

**CITY COMMISSION
AGENDA
REGULAR MEETING
JULY 15, 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 15, 2026 at 5:30 P.M.** at City Hall, Town Hall Meeting Room, 118 E. Tyler Avenue, Harlingen, Texas and provide the public the ability to view the meeting via internet live-streaming at www.harlingentx.gov and the City of Harlingen YouTube Page.

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

PLEASE SUBMIT WRITTEN COMMENTS BEFORE 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 of Proclamation — Rotary Club of Harlingen Sunburst 100th Anniversary
 - c) Mayor's Business of the Month – "Gracie's Goodies"
- 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 May 06, 2026
 - b) Regular Meeting of June 03, 2026
- 7) **Consent Agenda:** *No discussion is anticipated on any of the items in this section because they are routine business, were included in the budget adoption process, or have been previously discussed as a staff report or discussion item. These items will be considered collectively by a single vote, unless a commission member requests an item be removed from the consent agenda.*
 - a) Consideration and possible action to approve an Ordinance on Second and Final 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 and Development)**
 - b) Consideration and possible action to approve an ordinance on second and final reading amending the City of Harlingen's budget for Fiscal Year 2026. Attachment **(Finance)**
- 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.*
- 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 of first reading amending The Harlingen Code of Ordinances Chapter 18 Master Fee Schedule to provide a twenty percent (20%) discount on green fees and Golf Cart Fees at the Tony Butler Golf Course for City employees, Veterans, Active-Duty Military Personnel, First Responders, and Harlingen Resident Teachers. Attachment (**Golf**).
 - b) Consideration and possible action to approve an ordinance on first reading to adopt regulations that ensure that meetings of the City Commission are conducted in a way that allows the business of the City to be undertaken effectively and efficiently; providing savings, repealing and severability clauses and providing an effective date. Attachment (**City Manager**)
-
- c) Consideration and possible action to authorize the filing of an application for financial assistance with the Texas Water Development Board for funding the construction of priority water capital improvements projects and the appointing of the HWWWS authorized representative. Attachment (**HWWWS**)
 - d) Consideration and possible action to approve an ordinance authorizing the amendment Chapter 48 Division 4: Industrial Water Subdivision I sections 48-255 thru 48-270 to amend Technically Based Local Limits (TBLLs) as part of the approved pretreatment program; and ordaining other matters relating thereto. Attachment (**HWWWS**)
 - e) Consideration and possible action to approve the appointment of Marie Leal as the General Manager of the Harlingen Waterworks System. (**HWWWS**)
 - f) Consideration and possible action to approve the removal of the existing mural at Downtown Lozano Plaza and authorize the installation of a new mural, as recommended by the Keep Harlingen Beautiful Board, with all project cost funded by the Keep Harlingen Beautiful Board. Attachment (**Public Works**)
 - g) Consideration and possible action to approve the proposed list of streets for the FY 2027 Street Improvement Program (SIP). Attachment (**Engineering**)

11)

Board Appointments:

Appointment, discussion and possible action to include appointment and/or removal of any position subject to appointment or removal by statute, ordinance, or bylaws:

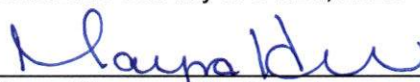
Airport
Animal Shelter Advisory Committee (1)
Audit Committee (Terms expire in June)
Civil Service Commission
Community Development Advisory Board (CDBG)

Construction Board of Adjustments (4)
Convention & Visitors Bureau
Development Corporation of Harlingen, Inc.(HEDC)
Golf Course Advisory Board
Harlingen Community Improvement Board(4B)
Harlingen Housing Authority Board
Harlingen Finance Corporation (6)
Harlingen Teen and Young Adult Advisory Board (2)
Healthy Harlingen Advisory Board
Historic Preservation Committee
Keep Harlingen Beautiful Board (1)
Library Advisory Board (1)
Mayor Wellness Council
Museum Advisory Board (1)
Parks Advisory Board
Planning & Zoning Advisory Board
Senior Citizens Advisory Board (1)
Tax Increment Finance Board 1, 2 & 3
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) Deliberation and possible action regarding the potential purchase of real property pursuant to Texas Government Code Section 551.072. **(Assistant City Manager-Dr. Josh Ramirez).**
- b) Consultation with Legal Counsel pursuant to TX Government Code Section 551.071 (2) regarding an update on the Collective Bargaining agreement with Harlingen Police Officers. **(City Attorney)**
- 13) **Action on Executive Session Items:** *The City Commission will reconvene in open session and may take action on any item listed in the Executive Session Section of this agenda.*
- a) Consideration and possible action regarding the potential purchase of real property as discussed in executive session.
- b) Consideration and possible action to approve item 12 (b) 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, JULY 09, 2026**, at or before 5:25 p.m. and remained so posted for at least three (3) business days preceding the time of said meeting.

Dated this **9th** day of **JULY, 2026**



Mayra Herrera, City Secretary

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REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

May 06, 2026

A Regular Meeting of the Harlingen City Commission was held May 06, 2026, at 5:30 p.m., at City Hall, Town Hall Meeting Room, 118 E. Tyler, Harlingen, Texas and providing the public the ability to view the meeting via internet, live streaming and permitting the public to offer citizen communication or participate in items listed on the agenda via videoconferencing or telephonically via www.harlingentx.gov Those in attendance were:

Mayor and Commissioners

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

ABSENT

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 – Mayor Pro-Tem Daniel N. Lopez
- 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.

Mayor Pro-Tem Daniel N. Lopez abstained from Item 9b and 10b.

3. Announcements –

- a) Mayor's Announcements –
Mayor Sepulveda stated that tomorrow May 7th, 2026 is the State of the City Address at the Harlingen Convention Center at 6:30 p.m. and it will be live-streamed
- b) City Manager's Announcements- NONE
- c) City Commission Member Announcements –
Commissioner Cavazos-Gamez thanked everyone that attended the district 1 Town Hall.

4. Proclamation/Presentation of Awards:

- a) Harlingen Animal Shelter Pet of the Week –
Shannon Harvil, Director of Health, introduced Harley 1-year-old female border collie who is very energetic and does well with kids. Ms. Harvil advised anyone interested in adopting Harley or any other animal to go to the Harlingen Animal Shelter or call 956-216-5250 and they are located at

1106 Markowsky Ave. Also advised of an event at the Pet Smart of Harlingen the following Saturday.

- b) Certificate of Recognition – Harlingen High School Cardinal's Band - Presented/Read by Calista Reyes; Accepted by Maria Coronado, Thanked the Commission for the recognition for the band and students.
Mayor Sepulveda thanked the band and the parents to make sure they students can positively represent the City.
- c) Certificate of Recognition – Morgana Elizabeth Rodriguez-Marin and Uther K. Rodriguez-Marin Presented by Calista Reyes; Accepted by Morgana and Uther, Morgana thanked the Commission for the recognition, followed by Uther.
Mayor stated how proud the city and the community are of the two, in representing the City.
- d) Presentation of Proclamation - Junior League of Harlingen-"KidFit Festival" – Maggie Perez Presented by Calista Reyes; Accepted by Coach Maggie Perez, thanked the commission and city staff for the continued support and partnership to make the program successful.
Mayor Sepulveda thanked and acknowledged the leaders of the program for the volunteer work that is done to keep the program going.

5. Citizen Communication:

1. Enzo Racca – Greeting & Gratitude
2. Luis Valdespino – Grants, HWWs Contract
3. Raymond Reyes – Transparency & Commitment to Citizens
4. Isaac Amani Newman – Accountability
5. Robert Leftwich - City

6. Approval of Minutes:

a) Regular Meeting of January 7, 2026

Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Mezmar to approve minutes for Regular Meeting of January 07, 2026, subject to changes. Motion Carried Unanimously.

7. Consent Agenda:

Item 7(a & d) were removed from the consent agenda.

- a) Consideration and possible action to approve the testing and potential installation of speed humps in the following location(s): ***(This item was requested by Mayor Pro-Tem Daniel N. Lopez and Commissioner Rene Perez)***

- 1) 621 E. Filmore Ave
- 2) 7th Street

Additional streets added by following commissioners:

Delia Cavazos-Gamez – 7th street from Rio Hondo Road to Loop 499; 13th Street from Rio Hondo Road to Loop 499
Frank Morales – 1900 Blk of West Lasalle

Motion was made by Commissioner Morales and seconded by Mayor Pro-Tem Lopez to approve the testing and potential installation of speed humps including the additional streets added. Motion carried unanimously.

- b) Consideration and possible action to approve an ordinance on second and final reading amending the Harlingen Teen and Young Adult Advisory Board. (Mayor).

ORDINANCE NO. 2026-16

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS, AMENDING ORDINANCE NO. 2022-23, AS PREVIOUSLY AMENDED, AND AMENDING CHAPTER 2, ARTICLE IV, DIVISION 5 OF THE CODE OF ORDINANCES RELATING TO THE TEEN AND YOUNG ADULT ADVISORY BOARD; RESTATING THE PURPOSE, MEMBERSHIP, ELIGIBILITY, ORGANIZATION, QUORUM, STAFF LIAISON, DUTIES, ATTENDANCE, REMOVAL, VACANCY, AND REPORTING REQUIREMENTS OF THE BOARD; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEALER; AND PROVIDING AN EFFECTIVE DATE..

PASSED AND APPROVED on first reading this the day of April 15th, 2026.
PASSED AND APPROVED on the second and final reading this on the 6th day of May 2026.

ATTEST:
Mayra Herrera, City Secretary

CITY OF HARLINGEN
Norma Sepulveda, Mayor

- c) Consideration and possible action to approve a resolution authorizing the City Manager to accept a grant award of \$50,000 from the Watershed Protection Plan Implementation Grant Program. (Special Projects).
- d) Consideration and possible action to approve a resolution authorizing the City Manager to apply for a Texas Parks and Wildlife Local Parks grant. (Special Projects).

Mayor Pro-Tem Lopez stated he had looked over the list they had and one of those projects was the Centennial Gutierrez, and when I looked at the language that is on the packet, it states the money cannot be used for planning. Now I believe it will not qualify for that.

Ana Hernandez, Special Projects Director, stated that it can qualify but we will probably need to come up with a design or at least something preliminary, something conceptual before we apply.

Mayor Pro-Tem Lopez stated he had pulled that plan from the Downtown Master Plan and if you think is good, then all I want is to make sure that whatever grant submissions we put forward have the best opportunity.

Ms. Hernandez stated that the ask for tonight is either to pick one of the projects like your recommended project or one of the non-urban outdoor brand. This year they are opening an indoor recreation grant as well. So essentially, we have two (2) applications and at least two (2) projects that we can submit.

Mayor Pro-Tem asked that for the indoor grant we only have the option of Hugh Ramsey.

Ms. Hernandez replied with yes that was the one that was recommended. On the other one which are three (3) projects, which are the Soccer Complex, the Wilson Sports Complex and the Gutierrez Park. The good thing about the Gutierrez Centennial Park and the Wilson Sports Complex is that we can submit both sides as part of one application.

Mayor Sepulveda asked that, going back to the workshop, what are the priorities? Do we want to go after something for planning and design specifically or something different. Either way this is a long time coming and we need to work towards it. But is this what we want?

Mayor Pro-Tem stated that his position would be whichever one staff thinks has the best opportunity to succeed regardless of which district has the need to be priority. I am leaving it up to staff. Which do you all think has the best chance of winning the grant?

Ms. Hernandez replied that all three (3) projects are actually viable and have a good chance. We had a consultation with Texas Parks and Wildlife about two weeks ago and they like that each project has its strengths. The one consideration though is for Guiterrez Centennial Park because there is more work that needs to be done before we submit the application. Also, the recreation grant that we applied for last year is opening again in the upcoming two (2) months, so we can potentially apply for that one as well for the Soccer Complex.

Mayor Sepulveda asked if Ms. Hernandez had a recommendation because even though she stated all projects are viable, which one stands out over the others.

Ms. Hernandez replied that the Soccer Complex is the one that they have been hearing a lot about. We have received a lot of feedback from the community and since the grant was frozen last year we couldn't move forward with it.

Mayor Sepulveda asked if the Commission needs to make a decision today?

Ms. Hernandez replied that her team will need a decision as soon as possible, but it doesn't have to be today. We just want to get started on the work that needs to be done for the application to be able to have a better opportunity to have the grant awarded to us.

Mayor Sepulveda asked if for the indoor facility, they considered the Community Center because it is old and it would provide recreation for district 2 or people that are in that area. Since we are doing a recreation center in district 1, I have received feedback from the community asking why we focused on district 1 for it. District 1 is the best place for it given all the amenities surrounding it. For instance the tennis court, the walking trail and since we already have the property, it is the perfect place.

A discussion continued regarding the upgrades that are needed in the Community Center, recreating the Community Center into a recreation center, the access to the center from the neighborhoods around the area.

Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Cavazos – Gamez to approve the non-urban outdoor projects that must be maintained for 25 years, we're going to move forward with the Harlingen Soccer Complex and the non-urban indoor projects, we are going to move forward with the Harlingen Community Center, but if there is any concerns on the second option bring it back to us. Motion carried unanimously.

- e) Consideration and possible action to approve an ordinance on second and final reading amending the Harlingen Code of Ordinances Chapter 18 Master Fee Schedule to include free or reduced fee adoption events in conjunction with national organizations as opportunities become available. (Health).

ORDINANCE NO. 2026-11

AN ORDINANCE OF THE CITY OF HARLINGEN, TEXAS
AMENDING CHAPTER 18, MASTER FEE SCHEDULE OF THE
HARLINGEN CODE OF ORDINANCES ESTABLISHING FEES
FOR ADOPTION OF DOMESTIC DOGS AND CATS, OWNER
CLAIMS AND OTHER SERVICES PROVIDED BY THE CITY OF
HARLINGEN AS THEY RELATE TO CHAPTER 6 ANIMALS:
PROVIDING FOR PUBLICATION AND ORDAINING OTHER
MATTERS PERTAINING TO THE FOREGOING.

PASSED AND APPROVED on first reading this the day of April 15th, 2026.

PASSED AND APPROVED on the second and final reading this the 6th day of May 2026.

ATTEST:
Mayra Herrera, City Secretary

CITY OF HARLINGEN
Norma Sepulveda, Mayor

- 1 f) Consideration and possible action to approve the Investment Report for the City of Harlingen for
2 the quarter ending March 31, 2026. (Finance).
3
4 g) Consideration and possible action to approve a resolution accepting the Valley International
5 Airport's mid-year budget amendment for FY 2026. (Airport).
6
7 h) Consideration and possible action to accept the BuyBoard quote from Azteca Construction to
8 remove and replace the Library's carpet/LVT. (Library)
9
10 i) Consideration and possible action to approve a Memorandum of Understanding (MOU) between
11 the City of Harlingen and Texas State Technical College (TSTC) for the continued use,
12 enhancement, and minor relocation of the Harlingen Arts & Heritage Museum signage located on
13 TSTC property, as approved by the City Attorney. (Public Works).
14
15 j) Consideration and possible action to approve the MOU renewal between the City of Harlingen,
16 Combes and Primera Police Departments and the Harlingen Consolidated Independent School
17 District for year 2026-2027 and 2027-2028 and authorizing the City Manager to sign the agreement.
18 (Police Dept.)
19

20 Motion was made by Commissioner Morales and seconded by Mayor Pro-Tem Lopez to approve
21 items b, c, e, f, g, h, i, j. Motion carried unanimously.
22

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

- 24 a) City Manager's Report - NONE
25
26 b) Staff Reports - NONE
27

28 9. **Public Hearings:**

29
30 Mayor Sepulveda announced that Items 9 (a through b) are public hearings, and anyone wishing
31 to speak for or against these items may do so.
32

- 33 a) Public hearing for the voluntary annexation and establishment of initial zoning of Light Industry
34 ("LI") District upon annexation for approximately 7.401 acres, more or less, out of Lot 5, Block 2,
35 Harlingen Industrial Park No. 2 Subdivision, located at 109 FM 509, Cameron County, Texas,
36 together with any adjacent county road right-of-way required to be annexed by Texas Local
37 Government Code Section 43.106. Applicant: JMP Holdings, LLC. Attachment (Planning &
38 Development)
39
40 b) Public hearing for the voluntary annexation and establishment of initial zoning of Residential, Single
41 Family ("R-1") District upon annexation for a 1.15 acre tract of land out of Block 47, Lon C. Hill
42 Subdivision, located on the south side of Morris Road approximately 2,630 feet east of Rangeville
43 Road, together with a 0.16 acre tract out of Morris Road (a 60-foot right-of-way) out of Block 47,
44 Lon C. Hill Subdivision. Applicant: Roberto Lopez. (Planning & Development).
45

46 There being no comments from the public, Mayor Sepulveda closed the public Hearings.
47

48 10. **Action Items**
49 **Ordinances:**
50

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

Commissioner Mezmar asked what building is on the property at the moment.

Ms. Hernandez replied it was a warehouse.

Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Mezmar to approve an ordinance on first reading for the voluntary annexation and establishment of initial zoning of Light Industry ("LI") District upon annexation for approximately 7.401 acres, more or less, out of Lot 5, Block 2, Harlingen Industrial Park No. 2 Subdivision, located at 109 FM 509, Cameron County, Texas, together with any adjacent county road right-of-way required to be annexed by Texas Local Government Code Section 43.106. Motion carried unanimously.

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

Motion was made by Commissioner Morales and seconded by Commissioner Mezmar to approve an ordinance on first reading for the voluntary annexation and establishment of initial zoning of Residential, Single Family ("R-1") District upon annexation for a 1.15 acre tract of land out of Block 47, Lon C. Hill Subdivision, located on the south side of Morris Road approximately 2,630 feet east of Rangeville Road, together with a 0.16-acre tract out of Morris Road (a 60-foot right-of-way) out of Block 47, Lon C. Hill Subdivision. Motion carried as follows: FOR: Commissioner's Morales, Mezmar and Cavazos-Gamez; ABSTAINED: Mayor Pro-Tem Lopez (Vote: 3-1)

- c) Consideration and possible action to authorize the filing of an application for financial assistance with the Texas Water Development Board for funding the construction of priority wastewater capital improvement projects. (HWWS)

Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Morales to authorize the application for financial assistance with the Texas Water Development Board of funding the construction of priority wastewater capital improvement projects. Motion carried unanimously.

- d) Consideration and possible action to authorize the City Manager to award a construction contract for Bid No. 2026-08 Lozano Plaza. (Engineering).

Mayor Pro-Tem Lopez asked to make sure that the companies listed have been researched for their work.

Robert Hernandez, City Engineer, confirmed that the research has been done regarding the contractor in question, and they have completed other projects with us.

Commissioner Morales asked if this was the same company finishing up another project a different company started.

Mr. Hernandez confirmed it is the same contractor.

Motion was made by Mayor Pro-Tem Lopez seconded by Commissioner Cavazos-Gamez to authorize the City Manager to award a construction contract for Bid No. 2026-08 Lozano Plaza. Motion carried unanimously.

- e) Consideration and possible action to authorize the City Manager to award RFQ No. 2026-01 for Professional Engineering Services for the Design and Environmental Permitting of the Arroyo Colorado Hike and Bike Trail Extension Project – Dixieland Reservoir. (Engineering).

