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

Notice is hereby given that the City Commission of the City of Harlingen, Texas will hold a Regular Meeting on **WEDNESDAY, JULY 01, 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 requesting an item for City Secretary, 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 12:00 P.M. THE DAY OF THE MEETING.

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

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

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

1) **Call Meeting to Order**

a) Invocation - Commissioner Rene Perez

b) Pledge of Allegiance

c) Welcome Citizens

2) **Conflict of Interest:**
"Under State Law, a conflict of interest exists if a commission member, or certain members of that person's family, has a qualifying financial interest in an agenda item. Members with a conflict of interest cannot participate in the discussion nor vote on the agenda item. Are there any known conflicts of interest to disclose at the time?" ***(City Attorney).***

3) **Announcements:** *With respect to items not listed elsewhere on this agenda, the City Commission may report on items of community interest, including announcing community events, announcing employee or community recognitions.*

a) Mayor's Announcements

b) City Manager's Announcements

c) City Commission Member Announcements

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

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

b) Presentation or Proclamation - Parks & Recreation Month

c) Certificate of Recognition — South Texas Little League "District 24 Champions"

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 April 01, 2026

b) Regular Meeting of April 15, 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) Discussion and approval of second extension to the 2023 - 2025 Interlocal Agreement between the Harlingen Consolidated Independent School District (HCISD) and the City of Harlingen for the School Resource Officer Program for school year 2026 - 2027. Attachment (**Police**)

b) Consider approval of the purchase of a replacement tractor and shredder for the Public Works Department in the amount of $69,773.72, utilizing available funds originally budgeted for the TxDOT maintenance agreement. The equipment will replace Unit #506, a 2016 John Deere tractor and shredder that is currently out of service, and will support the ongoing maintenance of TxDOT roadway interchanges being performed by Public Works personnel under the maintenance agreement. ***(Public Works)***

c) Consideration and possible action to approve a resolution authorizing the acceptance of a grant from the Office of the Governor for the Fiscal Year 2025 Operation Stonegarden Grant Program. Attachment ***(Special Projects Department)***

d) Consideration and possible action authorizing the City Manager to accept a grant award in the amount of $100,000 from the Texas General Land Office Local Hazard Mitigation Plans Program. Attachment ***(Special Projects Department)***

e) Consideration and possible action to approve a resolution authorizing the submission of a grant to the U.S. Department of Housing and Urban Development. Attachment ***(Special Projects Department)***

f) Consideration and possible action to approve a resolution authorizing the acceptance of a grant from the Texas Department of Transportation – Selective Traffic Enforcement Program – FY 26 Operation Slowdown Grant Program. Attachment ***(Special Projects Department)***

g) Consideration and possible action to approve an Ordinance on Second and Final Reading to consider a request for a Special Use Permit (SUP) to allow an adult business (microblading studio) in a General Retail ("GR") District, located at 310 S. Eye Street, bearing a legal description of Lots 6 and 7, Block 1, Benoist Subdivision. Applicant: Daisy Nieto Attachment. ***(Planning and Development)***

h) Consideration and possible action to approve the testing and potential installation of speed humps at the following location.(s) ***(This item was requested by Commissioner Delia Cavazos-Gamez and Commissioner Frank Morales)***

1. 200 Block of E. Davis

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

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

b) Public hearing to receive public input on its proposed 2026-2030 Five-Year Consolidated Plan, 2026-2027 One Year Annual Action Plan, and the Analysis of Impediments for Fair Housing. Attachment ***(CDBG)***

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

Ordinances:

a) Consideration and possible action to approve an Ordinance on First Reading for the release from the City of Harlingen Extraterritorial Jurisdiction (ETJ) consisting of 8.30 acres out of the North 9.685 acres out of the South 19.37 acres out of Block 75, Minnesota Texas Land and

Irrigation Company Subdivision, located approximately 800 feet south of Tio Cano Lake Cross Rd. between Louisiana Road and FM 506. Applicant: Abby Jo Lopez. Attachment. ***(Planning & Development) (This item was tabled on the Regular CC MTG of January 7, 2026)***

b) Consideration and possible action to approve an ordinance on seconded and final reading for a rezoning request from Neighborhood Services ("NS") District to Residential, Patio Home ("RPH") District for Lot C-1, Block 1, Dixieland Crossing Subdivision, located on the south side of Garrett Road, approximately 795.17 feet west of Dixieland Road. Applicant: Moore Land Surveying, LLC c/o CJE Construction. Attachmnet ***(Planning & Development)***

c) Consideration and possible action to approve an ordinance on first reading amending the City of Harlingen's budget for Fiscal Year 2026. Attachment **(Finance)**

d) Consideration and possible action to approve the One-Year Action Plan (Budget) for Fiscal Year 2026-2027 (Year 52) of the Community Development Block Grant (CDBG) and the Home Investment Partnership (HOME) Programs as recommended by the Community Development Advisory Board. Attachment ***(CDBG)***

e) Consideration and possible action to approve a budget of $14,000 for the Dixieland Park Parking Lot Improvments Project. Attachment ***(Engineering)***

f) Consideration and possible action to authorize the Harlingen Economic Development Corporation (HEDC) to provide $35,000 in funding to the City of Harlingen for expenses related to the 2026 All-America City Award Conference. Attachment ***(HEDC)***

g) Consideration and possible action to approve the City's revised event venue rental agreement with the updated guidelines. Attachment ***(Dr. Josh Ramirez, Asst. City Manager)***

h) Consideration and possible action to authorize and fund the fabrication and installation of the new Gloria G. Canales Auditorium signage. Attachment ***(City Manager)***

i) Consideration and possible action to approve a Resolution adopting a City Commission Decorum Policy establishing standards of conduct for public participation and procedures for maintaining order during City Commission meetings. Attachment ***(City Manager)***

j) Consideration and possible action to approve a resolution nominating a new candidate for the Cameron Appraisal District Board of Directors to fill a vacancy. Attachment ***(City Manager)***

k) Consideration and possible action to approve a resolution of the City Commission of the City of Harlingen, Texas declaring the City's intent to pursue designation as a Darksky Community and pursuant to Texas Government Code 3000.002(c)(3)(B). ***(This item was requested by Mayor Pro-Tem Daniel N. Lopez and Commissioner Michael Mezmar)***

l) Consideration and possible action to authorize the City Manager to begin the process of updating the employee compensation study. ***(This item was requested by Mayor Pro-Tem Daniel N. Lopez and Commissioner Frank Morales)***

m) Consideration and possible action to name the new Stuart Place Pocket Park after Sgt. Arturo "Treto" Garza. ***(This item was requested by Commissioner Rene Perez and Mayor Pro-Tem Daniel N. Lopez)***

11) **Board Appointments:**

Appointment, discussion and possible action of any board 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
The Blind and Visually Impaired Advisory Committee (7)
Utility Board of Trustees
Veterans Advisory Board
Zoning Board of Adjustment

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

a) Pursuant to 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 Truck (Logistics)
2. Project Bean (Transportation)
3. Project Organic (Mixed use development)

b) Deliberation regarding the potential purchase of real property pursuant to Texas Government Code Section 551.072. ***(City Manager)***

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

a) Consideration and possible action on item 12a (1-3) as discussed in executive session.

b) Consideration and possible action regarding the potential purchase of real property as discussed in the 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, JUNE 25, 2026**, at or before 9:00 a.m./p.m. and remained so posted for at least three(3) business days preceding the time of said meeting.

Dated this 25th day of JUNE, 2026

Mayra Herrera, City Secretary

6a

REGULAR MEETING

CITY COMMISSION HARLINGEN, TEXAS

April 01,2026

A Regular Meeting of the Harlingen City Commission was held April 01, 2026 at 5:32pm, 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
Delia Cavazos-Gamez, Commissioner District 1
Mayor Pro-Tem Daniel N. Lopez. District 2
Michael Mezmar, Commissioner District 3
Frank Morales, Commissioner District 4
Rene Perez, Commissioner District 5

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

1. **Call Meeting to Order**
   a) Invocation – Commissioner Perez
   b) Pledge of Allegiance – Norma Sepulveda
   c) Welcome Citizens – Norma Sepulveda

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.

- Commissioner Rene Perez abstained from agenda item 10(d)

3. **Announcements –**
   a) Mayor's Announcements – Red Crowns Soccer Team; News crews showcasing our community;

   b) City Manager's Announcements- Announced non-emergency offices will be closed Friday, April 3, for Good Friday; Egg-extravaganza at Soccer Complex, April 4, from 10am-12noon.

   c) City Commission Member Announcements –

   - Commissioner Cavazos-Gamez- answered questions citizens regarding TV Monitors in front of them; Dist.1 Town Hall Meeting, Thursday, April 30th @ 5:30p.m Harlingen Arts & Heritage Museum.
   - Mayor Pro-Tem Lopez invited public to Market Days 25th Anniversary, Saturday, April 4, 2026; sale of book by local author Liza Marie Saldana called the Story of Harlingen.
   - Commissioner Frank Morales wished everyone a Safe Happy Easter Holiday

DRAFT

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

a) <u>Harlingen Animal Shelter- "Pet of the Week"</u>
Shannon Harvill, Director of Health, introduced "Sassy" a Terrier Mix female 10-month-old. Ms. Harvill advised if anyone is interested in adopting Sassy or any other animals to go the Harlingen Animal Shelter or call 956-216-5250 and they are located at 1106 Markowsky Ave. The Harlingen Fire Department presented a check for $ 9,300.00 for the sales of the calendar they made, and was presented by Chief Loftus.

b) <u>Mayor's Award – Inaugural Harlingen Legacy Award</u> – This award recognized Mr. Charlie Perez for all he has done for the community and for serving in multiple boards.

c) <u>Certificate of Recognition — Harlingen High School South "Lady Hawks" Basketball Team</u>
The recognition was accepted by Coach Rebecca Valdez Littleton. Thanked Commission for recognition. Mayor Sepulveda stated how proud she is of them. Commissioner Perez gave recognition to the girls and how proud everyone is of them.

d) <u>Certificate of Recognition — Harlingen High School "Lady Cardinals" Basketball Team</u>
The recognition was accepted by Coach Moncivaiz and the girls on the team. They thanked the commission for the recognition.

e) <u>Presentation of Proclamation — Jackson Street Market Days "25th Anniversary"</u>;
Accepted by Alexis Riojas and the Market Days Committee and thanked the Commission for this proclamation.

f) <u>Presentation of Proclamation — Animal Control Appreciation Week</u>;
Proclamation accepted by Shannon Harvill and the Animal Control Officers and thanked the Commission for it.

g) <u>Presentation of Proclamation - National Community Development Week</u>
Proclamation accepted by Sandee Alvarez and the Community Development Board. They thanked the Commission for the proclamation.

h) <u>Certificate of Recognition — Roberto Hernandez — Recipient of "The Young Engineer of the Year Award"</u>
Award was accepted by Robert Hernandez and Mayor Sepulveda shared words expressing her congratulations to Mr. Hernandez.

i) <u>Certificate of Recognition — 2026 World's Strongest Firefighters Competition "Michael Allen & Gage Richmond"</u>
The recognition was accepted by Michael Allen and Gage Richmond. Chief Balboa presented a summary of the trials taken by the gentleman to get to the competition.

5. **Citizen Communication:**

There were a Total of 31 submissions: (Data Centers, Detention Center, RGV Crowns)
18- present 13- not present

1. Jared Ocanas Villalobos – no show
2. Dawn Rae Leonard – Data Center
3. Raymond Reyes – taxpayers money and facilities upkeep
4. Lauren Castillo – Detention Center (ICE Center)
5. Luis Valdespino – data center
6. Jamal Fayyad – Red Crowns Soccer Team
7. Vicente Alvarez - Red Crowns Soccer Team
8. Jonathan Jones – Data Centers
9. Angela Valdespino – Data Center
10. Robert Leftwich – Detention Center; Data Center
11. Maria Lopez – Detention Center
12. Victoria Guajardo - Detention Centers & Data Center
13. Alexis Bay – Detention Center
14. Sydney Rivera - Data Center
15. Nayely Salas – no show
16. Esmeralda Cantu Castle – Isaac Newman; Data Center
17. Desi Martinez – naming of the Auditorium; VIA and FAA
18. Adhlemy Sanchez – Detention Center
19.

6. **Approval of Minutes:**

a) Regular Meeting of December 17, 2025

Motion was made by Commissioner Lopez and seconded by Commissioner Perez to approve minutes for Regular Meeting of December 17, 2025. Motion Carried Unanimously.

7. **Consent Agenda**:

Items (a),(f),(g),(h) was pulled from consent agenda.

Motion was made by Commissioner Perez seconded by Commissioner Mezmar to approve items 7 b),c),d),e) Motion carried unanimously

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

ORDINANCE NO. 26-.11
AN ORDINANCE AMENDING THE CODE OF ORDINANCES (ORDINANCE NO. 16-8) OF THE CITY OF HARLINGEN TO ISSUE A SPECIAL USE PERMIT (SUP) TO NICOLE ORTIZ TO ALLOW A RECYCLING CENTER IN A LIGHT INDUSTRY ("LI") DISTRICT LOCATED AT 1318 NORTH COMMERCE STREET, BEARING A LEGAL DESCRIPTION OF 3.40 ACRES OUT OF BLOCK 1, HARLINGEN LAND AND WATER COMPANY SUBDIVISION.

PASSED AND APPROVED on first reading this the 18th day of March 2026.
PASSED AND APPROVED on the second and final reading this the 1st day of April 2026.

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

Motion was made by Mayor Pro-Tem Lopez and second by Commissioner Perez to approve 7a with the inclusion of a bond, drafted by city attorney, and planning. Motion carried unanimously

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

ORDINANCE NO. 26-12
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM NOT DESIGNATED ("N") DISTRICT TO GENERAL RETAIL ("GR") DISTRICT, LOCATED AT 33470 FM 509, BEARING A LEGAL DESCRIPTION OF 1.75 ACRES OUT OF BLOCK 167, SAN BENITO LAND AND WATER COMPANY SUBDIVISION.

PASSED AND APPROVED on first reading this the 18th day of March 2026.
PASSED AND APPROVED on the second and final reading of this the 1st day of April 2026.

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

c) Consideration and possible action to approve an ordinance on second and final reading for a Special Use Permit (SUP) to allow an event center with alcohol in a General Retail ("GR") District located at 350 N. Loop 499, bearing a legal description of 2.72 acres out of 21.7986 acres out of

Block 67, Harlingen Land and Water Company Subdivision. Applicant: Eduardo Pena. Attachment (Planning & Development).

ORDINANCE NO. 26-13
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT ISSUED TO EDUARDO PENA TO ALLOW AN EVENT CENTER WITH ALCOHOL IN A GENERAL RETAIL ("GR") DISTRICT LOCATED AT 350 N. LOOP 499, BEARING A LEGAL DESCRIPTION OF 2.72 ACRES OUT OF 21 .7986 ACRES OUT OF BLOCK 67, HARLINGEN LAND AND WATER COMPANY SUBDIVISION, PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

PASSED AND APPROVED on first reading this the 18th day of March 2026.
PASSED AND APPROVED on the second and final reading this the 1st day of April 2026.

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

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

ORDINANCE NO. 26-14
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONE FROM GENERAL RETAIL ("GR") DISTRICT TO PLANNED DEVELOPMENT ("PD") DISTRICT TO ALLOW A MIXED-USE DEVELOPMENT (COMMERCIAL AND MULTI-FAMILY) FOR PROPERTIES BEARING A LEGAL DESCRIPTION OF 30.52 ACRE TRACT OF LAND, MORE OR LESS, OUT OF BLOCK 182, SAN BENITO LAND AND WATER COMPANY SUBDIVISION; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

PASSED AND APPROVED on first reading this the 18th day of March 2026.
PASSED AND APPROVED on the second and final reading this the 1st day of April 2026.

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

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

ORDINANCE NO. 26-15
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: A SPECIAL USE PERMIT ISSUED TO RICHARD RIVAS C/0 PANTHERS PETROLEUM III, LLC TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES FOR ON-PREMISES CONSUMPTION IN A GENERAL RETAIL ("GR") DISTRICT LOCATED AT 211 N. ED CAREY DRIVE, BEARING A LEGAL DESCRIPTION OF LOT 3, BLOCK 1, DORRIS SUBDIVISION UNIT 1.

PASSED AND APPROVED on first reading this the 18th day of March 2026.
PASSED AND APPROVED on the second and final reading this the 1st day of April 2026.

ATTEST:
Mayra Herrera, City Secretary

CITY OF HARLINGEN
Norma Sepulveda, Mayor

f) <u>Consideration and possible action to authorize the City Manager to execute Flock Safety Mobile Security Trailer Agreement between the City of Harlingen and Flock Safety. (Police Dept).(This item was tabled at the Regular City Commission Meeting of March 18, 2026).</u>

Motion was made by Mayor Pro-Tem Daniel N. Lopez and Seconded by Commissioner Michael Mezmar to remove agenda item 7f from tabled item. Motion carried unanimously

Mayor Pro-Tem asked Harlingen PD for the equipment. Whether its going to be purchased or leased.

Commander Contreras and Deputy Chief Cavazos explained the leasing agreement and the coverage under the lease for the hardware for the trailer.

Mayor Pro-Tem Lopez asked if they knew where the funds would come from for the Re-Leasing of the trailer in the next year following.

Gabriel Gonzalez, City Manager stated that Chief Alvear had said that he did have the funding for the first year, so he may be able to come up with the funding for the future use of the trailer.

Commissioner Mezmar asked what function the trailer had and how it was going to be mobilized.

Commander Contreras explained how the trailer works and the assistance that can be provided at different events and all around the city due to it being a mobile trailer. He also stated the trailer would be towed by a police unit to be placed on site around the city and at any local events.

Commissioner Cavazos-Gamez asked for clarification on the mobile unit being more than just situational crime, also used for things such as Amber alerts, etc.

Commander Contreras confirmed its multifunctional use.

Commissioner Lopez stated he was concerned about the control of the data coming in and out of the mobile unit and how it is handled.

Commander Contreras stated that the data does get handled directly through the officers from HPD and need to be given access to review any data.

Mayor Sepulveda states that she shares the concerns of the public and the commission about the financial concerns. She continues, with stating that the item may need to be tabled once again until the City Attorney, Mr. Sossi, can review the contract in regard to the leasing of the trailer, given the concern about the possible 3rd parties being authorized to handle the data obtain while using said trailer. She acknowledges the hard work the Harlingen Police Department does for the community through this.

Motion made by Mayor Por-Tem Lopez and seconded by Commissioner Mezmar to authorize the City Manager to execute Flock Safety Mobile Security Trailer Agreement between the City of Harlingen and Flock Safety subject to legal approving. Motion carried as follows: FOR: Mayor Pro-Tem Lopez, Mayor Sepulveda, Commissioner Mezmar, Commissioner Perez AGAINST: Commissioner Morales, Commissioner Cavazos-Gamez (Vote:4-2).

g) <u>Consideration and possible action to approve a Facility Usage Agreement for 7-on-7 football practice between the City of Harlingen and the Harlingen Cardinals Youth Sports League for use of Vestal Park Field 1. Attachment ***(Parks & Recreation)***</u>

DRAFT

Mayor Pro-Tem Lopez shares his concern by comparing the contracts for the two leagues at Harlingen Soccer Complex, 1 for Arroyo Park, 2 at Wilson, 2 at Victor Park, 2 Vestal, 1 at Pendleton, 0 at Rangerville. With the new agreement, that would be 3 different leagues at Vestal Park. Consideration to move HC athletics to a different park, due to the other league being a historic league for the location in question.

Danny Diaz, Parks and Recreation Director, confirmed the Rio Valley Adults have been the one to be there before any other league.

Mayor Pro-Tem Lopez stated that the plan is to cycle the fields and to give them some rest time.

Mr. Diaz stated that some of the parks are under maintenance to provide lighting at a later time, however they currently don't have lighting.

Mayor Sepulveda asked if this is the contract for football.

Commissioner Lopez mentioned he was aware but was concerned about these contracts being a conflict for other contracts already in place.

Mr. Diaz stated that this contract would not impact any other contract due to the time frame of when this contract would be implemented, due to the dates being April 1st, 2026 – May 31st and not being renewed once time was up.

Mayor Sepulveda stated that she did have some concerns about the contract itself, however she did confirm that it would only be till the end of May and strictly for practice and not tournaments.

Mayor Pro-Tem Lopez made a motion to allow the current league to stay and bring back the other two contracts to the same park.

Mayor Sepulveda stated she had some questions before a motion or voting. She asked for the supporting documentation for the contracts. She followed up with the concern for the contract and the language it has. The language portrays as if the time frame of the contract is going to exceed the allowed amount of the two months, as well as have tournaments during the allotted time frame.

A discussion was held in reference to the contracts and what adjustments are needed in reference to the language and what it allowed.

Commissioner Mezmar asked about the Tax ID, Insurance, and the 990 for the League.

Mr. Diaz confirmed all documents were submitted by the league because the contracts ask for them.

Commissioner Morales asked for clarification once again that is being asked for by the requestor.

Mr. Diaz confirmed the dates being April 1st – May 31st, 2026.

Mayor Sepulveda made a motion to approve the league to be able to practice, conditioned upon that the City Attorney, Mark Sossi, drafts up a contract that indicates language that is clear that only practicing is allowed, with the start date and end date.

Mayor Pro-Tem Lopez amended the motion to allow Mayor Sepulveda to collaborate with the city attorney to draft up the contract and seconded by Commissioner Mezmar.

Commissioner Cavazos-Gamez stated that she was not clear on the motion and Commissioner Perez agreed with it.

Mayor Pro-Tem Lopez explained that the motion and amendment allow the mayor to collaborate on the language of the contract with City Attorney.

Commissioner Perez asked about the possibility of not allowing the signing of the contract even if it has already been approved?

Mr. Gonzalez, City Manager, stated that the requestor for the contract cannot just show up to sign the contract, they have to be advised when the contract is ready for signature.

Commissioner Perez asked weren't the other contracts ready after being approved last meeting.

Mayor Sepulveda replied that the contracts that were approved were not ready for signature due to corrections and adjustments being made, which have not been amended yet.

Commissioner Cavazos-Gamez was under the impression that the contracts were to be ready by end of day Friday prior to the meeting, due to the approval being conditioned that the contracts being ready by the time indicated.

Mayor Sepulveda stated that at the end of the discussion from the last meeting, that the authorization was given to approve the contracts, subject to legal.

Commissioner Perez stated that the conditions of the contract were to be ready by the time frame approved.

Mr. Sossi, City Attorney, stated that he did draft the contract, with concerns about the provisions in the contract, to be able to get the city out, if need be, so the contract was being reviewed.

Commissioner Perez stated he was concerned about the directions given to discuss a certain subject that was not on the agenda, and if the contracts were ready or not.

Mr. Sossi confirmed that a contract has been drafted, and he thinks that it is ready, but if there are concerns about the contract and what it contains.

A vote was taken for the motion Mayor Pro-Tem Lopez amended and was seconded by Commissioner Mezmar. Motion carried as follows: For: Mayor Sepulveda, Mayor Pro-Tem Lopez, Commissioner Mezmar Against: Commissioner Cavazos-Gamez, Commissioner Morales, Commissioner Perez (Vote 3-3). Motion died and item failed.

h) Consideration and Possible action to approve the testing and potential installation of speed humps at the following locations: ***(This item was requested by Commissioner Delia Cavazos-Gamez and Commissioner Frank Morales)***
   1. E. Flynn Ave (Between 13th & 10th Street)

   ADDITIONAL STREETS ADDED:
   Comm. Morales - 700/800 Blk South "J" Street
   Mayor Pro-Tem Lopez – 25th Street
   Comm. Perez – Tamm Lane South of Bellagio Circle; South Heights Blvd from Bass Blvd to Red Oak; Rio Panuco Ave. between 1410 & 1405.

Motion was made by Commissioner Cavazos-Gamez and seconded by Commissioner Perez to approve the testing and potential installation of speed humps and the amendment to add the streets given by Commission. Motion carried unanimously.

8. **Staff Reports and Other Discussion Items:**
   a) City Manager's Report - None

b) Staff Reports – None

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

Interim Public Works Director, Ruth Trevino, introduced representatives from Schneider Electric Aaron Garcia and Ryan Wonder to present the status of the projects and findings for the program that was approved as far as short term and long-term goals for the City of Harlingen Deferred Maintenance Program. Ryan Wonder began with focus on air conditioning units for multiple city buildings that need to be updated. Ryan also brought attention to the lighting of the city, internal and external. The overall cost is around 12 million dollars for the project, with savings of an offset of 5 million.

9. **Public Hearings:**
- None.

10. **Action Items**
Ordinances:

Mayor Sepulveda moved around the agenda.

k) Consideration and possible action to change the Harlingen Auditorium name to Gloria Canales Auditorium. ***(Mayor)***

Rachel Saldana, Media & Communications Director, presented the acclamations of Gloria Canales to give light to her contribution to the City of Harlingen Community. She invited Gloria Canales' daughter to speak.

Mrs. Connie Canales-Perez approached the podium to read her letter of support to have this item pass.

Mayor Sepulveda stated that the right process has been taken to go about making this change.

Commissioner Morales asked if there was any public input prior to this item being on the agenda.

Mayor Sepulveda indicated that she discussed this matter with the city manager about the proper process for this item.

Mr. Gonzalez did indicate that there is no proper processing for this kind of matter for renaming.

Discussion was held about the renaming of other buildings, streets, and other things of nature.

Commissioner Cavazos-Gamez asked if anyone else has the history like Mrs. Canales did.

Mr. Gonzalez replied that at the moment no one was coming to mind.

Motion was made by Commissioner Perez and seconded by Mayor Sepulveda to change the Harlingen Auditorium name to Gloria Canales Auditorium. Motion carried unanimously

Mayor Sepulveda returned to regular order of the agenda.

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

Mayor Sepulveda stated she had a concern in reference to this item last meeting, asked if the requestor was present.

Ana Hernandez, Planning & Development Director, did advise the requestor was not present.

Mayor stated that she is concerned about the requestor not showing up to be able to speak and answer questions.

Motion was made by Mayor Sepulveda and seconded by Mayor Pro-Tem Lopez to deny an ordinance on second and final reading for a Special Use Permit (SUP) to allow the loading/unloading of bulk liquid (ethanol) in a Light Industry ("LI") District located at 2201 N. Commerce Street, bearing a legal description of 23.4100 acres out of Block G, Survey 26, Boyce Tract. Motion carried as follows: FOR: Mayor Sepulveda, Mayor Pro-Tem Lopez, Commissioner Perez, Commissioner Morales and Commissioner Cavazos-Gamez, Against: Commissioner Mezmar. (Vote 5-1)

b) Discussion and possible action to approve an ordinance on first reading of the City of Harlingen ordinance establishing a policy requiring City Commission approval for certain extraordinary water supply commitments outside the City limits in order to protect municipal water resources, infrastructure capacity; and long-term growth planning; including legislative finding; applicability provision; preservation of the operational authority of the Harlingen waterworks and Sewer System; prospective application; and severability. ***(Mayor)***

Mayor Sepulveda stated she asked the city attorney, Mark Sossi, to look into this matter. However, she did not reach out to HWWS to collaborate and see what can be discussed to see what is best for the community.

Motion was made by Mayor Sepulveda and seconded by Mayor Pro-Tem Lopez to table this item. Motion carried unanimously.

c) Consideration and possible action to purchase seven (7) pickup trucks with savings from the purchase of Engines 1 and 2. Attachment ***(Fire)***

Motion was made by Commissioner Lopez and seconded by Commissioner Mezmar to approve the purchase of seven (7) pickup trucks with savings from the purchase of Engines 1 and 2. Motion carried unanimously

d) Consideration and possible action to approve an Interlocal Agreement between the City of Harlingen and Harlingen Consolidated Independent School District (HCISD) for the use of aquatic facilities and authorize the City Manager to execute the agreement. Attachment ***(Parks & Recreation)***

Motion was made by Commissioner Lopez and seconded by Commissioner Cavazos-Gamez to approve an Interlocal Agreement between the City of Harlingen and Harlingen Consolidated Independent School District (HCISD) for the use of aquatic facilities and authorize the City Manager to execute the agreement. Motion carried. Abstained Commissioner Rene Perez

e) Consideration and possible action to approve funding for the Harlingen field renovations and authorize the City Manager to proceed with project implementation. Attachment ***(Parks & Recreation)***

Motion was made by Commissioner Mezmar and seconded by Commissioner Perez to approve funding for the Harlingen field renovations and authorize the City Manager to proceed with project implementation. Motion carried unanimously

f) Discuss and possible action regarding the FAA citing the City's failure to properly train Airport Firefighters in handling wildlife safety hazards on VIA's runway. ***(This item was requested by Commissioner Frank Morales and Commissioner Delia Cavazos-Gamez)***

Commissioner Morales asked why the information for this item is coming from Valley Morning Star, and not from the administration office.

Mr. Gonzalez stated that the final clearance for the investigation was sent to him on Friday late afternoon prior to the meeting, and he advised Commissioner Morales of the receiving of the letter on Monday.

Commissioner Morales indicated that this item could have been pulled if Mr. Gonzalez had provided the letter that had been received late Friday. He also voiced his concern about finding out different information from the newspaper and other outlets.

Mayor Sepulveda stated that Commissioner Morales was deviating from the item on the agenda.

Commissioner Morales wants the commission to be notified as soon as possible, every time and in a timely manner.

Mr. Gonzalez did agree he would provide the information to the commission as soon as possible.

Mayor Sepulveda asked if Commissioner Morales had attempted to collect the information before making it an item on the agenda.

Commissioner Morales asked why it is his responsibility to go looking for the information after its been printed and broadcasted on social media.

Discussion came to a finishing point with an understanding that items on the agenda, if pertaining to transparency, need to be explained to the public once there is a finding.

Mayor Sepulveda also made a point to remind all that we cannot govern what is or is not printed in the paper or put on social media.

No action was taken on this item.

g) Consideration and possible action to authorize the City Manager to request funding from the Harlingen Community Improvement Board for the Stuart Place Pocket Park and Hunter Park. ***(This item was requested by Commissioner Rene Perez and Commissioner Delia Cavazos-Gamez)***

Commissioner Perez stated that this is an item to build a pocket park and to add a splash pad, additional parking, and cover for basketball court.

Mayor Sepulveda asked if this is something that the 4B board would be paying for when and if these projects are contracted out.

Mr. Diaz replied that it would be contracted and asked to be funded by the board 4B.

Commissioner Cavazos-Gamez stated what she is looking for as far as the improvements to Hunter Park is a basketball court and ADA restrooms.

Mayor Sepulveda asked that in the future, she would like all the commissioners to have the packet information available for viewing.

Mayor Pro-Tem Lopez made a motion to table the item so the rest of the commissioners can add items to this request, to submit all at once to the 4B board.

Commissioner Perez stated that what he is bringing forward this request because the pocket park had already been approved by the 4B and it was ready to go.

Discussion was held on the proper way to submit for consideration for the improvements being asked, to be taken to the 4B.

Motion was made by Commissioner Perez and seconded by Commissioner Cavazos-Gamez to proceed only with improvements to the Stuart Place Pocket Park. Motion carried unanimously

h) <u>Consideration and possible action to authorize the City Manager to request funding from the Harlingen Community Improvement Board for the Lon C. Hill Destination Park.</u> (Mayor)

Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Perez to table this item. Motion carried unanimously

i) <u>Consideration and possible action to approve a resolution to establish a City of Harlingen Advisory Committee on accessibility for the Blind and Visually Impaired.</u> ***(Mayor)***

Mayor Sepulveda asked staff to reach out to a resident that does outreach to those in the community for this matter. It is being asked that Mr. Sotello would be the one to make suggestions and recommendations on appointments to the board.

