF 26
Committee Evaluation Results

Firm: Oneida LG2 Environmental Solutions

Evaluator Name	Project Approach	Professional Qualifications of Firm and Team	Firm Capability and Past Experience	Familiarity with Applicable Rules and Regulations	Total
Alexis Riojas	20	32	15	8	75
Ana Hernandez	20	30	15	8	73
Robert Rodriguez	20	26	14	8	68
Francisco Martinez	25	38	18	8	89
Total					305

Reviewer	SWCA	Terracon, Inc	JMT	Stantec	Colliers Engineering & Design	Oneida LG2 Environmental Solutions
Alexis Riojas	92	86	82	78	92	75
Ana Hernandez	95	87	79	73	72	73
Robert Rodriguez	86	86	80	83	68	68
Francisco Martinez	100	96	93	100	93	89
Total	373	355	334	334	325	305

Rankings	Firm	Total Points
1	SWCA	373
2	Terracon, Inc.	355
3	JMT	334
4	Stantec	334
5	Colliers E&D	325
6	Oneida LG2	305

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **May 20, 2026**

Agenda Item: Consideration and possible action to authorize the Mayor to sign and submit the Request for Certified Local Government (CLG) Status application to the Texas Historical Commission for the City of Harlingen. Attachment. <i>(DID)</i>	
Prepared By: Alexis Riojas, Downtown Director	<i>Alexis Riojas</i>
Brief Summary:	
Funding (if applicable): Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested:	
Finance Director's approval (Yes/No/NA):	
Staff Recommendation:	
City Manager approval: <i>l.s.</i>	Comments:
City Attorney's approval: <i>[Signature]</i>	



REQUEST FOR CERTIFIED LOCAL GOVERNMENT STATUS

	THC Contact		Local Contact
Contact:	Kelly Little, Coordinator	Contact:	Alexis Riojas, Downtown & Museum Director/Historic Preservation Officer
Address	Certified Local Government Program Texas Historical Commission PO Box 12276 Austin, TX 78711-2276	Address:	209 W. Jackson Ave. Harlingen, TX 78550
Email:	kelly.little@thc.texas.gov	Email:	ariojas@harlingentx.gov
Phone:	512.463.7812	Phone:	956-216-4910 or 956-245-8886

FROM:

CITY OF HARLINGEN, TEXAS

(Name, title and mailing address of chief elected official of the applicant government)

In accordance with the National Historic Preservation Act of 1966, and the amendments to the Act approved in 1980, as well Rule 15.6(f) of the Texas Administrative Code, I hereby request Certified Local Government status for

HARLINGEN, TEXAS/CAMERON COUNTY

(city/county)

Enclosed are (check off as applicable):

- ☒ (1) a copy of the local historic preservation or landmark ordinance, including any and all amendments to same **(required for cities only)**;
- ☐ (2) a copy of by-laws adopted by an appointed county historical commission **(required for counties only)**;
- ☒ (3) a listing of individual properties and/or districts designated under the city's historic preservation ordinance, including addresses and statements of significance for each landmark or district. This may be submitted in Microsoft Access, Microsoft Excel, and/or GIS-based format **(required for cities only)**;
- ☒ (4) resumes of the designated historic preservation officer and members of the historic preservation review commission, board, or committee, indicating their qualifications, credentials, or expertise in fields related to historic preservation; and
- ☒ (5) a copy of the local preservation plan, if available, or a statement of goals and objectives for the preservation program.

The requirements for certification of local governments, as described in the Texas Administrative Code, Rule 15.6(e)(1-5) Rules and Procedures for Certified Local Governments, are presently fulfilled by

CITY OF HARLINGEN, TEXAS
(city or county making application)

[check one]

☐ without exception

☒ with exception(s), as follows: [indicate the item(s), above, for which exceptions exist, and explain each, below]

The City of Harlingen is currently conducting two historic resource surveys as part of its ongoing commitment to historic preservation. The first is a windshield survey, which is being completed by Integrated Environmental Solutions and is anticipated to reach final draft by June 2026.

The second is an Intensive Historic Resource Survey, which is in the early stages of implementation. A Request for Qualifications (RFQ) for this project was issued on April 6, 2026. This survey is expected to be completed by July or August 2027 and is funded through a grant from the Texas Preservation Trust Fund.

Our Historic Preservation Council will begin meeting on April 23rd, 2026, and will start the process of implementing a Preservation Plan.

I understand that if my city/county is certified, a written certification agreement specifying the responsibilities of the local government will be required and that

HARLINGEN/CAMERON

(city/county)

will be eligible to apply for special Certified Local Government matching grants to be used for eligible local historic preservation projects.

(Signed by chief local elected official)

(Dated)

Enclosures (as applicable):

(1) Local historic preservation ordinance

GREG ABBOTT, GOVERNOR | JOHN L. NAU, III, CHAIR | MARK WOLFE, EXECUTIVE DIRECTOR

- (2) By-laws of the county historical commission
- (3) List of locally designated properties/districts
- (4) Resumes of historic preservation review commission/board/committee members
- (5) Local preservation plan or statement of goals and objectives
- (6) HPO appointment form

Revised 1/11/2023



CAPITAL OF THE LOWER RIO GRANDE VALLEY

Mission Statement:

"Ensure a business-friendly climate focused on economic growth, quality of life and efficient delivery of excellent services to our community."