1 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Mezmar authorize
2 the City Manager to award RFQ No. 2026-01 for Professional Engineering Services for the Design and
3 Environmental Permitting of the Arroyo Colorado Hike and Bike Trail Extension Project – Dixieland
4 Reservoir to Hansen. Motion carried unanimously
5

- 6 f) Consideration and possible action to authorize staff to commence the implementation of the
7 HARTS Initiative in 2027. (This item was requested by Mayor Pro-Tem Daniel N. Lopez and
8 Commissioner Rene Perez).
9

10 Mayor Pro-Tem Lopez stated HARTS stands for Harlem Art Revolution Technology Symposium
11 and it is a weekend long event where we bring in voluntary speakers to talk on several topics. I am
12 asking that staff be authorized to proceed forward on the planning stage. The facilities are owned by
13 the city and because we are looking at having volunteer speakers, we are anticipating a low cost on
14 this.
15

16 Commissioner Cavazos-Gamez asked where the funds would come from and what areas we would
17 reach out to for people to bring in for these events.
18

19 Mayor Pro-Tem Lopez advised that it could be pulled from different budgets across the board and
20 it will open opportunities to apply for grants. I have already completed some outreach to a few entities
21 willing to participate, like local artists and other organizations to the downtown area, just as an example.
22

23 Mr. Gonzalez asked if there was a projected budget for this program.
24

25 Mayor Pro-Tem Lopez stated no, this is the reason for the item, to authorize city staff to start putting
26 this together.
27

28 Commissioner Morales asked how the new grants would be used and if there would be any
29 restrictions on the funds.
30

31 Mayor Pro-Tem Lopez stated that this event would be the “jump off” point to start the applications,
32 so that way collectively, they can start applying for other grants and withing the guidelines of the grants
33 anything could be done.
34

35 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Morales to authorize
36 staff to commence the implementation of the HARTS Initiative in 2027. Motion carried unanimously
37

- 38 g) Consideration and possible action to authorize the City Manager to waive the Building Permit Fee
39 for the Veterans of Foreign Wars Post (VFW) located at 2006 N. Whalen Rd. (City Manager)
40

41 Commissioner Mezmar asked if it was only regarding the building permit fee, confirming an
42 inspection would still be made.
43

44 Mr. Gonzalez confirmed that inspections would be carried out at completion.
45

46 Motion was made by Commissioner Mezmar and seconded by Mayor Pro-Tem Lopez to authorize
47 the City Manager to waive the Building Permit Fee for the Veterans of Foreign Wars Post (VFW) located
48 at 2006 N. Whalen Rd. Motion carried unanimously.
49

- 50 h) Consideration and possible action to approve the initiation of Collective Bargaining Negotiations
51 between the City of Harlingen and the Harlingen Police Officers Law Enforcement Association
52 (HPLOEA) and approve the Collective Bargaining Team representing the City. (City Manager)
53

54 Mr. Gonzalez stated that the representatives for this team would be Mark Sossi (City Attorney);
55 Robert Rodriguez (Finance); Richard Jones (H.R.); and himself.

Motion was made by Commissioner Lopez and seconded by Commissioner Cavazos-Gamez to approve the initiation of Collective Bargaining Negotiations between the City of Harlingen and the Harlingen Police Officers Law Enforcement Association (HPLOEA) and approve the Collective Bargaining Team representing the City. Motion carried unanimously

11. Board Appointments:

- Commissioner Delia Cavazos- Gamez- Appointed Azaria C. Castillo to The Harlingen Teen & Young Adult Advisory Board; Appointed Raymond Reyes to Community Development Advisory Board
- Mayor Norma Sepulveda – Appointed Catalina Caveo and Ayden Longoria to the Harlingen Teen & Young Adult Advisory Board

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

12. Executive Session:

- a) Consultation with legal counsel pursuant to Texas Government Code 551.071 (1)(a) regarding pending litigation. (City Attorney).
- b) Pursuant to Texas Govt. Code Section 551.071 to receive legal advice on legal issues pertaining to the Harlingen Stadium. (City Attorney)

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

At 7:00pm, Mayor Sepulveda announced the City Commission would convene into Executive Session to discuss Item 12a and 12b.

13. Action on Executive Session Items:

At 7:53pm, Mayor Pro-Tem Lopez announced the City Commission had completed its Executive Session and declared the meeting open to the public.

- a) Consideration and possible action to approve time 12a and 12b as discussed in executive session.
- No Action Taken

14. Adjournment:

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

ATTEST:

Mayra Herrera, City Secretary

City of Harlingen

Norma Sepulveda, Mayor

66

REGULAR MEETING

CITY COMMISSION

HARLINGEN, TEXAS

June 03, 2026

A Regular Meeting of the Harlingen City Commission was held June 03, 2026 at 5:32 p.m., at City Hall, Town Hall Meeting Room, 118 E. Tyler, Harlingen, Texas and providing the public the ability to view the meeting via internet, live streaming and permitting the public to offer citizen communication or participate in items listed on the agenda via videoconferencing or telephonically via www.harlingentx.gov Those in attendance were:

Mayor and Commissioners

Mayor Norma Sepulveda

Mayor Pro-Tem Daniel N. Lopez

Michael Mezmar, Commissioner District 3

Frank Morales, Commissioner District 4

Rene Perez, Commissioner District 5

Via Zoom

Delia Cavazos-Gamez, Commissioner District 1

City Staff

Gabriel Gonzalez, City Manager

Mayra Herrera, City Secretary

Mark Sossi, City Attorney

1. Call Meeting to Order – Mayor Sepulveda

- a) Invocation – Commissioner Mezmar
- b) Pledge of Allegiance – Mayor Sepulveda
- c) Welcome Citizens – Mayor 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.

- None declared.

3. Announcements –

- a) Mayor's Announcements – Red Crowns Mid Season- Get tickets to support local team
- b) City Manager's Announcements- Reminder on Market Days; Memorial Day Oversight apology.
- c) City Commission Member Announcements – None

4. Proclamation/Presentation of Awards:

- a) Harlingen Animal Shelter - "Pet of the Week"
"Gracie" 4-year-old retriever Mix – Health Director, Shannon Harvill, introduced Gracie, and reminded the public that Gracie, along with other dogs and cats are available for adoption at 1106 Markowsky Ave Tuesday through Saturday from 1p-6p, or by phone at 956-216-5250.
- b) Certificate of Recognition — Harlingen South "Hawks" Boys Baseball Team
Coach Aughney accepted the recognition on behalf of team, gave the credit to the hard work the boys on the team.

c) Presentation of Proclamation "Elder Abuse Awareness Month"

Accepted by Norma Rodriguez; who thanked the commission for the recognition of the efforts for this matter. Mayor Sepulveda thanked Norma for her hard work and congratulated her on the recognition.

5. Citizen Communication:

1. Enzo Racca – show support-Community Development Advisory Board- Not Present
2. Dawn Rae Leonard – Memorial Day – Withdrew comment
3. Luis Valdespino – Citizen Concerns, Data Centers, HWWWS Wholesale contracts
4. Raymond Reyes – Accountability
5. Robert Leftwich – Harlingen

6. Approval of Minutes:

a) Regular Meeting of February 4, 2026

Motion was made by Commissioner Perez and seconded by Commissioner Mezmar to approve minutes for Regular Meeting of February 04, 2026. Motion Carried Unanimously.

7. Consent Agenda:

Item 7a was removed from the consent agenda.

Motion made by Commissioner Perez and seconded by Commissioner Mezmar to approve remaining items 7b-h. Motion carried unanimously.

a) Consideration and possible action to approve the testing and potential installation of speed humps in the following location(s): (This item was requested by Commissioners Frank Morales and Rene Perez)

1. 600 S. California
2. 1000 Block of Orange Grove
3. Seagull Lane between Albatross and Curlew St.
4. Palm Vista Dr. between Beckham Rd. and Palmetto Drive

Additional street added by Commissioner Frank Morales
500-600 Block of South "M" Street

Motion made by Commissioner Perez and seconded by Commissioner Morales to approve item 7(a). Motion carried unanimously.

b) Consideration and possible action authorizing the City Manager to submit a grant application to FEMA's Fiscal Year 2025 Assistance to Firefighters (AFG) Grant Program. (Special Projects)

c) Consideration and possible action authorizing the City Manager to submit a grant application to FEMA's Fiscal Year 2025 Staffing for Adequate Fire and Emergency Response (SAFER) Grant Program. (Special Projects)

d) Consideration and possible action authorizing the City Manager to submit a grant application to Rio Grande Valley Metropolitan Planning Organization's (RGVMPO) FY2027 - 2036 Category 7 Call for Projects for the Multimodal Transit Terminal. (Special Projects)

e) Consideration and possible action authorizing the City Manager to submit a grant application to Rio Grande Valley Metropolitan Planning Organization's FY2027 - 2036 Category 7 Call for Projects for the Commerce Street Redesign. (Special Projects)

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

ORDINANCE NO. 26-20

AN ORDINANCE AMENDING THE CODE OF ORDINANCES (ORDINANCE NO. 16-8) OF THE CITY OF HARLINGEN: TO ISSUE A SPECIAL USE PERMIT (SUP) TO TOMAS DIAZ TO ALLOW A BAR IN A LIGHT INDUSTRY ("LI") DISTRICT LOCATED AT 1510 N. COMMERCE STREET, SUITE A, BEARING A LEGAL DESCRIPTION OF LOT 3, RE-PLAT OF LOT 1, BLOCK 1, CASA BLANCA SUBDIVISION.

PASSED AND APPROVED on first reading this the 20th day of May 2026.

PASSED AND APPROVED on the second and final reading this the 3rd day of June 2026.

ATTEST:

Mayra Herrera, City Secretary

CITY OF HARLINGEN

Norma Sepulveda, Mayor

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

ORDINANCE NO. 26-21

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: AMENDING THE PREVIOUSLY APPROVED SPECIAL USE PERMIT (SUP) ISSUED TO THE VETERANS OF FOREIGN WARS POST 2410 TO ALLOW A CIVIC LODGE IN A RESIDENTIAL, MULTI-FAMILY ("M-2") DISTRICT LOCATED AT 2006 NORTH WHALEN ROAD, BEARING A LEGAL DESCRIPTION OF 2.5420 ACRE OUT OF THE SOUTH 5 ACRES AND 0.62 ACRES OUT OF 2.1550 ACRES, ALSO OUT OF THE SOUTH 5 ACRES, LOT 14, BLOCK 147, SAN BENITO LAND AND WATER COMPANY SUBDIVISION, PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

PASSED AND APPROVED on first reading this the 20th day of May 2026.

PASSED AND APPROVED on the second and final reading this the 3rd day of June 2026.

ATTEST:

Mayra Herrera, City Secretary

CITY OF HARLINGEN

Norma Sepulveda, Mayor

h) Consideration and possible action to amend the 2026 Street Improvement Program (SIP) to add Austin Avenue from N 77 Sunshine Strip to Morgan Boulevard. (Engineering)

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

a) City Manager's Report – none; Mr. Gonzalez stated that the contractor putting together the analysis for the electrical improvements for the city (Schneider Electric) wanted to have a workshop. Will be getting together with City Secretary's office to get a date set for said workshop.

b) Staff Reports – None.

9. **Public Hearings:**

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

- 1
2 a) Public hearing to consider a request to rezone from Not Designated ("N") District to Residential, Single Family ("R-1") District for 41.72 acres of land comprised of 39.59 acres out of Survey 140, L.L. Adams Subdivision, 1.58 acres out of Lot "A" and 0.55 acres out of Lot "B" of a Re-subdivision of Blocks 2 and 3, Survey 139 of Stuart Place Subdivision, located north of Beckham Road, approximately 882 feet east of Rodeo Drive. Applicant: Moore Land Surveying, LLC c/o Zarate Management, LLC. (Planning & Development) NONE.
- 8
9 b) Public hearing to consider a request to rezone from Not Designated ("N") District to Light Industry ("LI") District for 7.899 acres of land, more or less, out of Lot 16, Cunningham's Subdivision, located on the south side of Primera Road approximately 1,411.16 feet west of US 77 Frontage Road. Applicant: Orlando Campos, c/o Development Corporation of Harlingen. (Planning & Development) NONE
- 15 c) Public hearing to consider a request for a Special Use Permit (SUP) to allow a food truck park in Light Industry ("LI") District, located at 6121 FM 106, bearing a legal description of Lot 3, Block 2, Arroyo View Subdivision. Applicant: Tim Pus. (Planning & Development) NONE
- 19 d) Public hearing to consider a request to rezone from Not Designated ("N") District to Residential, Mobile Home ("MH") District for 6.143 acres of land out of Block 18, R.A. Cunningham's Subdivision, located on the southeast corner of Primera Road and US-77 Frontage Road. Applicant: Joleigh Ares. (Planning & Development)

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

26 10. Action Items
27 Ordinances:

- 29 a) Consideration and possible action to approve an ordinance on first reading to rezone from Not Designated ("N") District to Residential, Single Family ("R-1") District for 41.72 acres of land comprised of 39.59 acres out of Survey 140, L.L. Adams Subdivision, 1.58 acres out of Lot "A" and 0.55 acres out of Lot "B" of a Re-subdivision of Blocks 2 and 3, Survey 139 of Stuart Place Subdivision, located north of Beckham Road, approximately 882 feet east of Rodeo Drive. Applicant: Moore Land Surveying, LLC c/o Zarate Management, LLC. (Planning & Development)

36 Motion was made by Commissioner Perez and seconded by Commissioner Mezmar to approve an ordinance on first reading to rezone from Not Designated ("N") District to Residential, Single Family ("R-1") District for 41.72 acres of land comprised of 39.59 acres out of Survey 140, L.L. Adams Subdivision, 1.58 acres out of Lot "A" and 0.55 acres out of Lot "B" of a Re-subdivision of Blocks 2 and 3, Survey 139 of Stuart Place Subdivision, located north of Beckham Road, approximately 882 feet east of Rodeo Drive. Applicant: Moore Land Surveying, LLC c/o Zarate Management, LLC. Motion carried unanimously.

- 44 b) Consideration and possible action to approve an ordinance on first reading to rezone from Not Designated ("N") District to Light Industry ("LI") District for 7.899 acres of land, more or less, out of Lot 16, Cunningham's Subdivision, located on the south side of Primera Road approximately 1,411.16 feet west of US 77 Frontage Road. Applicant: Orlando Campos, c/o Development Corporation of Harlingen (Planning & Development)

50 Motion was made by Commissioner Mezmar and seconded by Commissioner Morales to approve an ordinance on first reading to rezone from Not Designated ("N") District to Light Industry ("LI") District for 7.899 acres of land, more or less, out of Lot 16, Cunningham's Subdivision, located on the south side of Primera Road approximately 1,411.16 feet west of US 77 Frontage Road. Applicant: Orlando Campos, c/o Development Corporation of Harlingen Motion carried unanimously.

- 1 c) Consideration and possible action to approve an ordinance on first reading for a Special Use Permit
2 (SUP) to allow a food truck park in Light Industry ("LI") District, located at 6121 FM 106, bearing a
3 legal description of Lot 3, Block 2, Arroyo View Subdivision. Applicant: Tim Pus (Planning &
4 Development)

5
6 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Morales to approve
7 an ordinance on first reading for a Special Use Permit (SUP) to allow a food truck park in Light Industry
8 ("LI") District, located at 6121 FM 106, bearing a legal description of Lot 3, Block 2, Arroyo View
9 Subdivision. Applicant: Tim Pus Motion carried unanimously.

- 10
11 d) Consideration and possible action to approve an ordinance on first reading to rezone from Not
12 Designated ("N") District to Residential, Mobile Home ("MH") District for 6.143 acres of land out of
13 Block 18, R.A. Cunningham's Subdivision, located on the southeast corner of Primera Road and
14 US-77 Frontage Road. Applicant: Joleigh Ares. (Planning & Development)

15
16 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Morales to approve
17 an ordinance on first reading to rezone from Not Designated ("N") District to Residential, Mobile Home
18 ("MH") District for 6.143 acres of land out of Block 18, R.A. Cunningham's Subdivision, located on the
19 southeast corner of Primera Road and US-77 Frontage Road. Applicant: Joleigh Ares Motion carried
20 unanimously.

- 21
22 e) Consideration and possible action to adopt the City Commission Prioritization of Key Initiatives from
23 the Harlingen Horizon Comprehensive Plan, Harlingen Trails, Open Space, Recreation, and Parks
24 Master Plan, and the Downtown Master Plan. (Special Projects)

25
26 Mayor Pro-Tem Lopez inquired about the financial numbers associated with each project from the
27 Comprehensive Plan.

28
29 Mr. Gonzalez, City Manager, stated that these numbers are estimates provided by staff, the
30 numbers do not represent any final numbers.

31
32 Commissioner Mezmar asked for maps for the projects and asked if it included McKelvey park
33 eastward.

34
35 Joel, Assistant Planning and Development Director, indicated that this did not include McKelvey
36 Park.

37
38 Mayor Pro-Tem Lopez confirmed that based on the estimates, there is work that can be done in
39 house, to save on costs. He also asked when a timeline would be made available for these projects

40
41 Mr. Gonzalez replied that all projects submitted for funding from Parks Department must be
42 approved by the commission, so it may affect the timeline. The list of projects is ranked based on
43 priority, including short-term, midterm, and long-term. The short-term projects would be the first to
44 complete.

45
46 Commissioner Perez asked for clarity on how the rank is based on, priority on funding, or priority
47 of completion and asked if project #11 could be moved up since the funding is fully available.

48
49 Mr. Gonzalez indicated moving it up on the list is not needed due to the project already in the
50 beginning stages since the funding has been approved.

51
52 Mayor Sepulveda asked if the list could be put out on the website and other sources available for
53 the citizens to be kept in the loop with any amendments, since the community engagement is where
54 the information came from for these project improvements. She also asked to have the estimated costs

1 removed if it's truly not known how much it will cost, and updating as the numbers are confirmed. Stated
2 she would like to have a quarterly meeting for updates as these projects move along.

3
4 Commissioner Mezmar asked if this item was part of the comprehensive plan we previously spoke
5 about.

6
7 Mr. Gonzalez confirmed that this is part of that plan.

8 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Perez to adopt the
9 City Commission Prioritization of Key Initiatives from the Harlingen Horizon Comprehensive Plan,
10 Harlingen Trails, Open Space, Recreation, and Parks Master Plan, and the Downtown Master Plan,
11 subject to estimates being removed and/or updated to state in-house and furthermore give staff full
12 authority to proceed forward with Stuart Place and Hunter Projects. Motion carried unanimously.

13
14 f) Consideration and possible action authorizing the City Manager to submit a grant application to
15 Texas Parks and Wildlife Local Parks Non-Urban Indoor Grant Program. (Special Projects)

16
17 Mayor Sepulveda asked if we are still proposing the welcome center for the city.

18
19 Frank Martinez with Special Projects confirmed that the welcome center is recommended to be
20 brought/moved to Hugh Ramsey Park/trail.

21
22 Mayor Pro-Tem Lopez stated that an analysis was completed to confirm that a community center
23 was not the best for the specific grant being applied for. It was proposed that the center be moved from
24 Hugh Ramsey to McCulloh Park.

25
26 Discussion was had about the history behind the area where the center will be.

27
28 Mayor Sepulveda asked staff if it is in fact doable to have the time and necessities to get the projects
29 done.

30
31 Robert Hernandez, City Engineer and the Interim Parks and Rec. Director, Juan Mendiola, joined
32 the discussion, providing the information from their department's portion on this grant project.

33
34 Mayor Sepulveda asked if the grant being applied for could possibly be used to restore/beautify a
35 facility we already have. For example, the Pendleton Pool facility, can we restore and beautify this
36 existing facility with this grant.

37
38 Mayor Pro-Tem Lopez asked about possibility of an expansion to already existing facilities through
39 this grant.

40
41 Further discussion was held on the research that can be done to see if this grant will cover the
42 ideas had by Mayor and Commissioners to pour into existing facilities before creating new facilities.

43
44 Mr. Gonzalez did share his concern about adding the center to Hugh Ramsey, as it is the main park
45 that is used for the Birding Festival each year.

46
47 Discussion continued about the different locations as possibilities for the welcoming center and if
48 there were any other ideas besides the center.

49
50 Mr. Mendiola replied that the research was done to see what kind of recreation could be brought
51 forward, and the welcome center presented had a good amount of pros.

52
53 Motion was made by Commissioner Perez and seconded by Mayor Pro-Tem Lopez to table this
54 item authorizing the City Manager to submit a grant application to Texas Parks and Wildlife Local Parks
55 Non-Urban Indoor Grant Program Motion carried unanimously.

- 1 g) Consideration and possible action to authorize the City Manager to enter into an agreement with
2 SpyGlass to conduct an audit of the city's electronic devices, communications provider agreements,
3 and phone devices, whether used or unused, as a cost-saving measure. (Assistant City Manager,
4 Dr. Josh Ramirez)
5

6 Dr. Josh Ramirez, Assistant City Manager, stated that this agreement will allow SpyGlass to
7 conduct an audit of our computer systems, our phone lines and billing in relation to our communications.
8 He did advise there was a representative from SpyGlass available for any questions via Zoom to answer
9 any questions the Commission would have.