Motion was made by Commissioner Lopez and seconded by Commissioner Perez to approve a resolution to establish a City of Harlingen Advisory Committee on accessibility for the Blind and Visually Impaired. Motion carried unanimously

j) <u>Discussion and possible action to adopt a resolution calling for public hearings on a proposed moratorium on high-intensity data processing facilities (data centers) and directing publication of notice in accordance with Texas Government Code Sections 212.131-212.137.</u> ***(Mayor)***

Commissioner Morales asked if there's a possibility of any studies for this matter.

Mayor Pro-Tem Lopez did state that that's what this resolution is for.

Mayor Sepulveda offered reassurance that the reason for the resolution is to make sure the public knows that the commission is working on making sure the steps being taken regarding the data center are being handled carefully including public hearings to allow citizens to voice concerns.

Mr. Sossi did make it known that the resolution has two blank spaces where public hearings can be scheduled, as long as it's been 30 days from date of posting a notice of the hearing.

Discussion was held to confirm the day for the public hearing, confirmed that it would have to be when it is posted in the newspaper.

Motion was made by Commissioner Lopez and seconded by Commissioner Cvazos-Gamez to adopt a resolution calling for public hearings on a proposed moratorium on high-intensity data processing facilities (data centers) and directing publication of notice in accordance with Texas Government Code Sections 212.131-212.137, subject to the date as set by the city manager Motion carried unanimously.

Mayor Pro-Tem Lopez asked what the difference is between MOU for the data center and the MOU for the Vape Stores.

Mr. Sossi gave brief explanations of each MOU. MOU for data center is based on development, MOU for vape shops is for zoning.

11. **Board Appointments:**

Commissioner Frank Morales – Appointed Judith Cripple to Golf Advisory Board

Motion was made by Commissioner Lopez and seconded by Commissioner Cavazos-Gamez to approve all the re-appointments and appointments. Motion carried unanimously.

12. **Executive Session:**

a) The City Commission will convene in closed session pursuant to Texas Government Code §551.087 to discuss commercial and financial information received from a business prospect seeking to locate or expand within the City and to deliberate the offer of economic development incentives relating to a proposed privately financed entertainment and tourism event project, including potential contractual arrangements for the temporary use of City facilities.

The Commission may also consult with the City Attorney pursuant to Texas Government Code §551.071 regarding legal issues associated with the proposed event production agreement, including risk allocation, indemnification, insurance requirements, and protection of the City's governmental interests. ***(City Attorney)***

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

At 9:37pm, Mayor Sepulveda announced the City Commission would convene into Executive Session to discuss Item 12a.

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

At 10:21pm, 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 Item 12(a) 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.

14. **Adjournment:**

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

City of Harlingen

ATTEST:

Norma Sepulveda, Mayor

Mayra Herrera, City Secretary

DRAFT

6b

REGULAR MEETING

CITY COMMISSION HARLINGEN, TEXAS

April 15, 2026

A Regular Meeting of the Harlingen City Commission was held April 15, 2026 at 5:30 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
Delia Cavazos-Gamez, Commissioner District 1
Daniel N. Lopez, Mayor Pro-Tem
Michael Mezmar, Commissioner District 3
Frank Morales, Commissioner District 4
Rene Perez, Commissioner District 5

Absent
Mayor Norma Sepulveda

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

1. **Call Meeting to Order**
   a) Invocation – Delia Cavazos-Gamez
   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.

Commissioner Perez abstained from item 10(c).

3. **Announcements –**

   a) Mayor's Announcements –
   None.

   b) City Manager's Announcements-
   None.

   c) City Commission Member Announcements –
   Commissioner Perez announced that a community cleanup will take place on April 25 along the Frank Bogus Trail, from the area near Sames extending almost to Dixieland Road. Community members are invited to participate, and all supplies and refreshments will be provided.

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

   a) Harlingen Animal Shelter Pet of the Week
   Crystal Ortiz from Health introduced Winnie, a fully vaccinated, microchipped, and spayed Chinook mix available for adoption at 1106 Markowsky Avenue. Winnie was previously adopted in November but returned due to her adopters' financial difficulties. The shelter is open Tuesday-Saturday, 1-6 p.m.

Ms. Ortiz also announced a 50%-off adoption event this weekend at the shelter, with additional adoption opportunities at Tractor Supply in San Benito (10 a.m.–2 p.m.) and Downtown at Sundown (7–10 p.m.).

The shelter reported 30 adoptions during last weekend's free event, including four by city employees.

b) Certificate of Recognition - Harlingen High School "Cardinals" Boys Basketball Team"

Certificate of Recognition to the Harlingen High School Cardinals Boys Basketball Team for their exceptional 2025-2026 season. The team achieved an impressive 29-0 overall record and an 8-0 district record, earning titles including District Champions, Bird Bowl Champions, and Battle of the Arroyo Champions. The certificate praised their dedication, discipline, teamwork, and the pride they brought to the community.

The coach thanked the City for the recognition, emphasizing the collective effort of players, coaches, parents, and the community.

c) Certificate of Recognition - Harlingen High School South "Hawks" Boys Basketball Team

Certificate of Recognition to the Harlingen High School South Hawks Boys Basketball Team for their outstanding 2025-2026 season. The team finished with a 30-8 overall record and an 18-0 district record, earning titles including District Champions, Bi-District Champions, Area Champions, Regional Semifinalists, and a Sweet 16 appearance. The certificate praised their perseverance, unity, and excellence.

The coach thanked the City for the honor, highlighting the hard work of the players and noting that all four Harlingen basketball programs, boys and girls from both high schools, went undefeated in district play, combining for a 52-0 record.

d) Presentation of Proclamation - Child Abuse Prevention & Awareness Month"

Proclamation recognizing April 2026 as Child Abuse Prevention & Awareness Month. The proclamation honored Sunny Glen Children's Home, a nonprofit that has served South Texas since 1936, providing residential care, therapeutic services, foster care support, counseling, supervised independent living, and refugee programs. Sunny Glen has supported more than 25,000 children and families and actively works with law enforcement, DFPS, and community partners to prevent child abuse and neglect.

Representatives from Sunny Glen thanked the mayor and commission, noting that over 67,000 children in Texas are victims of abuse each year and more than 150 children die annually. Staff wore blue, which is the national color for child abuse prevention, and encouraged the community to wear blue on Thursdays throughout April to raise awareness.

e) Mayor's Business of the Month - Books-N-Things

Cathy Gomez, Manager of Books-N-Things, shared that the store carries approximately 85,000 books on the shelves and another 40,000 in storage. The bookstore began as a small two-room shop on Sunshine Strip before expanding to its current location at 523 North First Street.

Customers can bring in books to trade or purchase them outright. Cathy noted that even through non-fiction novels, readers can learn something new and travel anywhere through the power of imagination.

5. **Citizen Communication:**

- Reagan Petree - Police Refusing to Catch Criminal Due To Citizen Ran Operation
- Dawn Rae Leonard - Data Center
- Luis Valdespino - Horseshoe Pointe Variances, Public Record, Budget, Data Centers
- Sarah Mena - Litter/ Trash
- Raymond Reyes - Keeping Citizens Informed
- Robert Leftwich - Harlingen
- Isaac Newman - Transparency in Government
- Angela Valdespino - Project Organic

6. **Approval of Minutes:**

a) Regular Meeting of December 17, 2025

Commission passed on item 6(a) with no action taken.

7. **Consent Agenda**:

   a) Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the Fiscal Year 2024 & 2025 Building Resilient Infrastructure and Communities Grant Program. Attachment **(Special Projects Department).**

   b) Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the Hogg Foundation for Mental Health for the Libraries Supporting Community Mental Health Grant Program. Attachment **(Special Projects Department).**

   c) Consideration and possible action to approve a resolution authorizing the City Manager to submit a grant application to the Gary Sinise Foundation First Responder Grant Program. Attachment **(Special Projects Department).**

Items a) and 7(c) were removed from the consent agenda.

Motion made by Commissioner Perez and seconded by Commissioner Mezmar to approve remaining item 7(b). Motion carried unanimously.

For item 7(a), Ana Hernandez, Special Projects Director, explained that eligible projects for the BRIC grant include major drainage improvements such as upsizing infrastructure and constructing detention ponds. The grant provides up to $20 million, with a required 25% local match.

Robert Hernandez, Director of Engineering, outlined several potential project sites selected for their readiness and strong scoring potential, including:

- Commerce Street trunk line drainage improvements
- Jefferson Storm Drainage Project (plans already completed)
- 21st Street storm drainage improvements
- A planning project for the West Street 10x10 storm drainage area (Colorado to Jackson)

The City is also exploring a partnership with Drainage District No. 5 for possible joint applications. Mr. Gonzalez noted that the required match may be funded through the City's fund balance or potentially the Harlingen Community Improvement Board (4B), depending on award outcomes.

Motion was made by Commissioner Mezmar and seconded by Commissioner Perez to approve a resolution authorizing the city manager to submit up to five grant applications to the fiscal year 2024 and 2025 Building Resilient Infrastructure and Communities Grant Program. Motion carried unanimously.

For Item 7(c), Commissioner Morales asked whether the grant being discussed required a matching cost. Ms. Hernandez confirmed there is no match required for that grant.

Motion was made by Commissioner Perez and seconded by Commissioner Cavazos-Gamez to approve item 7(c). Motion carried unanimously

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

   a) City Manager's Report
   None.

   b) Staff Reports
   None.

9. **Public Hearings:**
   As there were no public hearings, Mayor Pro-Tem Lopez proceeded with the meeting.

10. **Action Items**

Ordinances:

   a) Harlingen Code of Ordinances Chapter 18, Master Fee Schedule to include free or reduced free adoption events in conjunction with national organizations as opportunities become available. Attachment **(Health).**

Motion was made by Commissioner Mezmar seconded by Commissioner Perez to include free or reduced free adoption events in conjunction with national organizations as opportunities become available. Motion carried unanimously.

b) Consideration and possible action to approve funding for roof restoration and air conditioning (A/C) unit replacement at Fire Station #1 Attachment **(Public Works).**

Motion was made by Commissioner Mezmar seconded by Commissioner Perez. Mayor Pro-Tem Lopez opened the floor to questions.

Commissioner Morales questioned why only one quote was presented for the fire station repairs. Ruth Trevino, Director of Public Works, explained that three quotes were obtained, but only the lowest was included in the packet; the others will be provided to the Commission for review. Commissioners requested that all quotes or bids be included in future agenda packets to ensure full transparency.

Commissioner Morales asked why the matter had been delayed.

Ms. Trevino noted she has been working with Fire station #1 which has faced plumbing and kitchen issues already addressed through the regular budget. The larger needs include roof and HVAC replacement and require additional funding. Mr. Gonzalez noted that the station is located in a high-flood area, and long-term plans may involve relocating the firehouse within the same district to maintain its service radius.

Commissioner Cavazos-Gamez emphasized the importance of keeping the station in its district and ensuring the public understands that any relocation would preserve coverage.

Ms. Trevino clarified that both items were under $50,000, so the city was not required to go out for formal bids. Instead, staff obtained three quotes, which is the standard process for purchases above $3,000 but below the $50,000 threshold.

Motion was made by Commissioner Mezmar and seconded by Commissioner Perez to approve funding for roof restoration and air conditioning (A/C) unit replacement at Fire Station #1. Motion carried unanimously.

c) Consideration and possible action to approve an inter local agreement between the City of Harlingen and Harlingen Consolidated Independent School District (HCISD) for the use of the district's athletic facilities for the Elevate Volleyball and 7 on 7 Football League. Attachment **(Parks and Recreation).**

Motion was made by Commissioner Cavazos-Gamez and seconded by Commissioner Morales to approve an inter local agreement between the City of Harlingen and Harlingen Consolidated Independent School District (HCISD) for the use of the district's athletic facilities for the Elevate Volleyball and 7 on 7 Football League. Motion carried as follows: FOR: Mayor Pro-Tem Lopez, Commissioners: Cavazos-Gamez, Mezmar, Morales; AGAINST: None; ABSTAINED: Commissioner Perez. (Vote: 4-0-1).

d) Consideration and possible action to authorize the City Manager to approve the reclassification of a Project Engineer position to Project Engineer III. Attachment **(Engineering).** .

Mr. Gonzalez explained that the current Engineer-in-Training role is already funded in the budget and upgrading it to a full Project Engineer would require an additional $18,860.64. The difference would be covered through salary savings and additional revenue, with a formal budget amendment to follow.

City leadership emphasized that upgrading the position would significantly improve the Engineering Department's capacity, particularly for drainage and street projects, and represents strong value for the cost.

Commissioner Morales asked whether the proposed reclassification of the Project Engineer position should wait for a budget amendment since it was not originally included in the budget. Mr. Gonzalez clarified that the Engineer-in-Training (EIT) position is already funded in the current budget, and the request is simply to convert it to a full Project Engineer (PE) position. The additional cost is approximately $18,000 and can be covered now without needing an immediate budget amendment.

Motion was made by Commissioner Perez seconded by Commissioner Cavazos-Gamez to approve the reclassification of a Project Engineer position to Project Engineer III. Motion carried unanimously.

e) <u>Consideration and possible action to authorize the City Manager to accept drainage right-of-way dedications for Lon C. Hill Block 50 and Block 63, subject to City Attorney review and approval of the dedication documents. Attachment **(Engineering).**</u>

Robert Hernandez, City Engineer, explained that for Block 50, the developer has already completed significant drainage improvements, including widening the right-of-way from 80 feet to 214 feet and excavating approximately 50 acre-feet of detention volume. The developer is now dedicating this improved area to the city.

He further stated that for Block 63, although the developer chose not to proceed with construction, they agreed to a voluntary dedication of a 100-foot right-of-way. This area contains an existing 30-foot drainage ditch that the City plans to widen and improve, adding an estimated 40 acre-feet of additional detention capacity. These improvements would be completed by City crews.

Mr. Hernandez confirmed that the dedications do not infringe on any other properties.

Motion was made by Commissioner Perez seconded by Commissioner Mezmar to authorize the City Manager to accept drainage right-of way dedications for Lon C. Hill Block 50 and Block 63, subject to City Attorney review and approval of the dedication documents. Motion carried unanimously.

f) <u>Consideration and possible action to approve a request from Union Pacific Railroad to permanently close "B" Street, "A" Street, and 2nd Street between Adams Avenue and Jefferson Avenue as part of the railroad track realignment project. Attachment **(Engineering).**</u>

City Engineer Robert Hernandez explained that a traffic impact analysis, completed in coordination with the Cameron County Regional Mobility Authority (CCRMA), shows that B Street, A Street, and C Street have very low traffic volumes. Major streets, including Commerce, First Street, and Third Street will remain open to ensure continued access, including emergency services.

Mr. Hernandez noted that closing these streets will reduce the number of at-grade rail crossings, lowering long-term maintenance needs and improving safety by reducing potential vehicle-train conflicts. The closures would not occur immediately but would take place once the realignment project is fully constructed.

Commissioner Mezmar, drawing on his experience as a former railroad worker, stated that A, B, and C Streets carry low traffic and that the railroad's request aims to reduce the likelihood of vehicle-train collisions. He expressed support for the closures as a safety measure.

Commissioner Cavazos-Gamez asked about business access and emergency response. Mr. Hernandez confirmed that businesses will continue to have access via Adams or Jefferson, and that fire and emergency services primarily use First Street and Commerce, so response routes will not be affected. One property currently rented by Union Pacific will be removed as part of the project.

CCRMA Chief Development Engineer Eric Davila reiterated that closing B Street, A Street, and 2nd Street would not remove access to any businesses or residences. Traffic would naturally reroute to First, Third, and Commerce Streets, all designed to handle higher volumes. The traffic study showed acceptable levels of service, with most streets operating at Level of Service A and one at Level C, which still reflects smooth traffic flow.

He added that the project will upgrade the remaining major rail crossings (Commerce, First, and Third Streets) with full warning devices and gates, improving safety and reducing long-term maintenance costs for the City.

Mayor Pro-Tem Lopez returned to Commissioner Cavazos-Gamez's concern that businesses along Adams and Jefferson had not been notified. Mr. Hernandez confirmed that, aside from Harlingen Waterworks (a key stakeholder due to utility coordination), businesses had not yet been contacted.

Commissioner Morales raised additional questions about drainage infrastructure beneath the affected streets. Mr. Hernandez confirmed that underground utilities including water, sewer, and storm systems will remain in place and protected. Coordination with Union Pacific, CCRMA, and consultants is ongoing to ensure proper casing, protection, and integration with the City's planned drainage improvements. Commissioner Morales requested to review updated drainage plans once available and expressed discomfort with businesses not being informed of the upcoming changes.

Mr. Davila clarified that because the project occurs primarily within Union Pacific right-of-way it did not trigger formal public-involvement requirements under the federal environmental process. No new right-of-way is being acquired, so only key stakeholders were required to be notified. However, CCRMA agreed to prepare letters or notices to nearby businesses to provide an opportunity for comment.

He also explained that the project is currently at 30% design, with environmental clearance expected next month. Final design is expected to take six to eight months and will provide additional opportunities for public communication and coordination.

Commissioner Morales reiterated his concern about the lack of outreach, emphasizing that courtesy and transparency are important even when access is not being removed. He requested that the City, Union Pacific, and CCRMA notify businesses in the area. Mr. Hernandez confirmed that businesses will be notified and reiterated that no property will lose access, only the ability to cross the railroad tracks at those specific streets.

Commissioner Mezmar emphasized the importance of safety and reducing vehicle-train collisions.

Commissioner Cavazos-Gamez emphasized that elected officials are entrusted by their constituents to represent them. She stressed that businesses in the area should be notified of the upcoming changes. She noted that she represents District 1, grew up a block from the affected area, and is familiar with the long-standing small businesses located there. She reiterated that although safety is important, common courtesy requires notifying the businesses, especially since the City strongly supports small business owners.

Mayor Pro-Tem Lopez asked whether delaying action on Item 10F would affect the project timeline. Mr. Davila (CCRMA) confirmed that yes, delaying the vote would delay their ability to finalize the 30% design, which is required for environmental clearance under the NEPA process. He explained that although the project is still in the schematic stage, environmental approval must be completed before moving into final design, which will take an additional 6-8 months.

Mayor Pro-Tem Lopez then shifted to questions about drainage impacts. He noted that Harlingen's drainage system functions as a network, with major trunk lines running east to west and others running north to south. The railroad corridor currently acts as a divider between the east-side and west-side drainage systems. He asked whether removing or modifying rail crossings could improve access for future drainage improvements, particularly along Commerce and Jefferson, where major stormwater lines are located.

Mr. Hernandez explained that existing storm pipes and utilities will remain in place and be protected during construction. Coordination with Union Pacific and CCRMA is ongoing to ensure proper casing, protection, and installation. When asked whether removing the West Adams crossing would improve drainage flow toward Commerce, Mr. Hernandez confirmed that while the drainage pattern north of Adams will remain the same for now, the realignment will create opportunities for future improvements and easier access to stormwater infrastructure.

CCRMA and City staff agreed to notify affected businesses and provide an opportunity for comment.

Mayor Pro-Tem Lopez raised additional concerns about future traffic impacts, particularly in light of HCISD's planned school consolidations. He noted that students currently attending Crockett Elementary will be reassigned to Zavala Elementary, located just north of B Street. He questioned whether the traffic study accounted for this significant change in school traffic patterns.

Mr. Hernandez and CCRMA representatives explained that the traffic study did include 20-year future traffic projections, but those projections were based on existing land use and known development. Not on the newly announced school consolidation, which was not available at the time of analysis.

Mr. Davila estimated that even if traffic on B Street hypothetically doubled, the resulting volume, approximately 600 vehicles per day, would still fall within the capacity of the surrounding major streets. Even with projected increases, diverted traffic to Commerce, First Street, and Third Street would remain within acceptable levels of service.

Mr. Gonzalez asked whether the Commission could choose to close only C Street and leave A and B Streets open while still allowing CCRMA to continue with the NEPA process.

Mr. Davila confirmed that yes, the NEPA process could still proceed. However, he emphasized that keeping A and B open would require installing full warning devices at each crossing. Each crossing costs approximately $300,000 for equipment (about $600,000 total for two crossings), plus long-term maintenance costs that would fall on the City. Closing the streets avoids these expenses.

Motion was made by Commissioner Mezmar seconded by Commissioner Perez to approve a request from Union Pacific Railroad to permanently close "B" Street, "A" Street, and 2nd Street between Adams Avenue and Jefferson Avenue as part of the railroad track realignment project. Motion carried unanimously.

g) Discussion and possible action to amend the Teen and Youth Advisory Board ordinance. **(Mayor)**

Commissioner Perez explained that he submitted the proposed amendments earlier in the day due to limited time. He shared that he recently met with students interested in joining the Teen and Youth Advisory Board and that several applications had already been submitted. During that meeting, students discussed potential updates to the ordinance, which led to the proposed changes provided to the Commission.

The major proposed change is to update the residency requirement. The current ordinance requires members to be residents of the City of Harlingen. Commissioner Perez proposed revising this to allow members who reside within the geographic boundaries of HCISD, ensuring broader and more inclusive representation of the youth served by the community. He noted that some interested students live in San Benito or Combes but attend HCISD schools, and he believes they should be eligible to participate.

He also discussed the current age range of 16 to 23, noting that having 20-year-olds serve alongside 16-year-olds may not be ideal. He suggested adjusting the age range to 16 to 18, allowing high-school-aged students to participate while keeping the group more age-aligned. He emphasized that this proposal is open for Commission input.

Commissioner Perez expressed hope that once the ordinance is updated, commissioners will be able to appoint students to fill the long-vacant board positions. He also noted that applications were received from both Harlingen High School Cardinals and Harlingen South Hawks students, ensuring representation from across the district.

Commissioner Perez encouraged the Commission to consider appointing students to the Youth Advisory Board, noting that all applicants are strong candidates who are eager to serve their community. He invited commissioners to take a few minutes to review the proposed ordinance changes.

Mayor Pro-Tem Lopez asked for clarification on the proposed age change. Commissioner Perez confirmed that he and City Attorney Mark Sossi were recommending adjusting the age range from 16-23 to 16-18, ensuring that members remain high-school students. Commissioners discussed whether eligibility should specify HCISD students or simply students enrolled in any high school. The consensus was to revise the language to "enrolled in high school."

As commissioners continued reviewing the ordinance, Mayor Pro-Tem Lopez raised several questions. He first asked whether the board should be required to present an annual report, and Commissioner Perez noted that this requirement already appears later in the document, stating that the board must present a report summarizing its activities, recommendations, and impact on youth engagement, which will be placed on a regular City Commission meeting agenda.

Mayor Pro-Tem Lopez also sought clarification on the term "participate" in the requirement that members take part in at least one city-sponsored event. Commissioner Perez explained that the intent was for students to volunteer rather than simply attend. Mayor Pro-Tem Lopez suggested leaving the decision on final wording to City Attorney Mark Sossi but stated he would add the phrasing "participate/volunteer" for clarity.

Regarding attendance, Mayor Pro-Tem Lopez questioned who determines whether an absence is excused under the clause allowing removal after three consecutive meetings, or four meetings within a twelve-month period. Mr. Gonzalez recommended that the determination be made by the department director or assistant city manager overseeing the board, and commissioners agreed that the language should be revised to show that excused absences will be determined by appropriate staff rather than the Commission.

Mayor Pro-Tem Lopez noted that City Attorney Mark Sossi could review and refine the language further during legal review.

After discussion, Mayor Pro-Tem Lopez asked if any commissioners had additional comments. None were offered.

Motion was made by Commissioner Perez seconded by Commissioner Cavazos-Gamez to approve the amendments to the Youth Advisory Board ordinance, subject to legal review and incorporating the changes discussed. Motion carried unanimously.

11. **Board Appointments:**

Commissioner Perez appointed Daina D. Bhakta to the Teen and Young Adult Advisory Board.

Motion was made by Commissioner Morales seconded by Commissioner Mezmar to approve the appointment. Motion carried unanimously.

12. **Executive Session:**
None

13. **Action on Executive Session Items**:
None.

14. **Adjournment:**

There being no other business to discuss, Mayor Pro-Tem Lopez adjourned the meeting.

CITY OF HARLINGEN

____
Norma Sepulveda, Mayor

ATTEST:

____
Mayra Herrera, City Secretary

7a

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **July 1, 2026**

Agenda Item:

Discussion and approval of second extension to the 2023 - 2025 Interlocal Agreement between the Harlingen Consolidated Independent School District (HCISD) and the City of Harlingen for the School Resource Officer Program for school year 2026 - 2027.

Prepared By (Print Name): Alfredo Alvear
Title: Chief of Police
Signature:

Brief Summary:

Discuss approving the 2023 - 2025 Interlocal Agreement between the Harlingen Consolidated Independent School District (HCISD) and the City of Harlingen for School Resource Officers (SRO) to take the option to extend, by mutual consent, for the second extension for (1) year term not to exceed more than three (3) additional terms. Further, modification was made to Article VI, Section C, by mutual consent that "HPD will provide full time SROs a functioning marked patrol vehicle from the HPD fleet. The DISTRICT will reimburse HPD for fuel, maintenance and care of the vehicle at the rate of $7,210 per semester." The rate increased from $7,000 per semester to $7,210 per semester.

Funding (If applicable):

Are funds specifically designated in the current budget for the full amount for this purpose? [X] Yes [ ] No*
*If no, specify source of funding and amount requested:

Finance Director's approval: [ ] Yes [ ] No [ ] N/A

Staff Recommendation:

Staff recommends extending the INTERLOCAL AGREEMENT for the second extension for an additional one (1) year term for school year 2026 - 2027.

City Manager's approval: GG [✓] Yes [ ] No [ ] N/A

Comments:

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

INTERLOCAL AGREEMENT BETWEEN
THE HARLINGEN CONSOLIDATED
INDEPENDENT SCHOOL DISTRICT
AND THE CITY OF HARLINGEN FOR
THE SCHOOL RESOURCE OFFICER PROGRAM

THIS AGREEMENT is made and entered into by and between THE HARLINGEN CONSOLIDATED INDEPENDENT SCHOOL DISTRICT, a political subdivision of the State of Texas, ("HARLINGEN CISD" or "DISTRICT") acting through its Board of Trustees, and CITY OF HARLINGEN, a state agency of the State of Texas situated in Cameron County, Texas ("CITY"). DISTRICT and CITY may sometimes hereafter be referred to individually as "PARTY" or collectively as the "PARTIES". This Agreement sets forth the specific terms and conditions by which the School Resource Officer Program ("PROGRAM") will be administered. Authority for this Agreement is granted and pursuant to the Interlocal Cooperation Act, Texas Government Code, Section 791 ("COOPERATION ACT").

WHEREAS, pursuant to the COOPERATION ACT, the PARTIES are empowered to contract with each other for the performance of governmental functions, including police protection, and as permitted in Section 37.081 of the Texas Education Code by providing School Resource Officers ("SROs") to the DISTRICT.

WHEREAS, the DISTRICT and the CITY share a mutual goal of ensuring a learning environment in Harlingen CISD and that is free from the fear of crime, violence, and victimization by providing law enforcement and related services to the public schools of CITY; and

WHEREAS, the DISTRICT and the CITY recognize the potential outstanding public safety benefits that the PROGRAM will provide the students, teachers, and staff of the DISTRICT and all the citizens of the CITY; and

WHEREAS, the DISTRICT and the CITY desire to build and maintain a positive relationship between the Parties and the youth of our community; and

WHEREAS, the DISTRICT has determined it is in its best interest to enter into an agreement with the CITY to provide such police services to the DISTRICT, and it has specifically authorized peace officer(s) licensed by the Texas Commission on Law Enforcement ("TCOLE") to carry weapons in performing such services at all DISTRICT campuses and properties within the CITY limits; and

WHEREAS, the CITY and DISTRICT find that their cooperation in the matters contained in this Agreement will increase the efficiency and effectiveness of providing the governmental function of police protection on the DISTRICT's campuses to the benefit of all the taxpaying citizens of the CITY and the DISTRICT.

NOW THEREFORE, in order to carry out the intent of the PARTIES as expressed above, and in accordance with the COOPERATION ACT, the PARTIES agree as follows:

ARTICLE I

The term of this Agreement is for two (2) years beginning on the first (1st) day of July, 2023, and shall continue in full force and effect until 11:59 p.m. on the thirtieth (30th) day of June, 2025, unless sooner terminated as herein provided. This Agreement may be renewed by mutual consent for additional one (1) year terms not to exceed more than three (3) such additional terms. The process of renewal may be initiated by either PARTY by forwarding written notice to the other PARTY of such intent no less than thirty (30) days prior to the expiration of this Agreement. Renewal of this Agreement shall require formal action during an open meeting of the governing body of each respective PARTY hereto.

ARTICLE II

The CITY OF HARLINGEN ("Harlingen Police Department") shall provide the following, which are deemed necessary to the success of the PROGRAM and the performance of duties by the officers:

A. Number and Assignment of Officers

1. The HARLINGEN POLICE DEPARTMENT ("HPD") shall assign regularly employed SROs to the DISTRICT. The SROs will be assigned to the following campuses: Harlingen High School, Harlingen High School South, and Dr. Cano Freshman Academy, and any additional campus as mutually agreed upon by the HPD and DISTRICT.

2. The School Superintendent in consultation with the HPD shall determine the number of SROs to be employed at the DISTRICT and individual campuses for each academic school year or at any other time as mutually agreed between the PARTIES. The assigned campus will be the individual SRO's "home campus." The parties have agreed for the 2023-2024 academic school year that the HPD will provide three (3) SRO's and 1 Sergeant. Additional full time SRO's can be considered as HPD staffing allows

3. The SROs shall be full-time HPD employees, who are certified Peace Officers for the State of Texas and who meet all requirements as set forth by the TCOLE, DISTRICT, and the HPD. The HPD shall ensure that the SRO notifies the School Superintendent or designee of any incident involving school property, students and/or employees.

4. At all times, the DISTRICT and the HPD shall cooperate with one another to interview and review the qualifications and experience of any potential SRO proposed by the HPD. The DISTRICT shall have the right to approve the SROs prior to being assigned. The DISTRICT and HPD shall agree on all SRO assignments.

5. The HPD shall designate and assign a qualified HPD SRO Supervisor licensed by TCOLE who shall serve as the Program Supervisor overseeing the SROs.

B. Supervision

1. The day-to-day administrative duties of the police officers are the responsibility of both the HPD and District. Responsibility for police services and the conduct of the assigned officers shall remain with HPD's assigned designee. The District shall refer any disciplinary matters involving misconduct of any officer during duty hours to the HPD Supervisor overseeing the SRO program.

2. The SROs shall meet with the School Superintendent or designee during normal work hours at a place, time, and frequency designated by the DISTRICT. The meeting content shall encourage and maintain an effective and collaborative relationship between the PARTIES.

3. The day-to-day operation and administrative control of the SRO will be the responsibility of the DISTRICT if not delineated otherwise within this Agreement.

4. Responsibility for the SROs' conduct, both personally and professionally including any necessary discipline, shall remain with the HPD.