Kelly Little
Certified Local Government Program Coordinator
Texas Historical Commission

April 14, 2026

Dear Ms., Little,

On behalf of the City of Harlingen, I am pleased to formally appoint Alexis Riojas as the City's Historic Preservation Officer for the Certified Local Government (CLG) program.

Ms. Riojas currently serves the City of Harlingen as the Downtown Director, where she has dedicated the past seven years to advancing downtown revitalization initiatives, strengthening community partnerships, and promoting the preservation and enhancement of Harlingen's historic assets. Through her leadership, she has played an integral role in coordinating revitalization efforts, implementing programs that support historic areas, and fostering collaboration between the City, local stakeholders, and community organizations.

Her experience working closely with historic districts, community development efforts, and downtown preservation initiatives makes her an excellent candidate to serve in this capacity. Ms. Riojas brings a strong understanding of local history, economic revitalization, and the importance of preserving Harlingen's historic character while supporting thoughtful growth.

As Historic Preservation Officer, Ms. Riojas will serve as the primary liaison for the City of Harlingen with the Texas Historical Commission and the Certified Local Government Program, and will represent the City in matters related to historic preservation.

We respectfully submit this letter as our formal support of her appointment and look forward to continuing to work closely with the Texas Historical Commission. We appreciate your consideration and hope you will accept this designation.

If you have any questions or require additional information, please do not hesitate to contact our office.

Sincerely,

Gabriel Gonzalez, CPM
City Manager
City of Harlingen

"Recipient of Keep Texas Beautiful Governor's Achievement Award"

118 E. Tyler ★ P.O. Box 2207 ★ Harlingen, Texas 78551

ALEXIS RIOJAS

CITY DIRECTOR

☎ 956-650-3383

✉ lexiriojas21@gmail.com

📍 8820 Mile 1 East,
Mercedes, Texas 78570

WORK EXPERIENCE

2019 - PRESENT

City of Harlingen, Harlingen, TX

Downtown & Museum Director/ H.P.O.

- Collaborate with city departments, local businesses, and community organizations to plan and execute large-scale projects and events for the City of Harlingen.
- Oversee budgets, grants, and funding for downtown projects, ensuring fiscal responsibility and project success.
- Serve as the primary liason between the city government and downtown business community addressing concerns and ensuring effective communication.
- Facilitate public meetings, manage public outreach, and develop promotional materials for city programs and events.
- Ensure compliance with city regulations and policies in all downtown related activities and projects.

2016 - 2019

Harlingen Chamber of Commerce, Harlingen, TX

Executive Assistant

- Coordinated meetings, prepared agendas, and handled communication between the Chamber, local businesses, and the community.
- Organized community events, such as business related events and networking programs, helping local businesses expand their reach.
- Worked closely with public sector partners to enhance policies that benefited the local businesses in Harlingen.

EDUCATION

2012

WESLACO EAST HIGH SCHOOL

- High School Diploma

SOUTH TEXAS COLLEGE

- Bachelor of Organizational Leadership
- Hours Earned: 89
- Graduation: Summer 2026

SKILLS

- Leadership & Strategic Planning
- Community Engagement
- Public Relations
- Marketing
- Historic Preservation
- Government Regulations & Compliance
- Event Planning
- Downtown Revitalization

CERTIFICATIONS

- Certified Public Manager
University of Texas Rio Grande Valley,
June 2023

REFERENCES

Julio Olmeda
South Texas Urgent Care Center
Phone: 956-205-1244

Amanda Lucio
Sunny Glen Childrens Home
Phone: 956-408-0036

Omar Villarreal

(956) 659-2139 | oevillar3@gmail.com | Harlingen, TX

Education

Bachelor's Degree in Education and Biblical Studies

Liberty University

High School Diploma

Harlingen High School North

Professional Experience

T-Mobile – Loyalty Department – Present

- Review customers' accounts daily to identify opportunities.
- Analyze account details and present retention offers to improve customer engagement and loyalty.
- Mentor new hires on account review processes and offer strategies, supporting efficient onboarding and team performance.

South Texas Insurance – VP of Operations

- Assessed client needs and recommended tailored insurance coverages.
- Implemented risk-management processes and loss-trend analysis to reduce exposures.
- Trained staff on policy updates and customer service best practices.

Community Service and Qualifications

Harlingen Public Library Board Member 2022 – *Present*

- Contribute to the strategic direction and oversight of library operations, programs, and community engagement initiatives.
- Collaborate with fellow board members to enhance library services and resources for the Harlingen community.

President, Friends of the Harlingen Public Library 2024 – *Present*

- Support the Harlingen Public Library's mission and goals.
- Assist with fundraising initiatives, book sales, and special events to generate funds that enhance library programs and services.
- Strengthen community partnerships to promote literacy and lifelong learning in Harlingen.
- Work closely with the Library Board and staff to align Friends' activities with the library's strategic priorities.

TEXES 118 Social Studies (Grades 4–8) – Passed

- Demonstrated strong knowledge of U.S. history, Texas history, world cultures, geography, government, and economics aligned with TEA standards.



John R. Percy, AIA, LEED-AP

Title:
Principal

Role:
Principal
Project Architect
Project Manager

Education:
Bachelor of Environmental Design
Texas A & M University 1998

Registrations:
Registered Architect
State of Texas #19005

LEED AP, GBCI # 10458145

Professional Affiliations:
American Institute of Architects

Texas Society of Architects
Member US Green Building Council

Affiliations:

Harlingen Downtown Improvement
District Board Vice-President

Former Affiliations:

LRGV-AIA, Executive Committee
St. Alban's Episcopal School Board
Vice-President
Harlingen Humane Society Board
Secretary

John has significant experience as a lead Architect and project manager for a large variety of building types. Prior to joining Megamorphosis he worked with two award-winning South Texas architectural firms. John joined Megamorphosis in 2006 and became a partner in 2008. John achieved his LEED AP Certification in 2009.