10
11 A short discussion was held on any RFP's being done for this service, the commitment on the
12 service and whether our Internal Auditor is available to conduct this type of audit.
13

14 Mr. Gonzalez confirmed that the only way this company gets paid is if they find anything after
15 running the system check. He also mentioned that the Internal Auditor couldn't perform this type of
16 audit because it's a waste audit and it is not usually done by her.
17

18 Dr. Ramirez also stated that after researching with other vendors, SpyGlass was the only one that
19 had a one-year term frame, as per the others they wanted a 2-3-year commitment.
20

21 Motion was made by Commissioner Perez and seconded by Mayor Pro-Tem Lopez to authorize
22 the City Manager to enter into an agreement with SpyGlass to conduct an audit of the city's electronic
23 devices, communications provider agreements, and phone devices, whether used or unused, as a cost-
24 saving measure. Motion carried. (5-1) opposed: Commissioner Morales.
25

- 26 h) Consideration and possible action to approve a resolution amending the Harlingen Community
27 Improvement Board's Fiscal Year 2025-2026 Budget. (Finance)
28

29 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Mezmar to approve
30 a resolution amending the Harlingen Community Improvement Board's Fiscal Year 2025-2026 Budget.
31 Motion carried unanimously.
32

- 33 i) Consideration and possible action to approve the Texas Municipal League Intergovernmental Risk
34 Pool Group Critical Illness Interlocal Agreement. (Human Resources)
35

36 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Mezmar to approve
37 the Texas Municipal League Intergovernmental Risk Pool Group Critical Illness Interlocal Agreement.
38 Motion carried unanimously.
39

- 40 j) Consideration and possible action to authorize the City Manager to award RFQ No. 2026-09 for
41 Professional Architectural and Engineering Design Services for the Harlingen Multi-Purpose
42 Recreation Center. (Engineering)
43

44 Roberto Hernandez, City Engineer briefly explained the RFQ's submissions and their findings to
45 the Commission.
46

47 Mayor Sepulveda asked about the ranking of the companies and why they are different per
48 department. Because Ana Hernandez had the companies ranked differently than that of Mr. Hernandez.
49

50 Mr. Hernandez explained how he ranked the companies and stated that Ms. Hernandez was not
51 present and able to give explanation of the process of how she ranks the companies.
52

53 Mayor Sepulveda stated she just wanted to see why there was a difference between the different
54 rankings.
55

1 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Morales to authorize
2 the City Manager to award RFQ No. 2026-09 for Professional Architectural and Engineering Design
3 Services for the Harlingen Multi-Purpose Recreation Center. Motion carried unanimously.
4

- 5 k) Consideration and possible action to approve an agreement with Loaves and Fishes to provide a
6 safe, temporary emergency shelter and essential support services for individuals and families
7 experiencing homelessness under the Open Arms Emergency Shelter. (City Manager)
8

9 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Perez to approve an
10 agreement with Loaves and Fishes to provide a safe, temporary emergency shelter and essential
11 support services for individuals and families experiencing homelessness under the Open Arms
12 Emergency Shelter. Motion carried unanimously
13

- 14 l) Consideration and possible action to authorize staff to commence the process of creating a Tax
15 Increment Finance Zone in the downtown area. (City Manager)
16

17 Mr. Gonzalez opened the conversation by stating he has already completed an attempt at outreach
18 to an attorney for the proposal for the project. However, he has not received any correspondence and
19 will update the Commission once he gets a response.
20

21 Commissioner Morales asked how the grant will be used and applied.
22

23 Mr. Gonzalez stated that the TIRZ can only fund public improvement. An analysis can be done and
24 confirm what is needed as far as improvements for downtown.
25

26 Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Morales to authorize
27 staff to commence the process of creating a Tax Increment Finance Zone in the downtown area. Motion
28 carried unanimously.
29

30 **11. Board Appointments:**
31

32 Motion was made by Commissioner Perez and seconded by Mayor Pro-Tem Lopez to table the
33 item until after executive session. Motion carried unanimously.
34

35 **12. Executive Session:**
36

- 37 a) Pursuant to Government Code Section 551.071 — attorney consultation and contemplated
38 litigation; Section 551.072 — deliberation regarding real estate; and Section 551.087 — economic
39 development relating to the following projects: (HEDC)
40

41 1) Project Hercules — Manufacturing - N/A
42

- 43 b) Consultation with legal counsel pursuant to Texas Government Code 551.071 (1)(a) regarding
44 pending litigation. (City Attorney) N/A
45

- 46 c) Consultation with Legal Counsel pursuant to TX Government Code § 551.071 (2) regarding an
47 update on the Collective Bargaining agreement with Harlingen Police Officers. (City Attorney). N/A
48

- 49 d) Deliberation pursuant to Texas Govt. Code 551.074, regarding the appointment or employment of
50 public officers or employees, specifically possible adjustments to the compensation of the City
51 Manager, Assistant City Manager, and Deputy City Manager. (City Manager) N/A
52

53 Motion was made by Commissioner Perez and seconded by Mayor Pro-Tem Lopez to go into
54 executive session. Motion carried unanimously.
55

At 6:54pm, Mayor Sepulveda announced the City Commission would convene into Executive Session to discuss Item 12a-d.

13. Action on Executive Session Items:

At 8:50pm, 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 12a (1) as discussed in executive session

Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Perez to deny item 12a (1). Motion carried as follows: For: Mayor Sepulveda, Mayor Pro-Tem Lopez, Commissioner Cavazos-Gamez, Commissioner Mezmar, Commissioner Perez and Against: Commissioner Morales Vote (5-1)

b) Consideration and possible action on adjustments to the compensation of the City Manager, Assistant City Manager, and Deputy City Manager, and granting authorization to execute any documents necessary to effectuate such adjustments.

Motion was made by Mayor Pro-Tem Lopez and seconded by Commissioner Perez on item 12b to proceed as discussed in executive session. Motion carried. For: Mayor Sepulveda, Mayor Pro-Tem Lopez, Commissioner Cavazos-Gamez, Commissioner Mezmar, Commissioner Perez and Against: Commissioner Morales Vote (5-1)

Mayor Sepulveda returned back to Item 11: Board Appointments:

Motion was made by Commissioner Perez and seconded by Mayor Pro-Tem Lopez to remove the Board Appointments item off the table. Motion carried unanimously.

Mayor Pro-Tem Lopez – appointed Janelle Morton to the Blind and Visually Impaired Advisory Committee.

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

14. Adjournment:

There being no other business to discuss, Mayor Sepulveda adjourned the meeting at 8:53pm

City of Harlingen

ATTEST:

Norma Sepulveda, Mayor

Mayra Herrera, City Secretary

7a

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 15, 2026**

Agenda Item:

Consideration and possible action to approve an Ordinance on Second and Final Reading for the release from the City of Harlingen Extraterritorial Jurisdiction (ETJ) consisting of 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 ☐ Yes ☐ No*

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

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

Staff Recommendation:

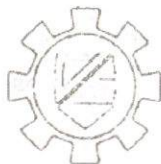
Staff recommends approval.

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

Comments:

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

Attachment I



Vigstol Engineering

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

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

Dear Ms. Hernandez,

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

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



Abby Jo Lopez
24203 Louisiana Road
La Feria, Tx 78559

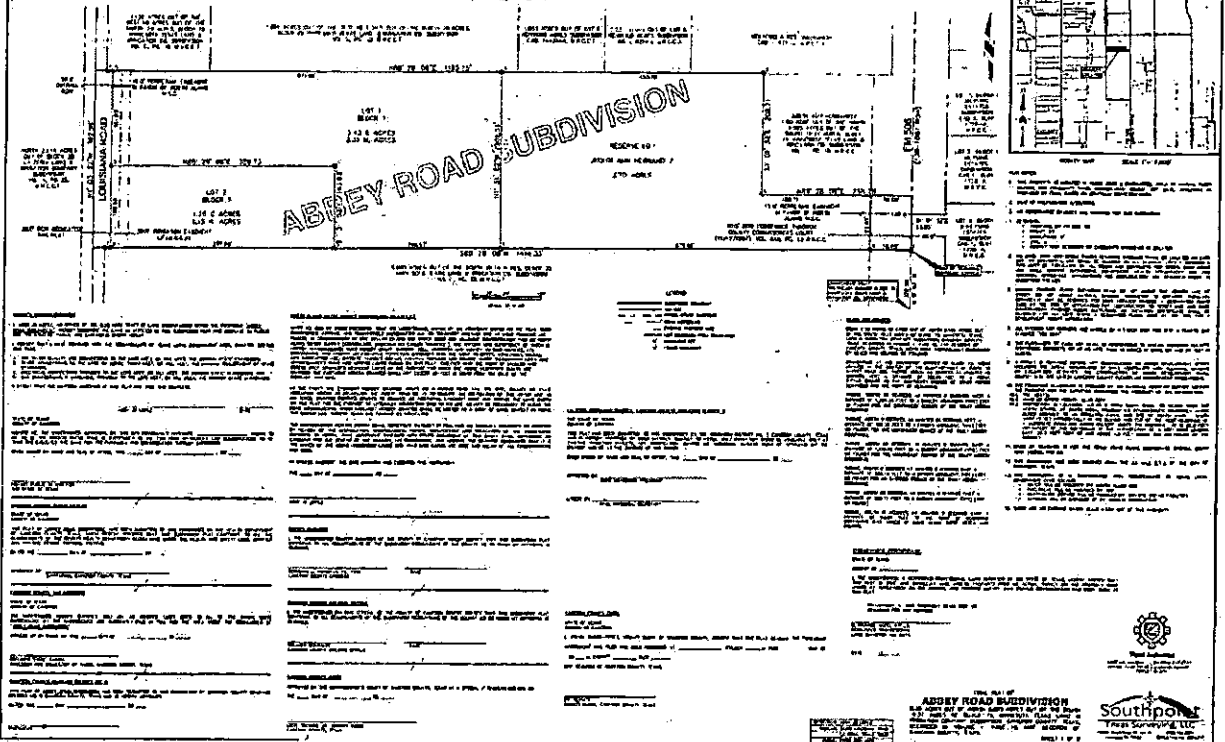
11/20/25

Date

Date of Birth: 6/19/72

Attachment II

ABBEY ROAD SUBDIVISION FINAL PLAT

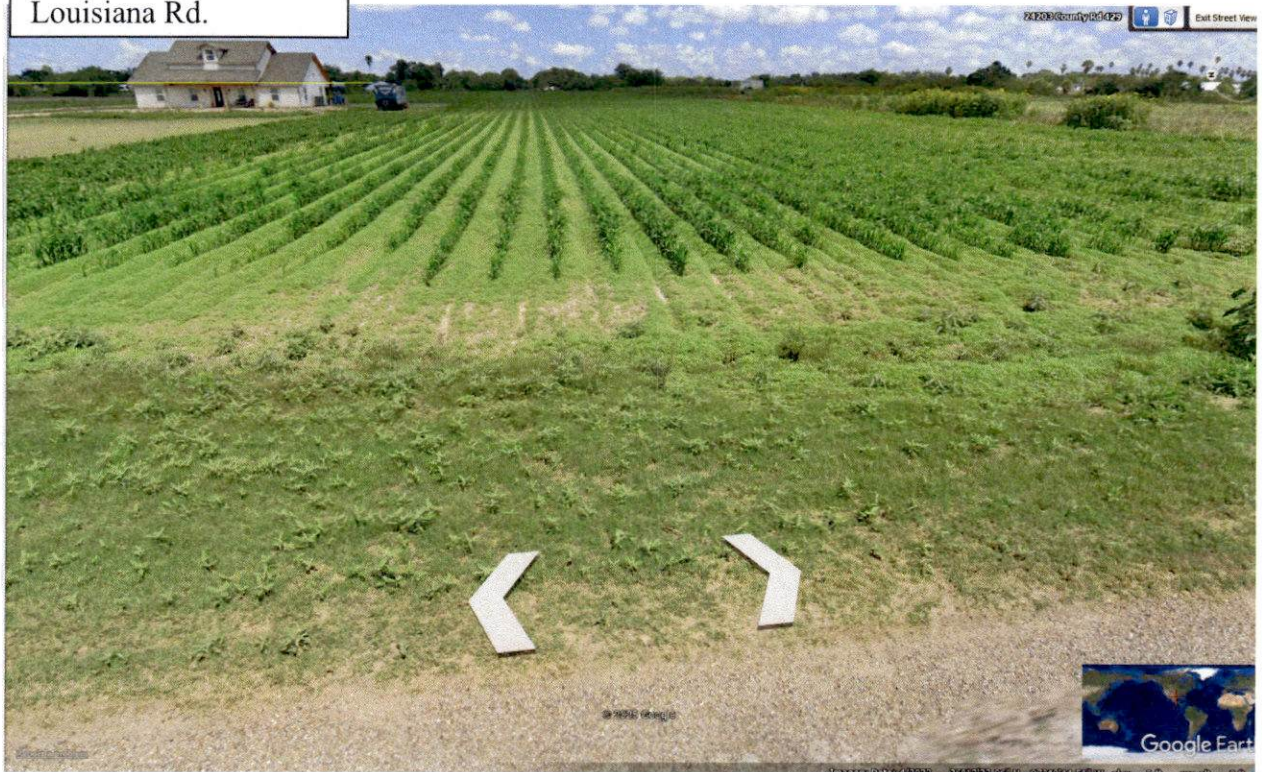


Attachment III

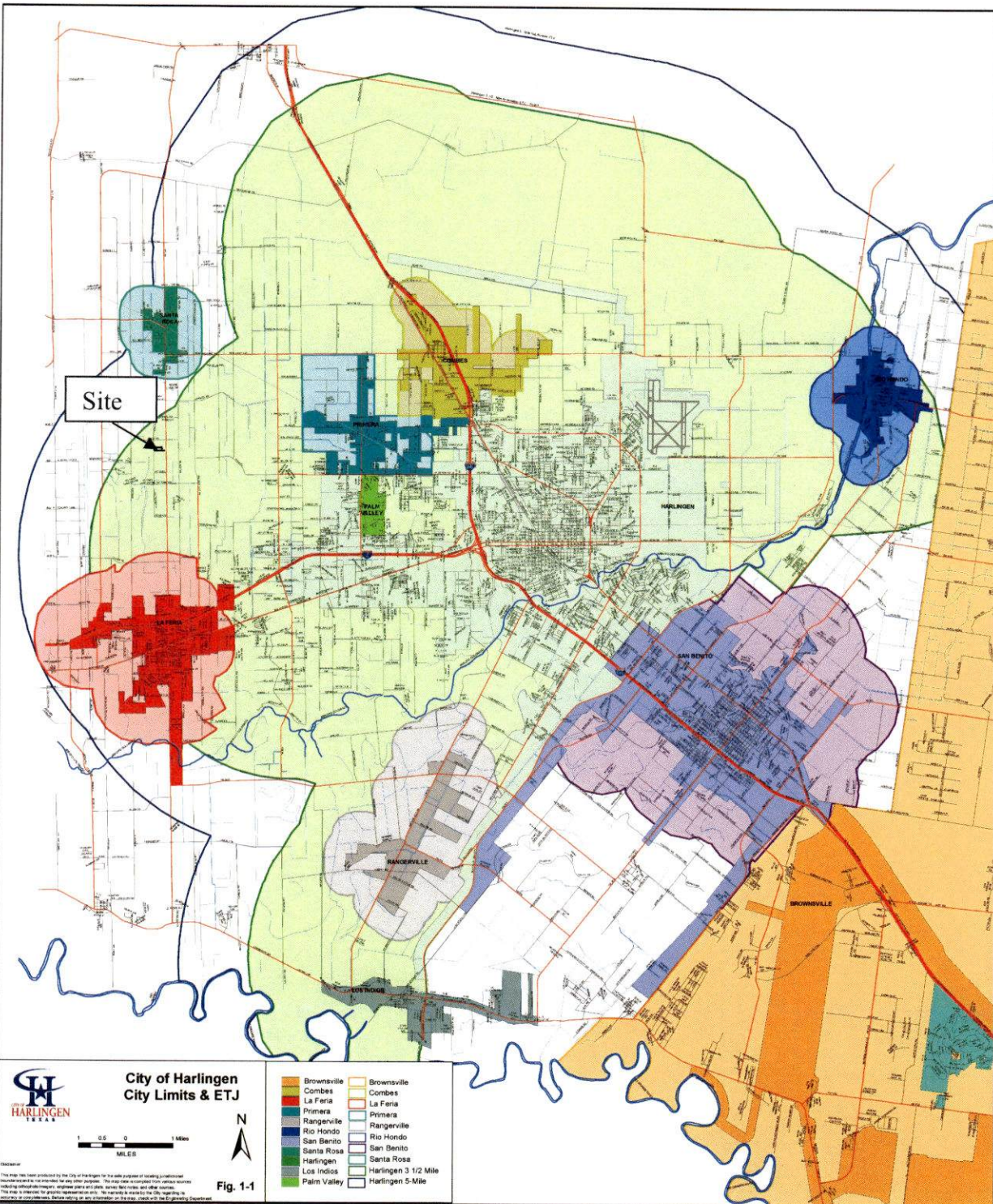


Attachment IV

View from the west on
Louisiana Rd.



Attachment V



ORDINANCE NO. 26_____

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

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

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

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

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

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

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

SECTION 2. The City Commission finds that:

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

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

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

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

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

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

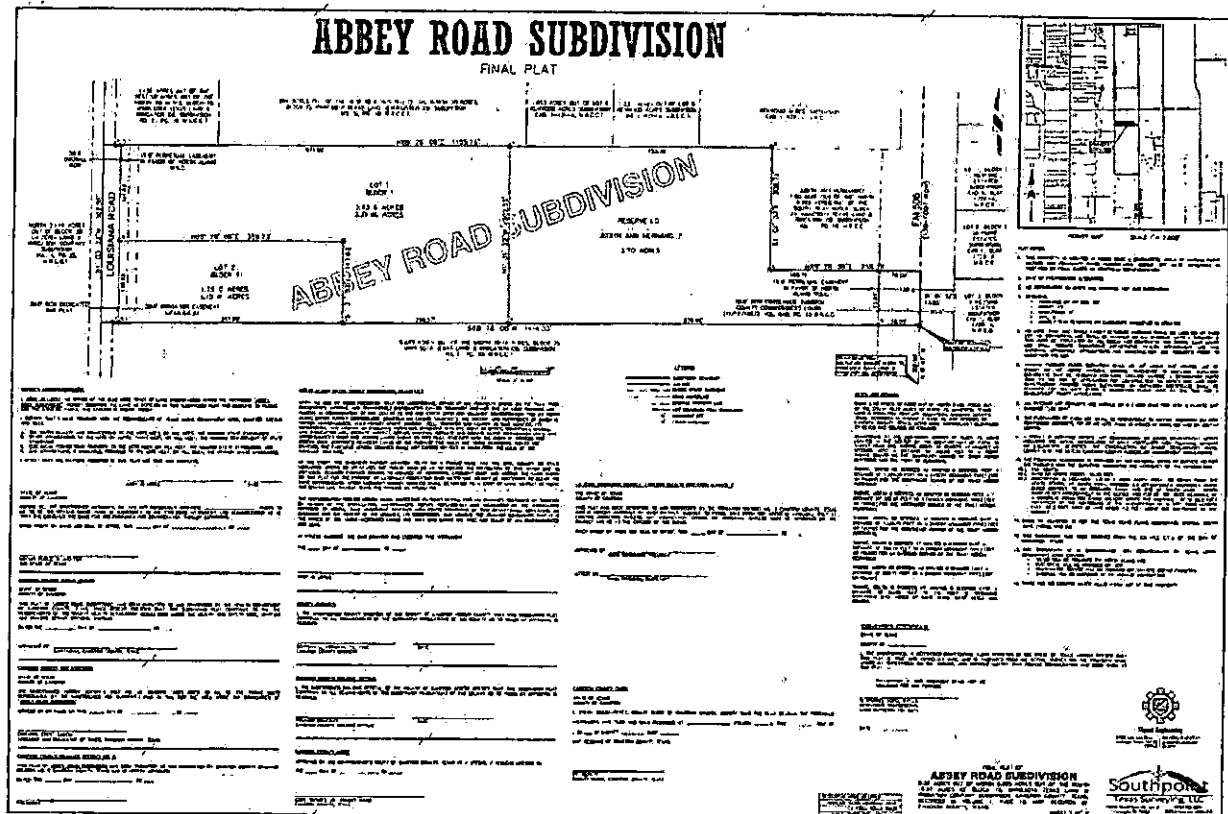
CITY OF HARLINGEN

Norma Sepulveda, Mayor

ATTEST:

Mayra Herrera City Secretary

EXHIBIT "A"



**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 15, 2026**

Agenda Item:

Consideration and possible action to approve an ordinance on second and final 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 **\$3,415,355**

- \$ 3,415,355 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 Paving - Purchase street paver \$558,000 paver approved by CC on 07-01-2026. (added to second reading).**
- 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 sidelining 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 - Dixieland parking lot improvements project \$14,000. Approved by CC on 07-01-2026 (added to second reading).**
- 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 \$90,300 (Revised for Second Reading).**
- 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 \$1,956,723

- \$1,956,723 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 \$90,300 (Revised for Second Reading).**

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 \$3,947,655 - Expenditures increased by \$8,274,074

❖

Funding (if applicable):

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

☐

Yes

☐

No*

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

Finance Director's approval:

☒

Yes

☐

No

☐

N/A

Staff Recommendation:

Staff recommends approval.