5. The PARTIES shall each monitor, review, and provide oversight and supervision of the services as they are provided, and each agree to notify the other as soon as reasonably possible in the event the level or quality of any scheduling, operating, service, or performance issue becomes unsatisfactory.

C. Equipment

1. The HPD will provide the SROs with the same law enforcement equipment, uniform, and vehicles that are available to other officers of the HPD.

2. The DISTRICT will authorize the SRO to carry a weapon and act as a commissioned peace officer at all times, so long as the SRO is acting under his/her official capacity. Likewise, the DISTRICT specifically authorizes the SRO to carry a weapon in performing services at all DISTRICT campuses and properties.

D. Training

1. All SROs shall complete all state required training as approved by TCOLE. District will pay the actual cost of training for all SRO assigned officers.

2. All SROs shall complete an active shooter response training program approved by TCOLE , on an annual basis, as well as all other required training for SROs as required by law.

3. Firearms accident training shall be required for all SROs assigned to an elementary campus on firearms accident protection as provided under Texas Occupations Code 1701.603.

4. The HPD agrees to perform any obligations required to maintain all SROs as commissioned police officers with the HPD with full Texas peace officer status but all training will be paid for by District

ARTICLE III

The DISTRICT shall provide the following, which are deemed necessary to the success of the PROGRAM and the performance to the duties of the SROs:

A. Facilities & Equipment

1. Access to an air-conditioned and properly lighted private office that shall contain a telephone to be used for general business purposes.
2. A desk with drawers, a chair, worktable, filing cabinet, and office supplies.
3. A computer consistent with what is furnished to other employees.
4. iPad accessories such as a mouse, keyboard, and monitor.
5. A location for files and records which can be properly locked and secured.
6. Secretarial assistance on an as needed basis.
7. Office supplies.
8. Use of any school owned equipment or facilities shall comply with DISTRICT policies and procedures.

B. Training

1. The DISTRICT shall be responsible for funding all training, as listed in Article 2, Section 3 under "Training" and all cost related to said training, for the SROs in any other areas deemed necessary by the DISTRICT beyond what is referenced above and required by law. Travel and training expenses related to any specialized training, DISTRICT proposed training or required training shall be at the expense of DISTRICT, including but not limited to conference registration costs, meal per diem, hotel costs, training materials or supplies, incidentals, and air transportation. The travel per diem rates are set by the General Services Administration (GSA) and City of Harlingen Travel Policy. Per diem will be paid through the City of

Harlingen initially and DISTRICT will reimburse the City for the per diem costs. All other associate travel costs will be paid directly by DISTRICT; however, all travel and training documentation must follow CITY procedures and be approved by HPD chain of command prior to attendance.

2. Subject to the obligations under the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, the DISTRICT agrees to provide the SROs with (a) unrestricted access to student and personnel records as necessary for the investigation of criminal offenses, to collect certain incident-based data, or to ensure the safety and security of DISTRICT campuses or events, and (b) unrestricted access to technology installed throughout Harlingen CISD, including surveillance cameras, to provide for safety and security as permitted by law. SROs shall be designated as "school officials" under Harlingen CISD Policy FL (local) for purposes of access to student records. In providing the services under this Agreement, the PARTIES agree to and shall abide by any and all federal, including but not limited to the FERPA, state and local law, including, but not limited to a statute, ordinance, rule or regulation, pertaining to such services which is in effect or comes into effect while this Agreement is in force. Notwithstanding any other provisions of this Agreement, any violation of this Section shall constitute a material breach of this Agreement and shall entitle the non-breaching PARTY the right to immediately terminate this Agreement and seek all remedies allowed by law. The SROs agree to comply with all FERPA requirements and maintain the confidentiality of student records.

ARTICLE IV

The following shall establish regular duty hours, compensation for overtime, reassignments, and leave time for the SROs.

A. Duty Hours of SROs

1. The SROs shall be assigned to their home campuses on a full-time basis during the active school year and as mutually agreed to by the School Superintendent or designee and Chief of Police. Except as agreed to herein, the work week of the SROs shall consist of no more than forty (40) hours.

2. SROs shall report to their home campus during the school hours for their home campus. The SRO shall arrive at the home campus at least thirty (30) minutes prior to the commencement of school hours and remain at their home campus at least thirty minutes (30) minutes following the close of school hours. During their daily tour of duty, the SROs may be off campus to perform tasks as required by their assignment. Any time the SROs will be off campus, the SROs will promptly notify the principal or the principal's designee prior to their absence.

3. Time spent by the SROs attending training or court arising out of their employment and/or duties as an SRO shall be considered as hours worked under this Agreement.

4. The regular workday hours of the SROs may be adjusted by the DISTRICT on a temporary basis for specific situations. These adjustments will require the prior approval of the SRO's assigned DISTRICT supervisor.

5. The HPD may temporarily reassign a SRO, without advance notice or mutual agreement of the PARTIES, for a situation deemed by the HPD to be a public safety emergency. The HPD may temporarily reassign an SRO for a non-school and non-public safety emergency with the DISTRICT's mutual agreement.

6. Leave time should be taken at times when the school is not in session The SRO's assigned DISTRICT supervisor must approve all requests for leave time during normal work periods and if at all possible, reasonable advance notice should be given to the principal. The SRO will coordinate vacation hours with the School Superintendent or designee.

B. <u>Overtime Hours for SROs</u>

1. If the CITY requests the SRO work in excess of forty (40) hours within a work week, the CITY will be responsible for paying for the additional hours in accordance with established overtime procedures.

2. To the extent possible, any overtime hours that relate to SRO duties for the DISTRICT must be authorized and approved in writing by the School Superintendent or designee prior to the performance of the overtime work and will be paid in accordance with procedures established by the CITY's personnel policy manual, and paid by the DISTRICT.

3. SROs who enter into a contractual agreement with the DISTRICT for school related duties such as coaching, intramural after school programs, or teaching shall be paid by the DISTRICT in accordance with the DISTRICT's established procedures. Such contractual agreements must receive the prior approval of the Program Supervisor and must be in accordance with the HPD's policy.

4. SROs shall have first priority to work overtime hours authorized by school administration at their home campus for security at sporting events, and other special programs or projects. All overtime worked shall be in accordance with the HPD's policy and comply with the terms outlined in this Agreement by the DISTRICT.

THE DISTRICT may choose to hire through HPD off-duty police officer(s) at the prevailing rate (currently <u>$65/hr)</u> as set by HPD. <u>If the DISTRICT chooses to they may hire off duty HPD Sergeants for SRO duties at their prevailing rate ($75/hr).</u> The District acknowledges the prevailing hourly rates will increase in contract years after the primary term, based on Cities' collective bargaining obligations.

Additionally, THE DISTRICT may choose to request officers hired under this section be equipped with a marked police unit at the prevailing additional costs ($15/hr) as set by the Chief of Police and based on availability.

ARTICLE V

Duties of the officers and the Program Supervisor involved in the PROGRAM shall include, but not be limited to the following:

A. Duties of SROs Assigned to a School

The following shall be in addition to, and not in lieu of, the HPD's obligation to provide routine patrol services on the same basis as are provided to other school campuses or other properties within the CITY.

1. Duties and responsibilities of the SRO include:

   a. Protection of the lives and property of the students, personnel, and visitors. The SROs will be based on their home campuses. They will serve and respond to other campuses located within the CITY. Assignments to other campuses will be determined by mutual agreement of HPD and the School Superintendent or designee.

   b. Enforcement of applicable federal, state and local laws and ordinances.

   c. Investigations of criminal activity and vehicle crashes occurring at the DISTRICT campuses.

   d. Patrolling areas within or in the vicinity of the geographical boundaries of the DISTRICT to protect all students, personnel, and visitors. Patrol and other law enforcement duties of the SROs shall be performed, in part, with the use of CITY-owned HPD vehicles.

   e. Being a visible presence during the school day in order to assist the DISTRICT administration with general public safety services during school hours.

   f. Maintaining the peace and/or address any breaches of the peace as needed.

   g. Engaging in all law enforcement activities arising from the enforcement of criminal laws or school policies and rules, including, but not limited to, issuing traffic citations, transporting arrested persons, completing follow-up activities, filing of affidavits and complaints, and participating in legal proceedings resulting from the law enforcement services provided in accordance with this Agreement

h. Responding to Police calls for service during the course of the regular school day on campuses.

i. Helping to mediate disputes on campus, when requested, including working with students to help solve disputes in a non-violent manner.

j. Assisting with the prevention of property loss due to theft or vandalism.

k. Providing traffic control as needed.

l. Assisting the DISTRICT with its Emergency Operation Plan.

m. Assisting with school safety projects, participating in emergency drills, emergency response, and after-action reviews within schools when requested by a school.

n. Providing training for staff as agreed upon by the School Superintendent or designee and the HPD.

o. Serving as a resource for law enforcement education at the request of school staff, such as speaking to classes on the law, search and seizure, drugs, or motor vehicle laws.

p. Maintaining the confidentiality of student records as required by FERPA.

q. Provide assistance to other law enforcement officers with outside investigations concerning students attending the DISTRICT's schools or in matters regarding their school assignment.

r. The SROs shall not act as school disciplinarians. However, if the principal believes an incident is a violation of the law, the principal may contact the SRO and the SRO shall then determine whether law enforcement action is appropriate.

s. Make the principal of the school and Superintendent or designee aware of any law enforcement action taken, as soon as practicable and in compliance with the law.

t. Take appropriate law enforcement action against intruders and unwanted guests, at the principal or his/her designee's request, which may appear at the school and related school functions, to the extent that the SROs may do so under the authority of the law.

u. Advise the Superintendent or designee before requesting additional police assistance on campus, when practicable.

v. Make themselves available for conference with students, parents and faculty members in order to assist them with problems of law enforcement or crime prevention nature.

w. Become familiar with all community agencies offering assistance to youths and their families, such as mental health clinics, drug treatment centers, etc.

x. Assist with security efforts at the DISTRICT's schools including the coordination of a safety audit of the campus and develop a long-range plan for campus safety. The plan will incorporate input from school staff, students, and parents.

y. Assist the principal and Superintendent or designee in identifying situations or school protocol, on campus or during school sponsored events, which have a potential for becoming dangerous situations and develop action plans, through long term problem solving, in an attempt to prevent or minimize their impact.

z. Maintain detailed and accurate records of the operation of the PROGRAM.

aa. Assist District with Safe and Supportive Schools Program-Threat Assessment investigations and processes as assigned by EMSS and SRO Supervisor.

bb. SROs are not to be used for regularly assigned lunchroom duties, hall monitors, bus duties, or other monitoring duties. If there is a problem in one of these areas, the SROs may assist the school until the problem is solved upon request to do so.

cc. Preparing reports and documentation related to events occurring within the geographic boundaries of the Harlingen CISD.

dd. Comply with the DISTRICT's policies and procedures while acting as the SRO on DISTRICT property and at DISTRICT events.

ee. Performing other duties that may be assigned from time to time by the School Superintendent or designee, and approved by program supervisor, provided that the duty is legitimately and reasonably related to the services as described herein and is consistent with Federal and State law, local ordinances and orders, as well as laws applicable to DISTRICT policies, procedures, rules, or regulations relating to the subject matter of this Agreement, and the policies, procedures, rules, and regulations of the HPD.

2. Instructional responsibility of the SROs at secondary campuses:

a. All instruction by the SROs shall be as a guest speaker. The principal or a member of the faculty may request the SROs to provide instruction. The SROs shall not be asked to teach on a full-time basis.

b. In coordination with the principal and Superintendent or designee, SROs may make a variety of specialized, short-term law related presentations available to the high school faculty and students.

c. Develop an expertise in various subjects that can be presented to the students. Such subjects should include a basic understanding of the laws, the role of the HPD and the police mission, and other topics that relate to student or school safety.

3. Duties and Responsibilities of the SRO Program Supervisor include:

a. Program development and administration.

b Approving reports, overseeing problem solving efforts, providing leadership, training, direction, evaluations.

c. Establishing rapport with individual principals.

d. Performing scheduled and non-scheduled visits to the school campuses in coordination with the principals.

e. Work in liaison with principals.

ARTICLE VI

A. The DISTRICT agrees to a pay 100 percent (100%) of the CITY cost for each SRO during contract years 2023/24 and 2024/25. The DISTRICTS's contribution shall be adjusted and reimbursed accordingly should any SRO be absent from the campus for an extended period (one to five consecutive school days) that is not due to a public safety emergency as declared by HPD or local Emergency Operations Center ("EOC"). In the event of an extended public safety emergency (one that lasts longer than five (5) consecutive school days) the DISTRICT will maintain the option of utilizing the SRO to maintain the safety and security of DISTRICT students, staff, and visitors. The option will exist only when the execution of that option does not interfere with exigent circumstances or the critical nature of the emergency. The safety of the community as a whole will take priority. The DISTRICT may also choose to release the SRO back to the HPD during the extended public safety emergency. In any case of removal or release of the SRO during the extended public safety emergency, the DISTRICT's contribution will be adjusted or reimbursed accordingly. Authorized training and sick leave are excluded, as well as vacation days approved by the HPD and the DISTRICT.

B. District agrees to pay City $56,000.00 annually in administrative fees to City to administer the SRO program.

C. HPD will provide full time SROs a functioning marked patrol vehicle from the HPD fleet. The DISTRICT will reimburse HPD for fuel, maintenance and care of the vehicle at a rate of $7,000 per semester.

D. The HPD shall keep and maintain accurate records of dates of service and the hours served by the SRO. The HPD shall be responsible for calculating and documenting the charge for services rendered pursuant to this Agreement. Records are subject to review by the Superintendent or designee during regular business hours with forty-eight (48) hours' advance notice

E. The DISTRICT shall be responsible for school-related training and overtime as discussed in Article III. B. and IV. B. above.

F. The CITY will prepare and submit an invoice to the DISTRICT, payable to the CITY, during the term of the school year.

ARTICLE VII
Dismissal of SROs/Replacement

A. In the event the principal or Superintendent or designee of the school to which an SRO is assigned feels that the SRO is not effectively performing his duties, the Superintendent or designee shall request a meeting with the SRO's supervisor in an attempt to correct the situation.

B. If the working relationship between the principal and the SRO does not improve, mediation between the two parties may be held to attempt to resolve any problems that still exist.

C. If within a reasonable amount of time after such mediation of the problems cannot be resolved, the principal may recommend to the SRO's supervisor that the SRO be removed from the PROGRAM at his/her school and shall state the reasons therefore in writing.

D. The HPD and the Superintendent or designee shall jointly determine the status of the SRO and a replacement with suitable training acceptable to both parties shall be made if the SRO is removed from the school.

E. The HPD may dismiss or reassign the SRO based upon HPD Rules, Regulations and/or general orders or when it is in the best interest of the DISTRICT or the HPD.

F. In the event of the resignation, termination, dismissal, or reassignment of the SRO, the HPD shall provide a replacement as soon as possible. During any such vacancy, the DISTRICT's financing obligation shall be adjusted accordingly.

G. In the event of a long-term absence by the SRO, the HPD shall provide a temporary replacement (if HPD staffing allows) whose training is acceptable to the PARTIES, within thirty (30) school days of receiving notice of such until such time as the SRO may reassume his/her duties.

ARTICLE VIII

A. This Agreement may be terminated by either PARTY upon receipt of one (1) year advance written notice, as set forth in Article IX, that either PARTY has failed to substantially perform in accordance with the terms and conditions of this Agreement, and an attempt to mediate the issue has proven unsuccessful.

B. Either PARTY, upon expiration of one (1) year advance written notice, may terminate this Agreement without cause.

B. Termination of this Agreement may only be accomplished as provided herein. In the event this Agreement is terminated, compensation will be made to the CITY for all services performed to the date of termination.

ARTICLE IX
MUTUAL NOTIFICATIONS AND INFORMATION SHARING

A. **Reporting Serious Crimes.** State law requires notification of serious nature crimes be made to law enforcement (HPD) by a school principal or school district professional employee. In addition, law enforcement leadership in the school police program will also notify the school district (HCISD).

Notification will be made when the HCISD principal, HCISD professional employee, or member of the Harlingen Police Department school program become aware that an arrest and / or referral of a student of HCISD has been made to the office or an official designated by the juvenile board, or when the child is believed to have engaged or may engage in one of the following offenses:

- Any felony offense
- An offense under Penal Code (PC) Sections 20.02 (Unlawful Restraint), 21.08 (Indecent Exposure), 22.01 (Assault), 22.05 (Deadly Conduct), 22.07 (Terroristic Threat), or 71.02 (Engaging in Organized Criminal Activity).
- The unlawful use, sale or possession of a controlled substance, drug paraphernalia or marijuana as defined by Chapter 481; Health & Safety Code.
- The unlawful possession of any of the weapons or devices listed in Sections 46.01 (1-14 or 16) of the Penal Code or a weapon listed as a prohibited weapon under PC 46.05.
- Conduct that may constitute a criminal offense for which a student may be expelled under Education Code 37.007 (a), (d) or (e).

The school program HPD Sergeant shall comply with TX C.C.P. Article 15.27 and make the notification both orally and in writing to the superintendent of HCISD or his / her designee within 24 hours after the arrest or referral is made or before the next school day; whichever is earlier. The notification shall contain sufficient details of the arrest or referral and the acts allegedly committed by the student to enable the superintendent or their designee to determine whether there is reasonable belief that the student has engaged in conduct defined as a felony offense by the Penal Code or whether it is necessary to conduct a Threat Assessment or prepare a safety plan related to the student.

Oral or written notice required under this article must include all pertinent details of the offense or conduct, including details of any:

(1) assaultive behavior or other violence;

(2) weapons used in the commission of the offense or conduct; or

(3) weapons possessed during the commission of the offense or conduct.

In addition to the information provided under this section, the law enforcement agency shall provide to the superintendent or superintendent's designee information relating to the student that is requested for the purpose of conducting a threat assessment or preparing a safety plan relating to that student.

If an individual is a student, the HCISD superintendent or designee shall immediately notify all instructional and support personnel who have responsibility for the supervision of the student. All personnel shall keep the information received confidential and not disclose it except as specifically authorized by Article 15.27 of Texas C.C.P.

B. **Information Sharing.** To enhance the objective of providing a safe, educational setting, the dissemination of information among the parties involved must be effortlessly distributed. However, as it is as important to obtain information contained in records systems (education and law enforcement records) maintained by the school, it cannot be done indiscriminately as federal laws restrict the release of information contained in a student's education record.

HCISD shall allow SROs to seek information from student education records found in the school's databases through assigned user names and passwords. The information obtained shall be strictly monitored by school staff.

HCISD may disclose information from a student's education record to appropriate authorities in connection with an emergency in order to protect the health or safety of a student or other individual.

Nothing in the Federal Family Educational Rights and Privacy Act (hereinafter "FERPA") prevents a school official from disclosing to local law enforcement authorities information that is based on that official's personal knowledge or observation and not from an education record.

C. **Law Enforcement Units and Law Enforcement Unit Records.** A "law enforcement unit" means any individual, office, department, division or other component of the school, such as a unit of commissioned police officers or non-commissioned security guards, that is officially authorized or designated by the school to: enforce any local, State, or Federal law, or refer to appropriate authorities a matter for enforcement of any law against any individual or organization, or to maintain the physical security and safety of the school. The law enforcement unit does not lose its status as a law enforcement unit if it also performs other, non-law enforcement functions for the school, including investigation of incidents or conduct that constitutes or leads to a disciplinary proceeding against a student.

"Law enforcement unit records" (i.e., records created by the law enforcement unit, created for a law enforcement purpose, and maintained by a law enforcement unit) are not "educational records" subject to the privacy protections of FERPA. As such, the law enforcement unit may refuse to provide an eligible student with an opportunity to inspect and review law enforcement unit records, and it may disclose law enforcement unit records to third parties without the eligible student's prior written consent.

While the law enforcement unit may need to know the results of disciplinary proceedings against students, it is not permitted under FERPA to further release that information. School Officials and SROs shall refrain from releasing or documenting information from student educational records in police incident reports, which may be disclosed under the State's open record laws.

ARTICLE X
Notices

Any and all notices or any other communication herein required or permitted shall be in writing, and may be affected by personal delivery, or by registered or U.S. certified mail, return receipt requested at the address of the respective parties indicated below:

If to DISTRICT: Superintendent
Harlingen Consolidated Independent School District
407 North 77 Sunshine Strip
Harlingen, TX 78550

If to CITY: Mayor
City of Harlingen
118 East Tyler
Harlingen, TX 78550

ARTICLE XI

A. The DISTRICT, the CITY, and their agents, employees and officers agree to cooperate in good faith in fulfilling the terms of this Agreement. Unforeseen difficulties or questions will be resolved by mediation. Each PARTY hereto acknowledges and represents that their respective governing body has duly authorized this Agreement.

B. Notwithstanding any provision to the contrary herein, this Agreement is a contract for and with respect to the performance of governmental functions by governmental entities. The relationship of the DISTRICT and the CITY shall, with respect to that part of any service or function undertaken as a result of or pursuant to this Agreement, be that of independent contractors.

C. The CITY shall have no liability whatsoever for or with respect to the DISTRICTS's use of any DISTRICT property or facility, or the actions of, or failure to act by, any employees, subcontractors, agents or assigns of the DISTRICT. The DISTRICT covenants and agrees that:

   1. The DISTRICT shall be solely responsible, as between DISTRICT and the CITY and the agents, officers and employees of the CITY, for and with respect to any claim or cause of action arising out of or with respect to any act, omission, or failure to act by the DISTRICT or its agents, officers, employees, and subcontractors, while on the DISTRICT's property or while using any DISTRICT facility or performing any function or providing or delivering any service undertaken by the DISTRICT pursuant to this Agreement.

   2. For and with respect to the DISTRICT property or use of any DISTRICT facility, the DISTRICT hereby contracts, covenants, and agrees to obtain and maintain in full force and effect, during the term of this Agreement, a policy or policies of insurance, or risk pool coverage, in amounts sufficient to insure the DISTRICT and its agents, officers, and employees, and subcontractors, from any and against any claim, cause of action or liability arising out of or from the action, omission, or failure to act by the DISTRICT, its agents, officers, employees, and subcontractors in the course of their duties.

D. The DISTRICT shall have no liability whatsoever for or with respect to the CITY's use of any CITY property or facility, or the actions of, or failure to act by, any agents, officers, employees, and subcontractors, of the CITY. The CITY covenants and agrees that:

   1. The CITY shall be solely responsible and liable for coordinating and establishing chain of command and response protocol with regard to active shooter situations and emergency responses.

   2. The CITY shall be solely responsible, as between the CITY and the DISTRICT and the agents, officers, employees, and subcontractors of the DISTRICT, for and with respect to any claim or cause of action arising out of or with respect to any act, omission, or failure to act by the CITY or its agents, officers, employees, and

subcontractors, while on CITY property or while using any CITY facility or performing any function or providing or delivering any service undertaken by the CITY pursuant to this Agreement.

3. For and with respect to the services to be provided by the CITY to the DISTRICT pursuant to this Agreement, the CITY hereby contracts, covenants, and agrees to obtain and maintain in full force and effect, during the term of this Agreement, a policy or policies of insurance, or risk pool coverage, in the amounts sufficient to insure the CITY and its agents, officers, employees, and subcontractors from and against any claim, cause of action, or liability arising out of or from the action, omission, or failure to act by the CITY, its agents, officers, employees, and subcontractors in the course of their duties.

E. It is specifically agreed that, as between the PARTIES, each PARTY to this Agreement shall be individually and respectively be responsible for responding to, dealing with, insuring against, defending, and otherwise handling and managing liability and potential liability pursuant to this Agreement.

F. Each PARTY hereto reserves and does not waive any immunity or defense available to it at law or in equity as to any claim or cause of action whatsoever that may arise or result from the services provided and/or any circumstance arising under this Agreement. Neither the DISTRICT nor the CITY waives, modifies, or alters to any extent whatsoever the availability of the defense of governmental immunity under the laws of the State of Texas on behalf of itself, its trustees, council members, officers, employees, and agents.

G. No term or provision of this Agreement shall benefit or obligate any person or entity not a party to it. This Agreement shall not be interpreted nor construed to give to any third party the right to any claim or cause of action, and neither the CITY nor the DISTRICT shall be held legally liable for any claim or cause of action arising pursuant to, or out of the services provided under, this Agreement except as specifically provided herein or by law. The PARTIES hereto shall cooperate fully in opposing any attempt by any third person or entity to claim any benefit, protection, release, or other consideration under this Agreement.

H. Nothing in this Agreement shall be deemed to extend, increase or limit the jurisdiction or authority of either the CITY or the DISTRICT except as necessary to implement, perform, and obtain the services and duties provided for in this Agreement. Save and except only as specifically provided in this Agreement, all governmental functions and services traditionally provided by the DISTRICT, and all governmental and proprietary functions and services traditionally provided by the CITY, shall be and remain the sole responsibility of each such respective PARTY.

ARTICLE XII

This Agreement constitutes the full understanding of the PARTIES, and supersedes all prior understandings and agreements between the PARTIES. No terms, conditions, understandings, or agreements purporting to modify or vary the terms of this Agreement shall be binding unless hereafter made in writing and signed by the Party to be charged.

and services traditionally provided by the CITY, shall be and remain the sole responsibility of each such respective PARTY.

ARTICLE XII

This Agreement constitutes the full understanding of the PARTIES, and supersedes all prior understandings and agreements between the PARTIES. No terms, conditions, understandings, or agreements purporting to modify or vary the terms of this Agreement shall be binding unless hereafter made in writing and signed by the Party to be charged.

ARTICLE XIII

This Agreement, and each and every covenant herein, shall not be capable of assignment, unless the express written consent of the DISTRICT and the CITY is obtained.

ARTICLE XIV

Any clause, sentence, paragraph or article of this Agreement which is determined by a court of competent jurisdiction to be invalid, illegal, or unenforceable in any respect shall not be deemed to impair, invalidate, or nullify the remainder of this Agreement.

ARTICLE XV

This Agreement shall be construed in accordance with the laws and constitutions of the United States and the State of Texas. All obligations hereunder are performable in Cameron County and venue for any action arising hereunder shall lie in Cameron County, Texas.

ARTICLE XVI

This Agreement constitutes a final written expression of all the terms of this Agreement and is a complete and exclusive statement of those terms.

IN WITNESS WHEREOF, the PARTIES have caused this Agreement to be signed by their duly authorized officers on the date appearing adjacent to the signatures below. This Agreement shall become effective on the date of the last party to sign.

THE HARLINGEN CONSOLIDATED INDEPENDENT SCHOOL DISTRICT

Superintendent	School Board President
Date: 2/13/2024	Date: 2/13/2024

THE CITY OF HARLINGEN

HPD

Date: 3 13-2024

Mayor

Date: 2/19/2024

7b

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **July 1, 2026**

Agenda Item:

Consider approval of the purchase of a replacement tractor and shredder for the Public Works Department in the amount of $69,773.72, utilizing available funds originally budgeted for the TxDOT maintenance agreement. The equipment will replace Unit #506, a 2016 John Deere tractor and shredder that is currently out of service, and will support the ongoing maintenance of TxDOT roadway interchanges being performed by Public Works personnel under the maintenance agreement. ***(Public Works)***

Prepared By: Ruth Trevino, Public Works Director

Brief Summary:

Consider approval of the purchase of a replacement tractor and shredder for the Public Works Department in the amount of $69,773.72. The equipment will replace Unit #506, a 2016 John Deere tractor with an MX7 shredder, which is currently out of service and no longer able to support interchange maintenance operations.