His focus is developing thoughtful, unique, region-based designs that respond to the physical and economic climate. From schematic design to project closeout, his eye for detail and pragmatism is instrumental in the successful completion of projects large and small. As manager of design and production, he is able to implement his technical expertise to the benefit of our clients, a benefit that continues through the construction process.

John is adept at innovative design solutions and maintaining project budgets. In addition to raising the level of design, he is competent and knowledgeable in code compliance and accessibility issues. As the principal of the firm, John is involved in all aspects of Megamorphosis projects, from project development, client relations, and project management.

Notable Projects Include:

- HCISD Performing Arts Center, Harlingen, Texas
- The Reese: 73,000 s.f. Renovation, Harlingen, Texas
- La Feria Technology and Success Center, La Feria, Texas
- Ballenger Corporate Offices, Harlingen, Texas
- Harlingen Fire Station, Harlingen, Texas
- La Feria Fire Station Addition, La Feria, Texas
- La Feria City Hall Addition, La Feria, Texas
- HCISD Ag -Farm – Harlingen, Texas
- Harlingen Municipal Auditorium, San Benito, Texas
- HCISD Jefferson Elementary- Harlingen, Texas
- Harlingen Soccer Complex- Harlingen, Texas
- HCISD Vernon Middle School- Harlingen, Texas
- San Benito Cultural Heritage Museum San Benito, Texas
- Cameron County Animal Shelter, San Benito, Texas
- Cameron County Annex at 835 Levee Recladding
- FEMA Domes, La Feria, Texas
- Heavin Park Amphitheatre, San Benito, Texas
- La Feria Unger Park, La Feria, Texas
- La Feria Nature Center, La Feria, Texas
- La Feria Public Library Renovations, La Feria, Texas
- St. Anthony Parish Community Center, Harlingen, Texas

megamorphosis

KRISTIN LUCKEY

EXECUTIVE DIRECTOR

Hear Now LLC

11/15 10/16

Marketing Director
1709 S 77 Sunshine Strip Ste A2
Harlingen, Texas 78550
(956) 428-0757

As an accomplished professional in business development, I have successfully identified and cultivated marketing opportunities and strategies, implemented sales plans, and effectively managed staff. My experience encompasses achieving marketing and sales objectives through comprehensive human resource practices, including recruiting, selecting, orienting, training, assigning, scheduling, coaching, counseling, and disciplining employees. I have consistently communicated job expectations and actively planned, monitored, appraised, and reviewed employee contributions, as well as managed compensation actions and enforced organizational policies and procedures.

Enhance product marketability and profitability by researching, identifying, and leveraging market opportunities; improving product packaging; and coordinating new product development initiatives.

Calidad Home Health

10/13 10/15

Hospice Coordinator, Telemonitoring Supervisor, HR, Office Manager, and Marketer
1600 East Expressway 83 La Feria, Texas 78559
(956) 797-4290

Hospice Coordinator

Responsible for overseeing all new admissions, which includes receiving referrals, coordinating family meetings, ensuring all documentation is signed and submitted for billing and record keeping, ordering necessary durable medical equipment (DME) and medications, entering patient information into Kinser software, and scheduling nursing, chaplain, medical social worker (MSW), and home health aide (HHA) visits according to established frequency. Additionally, conduct quality assurance (QA) reviews of patient charts, manage the monthly ordering and maintenance of patient supplies, participate in interdisciplinary team (IDT) meetings with the Medical Director, and accompany the doctor on monthly in-home patient visits.

Telemonitoring Supervisor

Oversees the telemonitoring program that tracks patients' blood pressure readings at home. Responsibilities include reporting daily abnormalities to the primary physician and preparing daily spreadsheets to document fluctuations in patients' blood pressure.

Human Resources (HR)

Handles the acceptance of applications and resumes, scheduling of interviews, and preparation of documentation required for new hires. Responsibilities also include assembling and reviewing employee files in compliance with state regulations, conducting background checks and monthly Office of Inspector General (OIG) checks, processing biweekly payroll and filing payroll and mileage information, managing all billing, reconciling employee insurance benefits, and preparing reports requested by external sources related to HR matters.

Office Manager

Serves as a resource for office staff by answering questions regarding daily operations, organizing and scheduling in-services, managing phone inquiries, resolving office-related issues, monitoring employee absenteeism, and providing daily reports to administration.

Marketer

Facilitates meetings with physicians and staff to address inquiries about the Hospice and Palliative Care program. Prepares marketing packets containing essential information and referral sheets, and conducts follow-ups with physicians who have submitted patient referrals.

Eileen Mattei

902 Halpin Road Harlingen, Texas 78552 956-202-5415

Eileen Mattei holds a BA in Anthropology from the University of Connecticut and worked for the Connecticut State Archeologist.

For many years, she has been a freelance history, travel and nature writer. She is the author of six regional histories. Among them are: *Brownsville Architecture: A Visual History (with photographer Pino Shah)*; *For the Good of My Patients: The History of Medicine in the Rio Grande Valley*; *At the Crossroads: Harlingen's First 100 Years*; and *Quinta Mazatlan: A Visual Journey*.