City Manager's approval:



☒

Yes

☐

No

☐

N/A

Comments:

City Attorney's approval:



☐

Yes

☐

No

☐

N/A

Departmental Budget Projections and Requests
Department Request
Fiscal Year 2026

Exhibit A

156 Days of Operation

Fund	Audited Beginning Fund Balance	Projected Revenues	Requested Expenditures	Revenues Over(Under) Expenditures	Estimated Ending Fund Balance
General Fund	\$ 41,301,924	\$ 70,094,744	\$ 78,007,031	\$ (7,912,287)	\$ 33,389,637
Tennis Court	303,433	261,554	236,481	25,073	328,506
Hotel / Motel	3,948,235	1,872,000	1,207,521	664,479	4,612,714
Catastrophic Emergency	871,892	35,040	30,000	5,040	876,932
Downtown Improvement District	93,574	431,833	490,352	(58,519)	35,055
Free Trade Bridge	1,550,086	337,000	111,500	225,500	1,775,586
Convention and Visitors Bureau	191,971	740,562	746,965	(6,403)	185,568
Award Programs - Restricted	(2,822,834)	26,347,364	24,966,933	1,380,431	(1,442,403)
Subdivision Park Fees	-	86,300	-	86,300	86,300
Public, Educational, and Governmental Programming	1,031,602	105,000	100,000	5,000	1,036,602
Keep Harlingen Beautiful	-	666,665	155,000	511,665	511,665
Harlingen Convention Center	1,638,386	36,000	-	36,000	1,674,386
Federal Forfeitures	1,057,353	357,522	330,000	27,522	1,084,875
State Forfeitures	117,028	146,000	181,089	(35,089)	81,939
Tax Increment Financing No. 1	998,343	467,131	1,000	466,131	1,464,474
Tax Increment Financing No. 2	4,103,898	641,325	1,000	640,325	4,744,223
Tax Increment Financing No. 3	1,281,590	892,131	501,000	391,131	1,672,721
Sponsorships Fund	74,785	164,000	150,900	13,100	87,885
Animal Shelter Fund	183,073	49,000	156,680	(107,680)	75,393
Debt Service	614,585	4,758,217	4,619,326	138,891	753,476
Infrastructure	2,564,409	1,605,000	3,399,810	(1,794,810)	769,599
Municipal Auditorium*	176,243	198,210	173,300	24,910	201,153
Sanitation/Sanitary Landfill*	4,020,072	11,135,000	15,400,688	(4,265,688)	(245,616)
Harlingen Arts and Heritage Museum*	(24,923)	227,265	230,795	(3,530)	(28,453)
Municipal Golf Course*	(2,482,521)	1,577,635	1,646,350	(68,715)	(2,551,236)
Motor Vehicle Warehouse*	1,001,042	2,682,000	2,631,886	50,114	1,051,156
Health Insurance	650,853	6,167,200	6,129,000	38,200	689,053
Lon C. Hill Memorial Library	92,213	39,500	74,000	(34,500)	57,713
Total	\$ 62,536,312	\$ 132,121,198	\$ 141,678,607	\$ (9,557,409)	\$ 52,978,903

*Working capital presented in place of fund balance.

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 Three Million, Nine Hundred Forty-Seven Thousand, Six Hundred Fifty-Five Dollars (\$3,947,655) in revenues and Eight Million, Two Hundred Seventy-Four Thousand, Seventy-Four Dollars (\$8,274,074) 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

**AGENDA ITEM
EXECUTIVE SUMMARY**

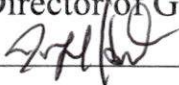
Meeting Date: **July 15, 2026**

Agenda Item:

Consideration and possible action to approve an Ordinance of first reading amending The Harlingen Code of Ordinances Chapter 18 Master Fee Schedule to provide a twenty percent (20%) discount on green fees and Golf Cart Fees at the Tony Butler Golf Course for City employees, Veterans, Active-Duty Military Personnel, First Responders, and Harlingen Resident Teachers. Attachment **(Golf)**

Prepared By: Jeff Hart

Title: Director of Golf

Signature: 

Summary:

Staff asks the city council to provide additional resources for city employees that aims and better enables it to provide quality facilities for the enjoyment and is a health and wellness category for all city employees, veterans and Harlingen teachers and reduces the cost of fees for green fees and carts at Tony Butler by 20%.

Staff Recommendation:

Staff recommends decreasing the rates by 20% for all fees at Tony Butler Golf Course as a part of the continued support of city employees, veteran's, Active-Duty Military Personnel, First Responders, and Harlingen resident Teacher's health and wellness.

City Manager's approval:



☒ Yes

☐ No

☐ N/A

Comments:

City Attorney's approval:



☐ Yes

☐ No

☐ N/A

ORDINANCE NO. 2026-__

AN ORDINANCE OF THE CITY OF HARLINGEN, TEXAS AMENDING CHAPTER 18, MASTER FEE SCHEDULE OF THE HARLINGEN CODE OF ORDINANCES TO PROVIDE A TWENTY PERCENT (20%) DISCOUNT ON GREEN FEES AND GOLF CART FEES AT THE TONY BUTLER GOLF COURSE FOR CITY EMPLOYEES, VETERANS, ACTIVE-DUTY MILITARY PERSONNEL, FIRST RESPONDERS, AND HARLINGEN RESIDENT TEACHERS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY AND ORDAINING OTHER MATTERS PERTAINING TO THE FOREGOING.

WHEREAS, the City of Harlingen provides and maintains the Tony Butler Golf Course, to enhance the quality of life and provide opportunities for healthy activities for Harlingen residents and visitors; and

WHEREAS, the City finds that promoting health, wellness, and recreational opportunities for city employees, veterans, active-duty military personnel, first responders, and Harlingen resident teachers serves a valid public purpose by encouraging physical activity and enhancing quality of life; and

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

SECTION 1. AMENDMENT.

That Chapter 18, Master Fee Schedule of the Code of Ordinances of the City of Harlingen is hereby amended to incorporate a twenty percent (20%) discount on regularly established green fees and golf cart rental fees to city employees upon presentation of appropriate identification or other documentation as required by the City by adjusting and increasing fees for Tony Butler Golf Course:

Rate	Current	Proposed
18-Hole Green Fee & Cart	\$40	\$32
9-Hole Green Fee Cart	\$28	\$22
18-Hole Twilight Green Fee and Cart	\$28	\$22
9-Hole Twilight Green Fee and Cart Rate	\$22	\$18

PASSED AND APPROVED ON FIRST READING this ____ day of July, 2026

PASSED AND APPROVED ON SECOND AND FINAL READING this ____ 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 was held in accordance with TEXAS GOVERNMENT CODE, TITLE 5, SUBTITLE A, CHAPTER 551.

CITY OF HARLINGEN

BY: _____
Norma Sepulveda, Mayor

ATTEST:

BY: _____
Mayra Herrera, City Secretary

10b

**AGENDA ITEM
EXECUTIVE SUMMARY**

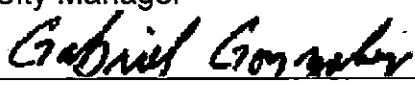
Meeting Date: **July 15, 2026**

Agenda Item:

Consideration and possible action to approve an ordinance on first reading to adopt regulations that ensure that meetings of the City Commission are conducted in a way that allows the business of the City to be undertaken effectively and efficiently; providing savings, repealing and severability clauses and providing an effective date.

Prepared By (Print Name): **Gabriel Gonzalez**

Title: **City Manager**

Signature: 

Brief Summary:

The proposed ordinance provides guidelines regarding public participation and the orderly conduct at the City Commission Meetings, providing for implementation and severability while conducting City Business.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval of the ordinance.

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

Comments:

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

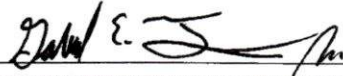


**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 15, 2026**

Agenda Item:

Consideration of possible action to authorize the filing of an application for financial assistance with the Texas Water Development Board for funding the construction of priority water capital improvement projects and the appointing of the HWWS authorized representative.

Prepared By (Print Name): Gabriel E. Trevino Jr., P.E.
Title: Utility Engineer
Signature: 

Brief Summary:

Under House Bill 500 from the 89th Texas Legislative Session, a new one-time program was opened with the Texas Water Development Board (TWDB) named the Water Supply & Infrastructure Grant. This program provides 100% grant funding for water projects to selected qualified applicants. HWWS, as a qualified entity, is requesting authorization to submit a formal financial application and the appointment of HWWS's authorized representative. The financial application request will be for \$21,000,000.00 in grant funding for water capital improvement projects.

Funding (if applicable):

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

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

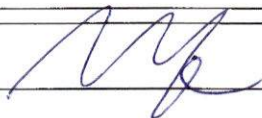
Finance Director's approval: ☒ Yes ☐ No ☐ N/A

Staff Recommendation:

Staff recommends approving the authorization for HWWS to submit a financial application to TWDB in the requested amount of \$21 million in grant funding under the Water Supply & Infrastructure Grant program for water capital improvements project and the appointing of the designated individual listed as HWWS's authorized representative.

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

Comments:

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

Application Filing and Authorized Representative Resolution

A RESOLUTION by the City Commission of the
City of Harlingen requesting financial assistance from the Texas Water
Development Board; authorizing the filing of an application for assistance; and making certain findings in
connection therewith.

BE IT RESOLVED BY THE City Commission OF
THE City of Harlingen;

SECTION 1: That an application is hereby approved and authorized to be filed with the Texas Water
Development Board seeking financial assistance in an amount not to exceed \$ 21,000,000 to provide
for the costs of Central Harlingen Water Line Pipe Bursting Project.

SECTION 2: That Roel 'Roy' Rodriguez, P.E. be and is hereby
designated the authorized representative of the Harlingen Waterworks System for purposes
of furnishing such information and executing such documents as may be required in connection with the preparation
and filing of such application for financial assistance and the rules of the Texas Water Development Board.

SECTION 3: That the following firms and individuals are hereby authorized and directed to aid and assist
in the preparation and submission of such application and appear on behalf of and represent the
Harlingen Waterworks System before any hearing held by the Texas Water
Development Board on such application, to wit:

Financial Advisor: Anne Burger Entekin
Hilltop Securities Inc.

Engineer: Gabriel E. Trevino Jr., P.E.
Harlingen Waterworks System

Bond Counsel: Glenn Opel
Bracewell, LLP

PASSED AND APPROVED, this the _____ day of _____, 20____.

ATTEST: _____

By: _____

(Seal)

(SEAL)

10d

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 15, 2026**

Agenda Item:

Consideration of possible action to approve an ordinance authorizing the amendment Chapter 48 Division 4: Industrial Water Subdivision I sections 48-255 thru 48-270 to amend Technically Based Local Limits (TBLLs) as part of the approved pretreatment program; and ordaining other matters relating thereto

Prepared By (Print Name): Francisco Diaz
Title: Compliance Manager

Signature: *Francisco Diaz*

Brief Summary:

In August 2018, TCEQ requested that HWWS redevelop its Technically Based Local Limits (TBLLs). During the most recent TCEQ audit on March 3, 2025, TCEQ requested an update on the TBLLs study subsequently provided by Ambiotec Environmental on March 11, 2025. June 19, 2025 TCEQ reviewed and provided recommendations on the TBLLs identified and must now be included in the City ordinance section 48-255 thru 48-270

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approving the ordinance authorizing the amendment of section 48-255 thru 48-270 to include the updated TBLLs.

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

Comments:

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

ORDINANCE NO. 26-XX

AN ORDINANCE OF THE CITY OF HARLINGEN, TEXAS AMENDING CHAPTER 48 DIVISION 4: INDUSTRIAL WASTE SUBDIVISION I INDUSTRIAL PRETREATMENT SECTIONS 48-255-THRU 48-270 OF THE HARLINGEN CITY CODE AS AMENDED TO AMEND TECHNICALLY BASED LOCAL LIMITS AS PART OF THE APPROVED PRETREATMENT PROGRAM, ESTABLISHING AN EFFECTIVE DATE, AND PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING.

DIVISION 4: INDUSTRIAL WASTE

SUBDIVISION I. - Industrial Pretreatment

Sec. 48-255 – Purpose; General Provisions

(a) *Purpose and Policy*

This subdivision sets forth uniform requirements for Users of the Publicly Owned Treatment Works (POTW) for the City of Harlingen (City) and enables the City to comply with all applicable State and Federal laws, including the Clean Water Act (33 United States Code [U.S.C.] section 1251 et seq.) and the General Pretreatment Regulations (Title 40 of the Code of Federal Regulations [CFR] Part 403). The objectives of this subdivision are:

- (1) To prevent the introduction of pollutants into the POTW that will interfere with its operation or contaminate the resulting sludge;
- (2) To prevent the introduction of pollutants into the POTW that will pass through the POTW, inadequately treated, into receiving waters, or otherwise be incompatible with the POTW;
- (3) To protect both POTW personnel who may be affected by wastewater and sludge in the course of their employment and the general public;
- (4) To promote and improve the opportunity to reuse and recycle industrial wastewater and sludge from the POTW;
- (5) To provide for fees for the equitable distribution of the cost of operation, maintenance, and improvement of the POTW;
- (6) To enable the City to comply with its National Pollutant Discharge Elimination System permit conditions, sludge use and disposal requirements, and any other Federal or State laws to which the POTW is subject.
- (7) To monitor and regulate the generation, transportation, and disposal of industrial and hazardous wastes that could enter the wastewater collection and treatment system;
- (8) To protect the health and welfare of the general public and of employees who maintain and operate the POTW;
- (9) To create a permit system to regulate Industrial Users of the POTW;
- (10) To enforce the provisions of this Ordinance through inspections and monitoring of the Industrial Users;
- (11) To provide penalties for violations of the regulations established herein; and,
- (12) To ensure quality of sludge to allow its use and disposal in compliance with statutes and regulations.

(b) This subdivision shall apply to all Users of the POTW. The subdivision authorizes the issuance of individual wastewater discharge permits; provides for monitoring, compliance, and enforcement activities; establishes administrative review procedures; requires User reporting; and provides for the setting of fees for the equitable distribution of costs resulting from the program established herein.

(c) All categorical pretreatment standards, lists of Toxic Pollutants, Industrial Categories and other standards and categories promulgated by the Environmental Protection Agency (EPA) and/or the Texas Commission on Environmental Quality (TCEQ), as well as any regulations regarding sewage pretreatment pursuant to the Clean Water Act shall be incorporated as a part of this Chapter. An amendment of this subdivision to incorporate said changes shall not be required.

Sec. 48-256 – Administration

(a) Except as otherwise provided herein, the General Manager of the City of Harlingen Waterworks System, pursuant to the authority of the HWWS utility board of trustees provided in Article X, Section 7 of the City of Harlingen City Charter, shall administer, implement, and enforce the provisions of this subdivision. Any powers granted to or duties imposed upon the General Manager may be delegated by the General Manager to a duly authorized employee of HWWS.

Sec. 48-257- Abbreviations

(a) The following abbreviations, when used in this subdivision, shall have the designated meanings:

BOD – Biochemical Oxygen Demand

BMP – Best Management Practice
BMR – Baseline Monitoring Report
CFR – Code of Federal Regulations
CIU – Categorical Industrial User
COD – Chemical Oxygen Demand
EPA – U.S. Environmental Protection Agency
gpd – gallons per day
HWWS – The City of Harlingen Waterworks System (the Control Authority)
IU – Industrial User
mg/l – milligrams per liter
NPDES – National Pollutant Discharge Elimination System
NSCIU – Non-Significant Categorical Industrial User
POTW – Publicly Owned Treatment Works
RCRA – Resource Conservation and Recovery Act
SIC – Standard Industrial Classification Code
SIU – Significant Industrial User
SNC – Significant Noncompliance
TCEQ – Texas Commission on Environmental Quality
TPDES – Texas Pollutant Discharge Elimination System
TSS – Total Suspended Solids
U.S.C. – United States Code
WWTP – Wastewater Treatment Plant

Sec. 48-258 - Definitions

- (a) Unless a provision explicitly states otherwise, the following terms and phrases, as used in this division, shall have the meanings hereinafter designated.
- (1) **Abnormal Sewage.** Any industrial waste having a TSS or BOD content in excess of that found in normal domestic wastewater and which is otherwise acceptable for discharge into a sanitary sewer under the terms of this division.
 - (2) **Abnormal Sewage Surcharge.** The charge levied against any person or business for services rendered during treatment of abnormal sewage. This charge shall be in addition to the usual monthly charge for sewer service.
 - (3) **Act or "the Act".** The Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et. seq.
 - (4) **Approval Authority.** The Executive Director of TCEQ or other duly authorized official of said agency.
 - (5) **Authorized or Duly Authorized Representative of the User.**
 - a. If the User is a corporation:
 1. The president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or,
 2. The manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions that govern the operation of the regulated facility including having the explicit or implicit duty of making major capital investment recommendations, and initiate and direct other comprehensive measures to assure long-term environmental compliance with environmental laws and regulations; can ensure that the necessary systems are established or actions taken to gather complete and accurate information for individual wastewater discharge permit requirements; and where authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - b. If the User is a partnership or sole proprietorship: a general partner or proprietor, respectively.
 - c. If the User is a Federal, State, or local governmental facility: a director or highest official appointed or designated to oversee the operation and performance of the activities of the government facility, or their designee.
 - d. The individuals described in paragraphs (a)(5)a. through c., above, may designate a Duly Authorized Representative if the authorization is in writing, the authorization specifies the individual or position responsible for the overall operation of the facility from which the discharge originates or having overall responsibility for environmental matters for the company, and the written authorization is submitted to HWWS.
 - (6) **Biochemical Oxygen Demand or BOD.** The quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five (5) days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/l).
 - (7) **Best Management Practices or BMPs.** Schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to implement the prohibitions listed in Section 48-259(a) and (b) [40 CFR 403.5(a)(1) and (b)]. BMPs include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw materials storage.
 - (8) **Carbonaceous Biochemical Oxygen Demand or CBOD.** A subset of BOD. BOD analytical results are based on Dissolved Oxygen (DO) depletion from both carbonaceous and nitrogenous actors in a wastewater sample. CBOD is a measure of Dissolved Oxygen (DO) depletion from carbonaceous sources only.
 - (9) **Categorical Pretreatment Standard or Categorical Standard.** Any regulation containing pollutant

discharge limits promulgated by EPA in accordance with sections 307(b) and (c) of the Act (33 U.S.C. section 1317) that apply to a specific category of Users and that appear in 40 CFR Chapter I, Subchapter N, Parts 405-471.