Funding for this purchase will be provided from funds originally budgeted for the TxDOT maintenance agreement. Since the City has assumed responsibility for maintaining designated TxDOT roadway interchanges under the agreement, the allocated funds remain available and may be utilized for this equipment purchase. The replacement unit will ensure the continued and efficient maintenance of TxDOT roadway interchanges and associated rights-of-way throughout 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/NA):

Staff Recommendation:

City Manager approval:

Comments:

City Attorney's approval:

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company

2000 John Deere Run

Cary, NC 27513-2789 US

FED ID: 36-2382580

UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

R.D. MACHEN

Tellus Equipment Solutions

2000 E Expressway 83 Weslaco, TX 78596

Prepared For

CITY OF HARLINGEN INTERNAL SERVICES

404 S 54TH ST

HARLINGEN, TX 785501757

(956) 216-5327

ACLAUDIO@HARLINGENTX.GOV

Prepared By

R.D. MACHEN

Tellus Equipment Solutions

2000 E Expressway 83

Weslaco, TX 78596

956-968-7502

RMACHEN@tellusequip.com

Quote Id 2265364

Creation Date 18-Jun-2026

Expiration Date 18-Jul-2026

JOHN DEERE | TELLUS

JOHN DEERE

ALL PURCHASE ORDERS MUST BE MADE OUT TO (VENDOR):

Deere & Company

2000 John Deere Run

Cary, NC 27513-2789 US

FED ID: 36-2382580

UEID: FNSWEDARMK53

ALL PURCHASE ORDERS MUST BE SENT TO DELIVERING DEALER:

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Prepared For

CITY OF HARLINGEN INTERNAL SERVICES

404 S 54TH ST

HARLINGEN, TX 785501757

(956) 216-5327

ACLAUDIO@HARLINGENTX.GOV

Prepared By

R.D. MACHEN

Tellus Equipment Solutions

2000 E Expressway 83

Weslaco, TX 78596

956-968-7502

RMACHEN@tellusequip.com

Quote Id 2265364

Creation Date 18-Jun-2026

Expiration Date 18-Jul-2026

Quote Summary

Equipment Summary	Suggested List	Selling Price	QTY In Group	Extended
5075E Cab Utility Tractor	**$69,163.80**	**$60,912.72**	**1**	**$60,912.72**
Contract: TX BuyBoard Grounds Mtnc Equip, Irrigation 706-23 (PG 67 CG 70) **Price Effective Date:** 17-Jun-2026				
RC7M LIFT TYPE ROTARY CUTTER 540 RPM PTO	**$8,861.00**	**$8,861.00**	**1**	**$8,861.00**
Contract: Open Market **Price Effective Date:** 17-Jun-2026				
Equipment Total				**$69,773.72**

Quote Summary	
Total Selling Price	$69,773.72
Sub-total	**$69,773.72**
Balance Due	**$69,773.72**

Salesperson : X ____________________ **Accepted By : X** ____________________

JOHN DEERE | TELLUS

JOHN DEERE

Selling Equipment

Quote # 2265364

Customer CITY OF HARLINGEN INTERNAL SERVICES

5075E Cab Utility Tractor

Hours	---	QTY In Group : 1
Serial Number	---	Suggested List $69,163.80
Stock Number	---	Selling Price $60,912.72
Contract	TX BuyBoard Grounds Mtnc Equip, Irrigation 706-23 (PG 67 CG 70)	Discount Amount ($8,251.08)
Price Effective Date	17-Jun-2026	
PUK Parent Serial #	---	

Equipment Summary

Code	Description	Qty	List Price	Discount %	Discount $	Adjusted Selling Price
08C1LV	5075E Cab Utility Tractor	1	$47,711.00	13.0%	($6,202.43)	$41,508.57

Base / Options

Code	Description	Qty	List Price	Discount %	Discount $	Adjusted Selling Price
0202	United States	1	$0.00	13.0%	$0.00	$0.00
0409	English Operator's Manual	1	$0.00	13.0%	$0.00	$0.00
0500	Less Package	1	$0.00	13.0%	$0.00	$0.00
183N	JDLink™ Modem	1	$0.00	13.0%	$0.00	$0.00
2050	Standard Cab	1	$0.00	13.0%	$0.00	$0.00
1381	PowrReverser™ 12F/12R Transmission with 540/540E PTO	1	$3,592.00	13.0%	($466.96)	$3,125.04
3420	Dual Mid Valves with Mechanical Joystick Control	1	$1,559.00	13.0%	($202.67)	$1,356.33
3310	Single Mechanical Stackable Rear SCV	1	$0.00	13.0%	$0.00	$0.00
6040	Mechanical Front Wheel Drive (MFWD)	1	$7,103.00	13.0%	($923.39)	$6,179.61
5185	16.9-28 In. 6PR R1 Bias	1	$0.00	13.0%	$0.00	$0.00

6111	11.2-24 10PR R1 Bias	1	$1,517.00	13.0%	($197.21)	$1,319.79
1799	Less Loader Prep Package	1	$0.00	13.0%	$0.00	$0.00
Total Base / Options			**$61,482.00**		**($7,992.66)**	**$53,489.34**

Dealer Attachments

Code	Description	Qty	List Price	Discount %	Discount $	Adjusted Selling Price
BXX10690	2nd Rear SCV for CAB Serial Number: - - - Stock Number: - - -	1	$819.50	13.0%	($106.54)	$712.96
R51680	Weight, Front Suitcase (100 Lb.) Quantity of One Serial Number: - - - Stock Number: - - -	4	$673.20	13.0%	($87.52)	$585.68
R262449	Front Weight Support, 55kg (121 lb) Serial Number: - - - Stock Number: - - -	1	$495.10	13.0%	($64.36)	$430.74
	Non-Contract Beacon Light And Back Up Alarm Kits Serial Number: - - - Stock Number: - - -	1	$1,495.00	0.0%	$0.00	$1,495.00
	Non-Contract Rear Hydro Valve Kit Serial Number: - - - Stock Number: - - -	1	$1,899.00	0.0%	$0.00	$1,899.00
	Non-Contract Cab Radio Kit Serial Number: - - - Stock Number: - - -	1	$925.00	0.0%	$0.00	$925.00
	Non-Contract Front Hood Guard Serial Number: - - - Stock Number: - - -	1	$1,375.00	0.0%	$0.00	$1,375.00
Total Dealer Attachments			**$7,681.80**		**($258.42)**	**$7,423.38**
Selling Price Subtotal						**$60,912.72**
Total Selling Price						**$60,912.72**

JOHN DEERE TELLUS

JOHN DEERE

RC7M LIFT TYPE ROTARY CUTTER 540 RPM PTO

QTY In Group : 1

Hours	- - -
Serial Number	- - -
Stock Number	- - -
Contract	Open Market
Price Effective Date	17-Jun-2026
PUK Parent Serial #	- - -

Suggested List
$8,861.00

Selling Price
$8,861.00

Discount Amount
$0.00

Equipment Summary

Code	Description	Qty	List Price	Discount %	Discount $	Adjusted Selling Price
22L4P	RC7M LIFT TYPE ROTARY CUTTER 540 RPM PTO	1	$6,943.00	0.0%	$0.00	$6,943.00

Base / Options

Code	Description	Qty	List Price	Discount %	Discount $	Adjusted Selling Price
0202	United States	1	$0.00	0.0%	$0.00	$0.00
9010	Dual Tailwheel Support, Hub and Wheel	1	$593.00	0.0%	$0.00	$593.00
Total Base / Options			**$7,536.00**		**$0.00**	**$7,536.00**

Dealer Attachments

Code	Description	Qty	List Price	Discount %	Discount $	Adjusted Selling Price
	Non-Contract HD PTO SHields Serial Number: - - - Stock Number: - - -	1	$1,325.00	0.0%	$0.00	$1,325.00
Total Dealer Attachments			**$1,325.00**		**$0.00**	**$1,325.00**
Selling Price Subtotal						**$8,861.00**
Total Selling Price						**$8,861.00**

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AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **July 1st 2026**

Agenda Item:

Consideration and possible action to approve a resolution authorizing the acceptance of a grant from the Office of the Governor for the Fiscal Year 2025 Operation Stonegarden Grant Program. Attachment ***(Special Projects Department)***

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

Brief Summary:

The Harlingen Police Department will utilize Operation Stonegarden funding for personnel overtime, fringe benefits and the purchase of a vehicle to provide additional manpower in a state-led and unified strategy to respond to the increased presence and threat of organized crime, terrorism, and violent crimes within our borders. There are no matching funds required.

Breakdown of Funding:

Personnel Overtime: $138,211.38
Fringe Benefits: $31,788.62
Vehicle Operating Costs: $95,000.00

Total Award: $265,000.00

The grant cycle is from 3/1/2026 through 2/28/2027. The grant was awarded on June 4th 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: Reimbursement requests to the Office of the Governor

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

Staff Recommendation:

Staff recommends approval of this Resolution.

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

Comments:

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

RESOLUTION NO. 2026 - ___

A RESOLUTION OF THE HARLINGEN CITY COMMISSION AUTHORIZING THE ACCEPTANCE OF A GRANT AWARD FROM THE OFFICE OF THE GOVERNOR REGARDING FY 2025 OPERATION STONEGARDEN

WHEREAS, the City of Harlingen finds it in the best interest of the citizens of Harlingen, Texas, and the region that the City of Harlingen utilize its local law enforcement personnel in a state-led and unified strategy to respond to the increased presence and threat of organized crime, terrorism and violent crimes within our borders and;

WHEREAS, the Harlingen City Commission finds it in the best interest of the residents of Harlingen, Texas, to accept a grant award of $265,000.00 to fund personnel overtime, fringe benefits, and a vehicle and;

WHEREAS, the Harlingen City Commission agrees to provide any applicable matching funds for the said project as required by the FY 25 Operation Stonegarden Grant Program; and,

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

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

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

NOW, THEREFORE, BE IT RESOLVED that the Harlingen City Commission accepts the grant award of $265,000.00 from the Office of the Governor for the FY 25 Operation Stonegarden Grant Program.

CONSIDERED AND ADOPTED this **1st day of July 2026** at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present, and which was held in accordance with Government Code Chapter 551, as amended.

Grant Number: 3186911

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Norma Sepulveda, Mayor

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Mayra Herrera, City Secretary

7d

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **July 1, 2026**

Agenda Item:
Consideration and possible action authorizing the City Manager to accept a grant award in the amount of $100,000 from the Texas General Land Office Local Hazard Mitigation Plans Program. Attachment ***(Special Projects)***
Prepared By: Ana Hernandez, Mobility & Special Projects Director
Brief Summary:
The Texas General Land Office (GLO) has awarded the City of Harlingen $100,000.00 in grant funding through the Local Hazard Mitgation Plan Program (LHMPP). The purpose of the program is to develop a local Hazard Mitigation Plan (HMP) that will identify, assess, and reduce long term risks to life and property from hazard events for the target area specified in City of Harlingen's approved LHMPP Grant Application. The awarded grant funding does not require a match on behalf of the City. The City of Harlingen is expected to develop a multi-jurisdictional HMP with Cameron County Drainage District #5 and Cameron County Drainage District #3. The HMP will need to be submitted to the GLO, TDEM, and FEMA, for review and approval prior to City Commission approval. The period of performance is twelve (12) — twenty-four (24) months.
Funding (if applicable):
Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested: Finance Director's approval (Yes/No/NA):
Staff Recommendation:
Staff recommends approval of this resolution.
City Manager approval: GG
Comments:
City Attorney's approval:

RESOLUTION NO. 2026 - ___

A RESOLUTION OF THE HARLINGEN CITY COMMISSION AUTHORIZING THE ACCEPTANCE OF GRANT AWARD IN THE AMOUNT OF $100,000 FROM THE TEXAS GENERAL LAND OFFICE LOCAL HAZARD MITIGATION PLAN PROGRAM

WHEREAS, the purpose of the Texas General Land Office (GLO) Local Hazard Mitigation Plan Program is to allow eligible applicants to develop a local Hazard Mitigation Plan (HMP) that will identify, assess, and reduce long term risks to life and property from hazard events for the target area specified of the applicant; and,

WHEREAS, the City of Harlingen finds it in the best interest of the citizens of Harlingen, Texas, to acceptance grant funds in the amount of $100,000 to develop a multi-jurisdictional hazard mitigation plan consisting of the City of Harlingen, Cameron County Drainage District #5 and Cameron County Drainage District #3; and,

WHEREAS, the Harlingen City Commission agrees to provide any applicable matching funds for the projects as required by the Local Hazard Mitigation Plan Program (LHMPP) requirements, the LHMPP has a no matching requirement and the performance period is between twelve (12) to twenty-four (24) months; and,

WHEREAS, the City Commission authorizes the City Manager to apply for, accept, reject, alter, or terminate the grant on behalf of the City of Harlingen.

NOW, THEREFORE, BE IT RESOLVED that the Harlingen City Commission approves the acceptance of $100,000 from the GLO LHMPP to develop a multi-jurisdiction hazard mitigation plan.

CONSIDERED AND ADOPTED this **1st day of July 2026** at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present, and which was held in accordance with Government Code Chapter 551, as amended.

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Norma Sepulveda, Mayor

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Mayra Herrera, City Secretary

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EXECUTIVE SUMMARY

Meeting Date: **July 1st 2026**

Agenda Item:
Consideration and possible action to approve a resolution authorizing the submission of a grant to the U.S. Department of Housing and Urban Development. Attachment ***(Special Projects Department)***

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

Signature:

Brief Summary:

The Automated Permitting Systems Demonstration opportunity is a new pilot program intended to support jurisdictions that will deploy automated building code permitting systems and partner with HUD to evaluate their applicability and effectiveness within real world operating conditions. This demonstration will test the real world deployment of an automated permitting platform within a government permitting environment to evaluate its effects on processing timelines, workflow efficiency, staff roles, and applicant experience. The demonstration will generate empirical evidence on operational performance, costs, governance needs, and potential cost savings to inform broader adoption by state and local jurisdictions.

Grant funds may be used to support both technology and system costs, software, hardware, infrastructure and capital equipment, staffing and operational costs and research and evaluation support.

The minimum award amount is $300,000, and the maximum is $1,500,000. There is no matching requirement for this grant. The anticipated award date is 08/31/2026. If awarded, the performance and budget period is 36 months, with an estimated project start date of 10/01/2026.

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 this Resolution.

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

Comments:

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

RESOLUTION NO. 2026 - ___

A RESOLUTION OF THE HARLINGEN CITY COMMISSION AUTHORIZING THE SUBMISSION OF A GRANT TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, TO PARTICIPATE IN A PILOT PROGRAM INTENDED TO SUPPORT JURISDICTIONS THAT WILL DEPLOY AUTOMATED BUILDING CODE PERMITTING SYSTEMS AND PARTNER WITH HUD TO EVALUATE THEIR APPLICABILITY AND EFFECTIVENESS.

WHEREAS, Funding for this new pilot program is authorized by the United States Department of Housing and Urban Development – Policy Development and Research Office; and,

WHEREAS, the City of Harlingen finds it in the best interest of the citizens of Harlingen, Texas, and the region to apply for funding from the U.S. Department of Housing and Urban Development for a pilot project with a minimum request amount of $300,000; and,

WHEREAS, the City Commission authorizes the City Manager to apply for, accept, reject, alter or terminate the grant on behalf of the City of Harlingen.

NOW, THEREFORE, BE IT RESOLVED that the Harlingen City Commission approves the submission of a grant application to the U.S. Department of Housing and Urhan Development

CONSIDERED AND ADOPTED this 1st **day of July 2026** at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present, and which was held in accordance with Government Code Chapter 551, as amended.

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Norma Sepulveda, Mayor

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Mayra Herrera, City Secretary

7f

EXECUTIVE SUMMARY

Meeting Date: **July 1st, 2026,**

Agenda Item:
Consideration and possible action to approve a resolution authorizing the acceptance of a grant from the Texas Department of Transportation – Selective Traffic Enforcement Program – FY 26 Operation Slowdown Grant Program. Attachment ***(Special Projects Department)***

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

Signature: Ana H

Brief Summary:

The Harlingen Police Department has been awarded funding from the Texas Department of Transportation – Operation Slowdown Program to fund overtime costs for providing additional manpower as part of a two-week state-led, unified strategy to increase enforcement and adjudication of traffic safety-related laws to reduce fatal and serious injury crashes. The enforcement period is from 07/18/2026 to 08/02/2026.

Funding Breakdown:

Award: $7,998.75
Match (20%): $2,250.00
Total Project Cost: $10,248.75

Funding (if applicable):

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

*If no, specify source of funding and amount requested: The source of funding will derive from reimbursement requests to the Texas Department of Transportation.

Finance Director's approval: [ ] Yes [ ] No [ ] N/A

Staff Recommendation:

Staff recommends we accept the award.

City Manager's approval: GG [✓] Yes [ ] No [ ] N/A

Comments:

City Attorney's approval: [signature] [✓] Yes [ ] No [ ] N/A

RESOLUTION NO. 2026 - ___

A RESOLUTION OF THE HARLINGEN CITY COMMISSION AUTHORIZING THE ACCEPTANCE OF GRANT AWARD FROM THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT) SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) FY 26 OPERATION SLOWDOWN GRANT PROGRAM.

WHEREAS, the Texas Department of Transportation (TxDOT) has awarded the City of Harlingen – Police Department $7,998.75 through its Selective Traffic Enforcement Program (STEP) Operation Slowdown (OPSLOW) Grant Program for the purpose of increasing effective enforcement and adjudication of traffic safety related laws to reduce fatal and serious injury crashes during a two week enforcement period of July 18th – August 2nd; and,

WHEREAS, the City of Harlingen finds it in the best interest of the citizens of Harlingen, Texas, to accept grant funds in the amount of $7,998.75 ($2,250 in matching funds) to fund overtime costs and operating expenses to increase enforcement and focus on reducing speed crashes, crash-related injuries, and death involving contributing factors commonly associated with speed; and,

WHEREAS, the Harlingen City Commission agrees to provide any applicable matching funds for the projects as required by the Texas Department of Transportation requirements; and,

WHEREAS, the City Commission authorizes the City Manager to apply for, accept, reject, alter, or terminate the grant on behalf of the City of Harlingen.

NOW, THEREFORE, BE IT RESOLVED that the Harlingen City Commission approves the acceptance of $7,998.75 from the Texas Department of Transportation

CONSIDERED AND ADOPTED this **1st day of July 2026** at a Regular Meeting of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present, and which was held in accordance with Government Code Chapter 551, as amended.

Grant Number: 2026-Harlingen-OpSlow-00024

____

Norma Sepulveda, Mayor

____

Mayra Herrera, City Secretary

79

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **July 1, 2026**

Agenda Item:

Consideration and possible action to approve an Ordinance on Second and Final Reading to consider a request for a Special Use Permit (SUP) to allow an adult business (microblading studio) in a General Retail ("GR") District, located at 310 S. Eye Street, bearing a legal description of Lots 6 and 7, Block 1, Benoist Subdivision. Applicant: Daisy Nieto

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

Brief Summary:

Project Timeline

- May 14, 2026 – Application for Special Use Permit (SUP) submitted to the City. **(ATTACHMENT I)**
- May 21, 2026 – In accordance with State and local law, notice of required public hearings mailed to all property owners within 200 feet of subject tract.
- May 23, 2026 – In accordance with State and local law, notice of required public hearings published in the Valley Morning Star.
- June 9, 2026 - Public hearing and consideration of requested Special use permit by the Planning and Zoning Commission (P&Z).
- June 17, 2026 – Public hearing and consideration of requested SUP via 1st ordinance reading scheduled before the City Commission.
- July 1, 2026 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Pursuant to the Code of Ordinances, an adult business (microblading studio) in a General Retail ("GR") District requires the approval of a Special Use Permit (SUP) by the City Commission.
- Daisy Nieto, the applicant, is requesting a special use permit to allow a microblading studio in an existing 480 square foot suite located at 310 S. Eye Street. **(ATTACHMENT II AND III).**
- Based on the site plan and information submitted, the applicant is proposing to operate Monday – Saturday from 5am – 8pm, under the name of Brows by Daisy. The intended use is for a microblading/brow studio. Two (2) parking spaces are required, and twenty-seven (27) spaces are provided in the common parking area to the south of the property. **(ATTACHMENT III and IV).**
- Adjacent zoning is General Retail ("GR") District in all directions. The surrounding land uses consist of commercial suites to the west, vacant commercial land to the east, a parking lot and Rental World to the south, and to the north is vacant commercial land. **(ATTACHMENTS V and VI).**
- The City of Harlingen Building Inspections Division, Fire Prevention Bureau,

Health Department, and Police Department reviewed the Special Use Permit application. These departments reported no objection to the proposed request, subject to the applicant submitting a complete set of construction plans for review and complying with all applicable City of Harlingen codes and ordinances. **(ATTACHMENTS VII-IX).**

- The applicant shall obtain and maintain all required State and City permits applicable to the proposed use.
- At this time, the Planning and Zoning Department has not received any objections to the request from surrounding property owners.
- The Future Land Use Component of the Harlingen Horizon – A City on the Rise, Comprehensive Plan, designates this area as retail. The proposed use is consistent with the Future Land Use Plan.
- In accordance with the zoning ordinance, the Planning and Zoning Commission and City Commission may impose additional requirements or conditions of approval, as deemed necessary, to ensure that the use requested through the 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 for this purpose? ☐ Yes ☐ No*
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

Staff recommends approval of the 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. Hours of operation shall be Monday through Saturday 5am – 8pm; and
4. Complying with all applicable requirements administered by the Planning and Zoning Division, Building Inspections Division, Fire Prevention Bureau, Health Department, and Police Department.

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

Comments:

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

Attachment I – Application

CITY OF HARLINGEN PLANNING & DEVELOPMENT DEPARTMENT | PLANNING DIVISION

MASTER APPLICATION FORM

Submit applications:
In person: Planning and Development Department, 502 E. Tyler Avenue, Harlingen, Texas 78550
Email: Planning@harlingentx.gov. Questions? Call (956) 216-5101.

HARLINGEN TEXAS

PROPERTY OWNER INFORMATION

Property Owner Name (If entity, attach supporting documentation): CMHP Holdings II
Property Owner Phone: 956 5565863 Property Owner Email: Julie@cmhpholdings2.com
Property Owner Address: 1423 E Houston St San Antonio TX

APPLICANT/AUTHORIZED REPRESENTATIVE INFORMATION (If different from owner)

☐ Applicant is the same as Property Owner (skip section below)
Applicant Name: Daisy Nieto Applicant Phone: 956 456 1782
Applicant Email: daisynieto11@gmail.com
Applicant Address: 524 Diana St. San Benito TX 78550

PROPERTY INFORMATION

Project Address: 310 S. Eye St Harlingen TX 78550
Property/GEO ID: 15-7000-0010-0060-80 (If unknown, look up ID at Cameron County Appraisal District)
Legal Description of Property (Lot, Block, Subdivision, as shown on deed or survey): ______

Current Zoning: ______ (If unknown, check our Interactive Zoning Map or have staff verify your zoning)
Proposed Zoning: ______ (If unknown, visit or call the Planning Division staff)
Current Land Use: ______

DESCRIPTION OF REQUEST

Provide a brief description (What are you requesting? What will be built or changed? Why is this request needed?):
microblading/tattoo/ombre Powder Brows

Select Application Type (Select all that apply):

Land Use Changes
☐Rezoning Request - $250
☐Special Use Permit - $250 PAID BY CC/DEBIT
☐Planned Development District - $250
☐Voluntary Annexation Request/Initial Zoning – $0
☐Comprehensive Plan Amendment Request - $250

Zoning Board of Adjustment (ZBA)
☐Zoning Variance Request (ZBA) - $250
☐Zoning Special Exception (ZBA) - $250
☐Administrative Appeal (ZBA) - $125

Subdivision/Platting:
☐Preliminary Construction Plans/Final Plat - $150
☐Replat - $250
☐Vacating Plat - $50
☐Subdivision Variance - $25 (each)

Other Requests:
☐License to Encroach - $250
☐Right-of-Way/Utility Easement Abandonment – $0

REQUIRED ATTACHMENTS

Note: Incomplete applications will not be accepted or scheduled for review.

Required for ALL Applications:

A. Application Fee (Check or card only. No cash accepted)
B. Valid Photo ID

CITY OF HARLINGEN PLANNING & DEVELOPMENT DEPARTMENT | PLANNING DIVISION

C. Warranty Deed
D. Authorization Letter from Owner (if applicant is not the owner)
E. Entity documents

Rezoning:
A. Written statement describing the proposed use(s) of the subject property
B. Survey/Survey Plat
C. Metes & Bounds description of the tract(s) in which the rezoning is requested

Special Use Permit/PDD:
A. Written statement describing the proposed use(s) of the subject property
B. Site plan showing the proposed development of the property, including existing and proposed: building footprints and building heights (or buildable areas for single and two-family residential), locations of proposed uses, ingress and egress to/from property, streets in compliance with the City's Long Range Thoroughfare Plan, sidewalks, utilities, drainage, and parking spaces, etc.
C. Any other information (elevation drawings/pictures) in support of the request

Zoning Variance Request (ZBA)/Special Exception/ Administrative Appeals:
A. Written statement describing the requested variance and an explanation of the special conditions that result in the unnecessary hardship for which the variance or special exception is requested.
B. Written statement describing the purpose of the request (For Administrative Appeals Only).
C. Site Plan showing existing and proposed development of the property in question.

Preliminary Construction Plans/Final Plat/Replat:
A. Please contact the Planning Division for the full checklist compliant with Chapter 109 - Subdivisions and the Subdivision Development Guide (SDG) referenced in Sec. 109-127(1) and Sec. 109-128(b)
B. Plats must be submitted simultaneously to Texas Gas, AEP, AT&T, Charter Spectrum, Magic Valley Electric, Cameron County (CC) Appraisal District, CC Transportation Department, Harlingen Irrigation District, HCISD Operations, CC Drainage District, CC Irrigation District, and the U.S. Post Office.

Right-of-Way/Utility Easement Abandonment/License to Encroach:
A. Written statement describing the purpose of the request
B. Survey
C. Metes & Bounds description
D. Letter of Clearance from utility companies, including Harlingen WaterWorks System, Texas Gas, AEP, AT&T, Charter Spectrum, Magic Valley Electric, Harlingen Irrigation District, CC Drainage District, and CC Irrigation District.
E. Appraisal Report (Appraiser must be approved by City) (For ROW abandonment only).

Voluntary Annexation:
A. Written petition by owner(s) requesting annexation
B. Survey
C. Metes & Bounds description

CERTIFICATION

☐ I certify that I am the property owner or the duly authorized agent of the owner for the purposes of this application.
☐ I further certify that I have read this application and that all information provided is true, correct, and complete. I understand that any false or incorrect information may result in the revocation of any permit or approval issued by the City of Harlingen.
☐ I understand that meeting all application requirements does not guarantee approval, and that the City Commission is the sole authority responsible for the approval or denial of this request.
☐ I acknowledge that additional information may be requested by the City to process this application.

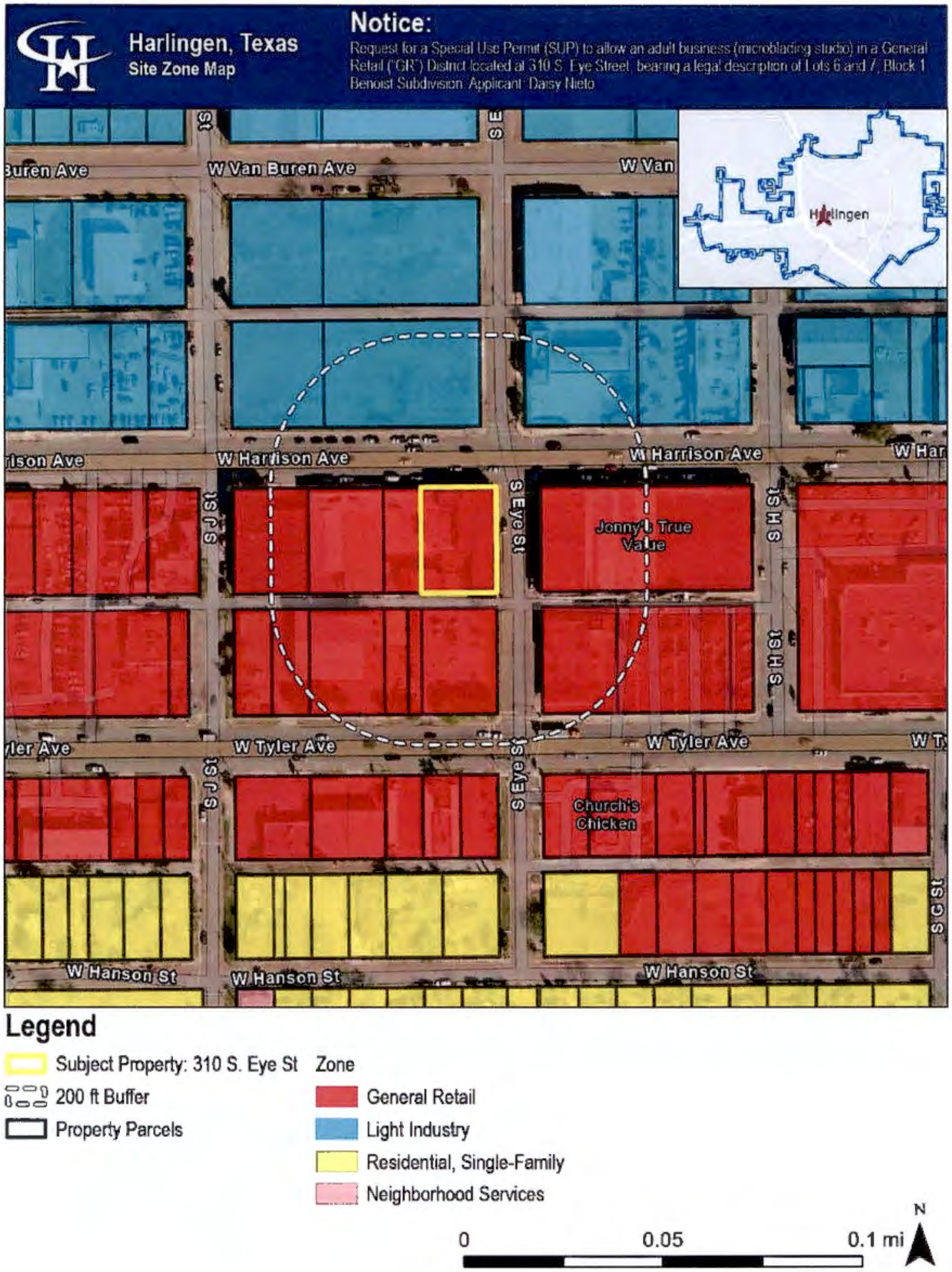
(Both signatures are required if the applicant is not the owner.)

Property Owner Name & Signature: ______________________ **Date:** __________

Authorized Representative Name & Signature: Julie Betancourt Julie B[illegible] **Date:** 5/13/26

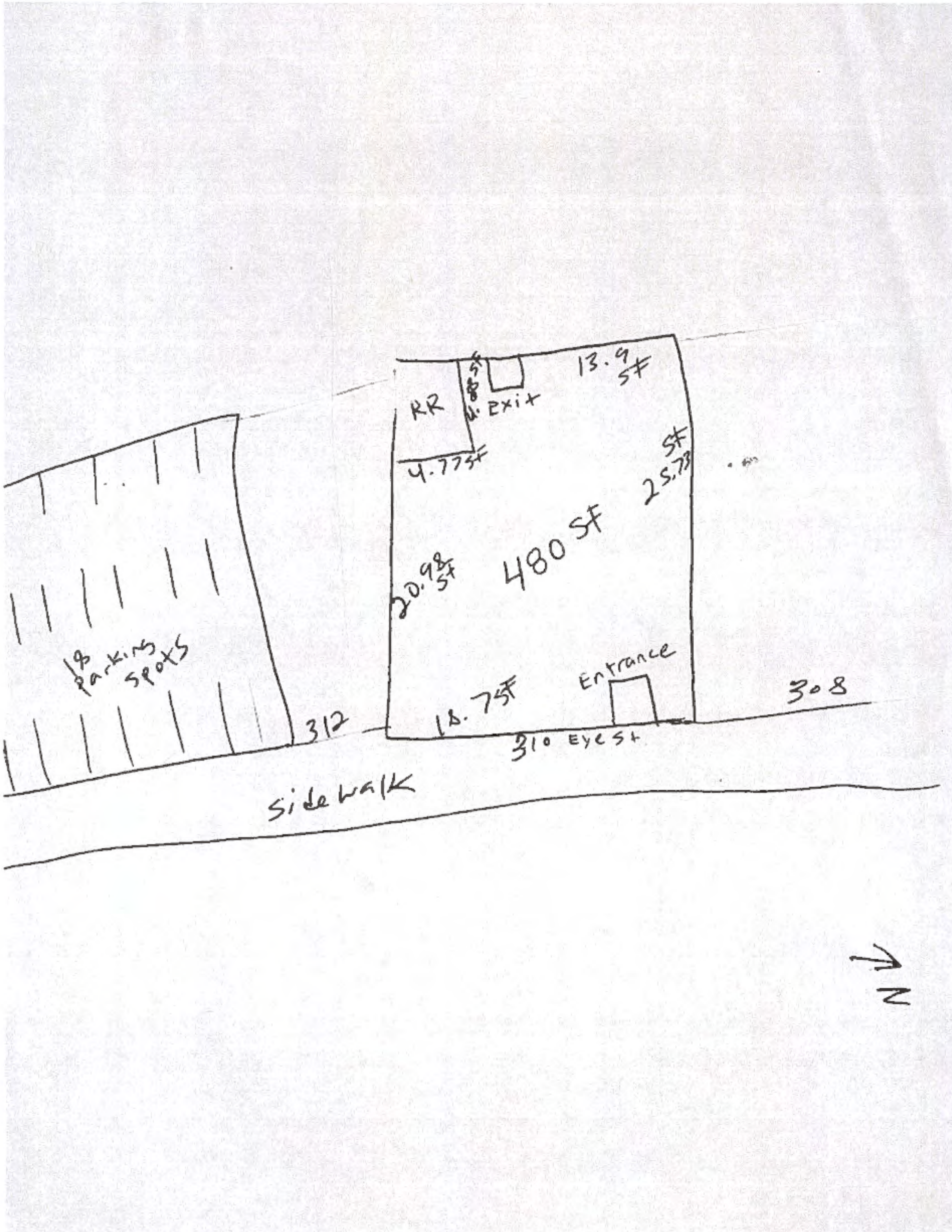
OFFICE USE ONLY
Date Submitted: __________ *Date Deemed Complete* __________ *Application Fee Paid: $*__________
Case #: __________ *Receipt #:* __________ *Received By (initials):* __________

Attachment II – Zoning Map



Attachment III – Street View

Attachment IV – Site Plan



Attachment V – Aerial View

Harlingen, Texas
Site Aerial Map

Notice:
Request for a Special Use Permit (SUP) to allow an adult business (microblading studio) in a General Retail ("GR") District located at 310 S. Eye Street, bearing a legal description of Lots 6 and 7, Block 1 Benoist Subdivision. Applicant: Daisy Nieto

Legend

- Subject Property: 310 S. Eye St
- 200 ft Buffer
- Property Parcels

0 0.05 0.1 mi
N

Attachment VI - Fire

Specific Use Permit ("SUP") Routing Slip

Applicant: Daisy Nieto

Phone No.: (956) 456-1782

Location: 310 S. Eye Street

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (microblading studio) in a General Retail ("GR") District located at 310 S. Eye Street, bearing a legal description of Lots 6 & 7, Block 1, Benoist 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 Sauceda Jr.