She has written more than 100 articles which have been published in On Point: The Journal of Army History, Texas Coop Power, Texas Highways, Texas Parks & Wildlife, and Texas Wildlife Association magazines, among others. She was the editor of Valley Business Report for 7 years.

In February 2026, Texas Coop Power magazine published her article From Posts to Pillars, which tells the stories of the five border forts built around 1848 which endure today as colleges, museums and schools in the cities that grew next to the forts.

She serves on the Cameron County Historical Commission as Secretary and Cemetery Chair.

Eileen is an active Texas Master Naturalist and Community Service chair for Frontera Quilt Guild.

Norma Petito

Harlingen, Texas

Email: normapetito7@gmail.com • Phone: 512-809-8971

PROFESSIONAL SUMMARY

Community-focused cultural heritage advocate with experience in historical documentation, nonprofit leadership, and public programming. Dedicated to preserving Harlingen's cultural identity through storytelling, archival work, and collaborative partnerships.

RELEVANT EXPERIENCE

Vice President of Programs — Valley ByLiners Writers Guild, Harlingen, TX
Dec 2025 – Present

- Lead development and coordination of literary programs, workshops, and community events.
- Support local writers through mentorship and program planning.
- Promote storytelling as a tool for cultural preservation.

Historical Documentation Assistant — Harlingen Historical Society, Harlingen, TX
2001

- Assisted in chronicling Harlingen's history through archival research of historical documents.
- Helped preserve historical materials, photographs, and narratives for long-term public access.

COMMUNITY LEADERSHIP

Founding Member — Harlingen Rocks, Harlingen, TX
2021 – Present

- Lead volunteer-driven arts initiatives promoting kindness, creativity, and community pride.
- Organize public art events, partnerships, and outreach activities.

SKILLS

- Community Engagement • Local History Documentation • Cultural Preservation Advocacy
- Nonprofit Leadership • Archival Research • Creative Writing • Visual Communication

AMANDA LUCIO



📞 956-408-0036

✉ amandavlucio@gmail.com

🌐 <https://www.linkedin.com/in/amanda-lucio-a62185100/>

📍 Harlingen, Texas

EDUCATION

Bachelor of Environmental Design

Texas A&M University
2010-2014

Study Abroad

Barcelona, Spain
Spring 2013

Fundraising Certificate Program

University of Texas at Austin - 2024

Grant Writing Certification Program

Texas Southmost College
Currently Enrolled

AJLI Annual Conference - 2024

Junior League of Harlingen

Advocacy & Leadership Institute - 2025

Junior League of Harlingen

LEADERSHIP

Leadership Harlingen - 2025

Class Delegate

Harlingen CISD Ambassador - 2025

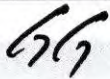
WORK EXPERIENCE

- Sunny Glen Children's Home
Development Officer & Marketing Lead Jan 2024 - Present
 - Plan and execute fundraising events to raise funds for foster children in the RGV
 - Plan and run a capital campaign
 - Manage donor CRM and donor relationships
 - Design monthly newsletters that are printed and distributed to all donors
- City of Harlingen April 2023- Jan 2024
Promotion & Events Manager
 - Plan and execute a minimum of 2 events per month for the Downtown Improvement District office
 - Sought after and secured sponsorships for Downtown Events
 - Communicated regularly with event vendors
 - Design and schedule graphics to be posted on social media pages
 - Monitor and maintain the advertising and events budgets
- Social Situations June 2019-April 2023
Executive Event Planner / Co-Owner
 - Planned and executed weddings & other events from 20-400+ events
 - Maintained social media, monthly newsletters, and CRM
 - Planned and executed the first and only large scale bridal show in Harlingen
 - Designed and printed stationery
 - Polished customer service skills through the retail side of the business
- Idea Public Schools August 2014-June 2019
Educator / Assistant Principal of Instruction
 - Planned, prepared and delivered lessons to 8th-12th grade students
 - Implemented strong organizational and time management skills to ensure annual goals were on track and met
 - Polished communication skills by managing, supervising and supporting multiple teachers
- Junior League of Harlingen August 2016-Present
Served as Arrangements Chair (2018), Scholarship Chair (2019), Fall Fundraiser Chair (2019), Governance Secretary (2020), Management Secretary (2021), President-Elect (2022), President (2023), Ex-Officio (2024), Provisional Education Chair & Nominations (2025).
- ECA PTA President August 2024 - Present
 - Promote Parental Involvement within the school
 - Raise funds for needed school projects at Early Childhood Academy
- Blue Sunday Event Planning Committee Sept. 2025 - Present
 - Promote Parental Involvement within the school
 - Raise funds for needed school projects at Early Childhood Academy
- Harlingen Chamber Ambassador August 2021-October 2022
 - Educate and enlist Chamber Members
 - Attend ribbon cuttings for new businesses
 - Promote local businesses through networking events

**AGENDA ITEM
EXECUTIVE SUMMARY**

10(L)

Meeting Date: **May 20, 2026**

Agenda Item:
Consideration and possible action to authorize the City Manager to award Bid No. 2026-06 for a Supply Contract for Drainage Materials. Attachment (<i>Engineering</i>).
Prepared By: Roberto Hernandez, Assistant City Engineer
Brief Summary:
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):
Staff Recommendation:
Staff recommends Approval
City Manager approval: 
Comments:
City Attorney's approval: 