- (10) *Categorical Industrial User*. An Industrial User subject to a Categorical Pretreatment Standard or categorical Standard.
- (11) *City*. The City of Harlingen as governed by the City Commission of the City of Harlingen.
- (12) *City of Harlingen Waterworks System* or *HWWS*. The department of the City of Harlingen acting as the Control Authority responsible for the operation of the POTW and its wastewater collection system, under the managing control of the Utility Board of Trustees appointed by the City of Harlingen City Commission.
- (13) *Chemical Oxygen Demand* or *COD*. A measure of the oxygen required to oxidize all compounds, both organic and inorganic, in water.
- (14) *Composite Sample*. The sample resulting from the combination of individual wastewater samples taken at selected intervals based on an increment of either flow or time.
- (15) *Control Authority*. The City of Harlingen Waterworks System (HWWS), or its duly authorized representative.
- (16) *Daily Maximum Limit & Daily Discharge*. The maximum allowable discharge limit of a pollutant during a calendar day. Where Daily Maximum Limits are expressed in units of mass, the daily discharge is the discharge of a pollutant measured during a calendar day or any 24-hour period that reasonably represents the calendar day for purposes of sampling. Where Daily Maximum Limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.
- (17) *Direct Discharge*. The discharge of treated or untreated wastewater directly to the waters of the State of Texas.
- (18) *Domestic Holding Tank Waste*. Any waste from holding tanks, such as vessels, chemical toilets, campers, trailers, septic tanks, and/or vacuum pump tank trucks, generated from a domestic source.
- (19) *Environmental Protection Agency* or *EPA*. The U.S. Environmental Protection Agency or, where appropriate, the Regional Water Management Division Director, the Regional Administrator, or other duly authorized official of said agency.
- (20) *Existing Source*. Any source of discharge that is not a "New Source".
- (21) *General Manager*. The General Manager of the City of Harlingen Waterworks System (HWWS) who is designated by HWWS to supervise the operation of the POTW, and who is charged with certain duties and responsibilities by this division and by the City of Harlingen City Charter. The term also means a Duly Authorized Representative of the General Manager.
- (22) *Generator*. A person who causes, creates, generates, or otherwise produces waste.
- (23) *Grab Sample*. A sample that is taken from a waste stream without regard to the flow in the waste stream and over a period of time not to exceed fifteen (15) minutes.
- (24) *Grease*. Fatty acids, soaps, fats, waxes, oils, and any other material extracted by solvent from acidified samples and not volatilized during evaporation of the solvent as specified in "Standard Methods"
- (25) *Indirect Discharge or Discharge*. The introduction of pollutants into the POTW from any nondomestic source.
- (26) *Instantaneous Limit*. The maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composited sample collected, independent of the industrial flow rate and the duration of the sampling event.
- (27) *Industrial Holding Tank Waste*. Any waste from holding tanks such as vessels, septic tanks, and/or vacuum pump tank trucks, generated from an Industrial User.
- (28) *Industrial User*. A source of indirect discharge.
- (29) *Industrial Waste*. Waste resulting from any process of industry, manufacturing, trade, or business, or any mixture of the waste with water or normal wastewater, or any waste which is distinct from normal domestic wastewater.
- (30) *Interference*. A discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the POTW, its treatment processes or operations or its sludge processes, use or disposal; and therefore, is a cause of a violation of the POTW's TPDES permit or of the prevention of sewage sludge use or disposal in compliance with any of the following statutory/regulatory provisions or permits issued thereunder, or any more stringent State or Local regulations: section 405 of the Act; the Solid Waste Disposal Act, including Title II commonly referred to as the Resource Conservation and Recovery Act (RCRA); any State regulations contained in any State sludge management plan prepared pursuant to Subtitle D of the Solid Waste Disposal Act; the Clean Air Act; the Toxic Substances Control Act; and the Marine Protection, Research, and Sanctuaries Act.
- (31) *Liquid Waste*. All waste (and wastewater) removed from traps and tanks including, but not limited to, grease trap waste, sand and grit trap waste, and septage.
- (32) *Liquid Waste Generator*. A person who causes, creates, generates, or otherwise produces liquid waste.
- (33) *Liquid Waste Transporter*. A person who operates a vehicle or fleet of vehicles for the purpose of transporting liquid waste.

- (34) *Local Limit.* Specific discharge limits developed and enforced by the POTW upon industrial or commercial facilities to implement the general and specific discharge prohibitions listed in 40 CFR 403.5(a)(1) and (b).
- (35) *Medical Waste.* Isolation wastes, infectious agents, human blood and blood products, pathological wastes, sharps, body parts, contaminated bedding, surgical wastes, potentially contaminated laboratory wastes, and dialysis wastes.
- (36) *Monthly Average.* The sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
- (37) *Monthly Average Limit.* The highest allowable average of "daily discharges" over a calendar month, calculated as the sum of all "daily discharges" measured during a calendar month divided by the number of "daily discharges" measured during that month.
- (38) *National Pollutant Discharge Elimination System or NPDES Permit.* A permit issued to Section 402 of the Act (33 U.S.C. 1342).
- (39) *New Source.*
 - a. Any building, structure, facility or installation from which there is or may be a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act, which will be applicable to such source if such standards are thereafter promulgated in accordance with that Section, provided that:
 - 1. The building, structure, facility or installation is constructed at a site at which no other source is located; or
 - 2. The building, structure, facility or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source; or
 - 3. The production or wastewater generating processes of the building, structure, facility or installation are substantially independent of an existing source at the same site. In determining whether these are substantially independent, factors such as the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source should be considered.
 - b. Construction on a site at which an existing source is located results in a modification rather than a new source if the construction does not create a new building, structure, facility or installation meeting the criteria of paragraphs (a)(39)a.2., or (a)(39)a.3. above but otherwise alters, replaces, or adds to existing process or production equipment.
 - c. Construction of a new source as defined under this paragraph has commenced if the owner or operator has:
 - 1. Begun, or caused to begin as part of a continuous onsite construction program:
 - (i) Any placement, assembly, or installation of facilities or equipment; or
 - (ii) Significant site preparation work including clearing, excavation, or removal of existing buildings, structures, or facilities which is necessary for the placement, assembly, or installation of new source facilities or equipment; or
 - 2. Entered into a binding contractual obligation for the purchase of facilities or equipment which are intended to be used in its operation within a reasonable time. Options to purchase or contracts which can be terminated or modified without substantial loss, and contracts for feasibility, engineering, and design studies do not constitute a contractual obligation under this paragraph.
- (40) *Noncontact Cooling Water.* Water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.
- (41) *Pass Through.* A discharge which exits the POTW into waters of the United States in quantities or concentrations which, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the POTW's TPDES permit, including an increase in the magnitude or duration of a violation.
- (42) *Person.* Any individual, partnership, co-partnership, firm, company, corporation, association, joint stock company, trust, estate, governmental entity, or any other legal entity; or their legal representatives, agents, or assigns. This definition includes all Federal, State, and local governmental entities.
- (43) *pH.* A measure of the acidity or alkalinity of a solution, expressed in standard units.
- (44) *Pollutant.* Dredged spoil, solid waste, incinerator residue, filter backwash, sewage, garbage, sewage sludge, munitions, Medical Wastes, chemical wastes, biological materials, radioactive materials, heat wrecked or discarded equipment, rock, sand, cellar dirt, municipal, agricultural and industrial wastes, and certain characteristics of wastewater (e.g., pH, temperature, TSS, turbidity, color, BOD, COD, toxicity, or odor).
- (45) *Pretreatment.* The reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the POTW. This reduction or alteration can be obtained by physical, chemical, or biological processes; by process changes; or by other means, except by diluting the concentration of the pollutants unless allowed by an applicable Pretreatment Standard.
- (46) *Pretreatment Coordinator.* An employee of HWWS designated by the General Manager to coordinate the pretreatment program.
- (47) *Pretreatment Requirements.* Any substantive or procedural requirements related to pretreatment imposed

on a User, other than a Pretreatment Standard.

- (48) *Pretreatment Standards or Standards*. Pretreatment Standards shall mean prohibited discharge standards, categorical Pretreatment Standards, and Local Limits.
 - (49) *Process Wastewater*. Any water which, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product.
 - (50) *Prohibited Discharge Standards or Prohibited Discharges*. Absolute prohibitions against the discharge of certain substances; these prohibitions appear in Section 48-259 of this subdivision.
 - (51) *Publicly Owned Treatment Works or POTW*. A treatment works, as defined by section 212 of the Act (33 U.S.C. section 1292), which is owned by HWWS. This definition includes any devices or systems used in the collection, storage, treatment, recycling, and reclamation of sewage or industrial wastes of a liquid nature and any conveyances, which convey wastewater to a treatment plant.
 - (52) *Septic Tank Waste*. Any sewage from holding tanks such as vessels, chemical toilets, campers, trailers, and septic tanks.
 - (53) *Sewage*. Human excrement and gray water (household showers, dishwashing operations, etc.).
 - (54) *Significant Industrial User (SIU)*. Except as provided in paragraphs (a)(54)c. and (a)(54)d. of this Section, a Significant Industrial User is:
 - a. All Industrial Users subject to Categorical Pretreatment Standards under 40 CFR 403.6 and 40 CFR Chapter I, Subchapter N; or
 - b. An Industrial User that:
 - 1. Discharges an average of twenty-five thousand (25,000) gallons per day (gpd) or more of process wastewater to the POTW (excluding sanitary, noncontact cooling and boiler blowdown wastewater);
 - 2. Contributes a process waste stream which makes up five (5) percent or more of the average dry weather hydraulic or organic capacity of the POTW treatment plant; or
 - 3. Is designated as such by HWWS on the basis that it has a reasonable potential for adversely affecting the POTW's operation or for violating any Pretreatment Standard or Requirement.
 - c. HWWS may determine that an Industrial User subject to categorical Pretreatment Standards is a Non-Significant Categorical Industrial User rather than a Significant Industrial User on a finding that the Industrial User never discharges more than 100 gallons per day (gpd) of measured total categorical wastewater (excluding sanitary, non-contact cooling and boiler blowdown wastewater, unless specifically included in the Pretreatment Standard) and the following conditions are met:
 - 1. The Industrial User, prior to HWWS finding, has consistently, for at least the previous two (2) years at a minimum, complied with all applicable categorical Pretreatment Standards and Requirements and met the flow requirements consistent with the NSCIU classification;
 - 2. The Industrial User annually submits the certification statement required in Section 48-263, together with any additional information necessary to support the certification statement; and
 - 3. The Industrial User never discharges any untreated concentrated wastewater.
- If categorical and non-categorical wastewaters cannot be reliably distinguished, the combined flow is measured against the 100 gpd daily maximum exemption. If the facility is a batch discharger, HWWS may require the facility to install a form of flow restrictor that will ensure that its discharge will never exceed 100 gallons on any single day.
- d. Upon a finding that a User meeting the criteria in subsection (54)b. of this Section has no reasonable potential for adversely affecting the POTW's operation or for violating any pretreatment standard or requirement, HWWS may at any time, on its own initiative or in response to a petition received from an Industrial User, and in accordance with 40 CFR 403.8(f)(6), determine that such User should not be considered a Significant Industrial User.
- (55) *Significant Noncompliance*. See Section 48-266.

- (56) *Slug Load or Slug Discharge.* Any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 48-259 of this subdivision. A Slug Discharge is any Discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch Discharge, which has a reasonable potential to cause Interference or Pass Through, or in any other way violate the POTW's regulations, Local Limits or Permit conditions.
- (57) *Storm Water.* Any flow occurring during or following any form of natural precipitation, and resulting from such precipitation, including snowmelt.
- (58) *Texas Pollutant Discharge Elimination System.* A permit issued under 30 TAC Chapter 305
- (59) *Total Suspended Solids (TSS) or Suspended Solids.* The total suspended matter that floats on the surface of, or is suspended in, water, wastewater, or other liquid, and that is removable by laboratory filtering.
- (60) *Toxic Pollutant.* Any pollutant or combination of pollutants listed as toxic in regulations promulgated by the Administrator of the Environmental Protection Agency under the provision of the Act Section 307(a) or other Acts.
- (61) *Trap.* A device designed to skim, settle, or otherwise remove grease, oil, sand, flammable wastes or other harmful substances from wastewater.
- (62) *User or Industrial User.* A source of indirect discharge.
- (63) *Wastewater.* Liquid and water-carried industrial wastes and sewage from residential dwellings, commercial buildings, industrial and manufacturing facilities, and institutions, whether treated or untreated, which are contributed to the POTW.
- (64) *Wastewater Treatment Plant or Treatment Plant.* That portion of the POTW which is designed to provide treatment of municipal sewage and industrial waste.

Sec. 48-259 – General Sewer Use Requirements

(a) Prohibited Discharge Standards

- (1) *General Prohibitions.* No User shall introduce or cause to be introduced into the POTW any pollutant or wastewater which causes Pass Through or Interference. These general prohibitions apply to all Users of the POTW whether or not they are subject to categorical Pretreatment Standards or any other National, State, or local Pretreatment Standards or Requirements.
- (2) *Specific Prohibitions.* No User shall introduce or cause to be introduced into the POTW the following pollutants, substances, or wastewater:
 - a. Pollutants which create a fire or explosive hazard in the POTW, including, but not limited to, waste streams with a closed-cup flashpoint of less than 140 degrees F (60 degrees C) using the test methods specified in 40 CFR 261.21;
 - b. Wastewater having a pH less than 5.5 or greater than 10.5, or otherwise causing corrosive structural damage to the POTW or equipment;
 - c. Solid or viscous substances in amounts which will cause obstruction of the flow in the POTW resulting in Interference;
 - d. Pollutants, including oxygen-demanding pollutants (BOD, etc.), released in a discharge at a flow rate and/or pollutant concentration which, either singly or by interaction with other pollutants, will cause Interference with the POTW;
 - e. Wastewater having a temperature greater than one hundred forty degrees F (sixty (60) degrees C), or which will inhibit biological activity in the treatment plant resulting in Interference, but in no case wastewater which causes the temperature at the introduction into the treatment plant to exceed 104 degrees F (40 degrees C);
 - f. Petroleum oil, nonbiodegradable cutting oil, or products of mineral oil origin, in amounts that will cause Interference or Pass Through;
 - g. Pollutants which result in the presence of toxic gases, vapors, or fumes within the POTW in a quantity that may cause acute worker health and safety problems;
 - h. Trucked or hauled pollutants, except at discharge points designated by the General Manager in accordance with Section 48-260(d) of this subdivision;
 - i. Any substance which may cause the POTW's effluent or any other product of the POTW such as residues, or sludge, to be unsuitable for reclamation and reuse, and any substance which would interfere with the reclamation process. In no case shall a substance discharged to the POTW cause the POTW to be in noncompliance with sludge use or disposal criteria or regulations developed under Section 405 of the Act; or any criteria, guidelines, or regulations affecting sludge use or disposal developed pursuant to the Solid Waste Disposal Act, the Clean Air Act, the Toxic Substance Control Act, or State criteria applicable to the sludge management method being used.
 - j. Noxious or malodorous liquids, gases, solids, or other wastewater which, either singly or by interaction with other wastes, are sufficient to create a public nuisance or a hazard to life, or to prevent entry into the sewers for maintenance or repair;

- k. Wastewater which imparts color which cannot be removed by the treatment process, such as, but not limited to, dye wastes and vegetable tanning solutions, which consequently imparts color to the treatment plant's effluent, thereby violating HWWS's TPDES permit;
 - l. Wastewater containing any radioactive wastes or isotopes except in compliance with applicable State or Federal regulations;
 - m. Storm Water, surface water, ground water, artesian well water, roof runoff, subsurface drainage, swimming pool drainage, condensate, deionized water, Noncontact Cooling Water, and unpolluted wastewater, unless specifically authorized by the General Manager;
 - n. Sludges, screenings, or other residues from the pretreatment of industrial wastes;
 - o. Medical Wastes, except as specifically authorized by the General Manager in an individual wastewater discharge permit;
 - p. Wastewater causing, alone or in conjunction with other sources, the treatment plant's effluent to fail toxicity test;
 - q. Detergents, surface-active agents, or other substances which might cause excessive foaming in the POTW;
 - r. Any free or emulsified fats, waxes, greases, or oils containing substances which may solidify or become discernably viscous at any temperature between thirty two (32) degrees F (0 degrees C) and one hundred and fifty (150) degrees F (66 degrees C).
 - s. Any wastewater which causes a hazard to human life or creates a public nuisance.
 - t. Wastewater causing two readings on an explosion hazard meter at the point of discharge into the POTW, or at any point in the POTW, of more than five percent (5%) or any single reading over ten percent (10%) of the Lower Explosive Limit of the meter.
- (3) Pollutants, substances, or wastewater prohibited by this Section shall not be processed or stored in such a manner that they could be discharged to the POTW.

(b) *National Categorical Pretreatment Standards*

- (1) Users must comply with the categorical Pretreatment Standards found at 40 CFR Chapter I, Subchapter N, Parts 405-471.
 - a. Where a categorical Pretreatment Standard is expressed only in terms of either the mass or the concentration of a pollutant in wastewater, the General Manager may impose equivalent concentration or mass limits in accordance with this Section.
 - b. When the limits in a categorical Pretreatment Standard are expressed only in terms of mass of pollutant per unit of production, the General Manager may convert the limits to equivalent limitations expressed either as mass of pollutant discharged per day or effluent concentration for purposes of calculating effluent limitations applicable to individual Industrial Users.
 - c. When wastewater subject to a categorical Pretreatment Standard is mixed with wastewater not regulated by the same Standard, the General Manager shall impose an alternate limit in accordance with 40 CFR 403.6(e).
 - d. A CIU may obtain a net/gross adjustment to a categorical Pretreatment Standard in accordance with the following paragraphs of this Section.
 - 1. Categorical Pretreatment Standards may be adjusted to reflect the presence of pollutants in the Industrial User's intake water in accordance with this Section. Any Industrial User wishing to obtain credit for intake pollutants must make application to HWWS. Upon request of the Industrial User, the applicable Standard will be calculated on a "net" basis (i.e., adjusted to reflect credit for pollutants in the intake water) if the requirements of this Section are met.

(2) *Criteria*

- a. Either (i) The applicable categorical Pretreatment Standards contained in 40 CFR subchapter N specifically provide that they shall be applied on a net basis; or (ii) The Industrial User demonstrates that the control system it proposes or uses to meet applicable categorical Pretreatment Standards would, if properly installed and operated, meet the Standards in the absence of pollutants in the intake waters.
- b. Credit for generic pollutants such as biochemical oxygen demand (BOD), total suspended solids (TSS), and oil and grease should not be granted unless the Industrial User demonstrates that the constituents of the generic measure in the User's effluent are substantially similar to the constituents of the generic measure in the intake water or unless appropriate additional limits are placed on process water pollutants either at the outfall or elsewhere.
- c. Credit shall be granted only to the extent necessary to meet the applicable categorical Pretreatment Standard(s), up to a maximum value equal to the influent value. Additional monitoring may be necessary to determine eligibility for credits and compliance with Standard(s) adjusted under this Section.

- d. Credit shall be granted only if the User demonstrates that the intake water is drawn from the same body of water as that into which the POTW discharges. HWWS may waive this requirement if it finds that no environmental degradation will result.

(c) *State Pretreatment Standards*

Users must comply with TCEQ Pretreatment Standards codified in Texas Administrative Code (TAC) Title 30 Part 1 Chapter 315.

(d) *Local Limits*

- (1) The General Manager is authorized to establish Local Limits, upon approval by HWWS and City, and pursuant to 40 CFR 403.5(c).
- (2) The following pollutant limits are established to protect against Pass Through and Interference. No person and/or User shall discharge wastewater containing concentrations in excess of the following:

<u>Parameter</u>	<u>Daily Average Concentration</u>	<u>Units</u>
Arsenic	1.4	mg/l
Barium	38	mg/l
Cadmium	0.09	mg/l
Chromium (Total)	13.42	mg/l
Copper	5.5	mg/l
Lead	1.1	mg/l
Mercury	0.00585	mg/l
Molybdenum	2.1	mg/l
Nickel	13	mg/l
Selenium	0.35	mg/l
Silver	4.6	mg/l
Zinc	1.3	mg/l
Cyanide	0.34	mg/l
Temperature	140	° F

The above limits apply at the point where the wastewater is discharged to the POTW. All concentrations for metallic substances are for total metal unless indicated otherwise. The General Manager may impose mass limitation in addition to the concentration-based limitations above.