Juan Sauceda Jr

Date: May 27, 2026

Attachment VII - HPD

CITY OF
HARLINGEN
TEXAS

Specific Use Permit ("SUP") Routing Slip

Applicant: Daisy Nieto

Phone No.: (956) 456-1782

Location: 310 S. Eye Street

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (microblading studio) in a General Retail ("GR") District located at 310 S. Eye Street, bearing a legal description of Lots 6 & 7, Block 1, Benoist Subdivision.

Department: HARLINGEN POLICE DEPT.

Approval: ✓ YES ______ NO

Comments:

Alfredo Alvear, BSCJ, CPM
Chief of Police

6/8/26
Date

Attachment VIII – Building Inspections

CITY OF HARLINGEN TEXAS

Specific Use Permit ("SUP") Routing Slip

Applicant: Daisy Nieto

Phone No.: (956) 456-1782

Location: 310 S. Eye Street

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (microblading studio) in a General Retail ("GR") District located at 310 S. Eye Street, bearing a legal description of Lots 6 & 7, Block 1, Benoist Subdivision.

Department: **Building Permits and Inspections Division**

Approval: __YES ___NO __X__PENDING

Comments:

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

Raul Rodriguez — **Signature**

06/02/2026 — **Date**

Attachment IX – Health

CITY OF HARLINGEN TEXAS

Specific Use Permit ("SUP") Routing Slip

Applicant: Daisy Nieto

Phone No.: (956) 456-1782

Location: 310 S. Eye Street

Project Description: Request for a Special Use Permit (SUP) to allow an adult business (microblading studio) in a General Retail ("GR") District located at 310 S. Eye Street, bearing a legal description of Lots 6 & 7, Block 1, Benoist Subdivision.

Department: Health

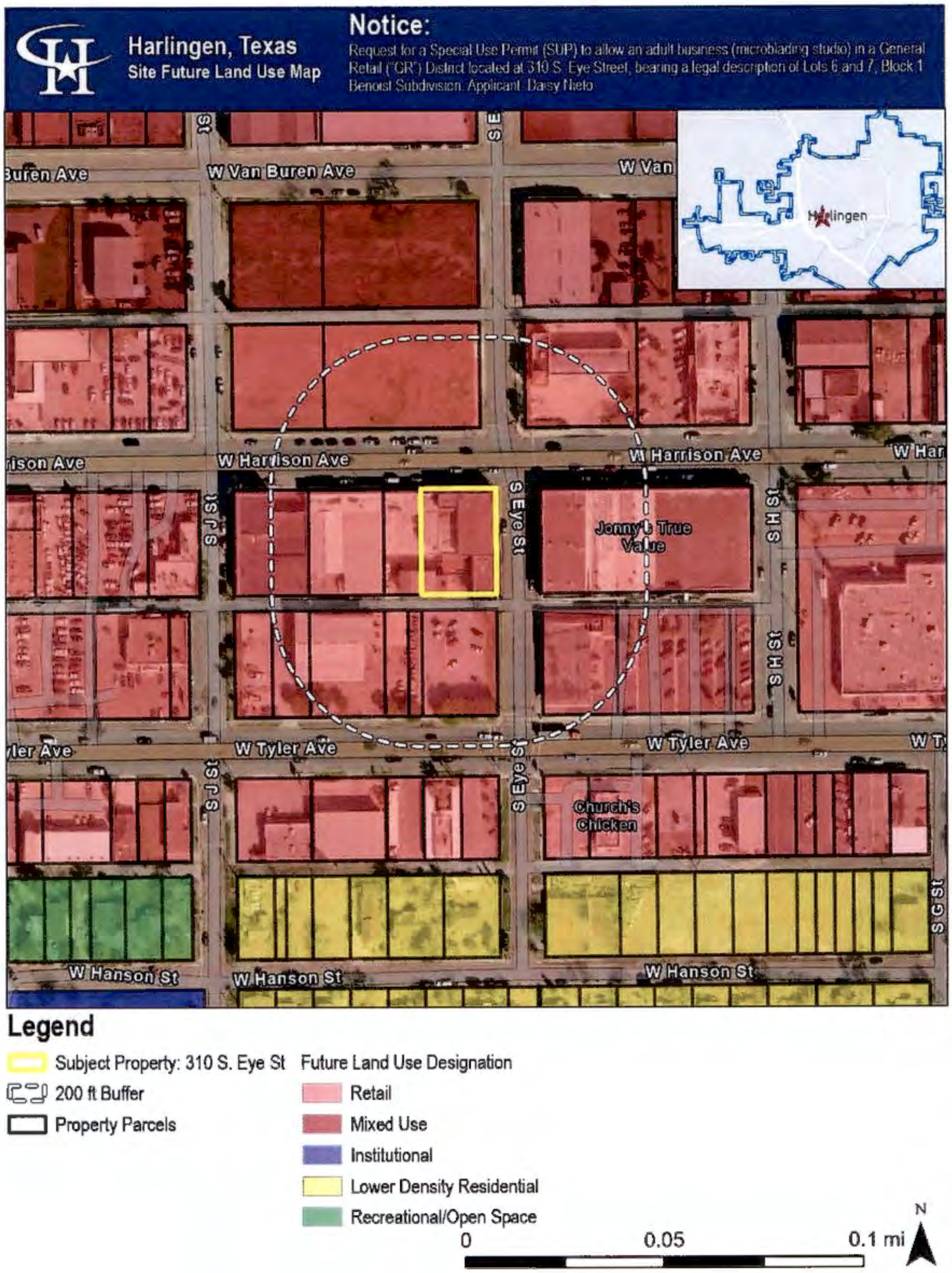
Approval: _____YES _____NO

Comments: Health Department doesn't regulate microblading/tattoo businesses. No health requirements needed, regulated by Texas Department of Licensing and Regulations.

Signature ________________

Date 5-27-24

Attachment X – Future Land Use Map



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 DAISY NIETO TO ALLOW AN ADULT BUSINESS (MICROBLADING STUDIO) IN A GENERAL RETAIL ("GR") DISTRICT, LOCATED AT 310 S. EYE STREET, BEARING A LEGAL DESCRIPTON OF LOTS 6 & 7, BLOCK 1, BENOIST SUBDIVISION.

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:

To issue a Special Use Permit (SUP) to Daisy Nieto, to allow an adult business (microblading studio) in a General Retail ("GR") District, located at 310 S. Eye Street, bearing a legal description of Lots 6 & 7, Block 1, Benoist Subdivision, as shown in Exhibit "A" subject to:

1. Obtaining and maintaining all required State and City permits;
2. Providing and maintaining the required parking in accordance with City regulations;
3. Hours of operation shall be Monday – Saturday 5am – 8pm; and
4. Complying with all applicable requirements administered by the Planning and Zoning Division, Building Inspections Division, Fire Prevention Bureau, Health Department, and Police Department.

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

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

FINALLY ENACTED this ____ day of _______________, 2026 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

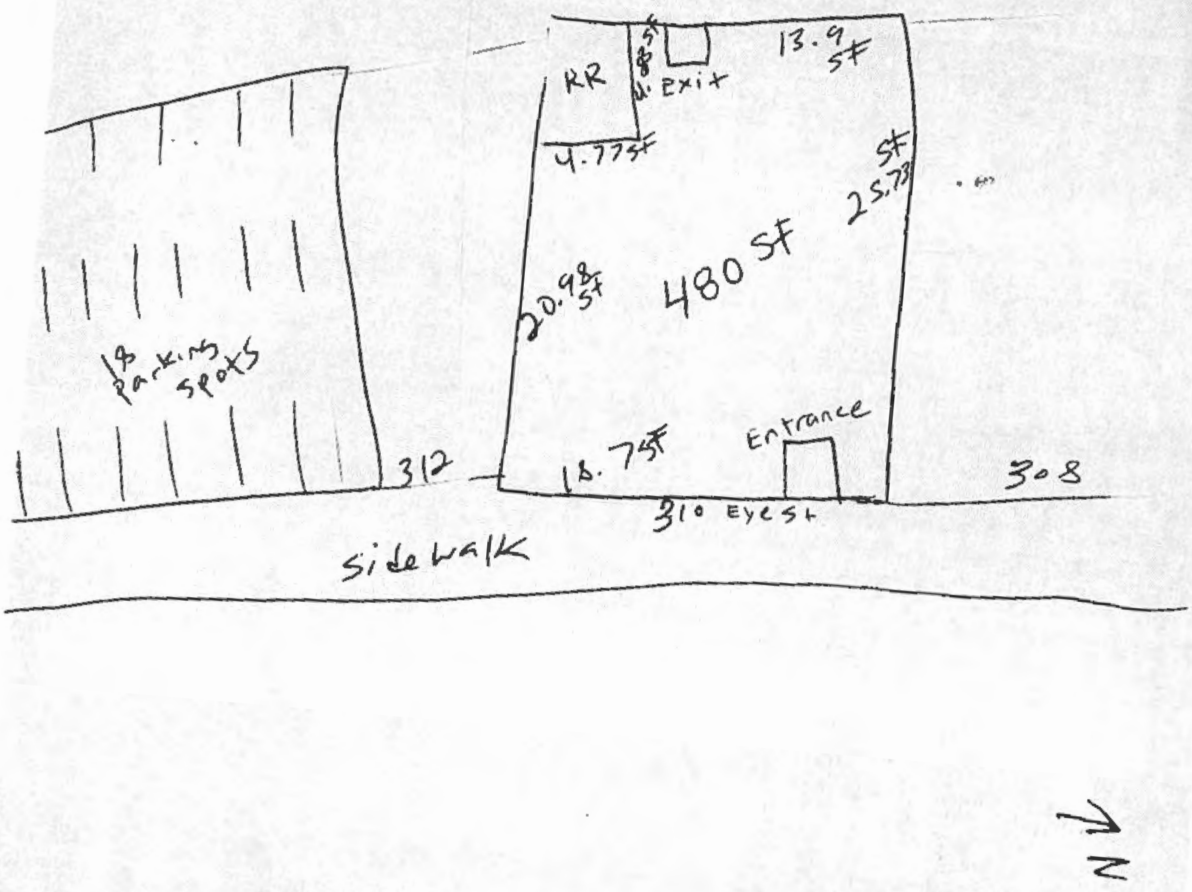
CITY OF HARLINGEN

____
Norma Sepulveda, Mayor

ATTEST:

____
Mayra Herrera, City Secretary

Exhibit "A"



RR
Exit
13.9 SF
4.77 SF
SF 25.73
480 SF
20.98 SF
18 parking spots
Entrance
312
18.75F
308
310 Eye St
Sidewalk
N

7h

City of Harlingen

Agenda Item Request Form

We hereby request the following item to be added to 07/01/2026, City Commission Agenda:

Consideration and possible action to approve the testing and potential installation of speed humps at the following locations:
1. 200 Block of E. Davis

Delia Cavazos-Gamez, Commissioner, Dist. 1

Mf ok.

9a

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **July 1, 2026**

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

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

Brief Summary:

Project Timeline

- December 11, 2025 – Application for the release from the ETJ submitted to the City. Application deemed incomplete pending submittal of warranty deed. **(ATTACHMENT I).**
- December 29, 2025- Warranty deed of property submitted. Application deemed complete.
- January 7, 2026 – Public hearing and consideration of requested release from the ETJ via 1st ordinance reading scheduled before the City Commission. Item was tabled.
- July 1, 2026 – Public hearing and consideration of requested release from the ETJ via 1st ordinance reading scheduled before the City Commission
- July 15, 2026 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- Pursuant to Section 42.101-105, of the Texas Local Government Code, a resident of an area in a municipality's extraterritorial jurisdiction may file a petition with the municipality in accordance with this subchapter for the area to be released from the extraterritorial jurisdiction. The owner or owners of the majority in value of an area consisting of one or more parcels of land in a municipality's extraterritorial jurisdiction may file a petition with the municipality in accordance with this subchapter for the area to be released from the extraterritorial jurisdiction.

- Abby Lopez, the applicant and property owner is requesting for the subject property to be removed from the City Extraterritorial Jurisdiction (ETJ).

- The subject property is currently vacant and not subdivided. It is located within the City 3.5 mile ETJ. The property has 302.56 feet of frontage on Louisiana Road and 83.85 feet of frontage on FM 506. The developer is proposing to subdivide the property through the County under the name of Abby Road Subdivision.

(ATTACHMENT II-V)

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

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval.

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

Comments:

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

9b

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **July 1, 2026**

Agenda Item:

Public Hearing to receive public input for its proposed 2026-2030 Five-Year Consolidated Plan, 2026-2027 One Year Annual Action Plan, and the Analysis of Impediments to Fair Housing.

Prepared By: Sandee Alvarez, Director

Sandee A

Brief Summary:

The City of Harlingen is an Entitlement Community and receives an annual allocation of funding from the U.S. Department of Housing and Urban Development (HUD) for the Community Development Block Grant Program (CDBG) and the HOME Investment Partnership Program (HOME) based on a statutory dual formula.

The purpose of the Public Hearing is to obtain citizen views and input regarding housing and community development needs, proposed funding strategies for the CDBG and HOME programs, and affirmatively furthering fair housing.

The draft documents will be available for a 30-day comment period beginning on July 5, 2026 and ending on August 4, 2026. Copies of the draft plans may be reviewed during normal business hours at the City of Harlingen's Community Development Department, 502 E. Tyler, the Harlingen Public Library, 410 '76 Drive, the Office of the City Secretary, 118 E. Tyler, and the Harlingen Housing Authority, 219 E. Jackson, all located in Harlingen, Texas.

The 2026-2030 Five Year Consolidated Plan, the 2026-2027 One-Year Action Plan, and the Analysis of Impediments for the CDBG and HOME Entitlement Programs will be submitted to the HUD at 615 E. Houston Street, Suite 347, San Antonio, Texas, 78205 on or before August 14th, 2026. HUD will review the Five-Year Consolidated Plan, the One-Year Action Plan, and the Analysis of Impediments to Fair Housing and is expected to approve them by October 1, 2026. A more detailed listing of activities and an explanation of the budget will be made available to any interested parties throughout the comment period.

Following are the individual funding amounts per category:

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount (Yes/No): Yes
*If no, specify source of funding and amount requested:
Finance Director's approval (Yes/No/NA):

Staff Recommendation:

City Manager's approval: GG

Comments:

City Attorney's approval:

10a

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **July 1, 2026**

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

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

Brief Summary:

Project Timeline

- December 11, 2025 – Application for the release from the ETJ submitted to the City. Application deemed incomplete pending submittal of warranty deed. **(ATTACHMENT I).**
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Summary

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- Abby Lopez, the applicant and property owner is requesting for the subject property to be removed from the City Extraterritorial Jurisdiction (ETJ).

- The subject property is currently vacant and not subdivided. It is located within the City 3.5 mile ETJ. The property has 302.56 feet of frontage on Louisiana Road and 83.85 feet of frontage on FM 506. The developer is proposing to subdivide the property through the County under the name of Abby Road Subdivision. **(ATTACHMENT II-V)**

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

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

Staff Recommendation:
Staff recommends approval.

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

City Attorney's approval:	[signature]	☑ Yes	☐ No	☐ N/A

Attachment I

Vigstol Engineering

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

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

Dear Ms. Hernandez,

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

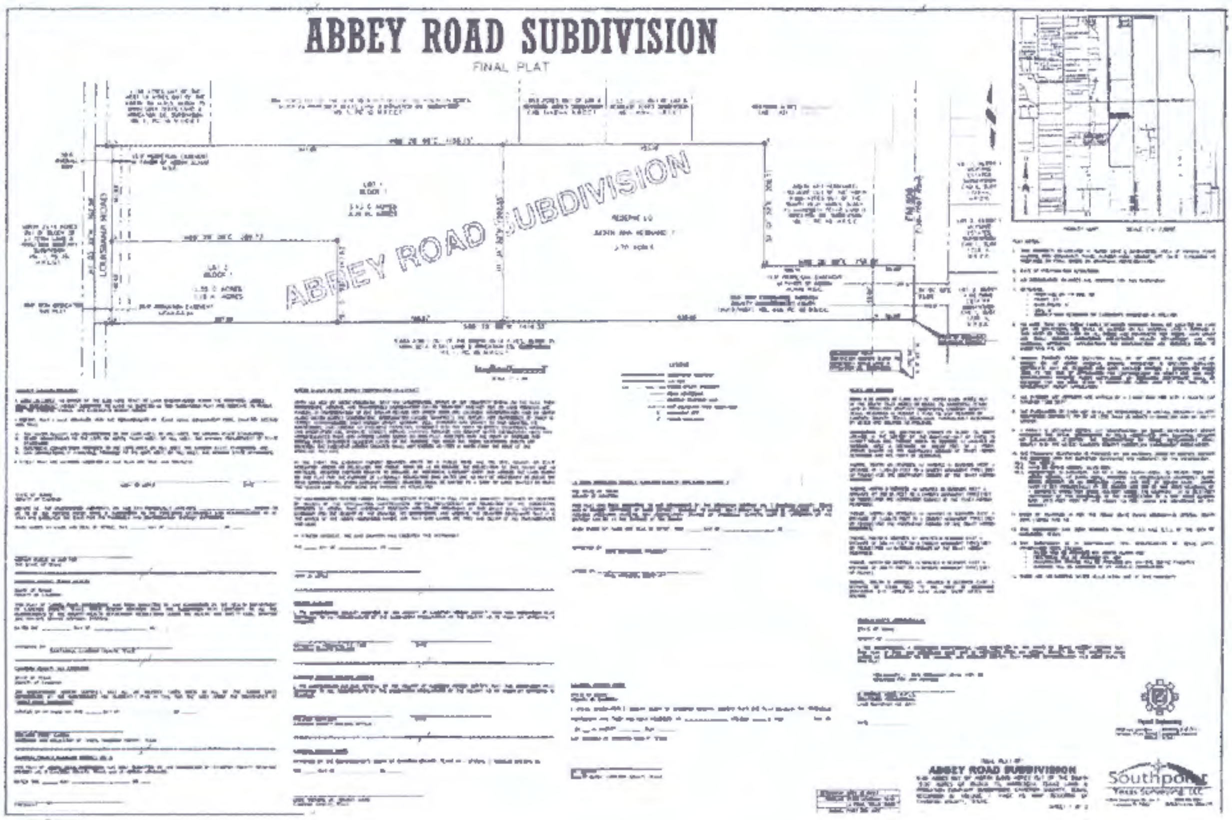
Legal Description:	Being 8.30 Acres out of North 9.685 acres out of the South 19.37 acres of Block 75, Minnesota Texas Land & Irrigation Co. Subdivision
CCAD Property ID:	180619
Acreage:	8.30 ac.
Location:	North of La Feria, Texas, ~800' south of Tio Cano Lake Cross Rd., between FM 506 and Louisiana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

Abby Jo Lopez
24203 Louisiana Road
La Feria, Tx 78559

11/20/25
Date

Date of Birth: 6/19/72

Attachment II



Attachment III

Attachment IV

View from the west on Louisiana Rd.

Attachment V

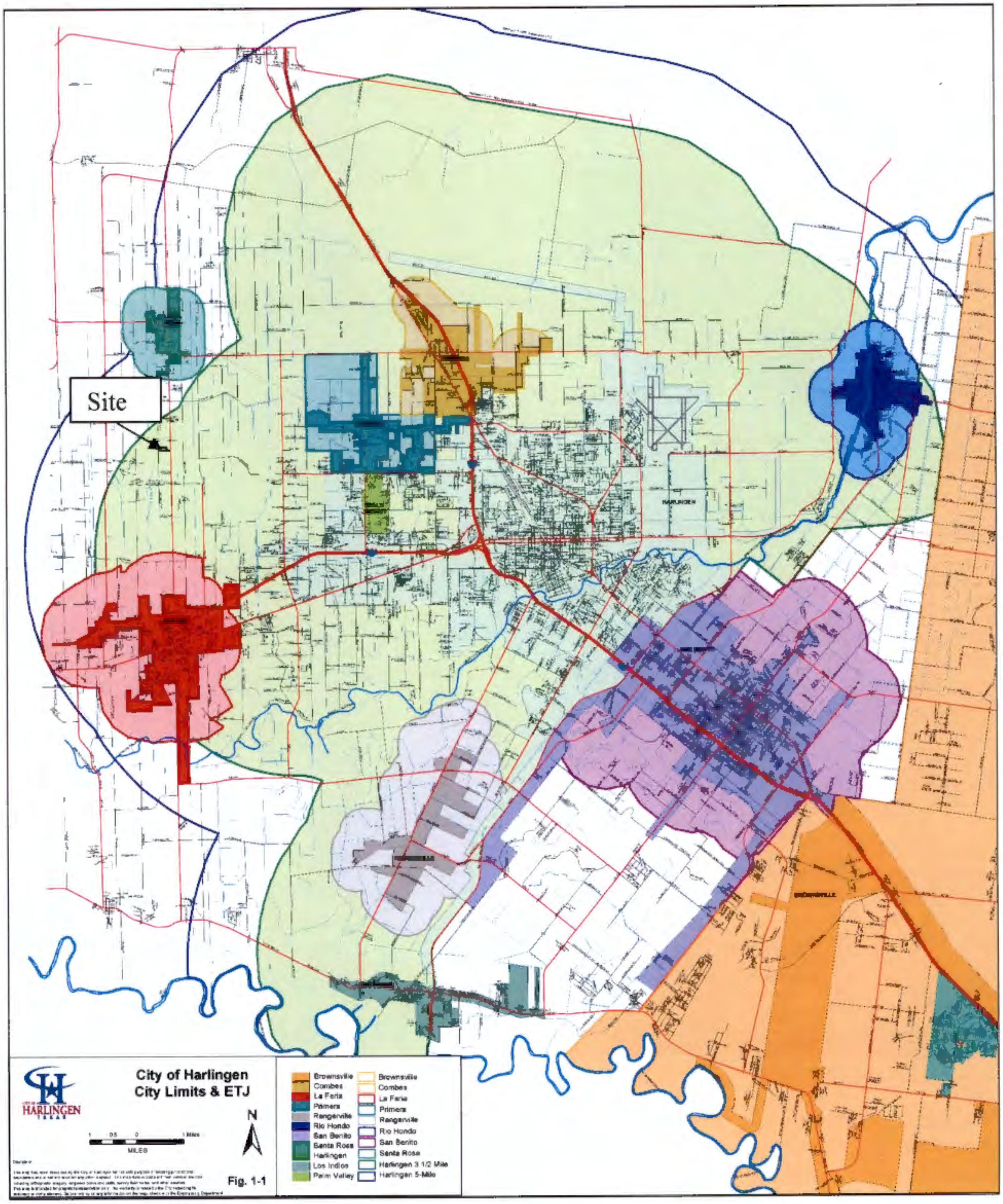


Fig. 1-1

ORDINANCE NO. 26_____

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

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

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

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

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

NOW, THEREFORE

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

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

SECTION 2. The City Commission finds that:

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

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

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

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

APPROVED ON FIRST READING on this ___ day of ________, 2026.

APPROVED, PASSED AND ADOPTED ON SECOND AND FINAL READING on this ___ day of ________, 2026.

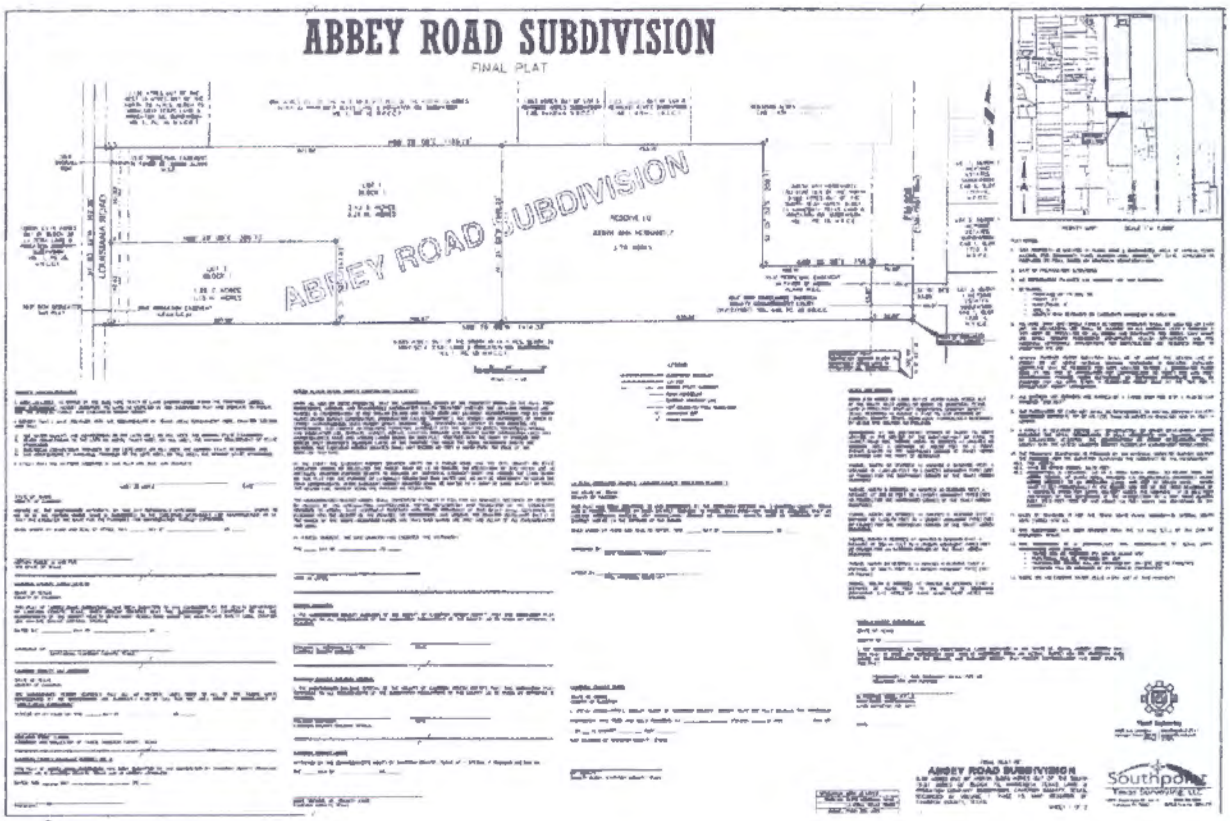
CITY OF HARLINGEN

____
Norma Sepulveda, Mayor

ATTEST:

____
Mayra Herrera City Secretary

EXHIBIT “A”


ABBEY ROAD SUBDIVISION
FINAL PLAT
ABBEY ROAD SUBDIVISION
Southpoint

10b

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **July 1, 2026**

Agenda Item:

Consideration and possible action to approve an Ordinance on Second and Final Reading for a request to rezone from Neighborhood Services ("NS") District to Residential, Patio Home ("RPH") District for Lot C-1, Block 1, Dixieland Crossing Subdivision, located on the south side of Garrett Road, approximately 795.17 feet west of Dixieland Road. Applicant: Moore Land Surveying, LLC c/o CJE Construction

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

Brief Summary:

Project Timeline

- May 7, 2026 – Application for rezoning submitted (**ATTACHMENT I).**
- May 21, 2026 – In accordance with State and local law, notice of the required public hearing was mailed to all property owners within a 200 feet radius of subject tract.
- May 23, 2026 – In accordance with Statute and local law, notice of required public hearings published in the Valley Morning Star and mailed to all property owners within 200 feet of subject tract
- June 9, 2026 – Public hearing and consideration of requested rezoning by the Planning and Zoning Commission (P&Z).
- June 17, 2026 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- July 1, 2026 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- The applicant is requesting to rezone the subject property from Neighborhood Services ("NS") District to Residential, Patio Home ("RPH") District to allow for the development garden homes/patio homes on the subject property.
- The subject property is currently vacant and has approximately 1,540 feet of frontage along Garrett Road with a depth of 456.26 feet. The property was originally platted as a single lot within the larger Dixieland Crossing Subdivision and is now proposed to be replatted into ten (10) lots to accommodate the development of garden homes/patio homes.**(ATTACHMENT II-VII).**
- Patio home zoning is intended to accommodate the development of single-family and duplex-family units on lots no smaller than 4,000 square feet. In the case of the Dixieland Crossing Replat, the developer is proposing single-family lots only.

- The surrounding properties are zoned Planned Development ("PD") District to the north and Residential, Single-Family ("R-1") District to the east, west, and south **(ATTACHMENT II)**. Surrounding land uses consist of vacant land to the south and east, and single-family residential uses to the north and west **(ATTACHMENT VI)**
- The Future Land Use Plan component of the Harlingen Horizon – A City on the Rise Comprehensive Plan designates this area as low density residential. The request is consistent with the Future Land Use Plan and consistent with the surrounding zoning and land use. (**ATTACHMENT VII**).
- To date, the Planning and Development Department has received inquiries from two citizens regarding the requested rezoning; however, no calls or correspondence in opposition to the rezoning request have been received from surrounding property owners.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval.

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

Comments:

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

Attachment I—Application

CITY OF HARLINGEN PLANNING & DEVELOPMENT DEPARTMENT | PLANNING DIVISION

MASTER APPLICATION FORM

Submit applications:
In person: Planning and Development Department, 502 E. Tyler Avenue, Harlingen, Texas 78550
Email: Planning@harlingentx.gov. Questions? Call (956) 216-5101.

HARLINGEN TEXAS

PROPERTY OWNER INFORMATION

Property Owner Name (If entity, attach supporting documentation): DIXIELAND CROSSING, LLC
Property Owner Phone: 956-627-4348 Property Owner Email: ADMIN@MYCJEHOME.COM
Property Owner Address: 4119 CROSSPOINT BLVD. EDINBURG, TX 78539

APPLICANT/AUTHORIZED REPRESENTATIVE INFORMATION (If different from owner)

☐ Applicant is the same as Property Owner (skip section below)
Applicant Name: EMILIANO ROSEL Applicant Phone: 956-929-1615
Applicant Email: EROSEL.MLS@GMAIL.COM
Applicant Address: 14216 PALIS DR. LA FERIA, TX 78559

PROPERTY INFORMATION

Project Address: GARRETT RD.
Property/GEO ID: 204993 (If unknown, look up ID at Cameron County Appraisal District)
Legal Description of Property (Lot, Block, Subdivision, as shown on deed or survey):
BEING ALL OF LOT C-1, DIXIELAND CROSSING SUBDIVISION, RECORDED IN CABINET 1, PAGE 5294, MRCCT
Current Zoning: NEIGHBORHOOD SERVICES (If unknown, check our Interactive Zoning Map or have staff verify your zoning)
Proposed Zoning: PATIO HOMES (If unknown, visit or call the Planning Division staff)
Current Land Use: VACANT

DESCRIPTION OF REQUEST

Provide a brief description (What are you requesting? What will be built or changed? Why is this request needed?):
WE ARE REQUESTING A RE-ZONING OF LOT C-1 IN DIXIELAND CROSSING SUBDIVISION FROM NEIGHBORHOOD SERVICES TO PATIO HOMES

Select Application Type (Select all that apply):

Land Use Changes
- ■ Rezoning Request - $250 CK#4722
- ☐ Special Use Permit - $250
- ☐ Planned Development District - $250
- ☐ Voluntary Annexation Request/Initial Zoning – $0
- ☐ Comprehensive Plan Amendment Request - $250

Zoning Board of Adjustment (ZBA)
- ☐ Zoning Variance Request (ZBA) - $250
- ☐ Zoning Special Exception (ZBA) - $250
- ☐ Administrative Appeal (ZBA) - $125

Subdivision/Platting:
- ☐ Preliminary Construction Plans/Final Plat - $150
- ☐ Replat - $250
- ☐ Vacating Plat - $50
- ☐ Subdivision Variance - $25 (each)

Other Requests:
- ☐ License to Encroach - $250
- ☐ Right-of-Way/Utility Easement Abandonment – $0

REQUIRED ATTACHMENTS

Note: Incomplete applications will not be accepted or scheduled for review.