Supply Contract Drainage Materials
Bid No. 2026-06

Bid Tabulation

Aguaworks Pape & Supply,
LLC

Ferguson Waterworks

Rio Valley dba CAPA

Wilson-Cox Waterwox

Item No.	Description	Unit	Est. Qty.	Cost	Cost	Cost	Cost
A. Reinforced class III Concrete Pipe with jointing material							
1	18" DIA x 8 L.F.	LF		NO BID	NO BID	\$33.08	NO BID
2	24" DIA x 8 L.F.	LF		NO BID	NO BID	\$40.37	NO BID
3	30" DIA x 8 L.F.	LF		NO BID	NO BID	\$58.08	NO BID
4	36" DIA x 8 L.F.	LF		NO BID	NO BID	\$90.92	NO BID
5	42" DIA x 8 L.F.	LF		NO BID	NO BID	\$123.34	NO BID
6	48" DIA x 8 L.F.	LF		NO BID	NO BID	\$149.18	NO BID
7	54" DIA x 8 L.F.	LF		NO BID	NO BID	\$168.11	NO BID
8	60" DIA x 8 L.F.	LF		NO BID	NO BID	\$221.23	NO BID
9	72" DIA x 8 L.F.	LF		NO BID	NO BID	\$318.01	NO BID
10	84" DIA x 8 L.F.	LF		NO BID	NO BID	NO BID	NO BID
11	96" DIA x 8 L.F.	LF		NO BID	NO BID	NO BID	NO BID



Supply Contract Drainage Materials
Bid No. 2026-06

Bid Tabulation

Aguaworks Pape & Supply,
LLC

Ferguson Waterworks

Rio Valley dba CAPA

Wilson-Cox Waterwox

Item No.	Description	Unit	Est. Qty.	Cost	Cost	Cost	Cost
B. Precast concrete drain inlets, Type A							
1	3' X 5' X 3' (depth)	EA		NO BID	NO BID	NO BID	NO BID
2	3' X 5' X 4' (depth)	EA		NO BID	NO BID	NO BID	NO BID
3	3' X 5' X 5' (depth)	EA		NO BID	NO BID	NO BID	NO BID
4	3' X 5' X 6' (depth)	EA		NO BID	NO BID	NO BID	NO BID
5	3' X 5' X 7' (depth)	EA		NO BID	NO BID	NO BID	NO BID
6	3' X 5' X 8' (depth)	EA		NO BID	NO BID	NO BID	NO BID
7	Type A inlet, top to include sidewalk ring and cover for	EA		NO BID	NO BID	NO BID	NO BID



Supply Contract Drainage Materials

Bid No. 2026-06

Bid Tabulation

Aguaworks Pape & Supply,
LLC

Ferguson Waterworks

Rio Valley dba CAPA

Wilson-Cox Waterwox

Item No.	Description	Unit	Est. Qty.	Cost	Cost	Cost	Cost	Cost	Cost
C. Reinforced class III Concrete Pipe with jointing material									
1	3' X 5' X 3' (depth) include 2 ea. Tpye "CC" mod inlet grates	EA		NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
2	3' X 5' X 4' (depth) include 2 ea. Tpye "CC" mod inlet grates	EA		NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
3	3' X 5' X 5' (depth) include 2 ea. Tpye "CC" mod inlet grates	EA		NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
4	3' X 5' X 6' (depth) include 2 ea. Tpye "CC" mod inlet grates	EA		NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
5	3' X 5' X 7' (depth) include 2 ea. Tpye "CC" mod inlet grates	EA		NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
6	3' X 5' X 8' (depth) include 2 ea. Tpye "CC" mod inlet grates	EA		NO BID	NO BID	NO BID	NO BID	NO BID	NO BID
7	Type A mod. Inlet grates, (include 2 per inlet)	2EA		NO BID	NO BID	NO BID	NO BID	NO BID	NO BID



Supply Contract Drainage Materials

Bid No. 2026-06

Bid Tabulation

Aguaworks Pape & Supply,
LLC

Ferguson Waterworks

Rio Valley dba CAPA

Wilson-Cox Waterwox

Item No.	Description	Unit	Est. Qty.	Cost	Cost	Cost	Cost	Cost	Cost
D. Precast Concrete Box Culverts									
1	6' (W) X 4' (H) X 8' (L)	LF		NO BID	NO BID	\$443.91		NO BID	
2	6' (W) X 6' (H) X 8' (L)	LF		NO BID	NO BID	\$533.74		NO BID	
3	8' (W) X 4' (H) X 6' (L)	LF		NO BID	NO BID	\$654.80		NO BID	
4	8' (W) X 6' (H) X 6' (L)	LF		NO BID	NO BID	\$682.04		NO BID	
5	10' (W) X 6' (H) X 6' (L)	LF		NO BID	NO BID	\$718.38		NO BID	
6	10' (W) X 7' (H) X 6' (L)	LF		NO BID	NO BID	\$758.93		NO BID	
7	10' (W) X 10' (H) X 6' (L)	LF		NO BID	NO BID	\$924.46		NO BID	
8	4' (W) X 3' (H) X 8' (L)	LF		NO BID	NO BID	\$281.92		NO BID	