- (3) The General Manager may develop Best Management Practices (BMPs), by ordinance or in individual wastewater discharge permits, to implement Local Limits and the requirements of Section 48-259. BMPs are applicable when they are required by a categorical pretreatment standard per 40 CFR 403.6 and shall be fully enforceable. It may be appropriate for HWWS to require certain IUs to comply with both BMPs and numeric local limits. In these cases HWWS shall include the following conditions in the control mechanism: effluent limits, including BMPs, based on applicable general pretreatment standards, local limits, and State and local law; requirements for the installation of treatment; requirements for or prohibitions on certain practices, activities, or discharges; requirements for operation and maintenance of treatment units; reporting requirements; IU records retention timeframe; any other requirements as determined by HWWS and specified in writing; timeframes associated with key activities; compliance certification; and, provision for re-opening or revoking the BMP conditions.

(4) *HWWS's Right of Revision*

HWWS reserves the right to establish, by ordinance or in individual wastewater discharge permits, more stringent Standards or Requirements on discharges to the POTW consistent with the purpose of this subdivision.

(5) *Dilution*

No User shall ever increase the use of process water, or in any way attempt to dilute a discharge, as a partial or complete substitute for adequate treatment to achieve compliance with a discharge limitation unless expressly authorized by an applicable Pretreatment Standard or Requirement. The General Manager may impose mass limitation on Users who are using dilution to meet applicable Pretreatment Standards or Requirements, or in other cases when the imposition of mass limitations is appropriate.

Sec. 48-260 - Pretreatment of Wastewater

(a) *Pretreatment Facilities*

Users shall provide wastewater treatment as necessary to comply with this subdivision and shall achieve compliance with all categorical Pretreatment Standards, Local Limits, and the prohibitions set out in Section 48-259 of this subdivision within the time limitations specified by EPA, the State, or the General Manager, whichever is more stringent. Any facilities necessary for compliance shall be provided, operated, and maintained at the User's expense. Detailed plans describing such facilities and operating procedures shall be submitted to the General Manager for review and shall be acceptable to the General Manager before such

facilities are constructed. The review of such plans and operating procedures shall in no way relieve the User from the responsibility of modifying such facilities as necessary to produce a discharge acceptable to HWWS under the provisions of this subdivision.

(b) *Additional Pretreatment Measures*

- (1) Whenever deemed necessary to achieve the purposes of this division, the General Manager may require Users to restrict their discharge during peak flow periods, designate that certain wastewater be discharged only into specific sewers, relocate and/or consolidate points of discharge, separate sewage waste streams from industrial waste streams, and such other conditions as may be necessary to protect the POTW and determine the User's compliance with the requirements of this subdivision.
- (2) The General Manager may, in order to provide for compliance with the objectives of this subdivision, require any person discharging into the POTW to install and maintain, on their property and at their expense, a suitable storage and flow-control facility to ensure equalization of flow. An individual wastewater discharge permit may be issued solely for flow equalization.
- (3) Grease, oil, and sand interceptors shall be provided when, in the opinion of the General Manager, they are necessary for the proper handling of wastewater containing excessive amounts of grease and oil, or sand; except that such interceptors shall not be required for residential users. All interception units shall be of a type and capacity approved by the General Manager and shall be so located to be easily accessible for cleaning and inspection. Such interceptors shall be inspected, cleaned, and repaired by the User at their expense.
- (4) Users with the potential to discharge flammable substances may be required to install and maintain an approved combustible gas detection meter.

(c) *Accidental Discharge/Slug Discharge Control Plans*

- (1) The General Manager shall evaluate and document whether each SIU needs an accidental discharge/slug discharge control plan or other action to control Slug Discharges within one (1) year of being designated as a SIU. Records associated with these activities shall be maintained by HWWS and made available to the Approval Authority upon request. The General Manager may require any User to develop, submit for approval, and implement such a plan or take such other action that may be necessary to control Slug Discharges. Alternatively, the General Manager may develop such a plan for any User. An accidental discharge/slug discharge control plan shall address, at a minimum, the following:
 - a. Description of discharge practices, including nonroutine batch discharges;
 - b. Description of stored chemicals;
 - c. Procedures for immediately notifying the General Manager of any accidental or Slug Discharge, as required by Section 48-263(f) of this subdivision; and,
 - d. Procedures to prevent adverse impact from any accidental or Slug Discharge. Such procedures include, but are not limited to, inspection and maintenance of storage areas, handling and transfer of materials, loading and unloading operations, control of plant site runoff, worker training, building of containment structures or equipment, measures for containing toxic organic pollutants, including solvents, and/or measures and equipment for emergency response.

(d) *Hauled Wastewater*

- (1) Septic tank waste may be introduced into the POTW only at locations designated by the General Manager, and at such times as are established by the General Manager. Such waste shall not violate Section 48-259 or any other requirements established by HWWS. The General Manager may require septic tank waste haulers to obtain individual wastewater discharge permits.
- (2) The General Manager may require haulers of industrial waste to obtain individual discharge permits. The General Manager may require generators of hauled industrial waste to obtain individual wastewater discharge permits. The General Manager also may prohibit the disposal of hauled industrial waste. The discharge of hauled industrial waste is subject to all other requirements of this subdivision.
- (3) Industrial waste haulers may discharge loads only at locations designated by the General Manager. No load may be discharged without prior consent of the General Manager. The General Manager may collect samples of each hauled load to ensure compliance with applicable Standards. The General Manager may require the industrial waste hauler to provide a waste analysis of any load prior to discharge.
- (4) Industrial waste haulers must provide a waste-tracking form for every load. This form shall include, at a minimum, the name and address of the industrial waste hauler, permit number, truck identification, names and addresses of sources of waste, and volume and characteristics of waste. The form shall identify the type of industry, known or suspected waste constituents, and whether any wastes are RCRA hazardous wastes.

Sec. 48-261 – Individual Wastewater Discharge Permits

(a) *Wastewater Analysis*

When requested by the General Manager, a User must submit information on the nature and characteristics of its wastewater within 30 Days of the request. The General Manager is authorized to prepare a form for this purpose and may periodically require Users to update this information.

(b) *Individual Wastewater Discharge Permit Requirements*

- (1) No Significant Industrial User shall discharge wastewater into the POTW without first obtaining an individual wastewater discharge permit from the General Manager, except a Significant Industrial User that has filed a timely application pursuant to Section 48-263(f) may continue to discharge for the time period specified therein.
- (2) The General Manager may require other Users to obtain individual wastewater discharge permits as necessary to carry out the purposes of this subdivision.
- (3) Any violation of the terms and conditions of an individual wastewater discharge permit shall be deemed a violation of this subdivision and subjects the wastewater discharge permittee to the sanctions set out in Sections 48-267, 48-268, and 48-269 of this subdivision. Obtaining an individual wastewater discharge permit does not relieve a permittee of its obligation to comply with all Federal and State Pretreatment Standards or Requirements or with any other requirements of Federal, State, and local law.

(c) *Individual Wastewater Discharge Permitting: Existing Connections*

Any User required to obtain an individual wastewater discharge permit who was discharging wastewater into the POTW prior to the effective date of this subdivision and who wishes to continue such discharges in the future, shall, within 90 days after said date, apply to the General Manager for an individual wastewater discharge permit in accordance with Subsection (e), below, and shall not cause or allow discharges to the POTW to continue after 120 days of the effective date of this subdivision except in accordance with an individual wastewater discharge permit issued by the General Manager.

(d) *Individual Wastewater Discharge Permitting: New Connections*

Any User required to obtain an individual wastewater discharge permit who proposes to begin or recommence discharging into the POTW must obtain such permit prior to the beginning or recommencing of such discharge. An application for this individual wastewater discharge permit, in accordance with Subsection (e), below, of this subdivision, must be filed at least 90 days prior to the date upon which any discharge will begin or recommence.

(e) *Individual Wastewater Discharge Permit Application Contents*

- (1) All Users required to obtain an individual wastewater discharge permit must submit a permit application. As necessary to carry out the purposes of this subdivision, the General Manager may require Users to submit all or some of the following information as part of a permit application:
 - a. Identifying Information
 1. The name and address of the facility, including the name of the operator and owner.
 2. Contact information, description of activities, facilities, and plant production processes on the premises.
 - b. Environmental Permits. A list of any environmental control permits held by or for the facility.
 - c. Description of Operations.
 1. A brief description of the nature, average rate of production (including each product produced by type, amount, processes, and rate of production), and standard industrial classifications of the operation(s) carried out by such User. This description should include a schematic process diagram, which indicates points of discharge to the POTW from the regulated processes.
 2. Types of wastes generated, and a list of all raw materials and chemicals used or stored at the facility which are, or could accidentally or intentionally be, discharged to the POTW.
 3. Number and type of employees, hours of operation, and proposed or actual hours of operation.
 4. Type and amount of raw materials processed (average and maximum per day).
 5. Site plans, floor plans, mechanical and plumbing plans, and details to show all sewers, floor plans, mechanical and plumbing plans, and details to show all sewers, floor drains, and appurtenances by size, location, and elevation, and all points of discharge.
 - d. Time and duration of discharges.
 - e. The location for monitoring all wastes covered by the permit.
 - f. Flow Measurement. Information showing the measured average daily and maximum daily flow, in gallons per day, to the POTW from regulated process streams and other streams, as necessary, to allow use of the combined waste stream formula set out in Section 48-259 (40 CFR 403.6(e)).
 - g. Measurement of Pollutants.

1. The categorical Pretreatment Standards applicable to each regulated process and any new categorically regulated processes for Existing Sources.
 2. The results of sampling and analysis identifying the nature and concentration, and/or mass, where required by the Standard and by the General Manager, of regulated pollutants in the discharge from each regulated process.
 3. Instantaneous Daily Maximum, and long-term average concentrations, or mass, where required, shall be reported.
 4. The sample shall be representative of daily operations and shall be analyzed in accordance with procedures set out in Section 48-263(j) of this subdivision. Where the Standard requires compliance with a BMP or pollution prevention alternative, the User shall submit documentation as required by the General Manager and the applicable Standards to determine compliance with the Standard.
 5. Sampling must be performed in accordance with procedures set out in Section 48-263(k) of this subdivision.
- h. Any requests for a monitoring waiver (or a renewal of an approved monitoring waiver) for a pollutant neither present nor expected to be present in the discharge based on Section 48-263(d) [40 CFR 403.12(e)(2)].
 - i. Any other information as may be deemed necessary by the General Manager to evaluate the permit application.
- (2) Incomplete or inaccurate applications will not be processed and will be returned to the User for revision.
- (f) *Application Signatories and Certifications*
- (1) All wastewater discharge permit applications, User reports, and certification statements must be signed by an Authorized Representative of the User and contain the certification statement in Section 48-263.
 - (2) If the designation of an Authorized Representative is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new written authorization satisfying the requirements of this Section must be submitted to the General Manager prior to or together with any reports to be signed by an Authorized Representative.
 - (3) A facility determined to be a Non-Significant Categorical Industrial User by the General Manager pursuant to Section 48-258(a)(54)c. must annually submit the signed certification statement in Section 48-263.

(g) *Individual Wastewater Discharge Permit Decisions*

The General Manager will evaluate the data furnished by the User and may require additional information. Within 30 days of receipt of a complete permit application, the General Manager will determine whether to issue an individual wastewater discharge permit. The General Manager may deny or condition new or increased contributions, or changes in the nature of pollutants, on any application for an individual wastewater discharge permit.

Sec. 48-262 – Individual Wastewater Discharge Permit Issuance

(a) *Individual Wastewater Discharge Permit Duration*

An individual wastewater discharge permit shall be issued for a specified time period, not to exceed five (5) years from the effective date of the permit. An individual wastewater discharge permit may be issued for a period less than five (5) years, at the discretion of the General Manager. Each individual wastewater discharge permit will indicate a specific date upon which it will expire.

(b) *Individual Wastewater Discharge Permit Contents*

- (1) An individual wastewater discharge permit shall include such conditions as are deemed reasonably necessary by the General Manager to prevent Pass Through or Interference, protect the quality of the water body receiving the treatment plant's effluent, protect worker health and safety, facilitate sludge management and disposal, and protect against damage to the POTW.
- (2) Individual wastewater discharge permits must contain:
 - a. A statement that indicates the wastewater discharge permit issuance date, expiration date and effective date;
 - b. A statement that the wastewater discharge permit is nontransferable without prior notification to HWS in accordance with Section 48-262(e) of this subdivision, and provisions for furnishing the new owner or operator with a copy of the existing wastewater discharge permit;
 - c. Effluent limits, including Best Management Practices, based on applicable Pretreatment Standards in 40 CFR Part 403, categorical pretreatment standards, local limits, and State and local law;
 - d. Self-monitoring, sampling, reporting, notification, and record-keeping requirements. These requirements shall include an identification of pollutants (or best management practice) to be

monitored, sampling location, sampling frequency, and sample type based on Federal, State, and local;

- e. The process for seeking a waiver from monitoring for a pollutant neither present nor expected to be present in the Discharge in accordance with Section 48-263(d);
- f. A statement of applicable civil and criminal penalties for violation of Pretreatment Standards and Requirements, and any applicable compliance schedule. Such schedule may not extend the time for compliance beyond that required by applicable Federal, State, or local law;
- g. Requirements to control Slug Discharge, if determined by the General Manager to be necessary including requirements to notify HWWS immediately of facility changes affecting potential slug discharges;
- h. Any grant of the monitoring waiver by the General Manager (Section 48-263(d)) must be included as a condition in the User's permit.

(3) Individual wastewater discharge permits may contain, but need not be limited to, the following conditions:

- a. Limits on the average and/or maximum rate of discharge, time of discharge, and/or requirements for flow regulation and equalization;
- b. Requirements for the installation of pretreatment technology, pollution control, or construction of appropriate containment devices, designed to reduce, eliminate, or prevent the introduction of pollutants into the treatment works;
- c. Requirements for the development and implementation of spill control plans or other special conditions including management practices necessary to adequately prevent accidental, unanticipated, or nonroutine discharges;
- d. Development and implementation of waste minimization plans to reduce the amount of pollutants discharged to the POTW;
- e. The unit charge or schedule of User charges and fees for the management of the wastewater discharged to the POTW;
- f. Requirements for installation and maintenance of inspection and sampling facilities and equipment, including flow measurement devices;
- g. A statement that compliance with the individual wastewater discharge permit does not relieve the permittee of responsibility for compliance with all applicable Federal and State Pretreatment Standards, including those which become effective during the term of the individual wastewater discharge permit; and,
- h. Other conditions as deemed appropriate by the General Manager to ensure compliance with this subdivision, and State and Federal laws, rules, and regulations.

(c) *Permit Modification*

- (1) The General Manager may modify an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:
 - a. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
 - b. To address significant alterations or additions to the User's operation, processes, or wastewater volume or character since the time of the individual wastewater discharge permit issuance;
 - c. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
 - d. Information indicating that the permitted discharge poses a threat to HWWS's POTW, personnel, or the receiving waters;
 - e. Violation of any terms or conditions of the individual wastewater discharge permit;
 - f. Misrepresentations or failure to fully disclose all relevant facts in the wastewater discharge permit application or in any required reporting;
 - g. Revision of or a grant of variance from categorical Pretreatment Standards pursuant to 40 CFR 403.13;
 - h. To correct typographical or other errors in the individual wastewater discharge permit;
 - i. To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Subsection (d) below;
 - j. To incorporate any new or revised Federal, State, or local Pretreatment Standards or Requirements;
 - k. A change in the POTW that requires either a temporary or permanent reduction or elimination of the authorized discharge;
 - l. To correct typographical or other errors in the individual wastewater discharge permit; or

- m. To reflect a transfer of the facility ownership or operation to a new owner or operator where requested in accordance with Section 48-262(d).

(d) *Individual Wastewater Discharge Permit Transfer*

- (1) Individual wastewater discharge permits may be transferred to a new owner or operator only if the permittee gives at least 30 days advance notice to the General Manager and the General Manager approves the individual wastewater discharge permit transfer. The notice to the General Manager must include a written certification by the new owner or operator which:
 - a. States that the new owner and/or operator has no immediate intent to change the facility's operations and processes;
 - b. Identifies the specific date on which the transfer is to occur; and,
 - c. Acknowledges full responsibility for complying with the existing individual wastewater discharge permit.
- (2) Failure to provide advance notice of a transfer renders the individual wastewater discharge permit void as of the date of facility transfer.

(e) *Individual Wastewater Discharge Permit Revocation*

- (1) The General Manager may revoke an individual wastewater discharge permit for good cause, including, but not limited to, the following reasons:
 - a. Failure to notify the General Manager of significant changes to the wastewater prior to the changed discharge;
 - b. Failure to provide prior notification to the General Manager of changed conditions pursuant to Section 48-263(e) of this subdivision;
 - c. Misrepresentation or failure to fully disclose all relevant facts in the wastewater discharge permit application;
 - d. Falsifying self-monitoring reports and certification statements;
 - e. Tampering with monitoring equipment;
 - f. Refusing to allow the General Manager timely access to the facility premises and records;
 - g. Failure to meet effluent limitations;
 - h. Failure to pay fines;
 - i. Failure to pay sewer charges;
 - j. Failure to meet compliance schedules;
 - k. Failure to complete a wastewater survey or the wastewater discharge permit application;
 - l. Failure to provide advance notice of the transfer of business ownership of a permitted facility; or
 - m. Violation of any Pretreatment Standard or Requirement, or any terms of the wastewater discharge permit or this division.
 - n. Individual wastewater discharge permits shall be voidable upon cessation of operations or transfer of business ownership. All individual wastewater discharge permits issued to a User are void upon the issuance of a new individual wastewater discharge permit to that User.

(f) *Individual Wastewater Discharge Permit Reissuance*

A User with an expiring individual wastewater discharge permit shall apply for individual wastewater discharge permit reissuance by submitting a complete permit application, in accordance with Section 48-261(e) of this subdivision, a minimum of 90 days prior to the expiration of the User's existing individual wastewater discharge permit.

(g) *Regulation of Waste Received from Other Jurisdictions*

- (1) If another municipality, or User located within another municipality, contributes wastewater to the POTW, HWWS shall enter into an intermunicipal agreement with the contributing municipality.
- (2) Prior to entering into an agreement required by Paragraph (1) above, the General Manager shall request the following information from the contributing municipality:
 - a. A description of the quality and volume of wastewater discharged to the POTW by the contributing municipality;
 - b. An inventory of all Users located within the contributing municipality that are discharging to the POTW; and
 - c. Such other information as the General Manager may deem necessary.
- (3) An intermunicipal agreement, as required by paragraph (1), above, shall contain the following conditions:
 - a. A requirement for the contributing municipality to adopt a sewer use ordinance which is at least as stringent as this subdivision and Local Limits, including required Baseline Monitoring Reports (BMRs)

which are at least as stringent as those set out in Section 48-259(d) of this subdivision. The requirement shall specify that such ordinance and limits must be revised as necessary to reflect changes made to HWWS's ordinance and Local Limits;

- b. A requirement for the contributing municipality to submit a revised User inventory on at least an annual basis;
- c. A provision specifying which pretreatment implementation activities, including individual wastewater discharge permit issuance, inspection and sampling, and enforcement, will be conducted by the contributing municipality, which of these activities will be conducted by HWWS, and which of these activities will be conducted jointly by the contributing municipality and HWWS;
- d. A requirement for the contributing municipality to provide the General Manager with access to all information that the contributing municipality obtains as part of its pretreatment activities;
- e. Limits on the nature, quality, and volume of the contributing municipality's wastewater at the point where it discharges to the POTW;
- f. Requirements for monitoring the contributing municipality's discharge;
- g. A provision ensuring the General Manager access to the facilities of Users located within the contributing municipality's jurisdictional boundaries for the purpose of inspection, sampling, and any other duties deemed necessary by the General Manager; and
- h. A provision specifying remedies available for breach of the terms of the intermunicipal agreement.