Required for ALL Applications:

A. Application Fee (Check or card only. No cash accepted)
B. Valid Photo ID

Attachment I—Application

CITY OF HARLINGEN PLANNING & DEVELOPMENT DEPARTMENT | PLANNING DIVISION

C. Warranty Deed
D. Authorization Letter from Owner (if applicant is not the owner)
E. Entity documents

Rezoning:
A. Written statement describing the proposed use(s) of the subject property
B. Survey/Survey Plat
C. Metes & Bounds description of the tract(s) in which the rezoning is requested

Special Use Permit/PDD:
A. Written statement describing the proposed use(s) of the subject property
B. Site plan showing the proposed development of the property, including existing and proposed: building footprints and building heights (or buildable areas for single and two-family residential), locations of proposed uses, ingress and egress to/from property, streets in compliance with the City's Long Range Thoroughfare Plan, sidewalks, utilities, drainage, and parking spaces, etc.
C. Any other information (elevation drawings/pictures) in support of the request

Zoning Variance Request (ZBA)/Special Exception/ Administrative Appeals:
A. Written statement describing the requested variance and an explanation of the special conditions that result in the unnecessary hardship for which the variance or special exception is requested.
B. Written statement describing the purpose of the request (For Administrative Appeals Only).
C. Site Plan showing existing and proposed development of the property in question.

Preliminary Construction Plans/Final Plat/Replat:
A. Please contact the Planning Division for the full checklist compliant with Chapter 109 - Subdivisions and the Subdivision Development Guide (SDG) referenced in Sec. 109-127(1) and Sec. 109-128(b)
B. Plats must be submitted simultaneously to Texas Gas, AEP, AT&T, Charter Spectrum, Magic Valley Electric, Cameron County (CC) Appraisal District, CC Transportation Department, Harlingen Irrigation District, HCISD Operations, CC Drainage District, CC Irrigation District, and the U.S. Post Office.

Right-of-Way/Utility Easement Abandonment/License to Encroach:
A. Written statement describing the purpose of the request
B. Survey
C. Metes & Bounds description
D. Letter of Clearance from utility companies, including Harlingen WaterWorks System, Texas Gas, AEP, AT&T, Charter Spectrum, Magic Valley Electric, Harlingen Irrigation District, CC Drainage District, and CC Irrigation District.
E. Appraisal Report (Appraiser must be approved by City) (For ROW abandonment only).

Voluntary Annexation:
A. Written petition by owner(s) requesting annexation
B. Survey
C. Metes & Bounds description

CERTIFICATION

☐ I certify that I am the property owner or the duly authorized agent of the owner for the purposes of this application.
☐ I further certify that I have read this application and that all information provided is true, correct, and complete. I understand that any false or incorrect information may result in the revocation of any permit or approval issued by the City of Harlingen.
☐ I understand that meeting all application requirements does not guarantee approval, and that the City Commission is the sole authority responsible for the approval or denial of this request.
☐ I acknowledge that additional information may be requested by the City to process this application.

(Both signatures are required if the applicant is not the owner.)

Property Owner Name & Signature: ______ **Date:** ______
Authorized Representative Name & Signature: Emiliano Rosed / [signature] **Date:** 05/09/26

OFFICE USE ONLY
Date Submitted: 5/7/26 Date Deemed Complete: 5/7/26 Application Fee Paid: $ 850.00
Case #: 2026 - RZ01 Receipt #: 15427 Received By (initials): [initials]

2

AFFIDAVIT
AUTHORIZATION TO SUBMIT AND REVISE
SUBDIVISION APPLICATION

I (we), the undersigned, **JULIO CARRANZA FOR DIXIELAND CROSING, LLC ,** do hereby authorize Moore Land Surveying, LLC to act as my (our) agent in the submittal and revision of the Subdivision application for the property described as **"RE-PLAT C-1 DIXIELAND CROSSING SUBDIVISION"** ; and do hereby grant Moore Land Surveying, LLC the power to act in my (our) behalf by signing and submitting all necessary "Subdivision Application Forms"

Date: 1/16/25 By: ____________
Name Printed: JULIO CARRANZA
Title: Owner

STATE OF TEXAS
COUNTY OF CAMERON

This instrument was acknowledged before me on the 16TH day of January 2025, by Julio Carranza

Date: 1/16/25 ____________
Notary Public, State of Texas

JABIER ARTURO ROMERO, JR
My Notary ID # 134536231
Expires September 1, 2027

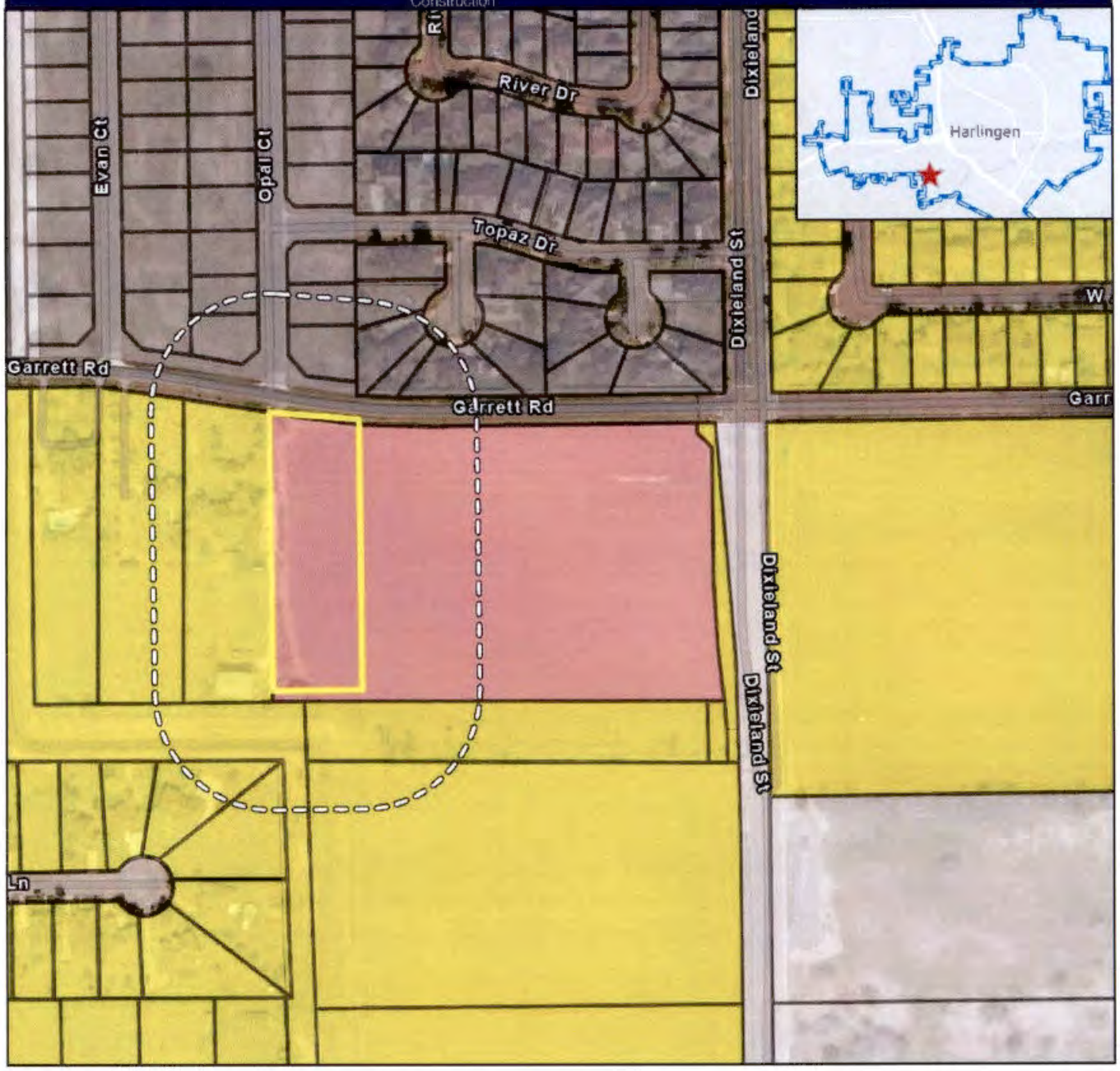
Name Printed: ____________

My Commission Expires: Sep 01, 2027

Attachment II—Legal Notice

Harlingen, Texas
Site Zone Map

Notice:
Request to rezone from Neighborhood Services ("NS") District to Residential Patio Home ("RPH") District for Lot C-1, Block 1, Dixieland Crossing Subdivision, located on the south side of Garrett Road approximately 795.17 feet west of Dixieland Road. Applicant: Moore Land Surveying, LLC c/o CJF Construction



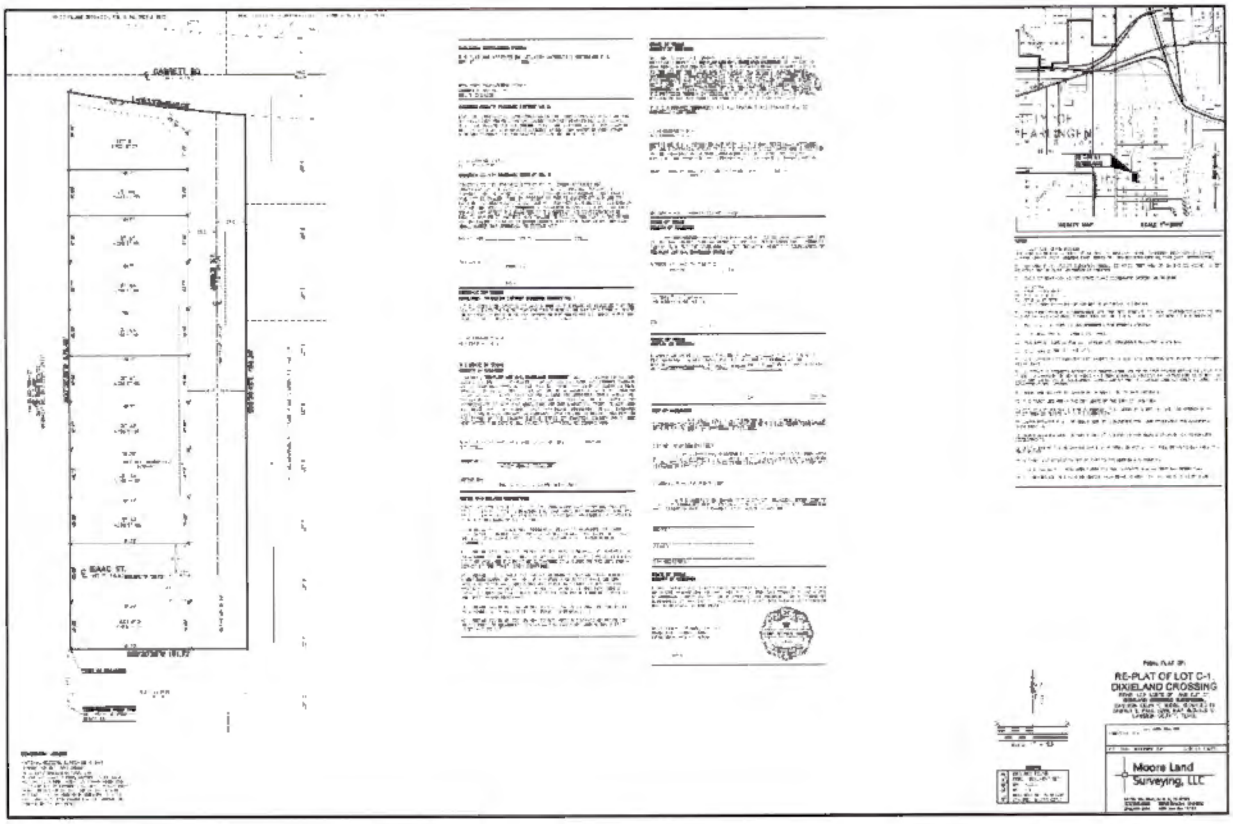
Legend

Subject Property: 1.62 Acres of Land out of Dixieland Crossing Subdivision
200 ft Buffer
Property Parcels

Zone
Residential, Single-Family
Not-Designated
Neighborhood Services
Planned Development

0 0.05 0.1 mi
N

Attachment III—Final Plat

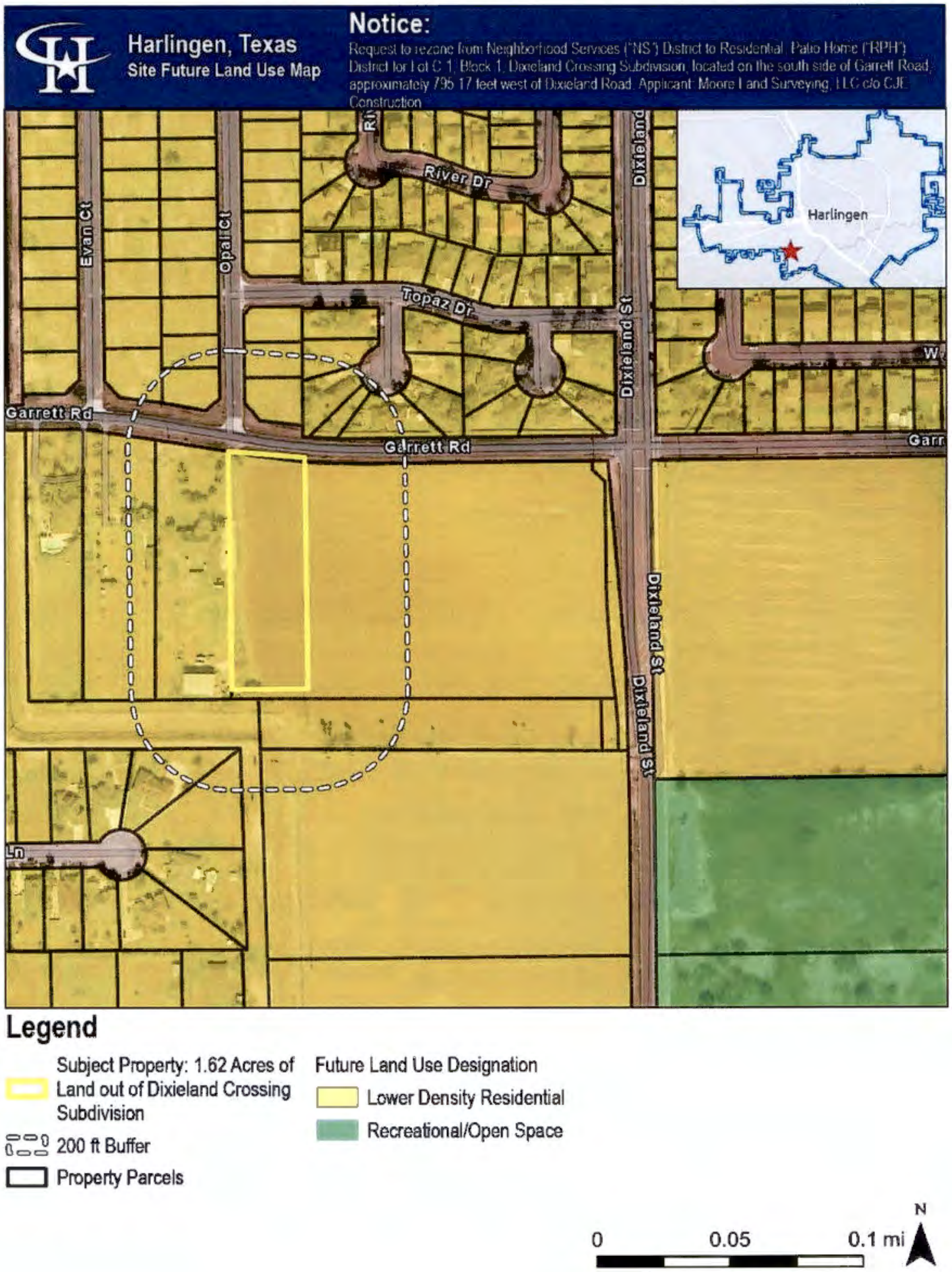


Attachment IV – Street View

View from James Street

Attachment VI—Aerial

Attachment VII—Future Land Use Map



ORDINANCE NO. 26-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM NEIGHBORHOOD SERVICES ("NS") DISTRICT TO RESIDENTIAL, PATIO HOME ("RPH") DISTRICT FOR LOT C-1, BLOCK 1, DIXIELAND CROSSING SUBDIVISION, LOCATED ON THE SOUTH SIDE OF GARRETT ROAD, APPROXIMATELY 795.17 FEET WEST OF DIXIELAND ROAD.

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

BE IT ORDAINED BY THE CITY OF HARLINGEN

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

> Rezoning from Neighborhood Services ("NS") District to Residential, Patio Home ("RPH") District for Lot C-1, Block 1, Dixieland Crossing Subdivision, located south of Garrett Road, approximately 795.17 feet west of Dixieland Road as shown in Exhibit "A".

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

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

FINALLY ENACTED this ____ day of _____________, 2026 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present, and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

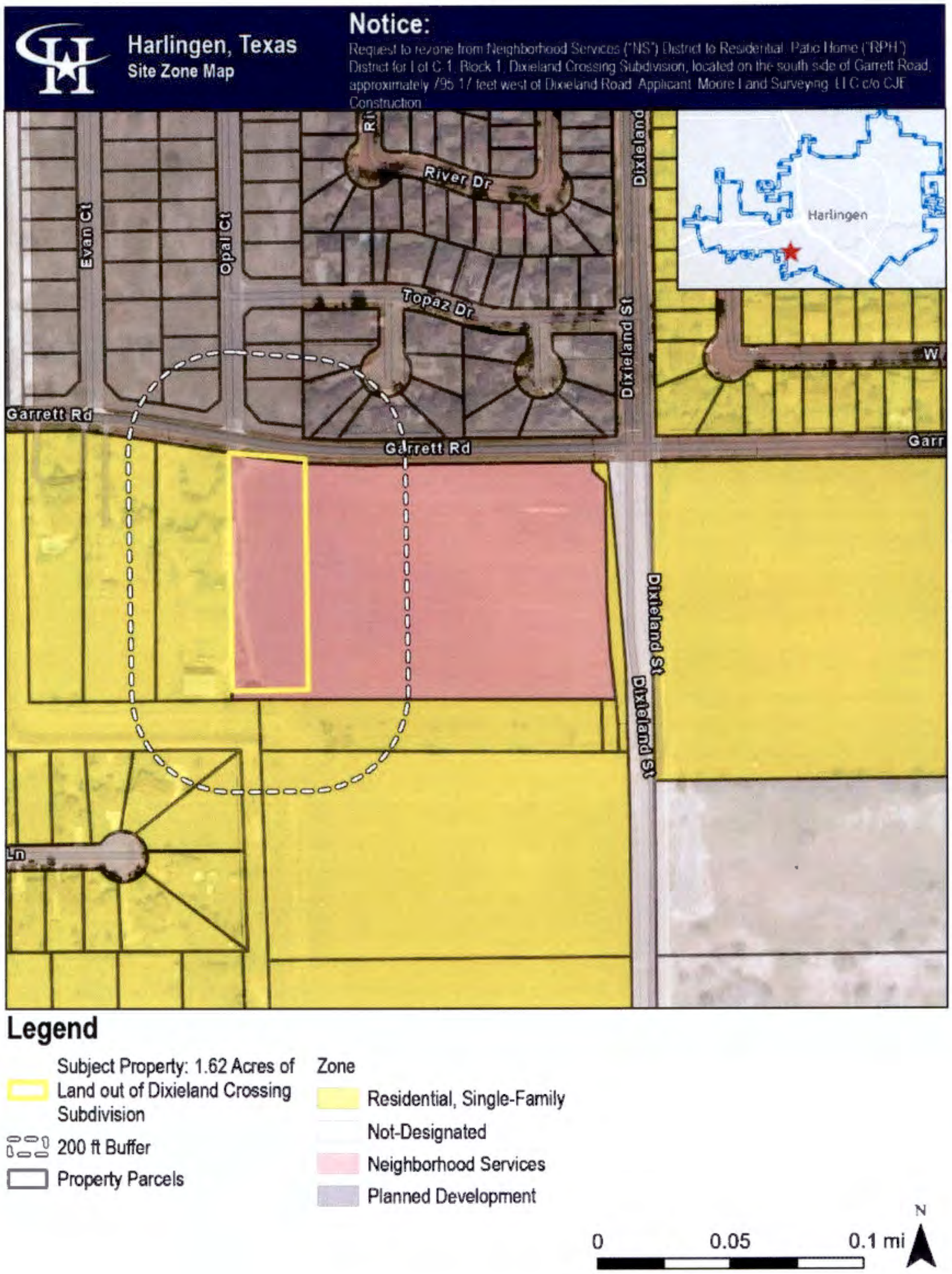
CITY OF HARLINGEN

____
Norma Sepulveda, Mayor

ATTEST:

____
Mayra Herrera, City Secretary

EXHIBIT "A"



Harlingen, Texas
Site Zone Map
Notice:
Request to rezone from Neighborhood Services ("NS") District to Residential Patio Home ("RPH") District for Lot C-1, Block 1, Dixieland Crossing Subdivision, located on the south side of Garrett Road, approximately 795.17 feet west of Dixieland Road. Applicant: Moore Land and Surveying LLC c/o CJF Construction
River Dr
Dixieland
Harlingen
Evan Ct
Opal Ct
Topaz Dr
Dixieland St
Garrett Rd
Garr
Dixieland St
Dixieland St
Legend
Subject Property: 1.62 Acres of Land out of Dixieland Crossing Subdivision
200 ft Buffer
Property Parcels
Zone
Residential, Single-Family
Not-Designated
Neighborhood Services
Planned Development
0
0.05
0.1 mi
N

10c

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **July 1, 2026**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading amending the City of Harlingen's budget for Fiscal Year 2026.

Prepared By (Print Name): Robert Rodriguez
Title: Finance Director
Signature:

Brief Summary:

This budget amendment allocates funds for prior fiscal year unspent encumbrances, awards, grants, and other revenues and expenditures not included in the current fiscal year approved budget. Exhibit "A" displays total revenues, expenditures, and estimated fund balances by fund after the amendment. Exhibit "B" displays detailed changes in revenues and expenditures by account number.

General Fund –
Revenues increased by **$471,740**

- $471,740 Department Requests
  - Delinquent Taxes revenue Increase Projected $150,000
  - Magic Valley Franchise taxes revenue increase projected $5,978
  - Gas Permits revenue increase projected $4,000
  - Reallocated expected Subdivision Park Fee Revenues under new Special Revenue Fund 121 ($26,000)
  - Court fines for Misc. Ordinance Violations revenue increase projected $16,000
  - Inter Library loan Reimb. Revenue added $4,826
  - Victor pavilion/Victor Park fields revenue added $3,650
  - Cultural Arts Center Rental increase $9,000
  - Animal Shelter Adoption Fee increase $6,000
  - Misc. Street Cut Repairs revenue added $32,000
  - Reimbursement for Traffic Signal Maintenance revenue added $35,000
  - Reimbursement for Street Maintenance revenue increased $3,300
  - Reimbursement for Street Cut Repairs revenue added $15,000
  - Police LEOSE Training revenue increased $8,098
  - Brownsville PD revenue added $39,256
  - Decreased revenue for the Stuart Place Park & Vestal Park additions to be accounted in Awards Program Fund ($290,000)
  - To record EDC IT Admin. Revenue that was not budgeted in the original adopted budget $25,156
  - Interest Investments revenue projected increase $233,236
  - Outside Sources Contributions/Donations $122,880
  - Autism Awareness contributions increased $1,805
  - Insurance Recovery revenue increase projected $19,817
  - Settlements revenue added $12,778
  - Proceeds exceeded projection of the auction $39,960

Expenses increased by **$3,656,055**

- $ 3,656,055 Department Requests
  - Admin Services – Well Pay paid in November $11,400
  - Admin Services – Bank Fees increase $11,360
  - Police – Car Allowance for Chief of Police was omitted in the original budget $7,200
  - Police – Increase amount spent for Autism Awareness $2,806
  - Fire – Funds used to furnish and for appliances at Fire Station #1 $29,000

- Fire – Cost savings from purchase of Fire Engines to be used to purchase truck equipment $105,115
- Fire – Donation from HHS South Hawk Band Boosters/Golf Tournament to be used for retirees 2026 awards banquet $500
- Fire - Cost savings from purchase of Fire Engines to be used to purchase truck equipment & 8 New units approved by City Commission on 4/1/26 $356,907
- Traffic Signals – Cover projected overtime for Traffic Signals personnel $9,000
- Street Maintenance – Cover projected overtime expense for remainder of the FY $12,000
- Street Maintenance – Cover Miscellaneous Supplies expenses for the remainder of the FY $16,000
- Street Maintenance – Funding for the acquisition of a deuce-and-a-half military surplus vehicle to support PW emergency response and operational activities $20,500
- Street Cleaning – Additional funding requested to cover utility services $1,300
- Street Cleaning – Cover vehicle maintenance repairs for the remainder of the FY $48,000
- Street Cleaning – Purchase two root cutters for storm drainage maintenance approved by CC on 5/20/26 $25,120
- Street Paving – Cover vehicle maintenance repairs for the remainder of the FY $20,000
- Street Drainage – Purchase materials for Drainage Improvement Project approved by CC on 11/19/25 $240,000
- Street Drainage – Cover vehicle maintenance repairs for the remainder of the FY $15,000
- Street Drainage – Cover fuel expenses for the remainder of the FY $60,000
- Public Works – Purchase of 9 acres of land out of Blk 150, Adams Garden for drainage imp. proj. $253,819
- Parks & Rec – Purchase screened topsoil, TifTuf sod turf, commercial refrigerator, ice machine, wireless mic system, restroom renovations, related improvements, LED scoreboard, reel mower & reel cutting unit, and portable LED perimeter sideling screens as part of the Harlingen Field Renovation Project approved by CC on 4/1/26 $409,264
- Parks & Rec – replacement of damaged and vandalized playground equipment for various parks $15,000
- Parks & Rec – cover miscellaneous supplies for the remainder of the FY $20,000
- Parks & Rec – cover vehicle maintenance repairs for the remainder of the FY $10,000
- Parks & Rec – Funds for the Lozano Plaza Restroom and Amphitheater Construction Project $36,329
- Parks & Rec – Decrease expenditures for the Stuart Place Park & Vestal Park additions to be account in Awards Program fund 120 ($290,000)
- Parks & Rec – Approved by CC on 9-3-25 to keep the Health Outreach Coordinator position and expenses $100,000
- Economic Incentives – Sales Tax Incentive Payment Agreement with Matt's Building Materials, INC. $61,490
- Public Buildings – Cover projected overtime expenses for the remainder of the FY $4,000
- Public Buildings – Cover the remainder of the FY Misc. Supplies expenses $9,000
- Public Buildings – Replacing roof and A/C at Fire Station #1 approved by CC on 4/15/26 $80,296
- Non-Departmental – transfer for Subdivision Park Fee Fund $37,800
- Non-Departmental – General Fund portion of the Downtown Master Plan for FY 2025 invoice paid in FY 2026 $7,689
- Non-Departmental – TxDot Smart Corridor $379,996
- Non-Departmental – Mobility Master Plan $157,500
- Non-Departmental – Cover PO overage portion that exceeds AFA's project cost for TxDot AC Trl Ext III $131,541
- Non-Departmental – Adjust the required city's match for TDEM 5th & 7th St. Drainage $76,290
- Non-Departmental – Adjust the required city's match for Harlingen Recreation Center $93,750
- Non-Departmental – Adjust the required city's match for TxDot Arroyo Col H&B Trail Ph IV $123,906
- Non-Departmental – City's payment to TxDot for the North-South Corridor Link AFA Contract $903,000
- Non-Departmental – Transfer increases for TIF #1,2 and 3 $44,177

H.E.B. Tennis Court Fund – Restricted Fund –
Revenue Increased by **$30,000**

- $30,000 Department Requests
  - Tennis Court Fees projected revenue increase $20,000
  - Merchandise and food & drink sales projected revenue increase $10,000

Hotel/Motel Fund – Restricted Fund –

Revenue Increased by **$20,000**

- $20,000 Department Requests
  - Interest revenue increase projected $20,000

Harlingen Downtown Fund – Restricted Fund –

Revenue Increased by **$2,833**

- $2,833 Department Requests
  - Christmas Parade revenue increase $991
  - Special Assessment increase $1,842

Expenses Increased by **$10,000**

- $10,000 Department Requests
  - DID contribution Lozano Plaza Improvements including restroom facility and an outdoor Amphitheater $10,000

Free Trade Bridge Fund – Restricted Fund –

Revenue Increased by **$77,000**

- $77,000 Department Requests
  - Increase in Bridge Crossings $60,000
  - Increase in Interest revenue $17,000

CVB Fund – Restricted Fund –

Revenue Increased by **$6,500**

- $6,500 Department Requests
  - Collection of Fees for commercial filming applicants in the City of Harlingen $500
  - Freedom Fest Revenue projected increase $6,000

Grant Award Fund – Restricted Fund –

Revenues Increased by **$2,769,723**

- $2,769,723 Grant revenue
  - Engineering TxDot Smart Corridor $908,800
  - Fire – Record cap outlay for assets acquired through the Donation of Federal Surplus Personal Property Program $119,576
  - Engineering – Adjust the required city's match for TDEM 5th & 7th St. Drainage ($2,249,985)
  - Parks & Rec Cover PO overage portion that exceeds AFA's project cost for TxDot AC Trl Ext $70,627
  - Engineering – Mobility Master $360,000
  - Police – Bullet-Resistant Components for Law Enforcement Vehicles Grant Approved by CC 3/18/26 $65,516
  - Parks & Rec – HCIB Contribution for Arroyo Colorado Trail Extension Ph I & II $340,194
  - Parks & Rec – HCIB contribution for Stuart Place Park, Vestal Park & Lon C. Hill Destination Splash Pad improvements approved by CC on 6/3/26 $1,001,960
  - Parks & Rec – Interest revenue added $4,063
  - Parks & Rec – Outside Sources Donations for Soccer Complex Improvements $275,000
  - Parks & Rec – Cover PO overage portion that exceeds AFA's Project cost for TxDot AC Trl Ext III $131,541
  - Engineering – Adjust the required city's match for TDEM 5th & 7th St. Drainage $76,290
  - DID – General Fund portion of the Downtown Master Plan for FY 2025 invoice paid in FY 2026 $7,689
  - Engineering – Adjust the required city's match for Harlingen Recreation Center $93,750
  - Engineering – TxDot Smart Corridor $379,996
  - Engineering – Mobility Master Plan $157,500
  - Engineering – Adjust the required city's match for the TxDot Arroyo Col H&B Trail Ph IV$123,906
  - Engineering – City's payment to TxDot for the North-South Corridor Link AFA Contract $903,300