Supply Contract Drainage Materials
Bid No. 2026-06

Bid Tabulation

Aguaworks Pape & Supply,
LLC

Ferguson Waterworks

Rio Valley dba CAPA

Wilson-Cox Waterwox

Item No.	Description	Unit	Est. Qty.	Cost	Cost	Cost	Cost
E. Polypropylene (PP) Pipe							
1	12inch (300mm) diameter Dual Wall, 20ft length (6m)	LF	1	\$246.80	\$260.86	NO BID	\$263.60
2	15inch (375mm) diameter Dual Wall, 20ft length (6m)	LF	1	\$347.60	\$367.60	NO BID	\$371.40
3	18inch (450mm) diameter Dual Wall, 20ft length (6m)	LF	1	\$418.20	\$434.00	NO BID	\$438.60
4	24inch (600mm) diameter Dual Wall, 20ft length (6m)	LF	1	\$643.20	\$667.40	NO BID	\$674.40
5	30inch (750mm) diameter Dual Wall, 20ft length (6m)	LF	1	\$1,087.00	\$1,127.60	NO BID	\$1,139.60
6	36inch (900mm) diameter Dual Wall, 20ft length (6m)	LF	1	\$1,194.40	\$1,239.00	NO BID	\$1,252.20
7	42inch (1050mm) diameter Dual Wall, 20ft length (6m)	LF	1	\$1,589.80	\$1,649.00	NO BID	\$1,666.60
8	48inch (1200mm) diameter Dual Wall, 20ft length (6m)	LF	1	\$2,028.40	\$2,104.00	NO BID	\$2,126.40
9	60inch (1500mm) diameter Dual Wall, 20ft length (6m)	LF	1	\$2,959.60	\$3,069.00	NO BID	\$3,102.80



Supply Contract Drainage Materials
Bid No. 2026-06

Bid Tabulation

Aguaworks Pape & Supply,
LLC

Ferguson Waterworks

Rio Valley dba CAPA

Wilson-Cox Waterwox

Item No.	Description	Unit	Est. Qty.	Cost	Cost	Cost	Cost	Cost	Cost
F. Precast Concrete Safety End Treatment									
1	SET Type 2 (18") (RCP) (6:1)	EA		NO BID	NO BID	\$330.03		NO BID	
2	SET Type 2 (24") (RCP) (6:1)	EA		NO BID	NO BID	\$854.19		NO BID	
3	SET Type 2 (30") (RCP) (6:1)	EA		NO BID	NO BID	\$1,559.62		NO BID	
4	SET Type 2 (36") (RCP) (6:1)	EA		NO BID	NO BID	\$2,643.26		NO BID	
5	SET Type 2 (36") (RCP) (6:1) with Steel Pipe Runners	EA		NO BID	NO BID	NO BID		NO BID	
6	SET Type 2 (42") (RCP) (6:1) with Steel Pipe Runners	EA		NO BID	NO BID	NO BID		NO BID	



Supply Contract Drainage Materials

Bid No. 2026-06

Bid Tabulation

Aguaworks Pape & Supply,
LLC

Ferguson Waterworks

Rio Valley dba CAPA

Wilson-Cox Waterwox

Item No.	Description	Unit	Est. Qty.	Cost	Cost	Cost	Cost	Cost	Cost
G. ADS N-12 WT IB Pipe High Density Polyethylene (HDPE)									
1	12inch (300mm) dia. ADS N-12 WT IB Pipe, 20ft length (6m)	EA		\$139.00	\$147.20	NO BID	\$145.60		
2	15inch (375mm) dia. ADS N-12 WT IB Pipe, 20ft length (6m)	EA		\$223.00	\$236.40	NO BID	\$233.80		
3	18inch (450mm) dia. ADS N-12 WT IB Pipe, 20ft length (6m)	EA		\$293.20	\$310.80	NO BID	\$307.20		
4	24inch (600mm) dia. ADS N-12 WT IB Pipe, 20ft length (6m)	EA		\$465.00	\$493.00	NO BID	\$487.40		
5	30inch (750mm) dia. ADS N-12 WT IB Pipe, 20ft length (6m)	EA		\$687.20	\$728.40	NO BID	\$720.40		
6	36inch (900mm) dia. ADS N-12 WT IB Pipe, 20ft length (6m)	EA		\$969.20	\$1,027.20	NO BID	\$1,016.00		
7	42inch (1050mm) dia. ADS N-12 WT IB Pipe, 20ft length (6m)	EA		\$1,237.80	\$1,311.80	NO BID	\$1,297.60		
8	48inch (1200mm) dia. ADS N-12 WT IB Pipe, 20ft length (6m)	EA		\$1,509.00	\$1,599.20	NO BID	\$1,582.00		
9	60inch (1500mm) dia. ADS N-12 WT IB Pipe, 20ft length (6m)	EA		\$2,470.40	\$2,618.20	NO BID	\$2,589.80		

AGENDA ITEM EXECUTIVE SUMMARY

Meeting Date: **May 20, 2026**

Agenda Item:

Consideration and possible action to authorize the City Manager to award RFQ No. 2026-10 for Professional Consulting Services for the Harlingen Mobility Master Plan. Attachment **(Engineering)**.

Prepared By: Roberto Hernandez, PE, CFM, MS

Title: City Engineer

Signature:



Brief Summary:

The City of Harlingen solicited Statements of Qualifications under RFQ No. 2026-10 for professional consulting services associated with the development of the Harlingen Mobility Master Plan. The purpose of the project is to develop a comprehensive, data-driven transportation strategy focused on improving multimodal mobility, safety, and connectivity throughout the City of Harlingen.

The Mobility Master Plan will identify and prioritize roadway, pedestrian, bicycle, and trail improvements that enhance access to neighborhoods, schools, parks, employment centers, and regional transportation corridors. The project supports federal transportation objectives by promoting safety, system reliability, and expanded mobility options while establishing a framework for future federally funded transportation improvements.