Sec. 48-263 - Reporting Requirements

(a) Baseline Monitoring Reports

- (1) Within either one hundred eighty (180) days after the effective date of a categorical Pretreatment Standard, or the final administrative decision on a category determination under 40 CFR 403.6(a)(4), whichever is later, existing Categorical Industrial Users currently discharging to or scheduled to discharge to the POTW shall submit to the General Manager a report which contains the information listed in paragraph (2), below. At least ninety (90) days prior to commencement of their discharge, New Sources, and sources that become Categorical Industrial Users subsequent of the promulgation of an applicable categorical Standard, shall submit to the General Manager a report which contains the information listed in paragraph (2), below. A New Source shall report the method of pretreatment it intends to use to meet applicable categorical Standards. A New Source also shall give estimates of its anticipated flow and quantity of pollutants to be discharged. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the General Manager or the Pretreatment Standard necessary to determine the compliance status of the User.
- (2) Users described above shall submit the information set forth below.
 - a. All information required in Section 48-261(e)(1)a.1., Section 48-261(e)(1)b., Section 48-261(e)(1)c.1., and Section 48-261(e)(1)f.
 - b. *Measurement of pollutants*
 - 1. The User shall provide the information required in Section 48-261(e);
 - 2. The User shall take a minimum of one representative sample to compile that data necessary to comply with the requirements of this paragraph;
 - 3. Samples should be taken immediately downstream from pretreatment facilities if such exist or immediately downstream from the regulated process if no pretreatment exists. If other wastewaters are mixed with the regulated wastewater prior to pretreatment the User should measure the flows and concentrations necessary to allow use of the combined waste stream formula in 40 CFR 403.6(e) to evaluate compliance with the Pretreatment Standards. Where an alternate concentration or mass limit has been calculated in accordance with 40 CFR 403.6(e) this adjusted limit along with supporting data shall be submitted to HWWS;
 - 4. Sampling and analysis shall be performed in accordance with Section 48-263(j);
 - 5. The General Manager may allow the submission of a baseline report which utilizes only historical data so long as the data provides sufficient information to determine the need for industrial pretreatment measures;
 - 6. The baseline report shall indicate the time, date and place of sampling and methods of analysis, and shall certify that such sampling and analysis is representative of normal work cycles and expected pollutant Discharges to the POTW.
 - c. *Compliance Certification.* A statement, reviewed by the User's Authorized Representative as defined in this subdivision, and certified by a qualified professional, indicating whether Pretreatment Standards are being met on a consistent basis, and, if not, whether additional operation and maintenance (O&M) and/or additional pretreatment is required to meet the Pretreatment Standards and Requirements.

- d. *Compliance Schedule.* If additional pretreatment and/or O&M will be required to meet the Pretreatment Standards, the shortest schedule by which the User will provide such additional pretreatment and/or O&M must be provided. The completion date in this schedule shall not be later than the compliance date established for the applicable Pretreatment Standard. A compliance schedule pursuant to this Section must meet the requirements set out in Section 48-263(b) of this subdivision.
- e. *Signature and Report Certification.* All baseline monitoring reports must be certified in accordance with Section 48-263(n) of this subdivision and signed by an Authorized Representative as defined in this subdivision.

(b) *Compliance Schedule Progress Reports*

- (1) The following conditions shall apply to the compliance schedule required by Section 48-263(a) of this subdivision;
- (2) The schedule shall contain progress increments in the form of dates for the commencement and completion of major events leading to the construction and operation of additional pretreatment required for the User to meet the applicable Pretreatment Standards (such events include, but are not limited to, hiring an engineer, completing preliminary and final plans, executing contracts for major components, commencing and completing construction, and beginning and conducting routine operation);
- (3) No increment referred to above shall exceed nine (9) months;
- (4) The User shall submit a progress report to the General Manager no later than fourteen (14) days following each date in the schedule and the final date of compliance including, as a minimum, whether or not it complied with the increment of progress, the reason for any delay, and, if appropriate, the steps being taken by the User to return to the established schedule; and
- (5) In no event shall more than nine (9) months elapse between such progress reports to the General Manager.

(c) *Reports on Compliance with Categorical Pretreatment Standard Deadline*

Within ninety (90) days following the date for final compliance with applicable categorical Pretreatment Standards, or in the case of a New Source following commencement of the introduction of wastewater into the POTW, any User subject to such Pretreatment Standards and Requirements shall submit to the General Manager a report containing the information described in Section 48-261(e) and 48-263(a) of this subdivision. For Users subject to equivalent mass or concentration limits established in accordance with the procedures in Section 48-259(b), this report shall contain a reasonable measure of the User's long-term production rate. For all other Users subject to categorical Pretreatment Standards expressed in terms of allowable pollutant discharge per unit of production (or other measure of operation), this report shall include the User's actual production during the appropriate sampling period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the General Manager or the Pretreatment Standard necessary to determine the compliance status of the User. All compliance reports must be signed and certified in accordance with Section 48-263(n) of this subdivision. All sampling will be done in conformance with Section 48-263(k).

(d) *Periodic Compliance Reports*

- (1) All SIUs are required to submit periodic compliance reports even if they have been designated a Non-Significant Categorical Industrial User under the provisions of Subsection (d)(2), below.
 - a. Except as specified in Subsection (d)(2) below, all Users must, at a frequency determined by the General Manager submit no less than twice per year during the months of June and December reports indicating the nature, concentration of pollutants in the discharge which are limited by Pretreatment Standards and the measured or estimated average and maximum daily flows for the reporting period. In cases where the Pretreatment Standard requires compliance with a Best Management Practice (BMP) or pollution prevention alternative, the User must submit documentation required by the General Manager or the Pretreatment Standard necessary to determine the compliance status of the User.
 - b. HWWS may authorize an Industrial User subject to a categorical Pretreatment Standard to forego sampling of a pollutant regulated by a categorical Pretreatment Standard if the Industrial User has demonstrated through sampling and other technical factors that the pollutant is neither present nor expected to be present in the Discharge, or is present only at background levels from intake water and without any increase in the pollutant due to activities of the Industrial User. HWWS has the discretion to determine that the IU must monitor for a pollutant despite the IU having demonstrated that the pollutant is not present. In such circumstances, HWWS may determine the appropriate frequency of monitoring, including frequencies that are less than twice per year. HWWS may also reduce its monitoring for the pollutant to once during the term of the CIU's permit. If a waiver is authorized it applies only to the semiannual monitoring required under 40 CFR 403.12(e), and does not apply to monitoring required for the baseline monitoring report or the 90-day compliance report. This authorization is subject to the following conditions:

1. The waiver may be authorized where a pollutant is determined to present solely due to sanitary wastewater discharged from the facility provided that the sanitary wastewater is not regulated by an applicable categorical Standard and otherwise includes no process wastewater. A waiver may only be authorized when it can be demonstrated that the levels in the untreated wastewater do not exceed levels in the intake water based on sampling and other technical factors. In cases where waste stream concentrations exceed that of the intake water, a waiver may only be authorized if the IU can demonstrate through its technical evaluation that a specific pollutant is not added during any process and can demonstrate through a mass balance that any increases in the waste stream concentration are due solely to evaporative losses or other similar reductions in the volume of wastewater discharged (provided all other required criteria are met).
 2. The monitoring waiver is valid only for the duration of the effective period of the individual wastewater discharge permit, but in no case longer than 5 years. HWWS must monitor for the waived pollutants at least once during the effective period of the IU's permit. The User must submit a new request for the waiver before the waiver can be granted for each subsequent individual wastewater discharge permit. See Section 48-261(c).
 3. In making a demonstration that a pollutant is not present, the Industrial User must provide data from at least one sampling of the facility's process wastewater prior to any treatment present at the facility, based on a facility-wide evaluation that produces data that is representative of all wastewater from all processes as well as any seasonal or other variability in the discharge. Additionally, accurate flow measurements are required to successfully demonstrate that a pollutant is not present.
 4. The request for a monitoring waiver must be signed in accordance with this subdivision, and include the certification statement in Section 48-263(n) (40 CFR 403.6(a)(2)(ii)).
 5. Non-detectable sample results may be used only as a demonstration that a pollutant is not present if the EPA approved method from 40 CFR Part 136 with the lowest minimum detection level for that pollutant was used in the analysis.
 6. Any grant of the monitoring waiver by the General Manager must be included as a condition in the User's permit. The reasons supporting the waiver and any information submitted by the User in its request for the waiver and any information submitted by the User in its request for the waiver must be maintained by the General Manager for three (3) years after expiration of the waiver. The IU must continue to conduct monitoring until the waiver is granted by HWWS and incorporated in the IU's permit.
 7. Upon approval of the monitoring waiver and revision of the User's permit by the General Manager, the Industrial User must certify on each report with the statement in Section 48-263(n), below, that there has been no increase in the pollutant in its waste stream due to activities of the Industrial User. The IU permit must still include all applicable categorical standards, even those standards for which monitoring has been waived.
 8. In the event that a waived pollutant is found to be present or is expected to be present because of changes that occur in the User's operations, the User must immediately: Comply with the monitoring requirements of Section 48-263(d), or other more frequent monitoring requirements imposed by the General Manager, and notify the General Manager.
 9. This provision does not supersede certification processes and requirements established in categorical Pretreatment Standards, except as otherwise specified in the categorical Pretreatment Standard.
- (2) HWWS may reduce the requirement for periodic compliance reports (see Section 48-263(d) [40 CFR 403.12e(1)]) to a requirement to report no less frequently than once a year, unless required more frequently in the Pretreatment Standard or by the TCEQ where the Industrial User's total categorical wastewater flow does not exceed any of the following:
 - a. 0.01 percent of the POTW's design dry-weather hydraulic capacity of the POTW, or five thousand (5,000) gallons per day, whichever is smaller, as measured by a continuous effluent flow monitoring device unless the Industrial User discharges in batches.
 - b. 0.01 percent of the design dry-weather organic treatment capacity of the POTW; and
 - c. 0.01 percent of the maximum allowable headworks loading for any pollutant regulated by the applicable categorical Pretreatment Standard for which approved Local Limits were developed in accordance with Section 48-259(d) of this subdivision.
 - (3) All periodic compliance reports must be signed and certified in accordance with Section 48-263(n) of this subdivision.
 - (4) All wastewater samples must be representative of the User's discharge. Wastewater monitoring and flow measurement facilities shall be properly operated, kept clean, and maintained in good working order at all times. The failure of a User to keep its monitoring facility in good working order shall not be grounds for the User to claim that sample results are unrepresentative of its discharge.

- (5) If a User subject to the reporting requirement in this section monitors any regulated pollutant at the appropriate sampling location more frequently than required by the General Manager, using the procedures prescribed in Section 48-263(k) of this subdivision, the results of this monitoring shall be included in the report.
- (e) *Reports of Changed Conditions*
- (1) Each User must notify the General Manager of any significant changes to the User's operations or system which might alter the nature, quality, or volume of its wastewater at least 30 days before the change.
 - a. The General Manager may require the User to submit such information as may be deemed necessary to evaluate the changed condition, including the submission of a wastewater discharge permit application under Section 48-261(d) of this subdivision.
 - b. The General Manager may issue an individual wastewater discharge permit under Section 48-262(g) of this subdivision or modify an existing wastewater discharge permit under Section 48-262(d) of this subdivision in response to changed conditions or anticipated changed conditions.
- (f) *Reports of Potential Problems*
- (1) In the case of any discharge, including, but not limited to, accidental discharges of a nonroutine, episodic nature, a noncustomary batch discharge, a Slug Discharge or Slug Load, that might cause potential problems for the POTW, the User shall immediately telephone and notify the General Manager of the incident. This notification shall include the location of the discharge, type of waste, concentration and volume, if known, and corrective actions taken by the User.
 - (2) Within five (5) days following such discharge, the User shall, unless waived by the General Manager, submit a detailed written report describing the cause(s) of the discharge and the measures to be taken by the User to prevent similar future occurrences. Such notification shall not relieve the User of any expense, loss, damage, or other liability which might be incurred as a result of damage to the POTW, natural resources, or any other damage to person or property; nor shall such notification relieve the User of any fines, penalties, or other liability which may be imposed pursuant to this division.
 - (3) A notice shall be permanently posted on the User's bulletin board or other prominent place advising employees who to call in the event of a discharge described in paragraph (1), above. Employers shall ensure that all employees, who could cause such a discharge to occur, are advised of the emergency notification procedure.
 - (4) Significant Industrial Users are required to notify the General Manager immediately of any changes at its facility affecting the potential for a Slug Discharge.
- (g) *Reports from Unpermitted Users*
- All Users not required to obtain an individual wastewater discharge permit shall provide appropriate reports to the General Manager as the General Manager may require.
- (h) *Notice of Violation/Repeat Sampling and Reporting*
- If sampling performed by a User indicates a violation, the User must notify the General Manager within twenty-four (24) hours of becoming aware of the violation. The User shall also repeat the sampling and analysis and submit the results of the repeat analysis to the General Manager within thirty (30) days after becoming aware of the violation. Resampling by the Industrial User is not required if HWWS performs sampling at the User's facility at least once a month, or if HWWS performs sampling at the User between the time when the initial sampling was conducted and the time when the User or HWWS receives the results of this sampling, or if HWWS has performed the sampling and analysis in lieu of the Industrial User unless HWWS notifies the Industrial User to perform repeat sampling and analysis and submit the results within the 30 day time frame. If HWWS performs the sampling in lieu of SIU self-monitoring, then HWWS is required to perform any required repeat sampling and analysis.
- (i) *Notification of the Discharge of Hazardous Waste*
- (1) Any User who commences the discharge of hazardous waste shall notify the POTW, the EPA Regional Waste Management Division Director, and State hazardous waste authorities, in writing, of any discharge into the POTW of a substance which, if otherwise disposed of, would be a hazardous waste under 40 CFR Part 261. Such notification must include the name of the hazardous waste as set forth in 40 CFR Part 261, the EPA hazardous waste number, and the type of discharge (continuous, batch, or other). If the User discharges more than one hundred (100) kilograms of such waste per calendar month to the POTW, the notification also shall contain the following information to the extent such information is known and readily available to the User: an identification of the hazardous constituents contained in the wastes, an estimation of the mass and concentration of such constituents in the waste stream expected to be discharged during the following twelve (12) months. All notifications must take place no later than one hundred and eighty (180) days after the discharge commences. Any notification under this paragraph need be submitted only once for each hazardous waste discharged. However, notifications of changed conditions must be submitted under Section 48-263(e) of this subdivision. The notification requirement in this Section does not apply to pollutants already reported by Users subject to categorical Pretreatment Standards under the self-monitoring requirements of Sections 48-263(a), (c), and (d) of this subdivision.

- (2) Dischargers are exempt from the requirements of paragraph A, above, during a calendar month in which they discharge no more than fifteen (15) kilograms of hazardous wastes, unless the wastes are acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e). Discharge of more than fifteen (15) kilograms of nonacute hazardous wastes in a calendar month, or of any quantity of acute hazardous wastes as specified in 40 CFR 261.30(d) and 261.33(e), requires a one-time notification. Subsequent months during which the User discharges more than such quantities of any hazardous waste do not require additional notification.
 - (3) In the case of any new regulations under section 3001 of RCRA identifying additional characteristics of hazardous waste or listing any additional substance as a hazardous waste, the User must notify the General Manager, the EPA Regional Waste Management Waste Division Director, and State hazardous waste authorities of the discharge of such substance within ninety (90) days of the effective date of such regulations.
 - (4) In the case of any notification made under this Section, the User shall certify that it has a program in place to reduce the volume and toxicity of hazardous wastes generated to the degree it has determined to be economically practical.
 - (5) This provision does not create a right to discharge any substance not otherwise permitted to be discharged by this subdivision, a permit issued thereunder, or any applicable Federal or State law.
- (j) *Analytical Requirements*
- All pollutant analyses, including sampling techniques, to be submitted as part of a wastewater discharge permit application or report shall be performed in accordance with the techniques prescribed in 40 CFR Part 136 and amendments thereto, unless otherwise specified in an applicable categorical Pretreatment Standard. If 40 CFR Part 136 does not contain sampling or analytical techniques are inappropriate for the pollutant in question, sampling and analyses shall be performed by using validated analytical methods or any other applicable sampling and analytical procedures, including procedures suggested by the General Manager or other parties approved by EPA.
- (k) *Sample Collection*
- (1) Samples collected to satisfy reporting requirements, including BMRs, 90-Day reports, reports on continued compliance, and noncategorical SIU reports, must be based on data obtained through appropriate sampling and analysis performed during the period covered by the report, based on data that is representative of conditions occurring during the reporting period. Sampling should consider all operation conditions and the physical configuration of the Industrial User facility. In any case where alternate sampling procedures are authorized, in writing, by HWWS as described in Subsections (k)(1)a. through c. below, they shall be documented by HWWS in the control mechanism (IUPERM).
 - a. Except as indicated in Subsections (k)(1)b. and (k)(1)c. below, the User must collect wastewater samples using 24-hour flow-proportional composite sampling techniques, unless time-proportional composite sampling or grab sampling is authorized, in writing, by the General Manager. For sampling facilities that discharge less than 24-hours per day, the sampling must be representative of the Industrial User's wastewater discharge and must be taken within a 24-hour period but only during the portion of the 24-hour period that the Industrial User is discharging from the regulated process and/or the pretreatment unit as applicable. During parts of the day when there is no discharge of process wastewater, standing water should not be disproportionately sampled and analyzed as it is not representative of the discharge. Where time-proportional composite sampling or grab sampling is authorized by HWWS, the Industrial User must demonstrate, in writing, that the samples are representative of the discharge before HWWS allows the Industrial User to submit such samples and the decision must be documented in the Industrial User file. Using protocols (including appropriate preservation) specified in 40 CFR Part 136 and appropriate EPA guidance, multiple grab samples collected during a 24-hour period may be composited prior to the analysis as follows: for cyanide, total phenols, and sulfides the samples may be composited in the laboratory or in the field; for volatile organics and oil and grease, the samples may be composited in the laboratory. Composite samples for other parameters unaffected by the compositing procedures as documented in approved EPA methodologies may be authorized by HWWS, in writing, as appropriate. In addition, grab samples may be required to show compliance with Instantaneous Limits. Total residual chlorine, pH, and temperature samples cannot be composited under any circumstances.
 - b. Samples for oil and grease, temperature, pH, cyanide, total phenols, sulfides, and volatile organic compounds must be obtained using grab collection techniques.
 - c. For sampling required in support of baseline monitoring and 90-day compliance reports required in Section 48-263(a) and 48-263(c) [40 CFR 403.12(b) and (d)], a minimum of four (4) grab samples must be used for pH, cyanide, total phenols, oil and grease, sulfide and volatile organic compounds for facilities for new Industrial Users, existing Industrial Users that make changes or install new treatment, or existing Industrial Users for which historical sampling data do not exist. HWWS may require more than four grab samples be taken and separately analyzed to ensure that sampling is representative. For facilities for which historical sampling data are available, the General Manager may authorize, in writing, a lower minimum provided that the information is sufficient for HWWS to determine the need for industrial pretreatment measures and that there have not been changes that would cause the discharge to be no longer representative (for example, the addition of treatment).

There are some cases where a single grab sample may be reasonably expected to be representative of an Industrial User's discharge. For the reports required by paragraphs Section 48-263(d) (40 CFR 403.12(e) and 403.12(h)), the Industrial User is required to collect the number of grab samples necessary to assess and assure compliance by with applicable Pretreatment Standards and Requirements.

(l) *Date of Receipt of Reports*

Written reports will be deemed to have been submitted on the date postmarked. For reports which are not mailed, postage prepaid, into a mail facility serviced by the United States Postal Service, the date of receipt of the report shall govern.

(m) *Recordkeeping*

Users subject to the reporting requirements of this subdivision shall retain, and make available for inspection and copying, all records of information obtained pursuant to any monitoring activities required by this subdivision (including documentation associated with BMPs), any additional records of information obtained pursuant to monitoring activities undertaken by the User independent of such requirements, and documentation shall include the date, exact place, method, and time of sampling, and the name of the person(s) taking the samples; the dates analyses were performed; who performed the analyses; the analytical techniques or methods used; the results of such analyses; chain of custody information; sample preservation techniques; and associated QA/QC control data. These records shall remain available for a period of at least three (3) years. This period shall be automatically extended for the duration of any litigation concerning the User or HWWS, or where the User has been specifically notified of a longer retention period by the General Manager.