Expenses Increased by **$976,629**

- $976,629 Awards and Grants
    - DID – General fund portion of the Downtown Master Plan for FY 2025 invoice paid in FY 2026 $7,689
    - Police – Bullet resistant components for law enforcement Vehicles Grant approved by CC 3/18/26 $65,516
    - Fire - Record cap outlay for assets acquired through the Donation of Federal Surplus Personal Property Program $119,576
    - Engineering - Adjust the required city's match for TDEM 5th & 7th St. Drainage ($1,792,243)
    - Engineering – Tx DOT Smart Corridor $1,288,796
    - Engineering – Lozano Project increase $75,473
    - Engineering – Mobility Master Plan $517,500
    - Parks & Rec Outside Sources Donations for Soccer Complex Improvements $275,000
    - Parks & Rec – HCIB contribution for Stuart Place Park, Vestal Park & Lon C. Hill Destination Splash Pad improvements approved by CC on 6/3/26 $1,001,960
    - Parks & Rec – HCIB contribution for the Arroyo Colorado Trail Extension Ph I & II $340,194
    - Parks & Rec - Cover PO overage portion that exceeds AFA's project cost for TxDOT AC Trl Ext III $202,168
    - Parks & Rec – Adjust the required city's match for Harlingen Recreation Center ($1,125,000)

Subdivision Park Fee Fund –

Revenues increase by **$86,300**

- $ 86,300 Department Requests
    - Subdivision Park Fees for Zone 2, Zone 3 and Zone 4 $48,500
    - Transfer from General Fund $37,800

Keep Harlingen Beautiful Fund –

Revenues increase by **$666,665**

- $ 666,665 Department Requests
    - Allocated from Sanitation Keep Harlingen Beautiful to its own fund

Expenses increased by **$155,000**

- $ 155,000 Department Requests
    - Expenditures for the remainder of the FY $155,000

Federal Forfeitures Fund –

Revenues increase by **$7,522**

- $ 7,522 Department Requests
    - Interest revenue projected increase $7,522

Tax Increment Financing Zones No. 1,2, & 3 Fund –

Revenues increase by **$104,587**

- $ 104,587 Department Requests
    - FY 2026 total estimated Texpool Interest Revenue TIF #1 $35,087
    - Increase Transfers for TIF #1,2 & 3 $44,177
    - Interest for TIF #3 increased $25,323

Expenses increased by **$1,500**

- $ 1,500 Department Requests
    - County Charges increased $1,500

Health-Animal Shelter Fund –

Revenue increased by **$20,000**

- $ 20,000 Department Requests
    - Donation contributions projected increase by $20,000

Infrastructure Fund –
Expenses increased by **$1,005,000**
- $ 1,005,000 Department Requests
  - Additional Street Improvement approved by CC 10/20/25 & 3/18/26 $1,005,000

Municipal Auditorium Fund –
Revenue increased by **$15,000**
- $ 15,000 Department Requests
  - Rental of Casa De Amistad projected increase by 15,000

Sanitation Fund –
Expenses increased by **$2,434,113**
- $2,434,113 Department Requests
  - Additional funding for the purchase of residential garbage containers to meet increasing service demands $44,514
  - Additional funding for utility expenses for the remainder of the fiscal year $19,000
  - Funding for insurance expenses for the remainder of the fiscal year $117,423
  - Funding for franchise fees $759,996
  - Cover deficit balance and expenditures for the remainder of the fiscal year $140,000
  - Purchase of two residential refuse trucks approved by CC on 1/21/26 $841,515
  - Reallocated funds to its own fund 128 ($155,000)
  - Reallocated funds to Keep Harlingen Beautiful Fund $666,665

Tony Butler Golf Course Fund –
Revenue increased by **$397,785**
- $397,785 Department Request
  - Increase in Green Fees Revenue $145,966
  - Increase in Green Fees/Executive revenue $20,000
  - Increase in Cart Rental Fees Revenue $121,505
  - Increase in Cart Rental Fees/ Executive revenue $4,500
  - Increase in Tournament Fees $40,000
  - Increase in Driving Range Fees Revenue $15,814
  - Increase in Merchandise sales $5,000
  - Increase in Alcoholic Beverages $45,000

Expenses increased by **$98,100**
- $98,100 Department Request
  - Cover remainder of the fiscal year expenses $10,000
  - Cover the lease for Tagmarshal $16,000
  - Utilities – Electricity not budgeted $30,000
  - Utilities – Water not budgeted $30,000
  - Cover cart maintenance for the remainder of the fiscal year $7,400
  - Cover misc. equipment maintenance for the remainder of the fiscal year $4,700

Motor Vehicle/Warehouse Fund –
Revenue increased by **$62,000**
- $62,000 Department Requests
  - Increase vehicle repair revenue by $62,000

Expenses increased by **$173,377**
- $ 173,377 Department Requests
  - Funding for insurance expenses for the remainder of the fiscal year $5,081
  - Vehicle replacement for various departments approved by CC on 12/3/25 $77,538
  - Purchase compact track loader & attachments for Parks Dept. approved by CC on 11/5/25 $90,758

Health Insurance Fund –
Revenue increased by **$18,000**

- $18,000 Department Request
  - Increase interest revenue projection by $18,000

Lon C Hill Memorial Library Fund –
Revenue increased by **$5,000**

- $5,000 Department Request
  - Received a grant for Library's Summer Reading Program $5,000

Expenses increased by **$5,000**

- $5,000 Department Request
  - Received a grant for Library's Summer Reading Program $5,000

Total – Revenues increased by $4,760,655 - Expenditures increased by $8,514,774

❖

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount for this purpose? ☐ Yes ☐ No*
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

Staff recommends approval.

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

Comments:

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

ORDINANCE NO. 2026-____

AN ORDINANCE AMENDING THE REVENUE AND EXPENDITURE BUDGET FOR THE CITY OF HARLINGEN, TEXAS, FOR FISCAL YEAR OCTOBER 1, 2025 THROUGH SEPTEMBER 30, 2026. PROVIDING FOR PUBLICATION OF THE CAPTION OF THIS ORDINANCE, AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

WHEREAS, the City Manager of the City of Harlingen has prepared and presented to the City Commission Budget Amendment No. 2 for Fiscal Year October 1, 2025 through September 30, 2026; and

WHEREAS, amending the current fiscal year budget is desirable for clarity and is required by law: now therefore

BE IT ORDAINED BY THE CITY OF HARLINGEN:

SECTION I. That an amendment to the budget of the City of Harlingen, Texas for the fiscal year October 1, 2025 and ending September 30, 2026 (exclusive of the revenues and expenditures of the Harlingen Waterworks System, Valley International Airport, Harlingen Community Improvement Board Fund, Harlingen Economic Development Corporation Fund, and the Community Development Block Grant Fund) in the total amount of Four Million, Seven Hundred Sixty Thousand, Six Hundred Fifty-Five Dollars ($4,760,655) in revenues and Eight Million, Five Hundred Fourteen Thousand, Seven Hundred Seventy-Four Dollars ($8,514,774) in expenditures is hereby adopted. A summary of the budget adopted is hereby attached to this Ordinance and incorporated herein as Exhibit A and the complete detailed budget adopted by this Ordinance is incorporated herein by reference and shall be made available for public inspection at the office of the City Secretary during regular business hours.

SECTION II. That the City Manager of the City of Harlingen, Texas, is hereby authorized to increase the budget by the amount of purchase orders outstanding as of September 30, 2025.

SECTION III. That the City Manager of the City of Harlingen, Texas, is hereby authorized to increase the budget by the amount of funds recovered for repair or replacement of property or equipment damaged by others.

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

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, TITLE 5, SUBTITLE A., CHAPTER 551.

CITY OF HARLINGEN

____

Norma Sepulveda, Mayor

ATTEST:

____

Mayra Herrera, City Secretary

10d

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **July 1, 2026**

Agenda Item:

Consideration and possible action to approve the One-Year Action Plan (Budget) for Fiscal Year 2026-2027 (Year 52) of the Community Development Block Grant (CDBG) and the Home Investment Partnership (HOME) Programs as recommended by the Community Development Advisory Board. Attachment ***(CDBG)***

Prepared By: Sandee Alvarez, Director Sandee A

Brief Summary:

Prior to establishing their funding recommendations, the Community Development Advisory Board and staff reviewed and evaluated applications (prior performance, priority need, submission requirements, project eligibility) held public hearings, application workshops, and provided each applicant with the opportunity to present their applications/projects to the Community Development Advisory Board.

All requests for funding are deemed to be high priorities as established in the 5-Year Consolidated Plan & Strategy.

The draft CDBG and HOME budget will be published in the Valley Morning Star on July 4th, 2026. The required 30-day comment period will begin on July 5th, 2026 and will run through August 5th, 2026. All comments received must be considered. The Action Plan is due to HUD on August 13th, 2026.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount (Yes/No): YES
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

City Manager approval: GG

Comments:

City Attorney's approval:

C.D.B.G. AND HOME FUNDS
2026–2027 ONE YEAR ACTION PLAN
BOARD RECOMMENDATIONS

C.D.B.G. Allocation	$ 930,320.00
HOME Allocation	$ 306,512.09
Combined Total Allocations	**$1,236,832.09**
PROPOSED PROJECTS	
05D – Public Services (Youth) Boys and Girls Club	$ 30,000.00
03T – Public Services (Homeless) Loaves and Fishes of the RGV	$ 24,161.00
05M - Public Services (Health) Sunshine Haven	$ 20,000.00
03Q – Public Services (Children) Sunny Glen children's Home	$ 25,155.00
05A – Public Services (Seniors) Love Thy Neighbor	$ 5,232.00
03B – Public Services (Disabilities) M.I. Academy	$ 15,000.00
05A – Public Services (Srs/Dis) Aging & Disability (LRGVDC)	$ 10,000.00
05A – Public Services (Seniors) Area Agency on Aging (LRGVDC)	$ 10,000.00
03K – Street Improvements – Solar Lights	$ 157,789.00
03K – Street Improvements – Retrofit of Streetlights	$ 35,000.00
03F – Parks, Recreation Facilities – Rangerville Park Improvements	$ 55,000.00
03I – Flood Drainage Improvements – 21st St Drainage Outfall Improv Ph 1A	$ 304,919.00
14H - Housing Rehabilitation Administration	$ 52,000.00
21A - General Administration	$ 186,064.00
Total CDBG Funding	**$ 930,320.00**
12 & 13B - HOME-Affordable Housing Programs -CITY	$ 229,884.08
21H - HOME-Administrative Support	$ 30,651.20
12 – HOME – CHDO Set-Aside	$ 45,976.81
Total HOME Funding	**$ 306,512.09**
14A – Housing Rehabilitation (anticipated RL Program Income)	$ 16,718.97
Total Anticipated Program Income	**$ 16,718.97**
Total Funding	**$1,253,551.06**

2026–2027 C.D.B.G. AND HOME FUNDS
APPLICATIONS RECEIVED AND AMOUNTS RECOMMENDED BY CDAB

APPLICATION	***Amount Requested***	***Amount Recommended***
Boys and Girls Club	$ 35,000.00	$ 30,000.00
Loaves and Fishes of the RGV	$ 24,161.00	$ 24,161.00
CASA	$ 30,000.00	$ 0.00
CACCWC- Maggie's House	$ 20,000.00	$ 0.00
Family Crisis Center	$ 20,000.00	$ 0.00
Valley Haven Inc.	$ 124,840.00	$ 0.00
Sunshine Haven Inc.	$ 20,000.00	$ 20,000.00
HOPE for Small Farm Sustainability	$ 17,224.00	$ 0.00
Sunny Glen Children's Home	$ 51,543.00	$ 25,155.00
Transformations Program USA Inc.	$ 30,000.00	$ 0.00
Love Thy Neighbor Inc.	$ 15,000.00	$ 5,232.00
Amigos Del Valle, Inc.	$ 25,000.00	$ 0.00
MI Academy INC	$ 15,000.00	$ 15,000.00
Aging & Disability Resource Ctr (LRGVDC)	$ 40,000.00	$ 10,000.00
Area Agency on Aging (LRGVDC)	$ 40,000.00	$ 10,000.00
CITY- Public Works- Solar Light	$ 157,789.00	$ 157,789.00
CITY- Public Works- Retrofit of Streetlights	$ 35,000.00	$ 35,000.00
CITY- Public Works- Guardrail Replacement (Garrett Rd & Paloma Rd)	$ 15,000.00	$ 0.00
CITY- Parks- Arroyo Park Improvements	$ 225,000.00	$ 0.00
CITY- Parks-Hunter Park Improvements	$ 190,000.00	$ 0.00
CITY- Parks- Wilson Park Improvements	$ 170,000.00	$ 0.00
CITY- Parks- Rangerville Park Improvements	$ 80,000.00	$ 55,000.00
CITY- Engineering- 21st St Drainage Outfall Improvements- Ph 1A	$ 757,763.00	$ 304,919.00
HWWS- Fire Hydrant Improvements (Dist 4)	$ 300,000.00	$ 0.00
General Administration	$ 186,064.00	$ 186,064.00
Housing Rehab/Reconstrction Administration	$ 52,000.00	$ 52,000.00
Total CDBG Funding	**$ 2,676,834.00**	**$930,320.00**
HOME-Affordable Housing Programs -CITY	$ 229,884.08	$ 229,884.08
HOME-Administrative Support	$ 30,651.20	$ 30,651.20
HOME – CHDO Set-Aside	$ 45,976.81	$ 45,976.81

Total HOME Funding	**$ 306,512.09**	**$ 306,512.09**
14A - Housing Rehabilitation (anticipated RL program income)	$ 16,718.97	$ 16,718.97
Total Anticipated Program Income	**$ 16,718.97**	**$ 16,718.97**
Total Funding Requested/Available	**$2,999,615.06**	**$1,253,551.06**

10e

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **July 1st , 2026**

Agenda Item:
Consideration and possible action to approve a budget of $14,000 for the Dixieland Park Parking Lot Improvements Project.

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

Brief Summary:
The existing parking lot at Dixieland Park along Dixieland road has deteriorated over time and is currently experiencing pavement failures, including potholes, surface deterioration, and areas of standing water that negatively impact accessibility and user safety. City staff is proposing to reconstruct the parking lot to address these deficiencies and complement the ongoing Dixieland Park Basketball Court Improvements Project. Completing the parking lot improvements concurrently with the basketball court project will enhance the overall functionality of the park, improve visitor access, and provide a safer environment for residents utilizing the facility. The proposed work will be performed in-house by City staff, resulting in a cost-effective solution while maximizing the use of existing resources. Staff is requesting approval of a $14,000 budget to fund materials and associated construction costs necessary to complete the parking lot improvements. Approval of this item will authorize the allocation of funds for the Dixieland Park Parking Lot Improvements Project and allow City staff to proceed with construction.

Funding (if applicable):

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

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

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

Staff Recommendation:
Staff recommends approval.

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

Comments:

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

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **July 1, 2026**

Agenda Item:

Consideration and possible action to authorize the Harlingen Economic Development Corporation (HEDC) to provide $35,000 in funding to the City of Harlingen for expenses related to the 2026 All-America City Award Conference.

Prepared By (Print Name): Orlando Campos
Title: Chief Executive Officer
Signature: Orlando Campos

Brief Summary:

The National Civic League selected the City of Harlingen as a finalist for the 77th Annual All-America City Award. The City requested $35,000 in funding from the HEDC to cover travel and related expenses for delegates selected to participate in the annual conference held in Denver, Colorado. Two HEDC staff members and five local business representatives attended the event and participated in the formal presentation, highlighting how local economic development efforts support small businesses in the community. This item was discussed and considered at the June 30, 2026, HEDC Board Meeting.

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: Internal Marketing Budget

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

Staff Recommendation:

Staff recommends approval.

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

Comments:

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

10g

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **July 01, 2026**

Agenda Item:

Consideration and possible action to approve the City's revised event venue rental agreement with the updated guidelines.

Prepared By (Print Name): Dr. Josh Ramirez
Title: Assistant City Manager
Signature: Dr. Josh Ramirez

Brief Summary:

The Event Venue Rental Agreement has been updated to comply with the City's guidelines. This agreement covers the rental of the following City venues: Harlingen Municipal Auditorium, Casa de Amistad, Casa del Sol, Harlingen Community Center, and the Harlingen Cultural Arts Center (including Studio A, Studio B, and Liberty Hall).

This revised rental agreement consolidates the rental process for all city venues into a single application. It outlines the requirement for police officers to be present when alcohol is served, allows the lessee to hire their own sound and lighting specialists, and clarifies the permitted uses of the facilities.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount for this purpose? ☐ Yes ☐ No*
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

Staff recommends approval of the resolution.

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

Comments:

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

CITY OF HARLINGEN
EVENT VENUE RENTAL AGREEMENT

1. Parties, Venues, and Integration

This Event Venue Rental Agreement (the "Agreement") is entered into between the City of Harlingen, Texas (the "City"), a Texas home-rule municipality, and the undersigned lessee (the "Lessee"). This Agreement governs the rental of the following City venues: Harlingen Municipal Auditorium, Casa de Amistad, Casa del Sol, Harlingen Community Center, and the Harlingen Cultural Arts Center (Studio A, Studio B, and Liberty Hall).

This Agreement, together with any venue-specific guidelines expressly incorporated by written reference and signed by the Lessee, constitutes the entire agreement between the parties and supersedes all prior or contemporaneous oral or written understandings. In the event of any conflict between this Agreement and any incorporated guidelines, the terms more protective of the City control. No amendment is effective unless in writing and signed by an authorized City representative.

2. Reservation, Fees, and Payment

1. **Permit and Booking.** No reservation is confirmed until this Agreement is completed, signed, and accepted in writing by the City. Telephone reservations are not accepted.
2. **Rental Rates.** Rental rates are established by the City Commission. Contracts executed more than six (6) months before the event date are subject to rate changes; the final rental price is calculated at the rates in effect at the time the venue is used.
3. **Balance Due.** The full rental balance is due thirty (30) days before the event. Failure to timely pay entitles the City to cancel the reservation and retain all deposits paid.
4. **Series Reservations.** A separate deposit is required for each reservation in a series. The cancellation and refund terms below apply to each reservation separately. If a series reservation includes multiple dates and any date is missed, the deposit may be forfeited as to the missed date.

3. Breakage Deposit and Damage Liability

A breakage deposit is required for each venue in the following amounts: Harlingen, Municipal Auditorium, \$500 Casa de Amistad, \$500; Casa del Sol, \$200; Harlingen Community Center, \$200; and Harlingen Cultural Arts Center (Studio A, Studio B, and Liberty Hall), \$150.

The breakage deposit secures, but does not limit, the Lessee's liability. The Lessee is responsible for the full cost of repair or replacement of any damage to the building, furnishings, or fixtures caused by the Lessee or the Lessee's guests, invitees, employees, or contractors. If the cost of repair or replacement exceeds the deposit, the Lessee shall pay the balance upon demand. The City will return the deposit, less any amounts retained for repair or replacement, within thirty (30) business days after inspection of the premises by the Public Buildings Department, mailed to the address provided by the Lessee.

The Lessee is encouraged to request a pre-event walk-through and to file a written condition report before the contracted date.

4. Cancellations and Transfers

5. **Cancellation by Lessee.** Cancellations made thirty (30) or more days before the reservation date are eligible for refund of rental amounts paid, less any non-refundable deposit. The City retains all deposits for cancellations made fewer than thirty (30) days before the event.

6. **Date Transfers.** One date transfer is permitted per event. A transfer requested ninety (90) or more days before the event is subject to a $100 transfer fee. A transfer requested fewer than ninety (90) days before the event requires a new contract, and the deposit is forfeited.
7. Cancellation by the City — Discretionary. The City Commission reserves the right to cancel any reservation up to sixty (60) days before the booked date. In such event, the City's sole liability is refund of amounts paid.
8. Cancellation by the City — Building Condition or Emergency. The City may cancel a reservation at any time, including fewer than thirty (30) days before the event, if the venue is rendered unusable by weather, structural, electrical, plumbing, or other condition affecting safety, or if the Mayor or City Commission declares a state of emergency. The City's sole liability is refund of amounts paid, and the City is not liable for consequential, incidental, or other damages.

5. Insurance

As a condition precedent to occupancy, the Lessee shall procure and maintain commercial general liability insurance with limits of not less than $1,000,000 per occurrence (Commercial events only) , naming the City of Harlingen, its officials, employees, and agents as additional insureds by endorsement. The Lessee shall deliver a Certificate of Liability Insurance, together with the additional-insured endorsement, to the City no later than thirty (30) days before the event. The City may require higher limits or additional coverage (including liquor liability for events at which alcohol is served) commensurate with the nature and size of the event. The insurance required by this Section is primary and non-contributory as to any coverage maintained by the City.

6. Governmental Immunity Preserved

Nothing in this Agreement waives, and the City expressly reserves, all governmental and sovereign immunity to which it is entitled at law, including all immunities, defenses, limitations, and damage caps available under the Texas Tort Claims Act, Tex. Civ. Prac. & Rem. Code ch. 101, and under Chapter 271 of the Local Government Code. No provision of this Agreement shall be construed as a waiver of immunity from suit or from liability, and no City employee or representative has authority to waive such immunity. The indemnity and release provisions below are in addition to, and do not diminish, the City's immunities and defenses.

7. Indemnification and Release

EXPRESS NEGLIGENCE NOTICE. THE FOLLOWING PROVISIONS REQUIRE THE LESSEE TO INDEMNIFY, DEFEND, AND HOLD HARMLESS THE CITY FOR CLAIMS ARISING FROM THE NEGLIGENCE OF THE CITY, AND THEY ARE CONSPICUOUSLY SET OUT TO PROVIDE FAIR NOTICE TO THE LESSEE.

To the fullest extent permitted by law, the Lessee shall indemnify, defend, and hold harmless the City of Harlingen and its officials, employees, and agents (the "City Parties") from and against any and all claims, suits, liabilities, damages, losses, and expenses, including reasonable attorney's fees, arising out of or related to the Lessee's use of the venue or the conduct of the event, including claims for personal injury, death, or property damage, AND INCLUDING CLAIMS CAUSED BY OR ATTRIBUTABLE TO THE NEGLIGENCE OF ONE OR MORE OF THE CITY PARTIES, except to the extent a claim is caused by the gross negligence or willful misconduct of a City Party.

The Lessee assumes all risks associated with use of the venue and, to the fullest extent permitted by law, releases the City Parties from liability for injury or damage arising from that use, subject to the same gross-negligence and willful-misconduct exception. This release does not purport to waive any right that may not lawfully be waived in advance.

8. Security and Police

9. For any event at which alcohol is served, the Lessee shall hire off-duty Harlingen Police Department officers to provide security. Officers are assigned for the specified event hours (a four-hour minimum); additional hours incur additional charges. Only Harlingen Police Department officers may provide security coverage at events where alcohol is served; private or outside security personnel are not permitted for that purpose.

10. All laws regarding alcoholic beverages shall be observed. The Lessee is responsible for notifying guests of applicable curfew times: 12:00 midnight Sunday through Thursday, and 1:00 a.m. for Friday and Saturday night functions.

9. Conduct, Safety, and Event Termination

11. **Occupancy.** The event must remain within the venue's maximum occupancy: Harlingen Municipal Auditorium, 1,515; Casa de Amistad, 816; Casa del Sol, 640; Harlingen Community Center, 640; Cultural Arts Center — Studio A, 35; Studio B, 26; Liberty Hall, 113. Exceeding maximum occupancy is a material breach and may result in termination of the event.

12. **Code Compliance.** The Lessee is responsible for compliance with the applicable building and fire-prevention codes governing occupancy. Code violations may constitute a misdemeanor punishable, upon conviction in the Harlingen Municipal Court, by a fine of not less than $10 and not more than $200.

13. **Public-Safety Termination.** If the Harlingen Police Department determines that the event presents an imminent risk to public safety, the event may be terminated and closed. Where practicable, the City will first direct the Lessee to cure the condition.

14. **Weapons.** The possession or carrying of weapons at the venue is restricted to the extent permitted by Texas law. Nothing in this Agreement prohibits the lawful carry of a firearm by a person licensed or otherwise entitled to carry under Texas law, except where state law authorizes the City to prohibit such carry (including locations described in Tex. Penal Code § 46.03 and premises properly posted under Tex. Penal Code §§ 30.06 and 30.07). The City does not prohibit licensed carry except as state law allows. [VERIFY current statutory text and posting requirements before adoption; see Tex. Gov't Code § 411.209.]

10. Facility Use

15. City staff operate the air conditioning, lighting, and sound systems. The Lessee shall not operate these systems. If the Lessee uses any City-owned audio, lighting, curtain, or stage equipment, such use must be arranged in advance and operated only by the Lessee's designated qualified specialist. The City assumes no responsibility for the performance, compatibility, or operation of equipment provided by the Lessee.

16. All equipment brought by the Lessee, its guests, or employees must be removed during the scheduled move-out time. The Lessee shall leave the venue as clean as found.

17. Decorations may not be fastened to ceilings, walls, or doorframes by nails, tape, thumbtacks, or similar means. Balloons must be anchored to floor-resting objects.

18. **Auditorium Ushers.** Lessee must provide a minimum of (8) ushers, including support for guests with disabilities.

19. **Accessibility.** The Lessee is responsible for ensuring the event's compliance with applicable accessibility requirements, including accessible seating and services.

20. **Minors.** Any youth group must have adult supervision; the supervising adults are subject to all terms of this Agreement, including financial responsibility for damage. This includes minors accompanying adults at an adult function.
21. **Prohibited Items and Activities.** Prohibit smoke, fog, and haze machines; fireworks; sparklers and cold spark devices; open flames and candles; fire pits; and sky lanterns. Any exception should require prior written approval from both the City and Fire Marshal.
22. **Decorator, Vendor, and Contractor Liability.** The Lessee shall be responsible for the actions and damages caused by vendors, decorators, caterers, entertainers, contractors, subcontractors, guests, invitees, and agents associated with the event. The City shall not be responsible for damages caused by third-party vendors retained by the Lessee.
23. **Alcohol Service Requirements.** Require compliance with all applicable TABC regulations, prohibit alcohol sales without proper permits, require alcohol service to cease prior to the conclusion of the event, and limit alcohol consumption to approved event areas.
24. **Fee Waiver Authorization Process.** Any waiver, reduction, modification, or exemption of rental fees, deposits, staffing charges, police security fees, custodial fees, facility usage fees, or other charges shall require written approval from the City Manager or authorized designee. A Fee Waiver Authorization Form should document the recipient, event, fees waived, amount, justification, approval signature, and date. Records shall be retained for audit purposes.
25. **Police Security Requirements – Casa de Amistad.** All Casa de Amistad events should be reviewed by the Harlingen Police Department to determine security staffing requirements. Events involving alcohol, dances, quinceañeras, weddings, concerts, commercial activities, or large attendance levels should require a minimum of three (3) off-duty Harlingen Police Department officers, with authority to require additional staffing as necessary.
26. **Post-Event Inspection Documentation.** Public Buildings staff shall conduct a post-event inspection of the facility. Any damages, missing property, excessive cleaning requirements, code violations, or facility concerns identified during the inspection shall be documented and may result in deductions from the security deposit and/or additional charges to the Lessee.

11. General Provisions

27. **Public Record.** This Agreement is a public document subject to disclosure under the Texas Public Information Act.
28. **Severability.** If any provision is held unenforceable, the remaining provisions remain in effect, and the unenforceable provision shall be reformed to the minimum extent necessary to render it enforceable.
29. **Governing Law and Venue.** This Agreement is governed by Texas law, and venue lies in Cameron County, Texas.
30. **Authority.** The individual signing for the Lessee represents that he or she is authorized to bind the Lessee.

Acknowledgment and Signature

By signing below, the Lessee acknowledges having read and understood this Agreement and agrees to all of its terms and conditions, including the conspicuous indemnification, release, and insurance provisions.

Permit #: ____________________

X______________________________________ Lessee / Organization

X______________________________________ Authorized Signature

X______________________________________ Printed Name and Title

X______________________________ Date Accepted for the City of Harlingen:

X______________________________ Authorized City Representative

X______________________________ Date

CITY OF HARLINGEN
FEE WAIVER AUTHORIZATION FORM
PUBLIC FACILITY RENTAL EVENTS

Purpose

This form shall be completed and approved prior to any waiver, reduction, modification, or exemption of rental fees, deposits, staffing charges, police security fees, custodial fees, facility usage fees, or any other charges associated with the use of City-owned facilities.

No fee waiver shall be granted without written approval from the City Manager or authorized designee.

EVENT INFORMATION

Event Name: ______________________________

Organization/Individual Requesting Waiver:

Contact Person: ______________________________

Phone Number: ______________________________

Email Address: ______________________________

Facility Requested:
☐ Casa de Amistad
☐ Casa del Sol
☐ Harlingen Community Center
☐ Harlingen Municipal Auditorium
☐ Harlingen Cultural Arts Center
☐ Studio A
☐ Studio B
☐ Liberty Hall
☐ Other: ______________________________

Event Date(s): ______________________________

Event Start Time: ______________ End Time: ______________

Estimated Attendance: ______________________________

Event Type:
☐ Non-Profit
☐ Governmental
☐ Educational
☐ Community Event
☐ Fundraiser
☐ Private Event

☐ Commercial Event
☐ Other: ______________________________________

FEE WAIVER REQUEST

Please identify all fees requested to be waived, reduced, or modified:

Fee Description	**Standard Fee**	**Amount Waived**
Facility Rental Fee	$________	$________
Deposit Fee	$	$
Custodial Fee	$________	$________
Police Security Fee	$	$
Staffing Fee	$________	$________
Equipment Fee	$	$
Other	$________	$________

Total Fees Waived: $____________________

JUSTIFICATION FOR WAIVER

Provide detailed justification for the requested fee waiver:

CITY MANAGER AUTHORIZATION

After review of this request and supporting documentation:

☐ Approved

☐ Approved with Modifications

☐ Denied

Approved Waiver Amount: $____________________

Authorized By:

City Manager / Authorized Designee

Date: ___________________

RECORD RETENTION AND AUDIT COMPLIANCE

This Fee Waiver Authorization Form shall be maintained with the corresponding facility rental agreement and retained in accordance with the City of Harlingen Records Retention Schedule.

All approved fee waivers shall be subject to review by Internal Audit, External Audit, Finance Department personnel, and applicable Public Information Requests in accordance with state and local laws.

No City employee, department, board member, elected official, or facility representative shall waive fees without written authorization from the City Manager or authorized designee.

Revision Date: ___________________

10h

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **July 01, 2026**

Agenda Item:
Consideration and possible action to approve the fabrication and installation of the new Gloria G. Canales Auditorium signage.

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

Brief Summary:
Staff are respectfully requesting authorization and allocation of funds for the fabrication and installation of the new signage for the rename of the auditorium. The proposed signage will enhance visibility, improve wayfinding for residents and visitors. Staff reached out to Mrs. Gloria G. Canales daughter and she has approved of the signage.

Funding (if applicable):

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

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

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

Staff Recommendation:
Staff recommends approval of the resolution.