The Texas Department of Transportation (TxDOT) is partnering with the City of Harlingen on this \$450,000 planning grant project, funded on an 80/20 match basis, with the City providing a local match of \$90,000. Statements of Qualifications were submitted on May 12, 2026, and staff reviewed the submitted proposals in accordance with the RFQ evaluation criteria. The submitted RFQs are attached for reference.

Approval of this item will authorize the City Manager to negotiate and execute an agreement with the selected consultant for development of the Harlingen Mobility Master Plan.

Funding (if applicable):

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

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

General Fund

Finance Director's approval:

☐ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approval.



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

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

RFQ NO. 2026-10 REQUEST FOR QUALIFICATIONS HARLINGEN MOBILITY MASTER PLAN

Reviewer	Freese and Nichols, Inc.	Kimley-Horn & Associates, Inc.	TEDSI Infrastructure Group	TJKM, Inc.	LOI Engineers
Roberto Hernández, PE, CFM	86	97	96	98	90
Nadia Lopez, PE	95	96	89	97	94
Ana Hernandez, AICP, CNU-A	89	98	94	99	91
Total	270	291	279	294	275

Rankings	Firm	Total Points
1	TJKM, Inc.	294
2	Kimley-Horn & Associates, Inc.	291
3	TEDSI Infrastructure Group	279
4	LOI Engineers	275
5	Freese and Nichols, Inc.	270

RESPONSE EVALUATION FORM
(Note: To be filled out by Evaluation Committee)

RFQ NO. 2026-10 Harlingen Mobility Master Plan

Selection Criteria	*RIF	Score
1. Approach to Scope of Work	(35 points)	(33)
2. Experience and Professional Qualifications of the Firm and Team	(35 points)	(35)
3. Firm Capability and Past Experience	(15 points)	(14)
4. Familiarity with Applicable Rules and Regulations	(15 points)	(14)
Total Score		<u>96</u>

Respondent: TEDSI

Evaluator: Roberto Hernandez Date: 05-13-2026

RESPONSE EVALUATION FORM
(Note: To be filled out by Evaluation Committee)

RFQ NO. 2026-10 Harlingen Mobility Master Plan

Selection Criteria	*RIF	Score
1. Approach to Scope of Work	(35 points)	(33)
2. Experience and Professional Qualifications of the Firm and Team	(35 points)	(35)
3. Firm Capability and Past Experience	(15 points)	(15)
4. Familiarity with Applicable Rules and Regulations	(15 points)	(14)
Total Score		<u>97</u>

Respondent: Kimley-Horn

Evaluator: Roberto Hernandez Date: 05-13-2026

RESPONSE EVALUATION FORM
(Note: To be filled out by Evaluation Committee)

RFQ NO. 2026-10 Harlingen Mobility Master Plan

Selection Criteria	*RIF	Score
1. Approach to Scope of Work	(35 points)	(34)
2. Experience and Professional Qualifications of the Firm and Team	(35 points)	(35)
3. Firm Capability and Past Experience	(15 points)	(15)
4. Familiarity with Applicable Rules and Regulations	(15 points)	(14)
Total Score		<u>98</u>

Respondent: TJKM

Evaluator: Roberto Hernandez Date: 05-13-2026

RESPONSE EVALUATION FORM
(Note: To be filled out by Evaluation Committee)

RFQ NO. 2026-10 Harlingen Mobility Master Plan

Selection Criteria	*RIF	Score
1. Approach to Scope of Work	(35 points)	(30)
2. Experience and Professional Qualifications of the Firm and Team	(35 points)	(30)
3. Firm Capability and Past Experience	(15 points)	(13)
4. Familiarity with Applicable Rules and Regulations	(15 points)	(13)
Total Score		<u>86</u>

Respondent: Freese and Nichols

Evaluator: Roberto Hernandez Date: 05-13-2026

RESPONSE EVALUATION FORM
(Note: To be filled out by Evaluation Committee)

RFQ NO. 2026-10 Harlingen Mobility Master Plan

Selection Criteria	*RIF	Score
1. Approach to Scope of Work	(35 points)	(31)
2. Experience and Professional Qualifications of the Firm and Team	(35 points)	(33)
3. Firm Capability and Past Experience	(15 points)	(13)
4. Familiarity with Applicable Rules and Regulations	(15 points)	(13)
Total Score		<u>90</u>

Respondent: LOI Engineers

Evaluator: Roberto Hernandez Date: 05-13-2026

RESPONSE EVALUATION FORM
(Note: To be filled out by Evaluation Committee)

RFQ NO. 2026-10 Harlingen Mobility Master Plan

Selection Criteria	*RIF	Score
1. Approach to Scope of Work	(35 points)	(33)
2. Experience and Professional Qualifications of the Firm and Team	(35 points)	(35)
3. Firm Capability and Past Experience	(15 points)	(15)
4. Familiarity with Applicable Rules and Regulations	(15 points)	(12)
Total Score		<u>95</u>

Respondent: Freese and Nichols, Inc.

Evaluator: Nadia M. Lopez, PE Date: 5/13/26
Nadia M. Lopez, PE
Assist. City Engineer

RESPONSE EVALUATION FORM
(Note: To be filled out by Evaluation Committee)

RFQ NO. 2026-10 Harlingen Mobility Master Plan

Selection Criteria	*RIF	Score
1. Approach to Scope of Work	(35 points)	(33)
2. Experience and Professional Qualifications of the Firm and Team	(35 points)	(35)
3. Firm Capability and Past Experience	(15 points)	(15)
4. Familiarity with Applicable Rules and Regulations	(15 points)	(12)
Total Score		<u>95</u>

Respondent: Kimley-Horn & Associates, Inc.

Evaluator: Nadia M. Lopez, PE Date: 5/13/26
Nadia M. Lopez, PE
Assist. City Engineer

RESPONSE EVALUATION FORM
(Note: To be filled out by Evaluation Committee)

RFQ NO. 2026-10 Harlingen Mobility Master Plan

Selection Criteria	*RIF	Score
1. Approach to Scope of Work	(35 points)	(34)
2. Experience and Professional Qualifications of the Firm and Team	(35 points)	(33)
3. Firm Capability and Past Experience	(15 points)	(12)
4. Familiarity with Applicable Rules and Regulations	(15 points)	(15)
Total Score		<u>94</u>

Respondent: LOI Engineers

Evaluator: Nadia M. Lopez, PE Date: 5/13/26
Nadia M. Lopez, PE
Assist. City Engineer

RESPONSE EVALUATION FORM
(Note: To be filled out by Evaluation Committee)

RFQ NO. 2026-10 Harlingen Mobility Master Plan

Selection Criteria	*RIF	Score
1. Approach to Scope of Work	(35 points)	(34)
2. Experience and Professional Qualifications of the Firm and Team	(35 points)	(30)
3. Firm Capability and Past Experience	(15 points)	(10)
4. Familiarity with Applicable Rules and Regulations	(15 points)	(15)
Total Score		<u>89</u>

Respondent: TEDSI Infrastructure Group

Evaluator: Nadia M. Lopez, PE Date: 5/13/26
Nadia M. Lopez, PE
Assist. City Engineer

RESPONSE EVALUATION FORM
(Note: To be filled out by Evaluation Committee)

RFQ NO. 2026-10 Harlingen Mobility Master Plan

Selection Criteria	*RIF	Score
1. Approach to Scope of Work	(35 points)	(33)
2. Experience and Professional Qualifications of the Firm and Team	(35 points)	(34)
3. Firm Capability and Past Experience	(15 points)	(15)
4. Familiarity with Applicable Rules and Regulations	(15 points)	(15)
Total Score		<u>97</u>

Respondent: TJKM, Inc.

Evaluator: Nadia M. Lopez, PE Date: 5/13/26
Nadia M. Lopez, PE
Assist. City Engineer

RFQ. NO. 2026-10
RESPONSE EVALUATION FORM

Selection Criteria	Point Range	Score
Approach to Scope of Work	0-35	34
Experience and Professional Qualifications of the Firm and Team	0-35	35
Firm Capability and Past Experience	0-15	15
Familiarity with Applicable Rules and Regulations	0-15	15
TOTAL	0-100	99

Respondent Name: TJKM/DCCM

Evaluator Name: Ana Hernandez

Date: 5/13/2026

RFQ. NO. 2026-10
RESPONSE EVALUATION FORM

Selection Criteria	Point Range	Score
Approach to Scope of Work	0-35	33
Experience and Professional Qualifications of the Firm and Team	0-35	35
Firm Capability and Past Experience	0-15	15
Familiarity with Applicable Rules and Regulations	0-15	15
TOTAL	0-100	98

Respondent Name: Kimley-Horne

Evaluator Name: Ana Hernandez

Date: 5/13/2026

RFQ. NO. 2026-10
RESPONSE EVALUATION FORM

Selection Criteria	Point Range	Score
Approach to Scope of Work	0-35	32
Experience and Professional Qualifications of the Firm and Team	0-35	35
Firm Capability and Past Experience	0-15	12
Familiarity with Applicable Rules and Regulations	0-15	15
TOTAL	0-100	94

Respondent Name: TEDSI

Evaluator Name: Ana Hernandez

Date: 5/13/2026

RFQ. NO. 2026-10
RESPONSE EVALUATION FORM

Selection Criteria	Point Range	Score
Approach to Scope of Work	0-35	30
Experience and Professional Qualifications of the Firm and Team	0-35	29
Firm Capability and Past Experience	0-15	15
Familiarity with Applicable Rules and Regulations	0-15	15
TOTAL	0-100	89

Respondent Name: Freese & Nichols

Evaluator Name: Ana Hernandez

Date: 5/13/2026

RFQ. NO. 2026-10
RESPONSE EVALUATION FORM

Selection Criteria	Point Range	Score
Approach to Scope of Work	0-35	32
Experience and Professional Qualifications of the Firm and Team	0-35	35
Firm Capability and Past Experience	0-15	12
Familiarity with Applicable Rules and Regulations	0-15	12
TOTAL	0-100	91

Respondent Name: LOI Engineers

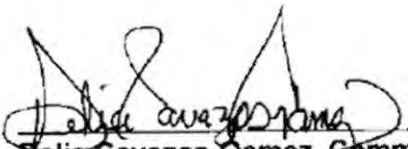
Evaluator Name: Ana Hernandez

Date: 5/13/2026

City of Harlingen
Agenda Item Request Form

We hereby request the following item to be added to the **May 20, 2026**, City Commission Agenda:

Consideration and possible action to show constituents' faces on video when they are addressing the Commission during the Citizen Communication:


Delia Cavazos-Gomez, Commissioner Dist. 1


Frank Morales, Commissioner Dist. 4