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

Comments:

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

The Grafik Spot LLC
1265 N Expressway
Brownsville, TX 78520
+19566210381
billingdept@thegrafikspot.net
www.thegrafikspot.net

Quote

ADDRESS
Guillermo Rodriguez
City of Harlingen

QUOTE #	DATE
17502	05/20/2026

ACTIVITY	QTY	RATE	AMOUNT
signs NON_Illuminated Channel Letter Sign - Formed Plastic	1	2,999.00	2,999.00

A 3% convenience fee will be added to all credit card payments.
Artwork must be approved by the client ,before a job can be entered into production.
Please be sure to double-check design, spelling, grammar and layout before approving artwork. If a proof containing errors and is approved by the client, the client is responsible for payment of all original costs of printing,no refunds or claims accepted. The image sent for approval is only a representation of design and color scheme, colors may vary upon print.

SUBTOTAL	2,999.00
TAX	0.00
TOTAL	**$2,999.00**

Accepted By

Accepted Date

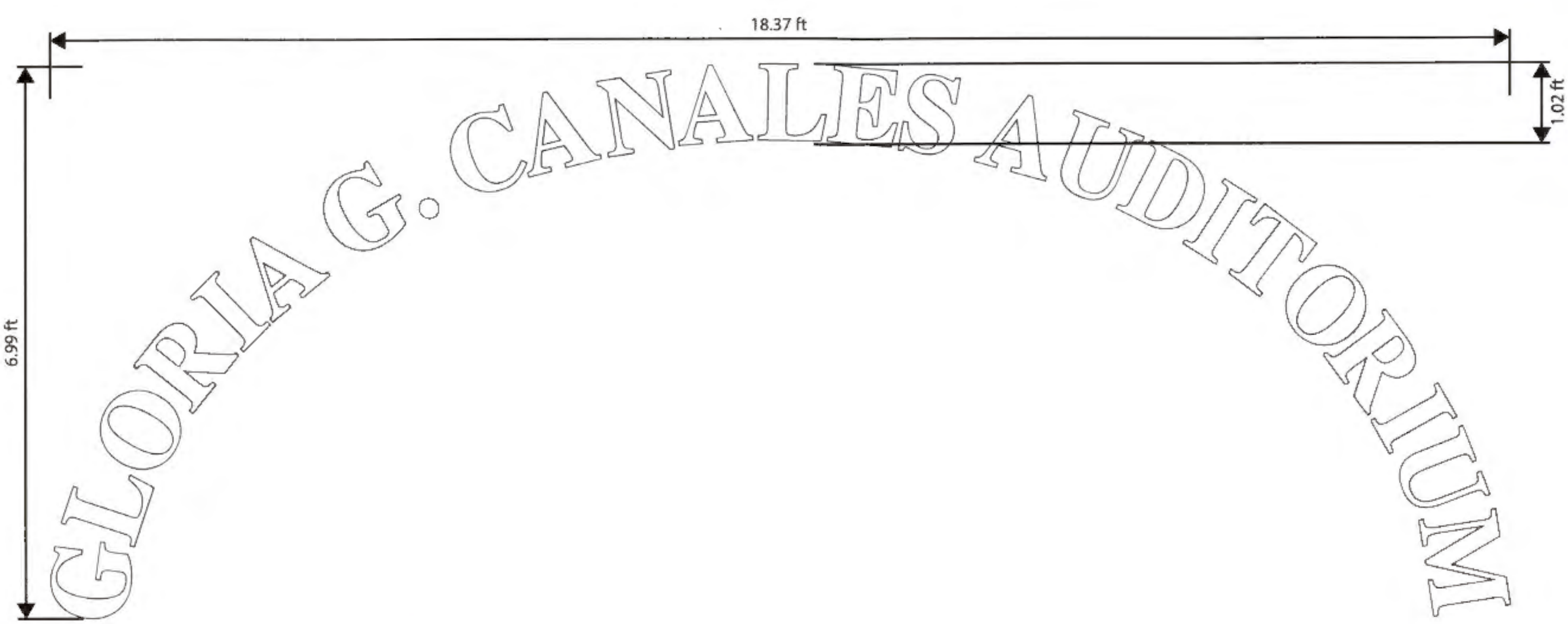
ALL PAYMENTS AND DEPOSITS ARE NON-REFUNDABLE. ONLY INSTORE CREDIT.
A 3% convenience fee will be added to all credit card payments.

Notice: Under Article 27 of the Joint Ethics Committee Code for Fair Practice: All art designed by The Grafik Spot, LLC is owned and copyrighted to The Grafik Spot LLC and cannot be reproduced in whole or in part without our expressed written consent or compensation thereof.

render

Contractor - Jose Altamirano
The Grafik Spot, LLC - Texas Electrical Sign Contractor (Insured & Bonded)
TDLR - License #48725 | **TSCL** - License #18964

thegrafik Spot LEDSIGNS



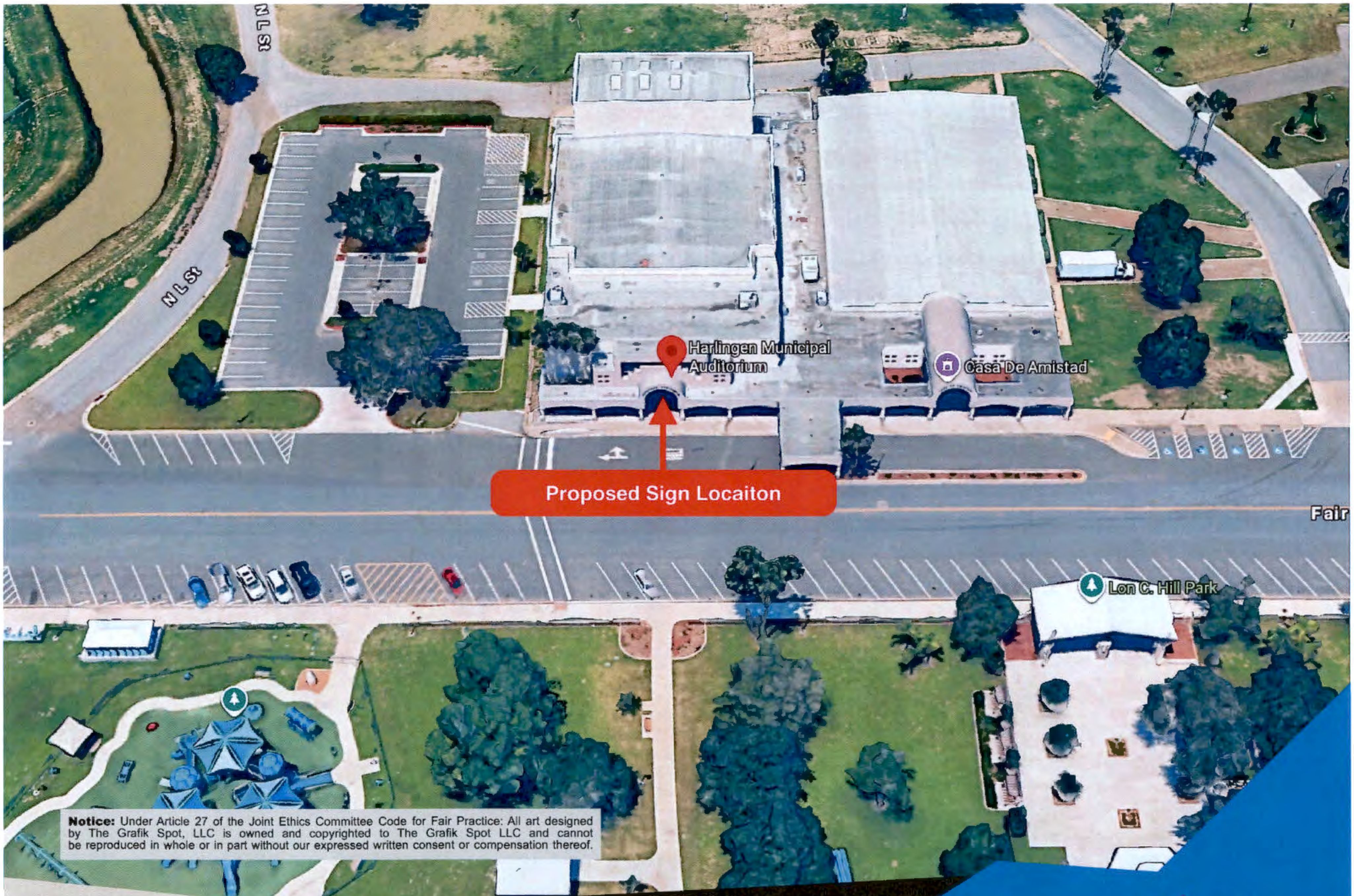
NON-Illuminated Channel Letter Sign

Formed Plastic Letters
1 1/2" Thick
Flush Stud Mounted
Color Finish TBD

Site Address: 1204 Fair Park Blvd, Harlingen, TX 78550

Notice: Under Article 27 of the Joint Ethics Committee Code for Fair Practice: All art designed by The Grafik Spot, LLC is owned and copyrighted to The Grafik Spot LLC and cannot be reproduced in whole or in part without our expressed written consent or compensation thereof.

diagram



Notice: Under Article 27 of the Joint Ethics Committee Code for Fair Practice: All art designed by The Grafik Spot, LLC is owned and copyrighted to The Grafik Spot LLC and cannot be reproduced in whole or in part without our expressed written consent or compensation thereof.

aerial

Contractor - Jose Altamirano
The Grafik Spot, LLC - Texas Electrical Sign Contractor (Insured & Bonded)
TDLR - License #48725 | **TSCL** - License #18964

thegrafik Spot LEDSIGNS

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **July 01, 2026**

Agenda Item:

Consideration and possible action to approve a Resolution adopting a City Commission Decorum Policy establishing standards of conduct for public participation and procedures for maintaining order during City Commission meetings.

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

Brief Summary:

The proposed policy provides guidelines regarding conduct at the podium, placement of objects or materials, interference with speakers, use of equipment, and other disruptive behavior that may impede the orderly conduct of City business. The policy further establishes procedures for notice, warning, and removal of individuals whose conduct constitutes an actual disruption of a meeting an is intended to provide the City Commission with clear, enforceable authority to address disruptions during public meetings while ensuring compliance with First Amendment requirements applicable to limited public forums.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount for this purpose? ☐ Yes ☐ No*
*If no, specify source of funding and amount requested:

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

Staff Recommendation:

Staff recommends approval of the resolution.

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

Comments:

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

City Commission Decorum Policies

Section 1. Purpose and Authority

The City Commission adopts this policy to preserve order, safety, and the efficient conduct of public business at its meetings, and to protect the right of every member of the public to participate without intimidation. Meetings of the Commission are not traditional public forums; the public-comment portion is a *limited public forum* in which the Commission may impose reasonable, viewpoint-neutral restrictions on the time, place, and manner of expression, provided those restrictions are reasonable in light of the forum's purpose and do not discriminate against any viewpoint.[1]

This policy is adopted under the authority of the City Charter, the general police power of home-rule municipalities, *Tex. Loc. Gov't Code* § 51.072, and the Commission's inherent authority to govern the conduct of its own proceedings. It is to be construed and applied consistently with the Texas Open Meetings Act, *Tex. Gov't Code* ch. 551, and the First and Fourteenth Amendments to the United States Constitution and Article I, Section 8 of the Texas Constitution.

Section 2. Definitions

"Actual disruption" means conduct that materially and substantially impedes the orderly progress of the meeting or the Commission's ability to conduct its business. It does not include speech or conduct that is merely offensive, critical of the Commission or its members, unpopular, or that another person finds disagreeable.[2]

"Presiding Officer" means the Mayor or, in the Mayor's absence, the Mayor Pro Tem or other member designated to preside.

"Object" means any item, device, equipment, sign, or other physical thing brought into the meeting room, including cameras, tripods, recording equipment, and props.

Section 3. General Rules of Conduct

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[1] Heaney v. Roberts, 846 F.3d 795, 801 (5th Cir. 2017) (city-council meeting is a limited public forum in which restrictions must be reasonable and viewpoint-neutral); accord Fairchild v. Liberty Indep. Sch. Dist., 597 F.3d 747, 758-59 (5th Cir. 2010); Perry Educ. Ass'n v. Perry Local Educators' Ass'n, 460 U.S. 37, 46 (1983) (defining the limited public forum).

[2] This definition is deliberately drawn to track the controlling constitutional standard. A speaker may be removed only for actual not constructive or anticipated—disruption. See Norse v. City of Santa Cruz, 629 F.3d 966, 976 (9th Cir. 2010) (en banc) ("Actual disruption means actual disruption."); cf. Heaney, 846 F.3d at 801-02 (removal permissible where speaker actually disrupts but not on the basis of viewpoint).

All persons attending a meeting shall conduct themselves in a manner that does not actually disrupt the meeting. The following rules apply equally to all attendees and speakers, without regard to the content or viewpoint of any expression:

(a) A person recognized to speak shall address the public-comment topic and shall observe the time limits established by the Commission's rules of procedure, applied uniformly to all speakers.

(b) A person shall speak only when recognized by the Presiding Officer and shall not interrupt a speaker who holds the floor, a member of the Commission, or staff.

(c) A person shall not engage in conduct that actually disrupts the meeting, including yelling or sustained outbursts that prevent the meeting from proceeding, physically threatening or intimidating any person, or refusing to relinquish the podium after the speaker's time has expired and a request to yield has been made.

(d) A person shall not threaten, intimidate, or attempt to coerce any other speaker, attendee, member of the Commission, or member of staff.

(e) A speaker shall not use the public-comment period to exhort, provoke, or solicit a response from the audience in a manner that actually disrupts the meeting or intimidates other speakers. This rule reaches disruptive or intimidating conduct, not the expression of any viewpoint or the mere fact that a speaker's remarks are of interest to the audience.

Section 4. Use of the Podium; Objects and Equipment

To ensure the safety of speakers and the orderly use of the public-comment podium, and to prevent the podium from being used to intimidate or obstruct other speakers, the following content-neutral rules apply:

(a) The podium is reserved for the speaker recognized to address the Commission. A speaker shall use the microphone so that remarks are audible to the Commission and captured in the official record of the meeting.

(b) A speaker shall not place or leave any object on, against, or adjacent to the podium that obstructs the podium, blocks the view or access of other speakers or attendees, or remains after the speaker's time has concluded. Each speaker shall remove all objects he or she brought to the podium upon yielding the floor.

(c) Recording the meeting is permitted. Cameras, tripods, and other recording equipment shall be operated from a designated area that does not obstruct the podium, the aisles, the exits, or the line of sight of other attendees, and shall not be placed on or left at the podium. The Commission permits recording of its open meetings; this rule governs only the manner and location of equipment, not the act of recording.

(d) No object shall be brought into the meeting room that, by reason of its size, nature, or placement, creates a hazard to safety or obstructs ingress, egress, or the orderly conduct of the meeting.

These provisions regulate the manner and placement of physical objects, not the content of any message. They apply to all objects and all speakers identically.[3]

Section 5. Purpose of Public Comment; Manner of Address

The public-comment period is provided for the purpose of addressing the City Commission on matters within its authority. Consistent with that purpose, a speaker recognized during public comment shall direct comment to the Commission and shall speak into the microphone so that the comment is audible to the Commission and accurately captured in the official record of the meeting.[4]

This section governs the subject and the audibility of comment, not the content of any message or the speaker's posture, gesture, or expression. A speaker's bodily orientation, demeanor, or refusal to express agreement, standing alone, is not a violation and is not a ground for removal. A speaker may be directed to use the microphone and to confine comment to matters within the Commission's authority; removal remains governed by Section 6 and requires actual disruption as defined in Section 2.[5]

Section 6. Enforcement; Graduated Response

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[3] Manner restrictions on physical objects and signage at public meetings are routinely upheld where viewpoint-neutral and justified by the interest in orderly, unobstructed proceedings. See, e.g., Norse, 629 F.3d at 975-76; see also the Commission's interest in keeping aisles and exits clear under applicable fire and safety codes.

[4] The Commission may define and confine its public-comment forum to its purpose—comment directed to the body on matters within its cognizance—so long as the limitation is reasonable and viewpoint-neutral. Rosenberger v. Rector & Visitors of Univ. of Va., 515 U.S. 819, 829 (1995); Good News Club v. Milford Cent. Sch., 533 U.S. 98, 106-07 (2001). A Texas governmental body has adopted comparable language. See Tarrant County Commissioners Court Rules of Decorum (public comments "may not be addressed to staff or other members of the public"). The requirement that comment be audible and recorded serves the Commission's independent statutory interest in an accurate record. See Tex. Gov't Code §§ 551.021–.022.

[5] This provision is drafted narrowly and deliberately, and the Commission should rely on it with awareness of its limits. A rule compelling a speaker to face the dais, or punishing a speaker for turning away from it, would likely be unconstitutional both as compelled expression and as a viewpoint-based reaction to a protest gesture. W. Va. State Bd. of Educ. v. Barnette, 319 U.S. 624, 642 (1943); Texas v. Johnson, 491 U.S. 397, 406 (1989). More to the point: the controlling authority indicates that even a speaker who abandons the body and addresses the audience may be removed only upon actual disruption, not for the orientation of the address itself. In Acosta v. City of Costa Mesa, 718 F.3d 800, 811 (9th Cir. 2013)—the case nearest to this scenario—a speaker who urged the audience rather than the council was lawfully removed only because a jury found his conduct actually disrupted the meeting, while the ordinance's language reaching beyond actual disturbance was struck as facially overbroad. Accord Norse v. City of Santa Cruz, 629 F.3d 966, 976 (9th Cir. 2010) (en banc); see also Ison v. Madison Local Sch. Dist. Bd. of Educ., 3 F.4th 887 (6th Cir. 2021). No Fifth Circuit or Texas appellate decision has been located holding that on-topic, audience-directed comment may be cut off absent actual disruption or failure of the record; the point is unsettled in this Circuit, and the audibility/record rationale—not orientation—is the defensible basis for any direction to the speaker.

Enforcement of this policy shall follow a graduated sequence. Removal is a measure of last resort, available only upon actual disruption that the lesser measures have failed to abate:

1. Verbal notice. The Presiding Officer shall identify the specific conduct that violates this policy and direct that it cease.
2. Warning. If the conduct continues, the Presiding Officer shall warn the person that continuation will result in removal from the meeting.
3. Removal. If the person persists in conduct that actually disrupts the meeting after notice and warning, the Presiding Officer may direct that the person be removed from the meeting room for the remainder of the meeting.

The graduated sequence may be abbreviated only where conduct poses an immediate threat to the physical safety of persons present, in which case the Presiding Officer may direct immediate removal. A person shall not be removed, and the public-comment period shall not be terminated, on the basis of the viewpoint expressed, criticism of the Commission or its members, or speech that is merely offensive or unpopular.[6]

Section 7. Removal Procedure and Law Enforcement

Upon a direction of removal under Section 6, a peace officer or other designated officer of the meeting may escort the person from the meeting room using only such force as is reasonable and necessary. A person who, with intent to prevent or disrupt a lawful meeting, substantially obstructs or interferes with the meeting by physical action or verbal utterance may be subject to arrest and prosecution under *Tex. Penal Code* § 42.05. Removal under this policy is limited to the meeting at which the disruption occurs; this policy does not authorize a prospective ban barring any person from attending future meetings.[7]

Section 8. Recording of Meetings Preserved

Nothing in this policy limits the right of any person to record an open meeting by audio or video means under *Tex. Gov't Code* § 551.023. The Commission may adopt reasonable rules regarding the location and operation of recording equipment to avoid actual disruption, as provided in Section 4.

Section 9. Even-Handed Application; No Viewpoint Discrimination

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[6] Heaney, 846 F.3d at 801 (removal that is in fact a response to the speaker's viewpoint violates the First Amendment, even in a limited public forum); see also Tex. Penal Code § 42.05 (disrupting a lawful meeting is a Class B misdemeanor only where a person, with intent to prevent or disrupt the meeting, does so by physical action or verbal utterance and substantially impairs the conduct of the meeting).

[7] A standing or prospective ban on attendance at future meetings raises serious prior-restraint and procedural-due-process concerns and is intentionally omitted. Any future exclusion of an individual must be addressed separately, on an individualized record, and with the advice of the City Attorney.

This policy shall be applied uniformly to all persons and to all expression without regard to viewpoint. The Presiding Officer and staff shall enforce its provisions evenly. A speaker may criticize the City, the Commission, its members, or staff; such criticism, however vigorous or unwelcome, is not a ground for removal absent actual disruption as defined in Section 2.

Section 10. Severability

If any provision of this policy or its application to any person or circumstance is held invalid, the invalidity shall not affect the remaining provisions or applications that can be given effect without the invalid provision, and to that end the provisions of this policy are severable.

Section 11. Effective Date

This policy takes effect immediately upon adoption by the City Commission and shall be posted and made available to the public.

10j

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **July 01, 2026**

Agenda Item:

Consideration and possible action to approve a resolution nominating a candidate for the Cameron Appraisal District Board of Directors to fill a vacancy.

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

Brief Summary:

The Cameron Appraisal District is asking the City of Harlingen to nominate a candidate to fill the vacancy they currently have on the Board of Directors. The deadline for this nomination is Monday, August 10, 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 the resolution.

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

Comments:

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

RESOLUTION NO. _______

A RESOLUTION OF THE CITY COUNCIL FOR
THE CITY COMMISSION OF THE CITY OF HARLINGEN
EXPRESSING ITS NOMINATION FOR APPRAISAL DISTRICT
DIRECTORS FOR THE CAMERON APPRAISAL DISCTRICT
BOARD OF DIRECTORS:

WHEREAS, the City Commission for the City of Harlingen is authorized to make nominations for each position to be filled in the Cameron Appraisal District Board of Directors; and

WHEREAS, these directors shall serve a term beginning _________, 2026, and that all taxing entities associated with the Cameron Appraisal District are authorized to nominate one (1) individuals for said Board; and

WHEREAS, the City Commission for the City of Harlingen must submit the names of the nominees by written resolution to the Chief Appraiser before August 10, 2026.

NOW, THEREFORE, BE RESOLVED BY **THE CITY COUNCIL FOR THE CITY OF HARLINGEN, TEXAS,** the name(s) of:

(Name(s) of Nominee(s)

is/are hereby nominated by the City Commission for the City of Harlingen to the Cameron Appraisal District Board of Directors.

FURTHERMORE, the City Commission for the City of Harlingen directs the Chief Appraiser to submit nomination(s) for consideration by all taxing entities within the Cameron Appraisal District in the upcoming district appointments.

PASSED AND APPROVED this _____ day of ________________, 2026.

City of Harlingen

____

Norma Sepulveda, Mayor

ATTEST:

____

Mayra Herrera, City Secretary

CAMERON APPRAISAL DISTRICT

RECEIVED
City Manager's Office
JUN 24 2026
City of Harlingen

COPY

Ms. Norma Sepulveda, Mayor
City of Harlingen
P.O. Box 2207
Harlingen, TX 78551

RE: Vacancy on Cameron Appraisal District Board of Directors

Dear Ms. Sepulveda:

Please be advised that a vacancy exists on the Board of Directors of the Cameron Appraisal District. According to § 6.031(f) of the Texas Property Tax Code, you may nominate by resolution adopted by your governing body a candidate to fill this vacancy. The Code further requires submission of any resolution to the Chief Appraiser of the Cameron Appraisal District within 45 days after this notification. **The deadline date is by Monday, August 10, 2026.**

After the 45 days have run, the Chief Appraiser shall prepare and deliver to the Board of Directors within the next five days a list of the nominees. The board of directors shall elect by majority vote of its members one of the nominees to fill the vacancy.

According to the Property Tax Code, in order to be appointed director, the individual must be a resident of the appraisal district and must have resided in the appraisal district for the two preceding years and may not be employed by a taxing unit unless the individual is on the governing body or is an elected official of a taxing unit that participates in the appraisal district. The individual must be current in the payment of property taxes unless the taxes are being paid under a payment agreement with the tax assessor collector or collection is deferred under the over-65 deferral provisions relating to homestead.

The individual may not be related within the second degree of consanguinity or affinity to anyone who, for compensation, appraises property on behalf of a property owner, or anyone else who appraises property for compensation in any proceedings under the Property Tax Code such as appraisal review board hearings, arbitrations, or court proceedings. The individual may not have been engaged in the business of appraising property for the appraisal district or a property owner for compensation in proceedings under the Property Tax Code during the five years prior to taking office. The individual is not eligible to serve if the individual or spouse does business with the appraisal district or a taxing unit participating in the appraisal district or owns a substantial interest in a business conducting such business activities. The chief appraiser may not employ or continue to employ an employee who is related within the second degree of affinity or the third degree of consanguinity to an appraisal district director.

Please contact Mr. Richard Molina, Chief Appraiser, if you have any questions about this process.

Very truly yours,

Edelmiro "Eddie" Garcia, Chariman
Board of Directors

Cc: Mr. Gabriel Gonzalez, CPM, City Manager

10K

City of Harlingen

Agenda Item Request Form

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

Consideration and possible action to approve a resolution of the City Commission of the City of Harlingen Texas declaring the City's intent to pursue designation as Darksky Community and pursuant to Texas Government Code 3000.002(c)(3)(B):

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

Michael Mezmar, Commissioner, Dist. 3

mr.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS, DECLARING THE CITY'S INTENT TO PURSUE DESIGNATION AS A DARK SKY COMMUNITY BY DARKSKY INTERNATIONAL UNDER THE INTERNATIONAL DARK SKY PLACES PROGRAM; ESTABLISHING THIS RESOLUTION AS THE STATUTORY PREDICATE FOR MUNICIPAL REGULATION OF OUTDOOR LIGHTING UNDER TEXAS GOVERNMENT CODE § 3000.002(c)(3)(B); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Harlingen is a home-rule municipality organized under the laws of the State of Texas, possessing the full scope of self-governing authority conferred by Article XI, Section 5 of the Texas Constitution and Chapter 51 of the Texas Local Government Code, limited only by the Constitution and by general law; and

WHEREAS, Texas Government Code § 3000.002 prohibits a governmental entity from adopting or enforcing an ordinance or other regulation that limits the use of building products or materials, except as provided in Subsection (c) of that section; and

WHEREAS, Texas Government Code § 3000.002(c)(3) provides that the section does not apply to an ordinance or other regulation that regulates outdoor lighting, adopted for the purpose of reducing light pollution, that, under Subparagraph (B), is adopted by a governmental entity that has adopted a resolution stating the entity's intent to become certified as a Dark Sky Community by DarkSky International (formerly the International Dark-Sky Association) as part of the International Dark Sky Places Program, and that does not regulate outdoor lighting more restrictively than the prohibitions or limitations required to become so certified; and

WHEREAS, the City Commission expressly finds and declares that the sole purpose of this Resolution, and of any outdoor lighting ordinance subsequently adopted in reliance upon it, is the reduction of light pollution and the advancement of the related public interests in energy conservation, public health, public safety, and the protection of the nocturnal environment and the migratory and coastal wildlife of Cameron County and the adjacent Gulf Coast; and

WHEREAS, the City Commission finds that designation as a Dark Sky Community would advance the public health, safety, and general welfare by reducing light pollution, improving the quality and efficiency of outdoor lighting, conserving energy and public funds, protecting the nocturnal environment and the migratory and coastal wildlife of Cameron County and the adjacent Gulf Coast, and enhancing the City's quality of life and appeal to visitors; and

WHEREAS, no municipality in the Rio Grande Valley or on the Texas Gulf Coast presently holds Dark Sky Community designation, and the City Commission finds that the pursuit of this designation presents a meaningful opportunity for regional civic leadership; and

WHEREAS, the City Commission further finds and declares that any outdoor lighting ordinance adopted in reliance upon this Resolution shall apply on a use-neutral basis to outdoor lighting throughout the City, shall be applied uniformly without regard to the identity, classification, or character of any particular land use, owner, or occupant, and is not intended to single out, target, burden, or exclude any class of land use, development, or property; and

WHEREAS, the City Commission reaffirms that no outdoor lighting standard adopted in reliance upon this Resolution shall regulate outdoor lighting in a manner more restrictive than the prohibitions or limitations required to become certified as a Dark Sky Community by DarkSky International, consistent with the limitation imposed by Texas Government Code § 3000.002(c)(3)(B); and

WHEREAS, the City Commission intends, by this Resolution, to satisfy the statutory predicate established by Texas Government Code § 3000.002(c)(3)(B), and thereby to secure the City's authority to adopt an outdoor lighting ordinance that does not regulate more restrictively than DarkSky International's published certification criteria require; and

WHEREAS, the City Commission has determined that the adoption of this Resolution is in the best interest of the City and its residents;

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

Section 1. Findings Adopted.

The recitals set forth above are found to be true and correct and are adopted as findings of the City Commission and incorporated herein by reference.

Section 2. Declaration of Intent.

The City Commission of the City of Harlingen, Texas, formally declares its intent to pursue designation as a Dark Sky Community by DarkSky International as part of the International Dark Sky Places Program. The City Manager, or the City Manager's designee, is directed to take such steps as are reasonably necessary to pursue that designation, including coordination among City departments on outdoor lighting inventory and retrofit planning, development of a community outreach and education program, and preparation of an outdoor lighting ordinance and a formal application for submission to DarkSky International.

Section 3. Statutory Predicate.

This Resolution is intended to satisfy, and does satisfy, the requirement of Texas Government Code § 3000.002(c)(3)(B) that a governmental entity adopt a resolution stating its intent to become certified as a Dark Sky Community as a condition of its authority to regulate outdoor lighting for the purpose of reducing light pollution. The City Commission directs that any outdoor lighting ordinance subsequently adopted in reliance upon this Resolution:

(a) be drafted for the purpose of reducing light pollution and shall recite that purpose;

(b) not regulate outdoor lighting in a manner more restrictive than the prohibitions or limitations required for Dark Sky Community certification, consistent with the limitation of § 3000.002(c)(3)(B); and

(c) be accompanied by a documented correspondence, prepared and preserved by the City Manager or designee as part of the certification application file, mapping each substantive lighting standard adopted by the City to the specific published DarkSky International certification requirement that authorizes it, so that the administrative record demonstrates compliance with the certification ceiling.

Section 4. Non-Binding Nature; No Vested Rights.

This Resolution is a declaration of intent and policy direction only. It imposes no regulatory requirement on any person or property, constitutes no final or binding commitment to seek or obtain certification, and creates no vested right, entitlement, or cause of action in any person.

Section 5. Open Meetings.

It is officially found, determined, and declared that the meeting at which this Resolution was adopted was open to the public, and that public notice of the time, place, and subject matter of that meeting was given, all as required by Chapter 551 of the Texas Government Code.

Section 6. Severability.

If any provision of this Resolution is held invalid by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect, the City Commission declaring that it would have adopted each provision independently of any provision held invalid.

Section 7. Effective Date.

This Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED this ____ day of ______________, 20__, by the City Commission of the City of Harlingen, Texas, by a vote of ____ ayes, ____ nays, and ____ abstentions.

____

Norma Sepulveda, Mayor

ATTEST:

____

City Secretary

APPROVED AS TO FORM:

Mark E. Sossi, City Attorney

10L

City of Harlingen

Agenda Item Request Form

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

Consideration and possible action to authorize the City Manager to begin the process of updating the employee compensation study:

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

Frank Morales, Commissioner Dist. 4

MV.

10m

City of Harlingen

Agenda Item Request Form

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

Consideration and possible action to name the new Stuart Place Pocket Park after Sgt. Arturo "Treto" Garza:

Rene Perez, Mayor Pro-Tem Dist. 6

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