(n) *Certification Statements*

- (1) *Certification of Permit Applications, User Reports and Initial Monitoring Waiver* – The following certification statement is required to be signed and submitted by Users submitting permit applications in accordance with Section 48-261(g); Users submitting baseline monitoring reports under Section 48-263(a)(2)e. Users submitting reports on compliance with the categorical Pretreatment Standard deadlines under Section 48-263(c); Users submitting periodic compliance reports required by Section 48-263(d), and Users submitting an initial request to forego sampling of a pollutant on the basis of Section 48-263(d)(1)b. The following certification statement must be signed by an Authorized Representative as defined by this subdivision:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

- (2) *Annual Certification for Non-Significant Categorical Industrial Users* – A facility determined to be a Non-Significant Categorical Industrial User by the General Manager or a designated representative pursuant to Section 48-258(a)(54)c. and Section 48-261. The following certification must be signed and accompany an alternative report required by the General Manager:

Based on my inquiry of the person or persons directly responsible for managing compliance with the categorical Pretreatment Standards under 40 CFR _____ [specify applicable National Pretreatment Standard part(s)], I certify that, to the best of my knowledge and belief that during the period from _____ to _____, _____ [months, days, year]:

(a) The facility described as _____ [facility name] met the definition of a Non-Significant Categorical Industrial User as described in Section 48-258(a)(54)c.;

(b) The facility complied with all applicable Pretreatment Standards and requirements during this reporting period; and,

(c) The facility never discharged more than 100 gallons of total categorical wastewater on any given day during this reporting period.

This compliance certification is based on the following information.

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- (3) *Certification of Pollutants Not Present* – Users that have an approved monitoring waiver based on Section 6.4 B must certify on each report with the following statement that there has been no increase in the pollutant in its waste stream due to activities of the User.

Based on my inquiry of the person or persons directly responsible for managing compliance with the Pretreatment Standard for 40 CFR _____ [specify applicable National Pretreatment Standard

part(s)], I certify that, to the best of my knowledge and belief, there has been no increase in the level of _____ [list pollutant(s)] in the wastewaters due to the activities at the facility since filing of the last periodic report under Section 48-263(d).

Sec. 48-264 - Compliance Monitoring

(a) Right of Entry: Inspection and Sampling

- (1) The General Manager shall, at any time, have the right to enter the premises of any User to determine whether the User is complying with all requirements of this division and any individual wastewater discharge permit or order issued hereunder. Users shall allow the General Manager, or designated representative, ready access to all parts of the premises for the purposes of inspection, sampling, records examination and copying, and the performance of any additional duties.
 - a. Where a User has security measures in force which require proper identification and clearance before entry into its premises, the User shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the General Manager shall be permitted to enter without delay for the purposes of performing specific responsibilities.
 - b. The General Manager shall have the right to set up on the User's property, or require installation of, such devices as are necessary to conduct sampling and/or metering of the User's operations.
 - c. The General Manager may require the User to install monitoring equipment as necessary. The facility's sampling and monitoring equipment shall be maintained at all times in a safe and proper operating condition by the User at its own expense. All devices used to measure wastewater flow and quality shall be calibrated at a minimum of one time per calendar year to ensure their accuracy.
 - d. Any temporary or permanent obstruction to safe and easy access to the facility to be inspected and/or sampled shall be promptly removed by the User at the written or verbal request of the General Manager and shall not be replaced. The costs of clearing such access shall be borne by the User.
 - e. Unreasonable delays in allowing the General Manager access to the User's premises shall be a violation of this division.

(b) Search Warrants

If the General Manager has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this subdivision, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of HWWS designed to verify compliance with this subdivision or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, the General Manager may seek issuance of a search warrant from the Municipal Magistrate of the City of Harlingen or the County Judge of Cameron County, or any judge of appropriate jurisdiction.

(c) Compliance Inspection Frequency

HWWS shall inspect all Categorical Users at least semi-annually. HWWS may however inspect its CIUs as frequently as deemed necessary. SIUs and any Industrial User meeting the criteria for classification as a Non-Significant Categorical Industrial User (NSCIU), as described in Section 48-258(a)(54)c., shall be inspected at least annually but may be inspected and/or sampled more frequently as deemed necessary by HWWS. If HWWS determines that an existing NSCIU no longer meets the definition of an NSCIU as defined in Section 48-258(a)(54)c., then the IU reverts to a SIU or CIU as applicable, and a permit will be issued. NSCIUs may be inspected and sampled annually.

Sec. 48-265 - Confidential Information

- (a) Information and data on a User obtained from reports, surveys, wastewater discharge permit applications, individual wastewater discharge permits, and monitoring programs, and from the General Manager's inspection and sampling activities, shall be available to the public without restriction, unless the User specifically requests, and is able to demonstrate to the satisfaction of the General Manager, that the release of such information would divulge information, processes, or methods of production entitled to protection as trade secrets under applicable State law. Any such request must be asserted at the time of submission of the information or data. When requested and demonstrated by the User furnishing a report that such information should be held confidential, the portions of a report which might disclose trade secrets or secret processes shall not be made available for inspection by the public, but shall be made available immediately upon request to governmental agencies for uses related to the NPDES program or pretreatment program, and in enforcement proceedings involving the person furnishing the report. Wastewater constituents and characteristics and other effluent data, as defined at 40 CFR 2.302 shall not be recognized as confidential information and shall be available to the public without restriction.

Sec. 48-266 - Publication of Users in Significant Noncompliance

- (a) The General Manager shall publish annually, in a newspaper of general circulation that provides meaningful public notice within the jurisdiction served by HWWS, a list of the Users which, at any time during the previous twelve (12) months, were in Significant Noncompliance with applicable to all Significant Industrial Users (or any other Industrial User that violates paragraphs (3), (4), or (8) of this Section) and shall mean:

- (1) Chronic violations of wastewater discharge limits, defined here as those in which sixty-six percent (66%) or more of all the measurements taken for the same pollutant parameter taken during a six- (6-) month period exceed (by any magnitude) a numeric Pretreatment Standard or Requirement, including Instantaneous Limits as defined in Section 48-259;
- (2) Technical Review Criteria (TRC) violations, defined here as those in which thirty-three percent (33%) or more of wastewater measurements taken for each pollutant parameter during a six- (6-) month period equals or exceeds the product of the numeric Pretreatment Standard or Requirement including Instantaneous Limits, as defined by Section 48-259 multiplied by the applicable criteria (1.4 for BOD, TSS, fats, oils and grease, and 1.2 for all other pollutants except pH);
- (3) Any other violation of a Pretreatment Standard or Requirement as defined by Section 48-259 (Daily Maximum, long-term average, Instantaneous Limit, narrative standard – including operational standards, narrative limits, and BMPs, or other numeric limits) that the General Manager determines has caused, alone or in combination with other discharges, Interference or Pass Through, including endangering the health of POTW personnel or the general public;
- (4) Any discharge of a pollutant that has caused imminent endangerment to the public or to the environment, or has resulted in the General Manager's exercise of his/her emergency authority to halt or prevent such discharge;
- (5) Failure to meet, within ninety (90) days of the scheduled date, a compliance schedule milestone contained in an individual wastewater discharge permit or enforcement order for starting construction, completing construction, or attaining final compliance;
- (6) Failure to provide within forty-five (45) days after the due date, any required reports, including baseline monitoring reports, reports on compliance with categorical Pretreatment Standard deadlines, periodic self-monitoring reports, and reports on compliance with compliance schedules;
- (7) Failure to accurately report noncompliance; or
- (8) Any other violation(s), which may include a violation of Best Management Practices, which the General Manager determines will adversely affect the operation or implementation of the local pretreatment program.

Sec. 48-267 - Administrative Enforcement Remedies

(a) Notification of Violations

When the General Manager finds that a User has violated, or continues to violate, any provision of this division, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the General Manager may serve upon that User a written Notice of Violation. Within thirty (30) days of the receipt of such notice, an explanation of the violation and a plan for the satisfactory correction and prevention thereof, to include specific required actions, shall be submitted by the User to the General Manager. Submission of such a plan in no way relieves the User of liability for any violations occurring before or after receipt of the Notice of Violation. Nothing in this Section shall limit the authority of the General Manager to take any action, including emergency actions or any other enforcement action, without first issuing a Notice of Violation.

(b) Consent Orders

The General Manager may enter into Consent Orders, assurances of compliance, or other similar documents establishing an agreement with any User responsible for noncompliance. Such documents shall include specific action to be taken by the User to correct the noncompliance within a time period specified by the document. Such documents shall have the same force and effect as the administrative orders issued pursuant to Sections 48-267(d) and (e) of this subdivision and shall be judicially enforceable.

(c) Show Cause Hearings

The General Manager may order a User which has violated, or continues to violate, any provision of this division, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, to appear before the General Manager and show cause why the proposed enforcement action should not be taken. Notice shall be served on the User specifying the time and place for the meeting. The notice of the meeting shall be served personally or by registered or certified mail (return receipt requested) at least ten (10) days prior to the hearing. Such notice may be served on any Authorized Representative of the User as defined in by this subdivision and required by Section 48-261(d). A show cause hearing shall not be a bar against, or prerequisite for, taking any other action against the User.

(d) Compliance Orders

When the General Manager finds that a User has violated, or continues to violate, any provision of this division, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the General Manager may issue an order to the User responsible for the discharge directing that the User come into compliance within a specified time. If the User does not come into compliance within the time provided, sewer service may be discontinued unless adequate treatment facilities, devices, or other related appurtenances are installed and properly operated. Compliance orders also may contain other requirements to address the noncompliance, including additional self-monitoring and management practices designed to minimize the amount of pollutants discharged to the sewer. A compliance order may not extend

the deadline for compliance established for a Pretreatment Standard or Requirement, nor does a compliance order relieve the User of liability for any violation, including any continuing violation. Issuance of a compliance order shall not be a bar against, or a prerequisite for, taking any other action against the User.

(e) *Cease and Desist Orders*

- (1) When the General Manager finds that a User has violated, or continues to violate, any provision of this division, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, or that the User's past violations are likely to recur, the General Manager may issue an order to the User directing it to cease and desist all such violations and directing the User to:
 - a. Immediately comply with all requirements; and
 - b. Take such appropriate remedial or preventative action as may be needed to properly address a continuing or threatened violation, including halting operations and/or terminating the discharge. Issuance of a cease and desist order shall not be a bar against, or a prerequisite for, taking any other action against the User.

(f) *Administrative Fines*

- (1) When the General Manager finds that a User has violated, or continues to violate, any provision of this division, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the General Manager may fine such User in an amount not to exceed one thousand dollars (\$1,000). Such fines shall be assessed on a per-violation, per-day basis. In the case of monthly or other long-term average discharge limits, fines shall be assessed for each day during the period of violation. Such assessments may be added to the User's next scheduled sewer service charge, and HWWWS shall have such other collection remedies as available to it under law to collect other service charges. Unpaid charges, fines, and penalties shall constitute a lien against the individual User's property.
- (2) Users desiring to dispute such fines must file a written request for the General Manager to reconsider the fine along with full payment of the fine amount within thirty (30) days of being notified of the fine. Where a request has merit, the General Manager may convene a hearing on the matter. In the event the User's appeal is successful, the payment, together with any interest accruing thereto, shall be returned to the User. The General Manager may add the costs of preparing administrative enforcement actions, such as notices and orders, to the fine.
- (3) Issuance of an administrative fine shall not be a bar against, or a prerequisite for, taking any other action against the User.

(g) *Emergency Suspensions*

- (1) The General Manager may immediately suspend a User's discharge, after informal notice to the User, whenever such suspension is necessary to stop an actual or threatened discharge, which reasonably appears to present, or cause an imminent or substantial endangerment to the health or welfare of persons. The General Manager may also immediately suspend a User's discharge, after notice and opportunity to respond, that threatens to interfere with the operation of the POTW, or which presents, or may present, an endangerment to the environment.
 - a. Any User notified of a suspension of its discharge shall immediately stop or eliminate its contribution. In the event of a User's failure to immediately comply voluntarily with the suspension order, the General Manager may take such steps as deemed necessary, including immediate severance of the sewer connection, to prevent or minimize damage to the POTW, its receiving stream, or endangerment to any individuals. The General Manager may allow the User to recommence its discharge when the User has demonstrated to the satisfaction of the General Manager that the period of endangerment has passed, unless the termination proceedings in Section 48-267(h) of this subdivision are initiated against the User.
 - b. A User that is responsible, in whole or in part, for any discharge presenting imminent endangerment shall submit a detailed written statement, describing the causes of the harmful contribution and the measures taken to prevent any future occurrence, to the General Manager prior to the date of any show cause or termination hearing under Sections 48-267(c) or 48-267(h) of this subdivision.

Nothing in this Section shall be interpreted as requiring a hearing prior to any Emergency Suspension under this Section.

(h) *Termination of Discharge*

- (1) In addition to the provisions in Section 48-262(f) of this subdivision, any User who violates the following conditions is subject to discharge termination:
 - a. Violation of individual wastewater discharge permit conditions;
 - b. Failure to accurately report the wastewater constituents and characteristics of its discharge;
 - c. Failure to report significant changes in operations or wastewater volume, constituents, and characteristics prior to discharge;

- d. Refusal of reasonable access to the User's premises for the purpose of inspection, monitoring, or sampling; or
 - e. Violation of the Pretreatment Standards in Section 48-259 of this subdivision.
- (2) Such User will be notified of the proposed termination of its discharge and be offered an opportunity to show cause under Section 48-267(c) of this subdivision why the proposed action should not be taken. Exercise of this option by the General Manager shall not be a bar to, or a prerequisite for, taking any other action against the User.

Sec. 48-268 - Judicial Enforcement Remedies

(a) *Injunctive Relief*

When the General Manager finds that a User has violated, or continues to violate, any provision of this division, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, the General Manager may petition a court of competent jurisdiction through the HWWS Attorney for the issuance of a temporary or permanent injunction, as appropriate, which restrains or compels the specific performance of the individual wastewater discharge permit, order, or other requirement imposed by this division on activities of the User. The General Manager may also seek such other action as is appropriate for legal and/or equitable relief, including a requirement for the User to conduct environmental remediation. A petition for injunctive relief shall not be a bar against, or a prerequisite for, taking any other action against a User.

(b) *Civil Penalties*

- (1) A User who has violated, or continues to violate, any provision of this division, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall be liable to HWWS for a maximum civil penalty of one thousand dollars (\$1,000) per violation per day, plus actual damages incurred by the POTW.
- (2) The General Manager may recover reasonable attorneys' fees, court costs, and other expenses associated with enforcement activities, including sampling and monitoring expenses, and the cost of any actual damages incurred by HWWS.
- (3) In determining the amount of civil liability, the Court shall take into account all relevant circumstances, including, but not limited to, the extent of harm caused by the violation, the magnitude and duration of the violation, any economic benefit gained through the User's violation, corrective actions by the User, the compliance history of the User, and any other factor as justice requires.
- (4) Filing a suit for civil penalties shall not be a bar against, or a prerequisite for, taking any other action against a User.

(c) *Criminal Prosecution*

- (1) A User who willfully or negligently violates any provision of this division, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement shall, upon conviction, be guilty of a misdemeanor, punishable by a fine of not less than one thousand (\$1,000), but not more than two thousand dollars (\$2,000) per violation, per day, or be subject to imprisonment, or both.
- (2) A User who willfully or negligently introduces any substance into the POTW which causes personal injury or property damage shall, upon conviction, be guilty of a misdemeanor and be subject to a penalty of at least one thousand (\$1,000), but not more than two thousand (\$2,000) per violation, per day or be subject to imprisonment, or both. This penalty shall be in addition to any other cause of action for personal injury or property damage available under State law.
- (3) A User who knowingly makes any false statements, representation, or certifications in any application, record, report, plan, or other documentation filed, or required to be maintained, pursuant to this division, individual wastewater discharge permit, or order issued hereunder, or who falsifies, tampers with, or knowingly renders inaccurate any monitoring device or method required under this division shall, upon conviction, be punished by a fine of not more than two thousand (\$2,000) per violation, per day or be subject to imprisonment, or both.

(d) *Remedies Nonexclusive*

The remedies provided for in this division are not exclusive. The General Manager may take any, all, or any combination of these actions against a noncompliant User. Enforcement of pretreatment violations will generally be in accordance with HWWS's enforcement response plan which will guide the appropriate response and use Significant Noncompliance (SNC) criteria to assess the facility. However, the General Manager may take other action against any User when the circumstances warrant. Further, the General Manager is empowered to take more than one enforcement action against any noncompliant User.

Sec. 48-269 - Supplemental Enforcement Action

(a) *Performance Bonds*

The General Manager may decline to issue or reissue an individual wastewater discharge permit to any User who has failed to comply with any provision of this division, a previous individual wastewater discharge permit,

or order issued hereunder, or any other Pretreatment Standard or Requirement, unless such User first files a satisfactory bond, payable to HWWS, in a sum not to exceed a value determined by the General Manager to be necessary to achieve consistent compliance.

(b) *Liability Insurance*

The General Manager may decline to issue or reissue an individual wastewater discharge to any User who has failed to comply with any provision of this division, a previous individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, unless the User first submits proof that it has obtained financial assurances sufficient to restore or repair damage to the POTW caused by its discharge.

(c) *Payment of Outstanding Fees and Penalties*

The General Manager may decline to issue or reissue an individual wastewater discharge permit to any User who has failed to pay any outstanding fees, fines or penalties incurred as a result of any provision of this division, a previous individual wastewater discharge permit, or order issued hereunder.

(d) *Water Supply Severance*

Whenever a User has violated or continues to violate any provision of this division, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement, water service to the User may be severed. Service will recommence, at the User's expense, only after the User has satisfactorily demonstrated its ability to comply.

(e) *Public Nuisances*

A violation of any provision of this division, an individual wastewater discharge permit, or order issued hereunder, or any other Pretreatment Standard or Requirement is hereby declared a public nuisance and shall be corrected or abated as directed by the General Manager. Any person(s) creating a public nuisance shall be subject to the provisions of Chapter 32 of the City of Harlingen Code of Ordinances governing such nuisances, including reimbursing the City of Harlingen or HWWS for any costs incurred in removing, abating, or remedying said nuisance.

(f) *Contractor Listing*

Users which have not achieved compliance with applicable Pretreatment Standards and Requirements are not eligible to receive a contractual award for the sale of goods or services to the City of Harlingen or HWWS. Existing contracts for the sale of goods or services to the City of Harlingen or HWWS held by a User found to be in Significant Noncompliance with Pretreatment Standards or Requirements may be terminated at the discretion of the General Manager.

Sec. 48-270 - Affirmative Defenses to Discharge Violations

(a) *Prohibited Discharge Standards*

(1) A User shall have an affirmative defense to an enforcement action brought against it for noncompliance with the general prohibitions in Section 48-259(a) of this subdivision or the specific prohibitions of Section 48-259(a)(2)c. through t. of this subdivision if it can prove that it did not know, or have reason to know, that its discharge, alone or in conjunction with discharges from other sources, would cause Pass Through or Interference and that either:

- a. A Local Limit exists for each pollutant discharged and that the User was in compliance with each limit directly prior to, and during, the Pass Through or Interference; or
- b. No Local Limit exists, but the discharge did not change substantially in nature or constituents from the User's prior discharge when HWWS was regularly in compliance with its NPDES permit, and in the case of Interference, was in compliance with applicable sludge use or disposal requirements.

(b) *Bypass*

(1) For the purposes of this Section,

- a. Bypass means the intentional diversion of waste streams from any portion of a User's treatment facility.
- b. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.

(2) A User may allow any bypass to occur which does not cause Pretreatment Standards or Requirements to be violated, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provision of paragraphs (b)(3) and (b)(4) of this Section.

(3) *Bypass Notifications*

- a. If a User knows in advance of the need for a bypass, it shall submit prior notice to the General Manager, at least ten (10) days before the date of the bypass, if possible.
- b. A User shall submit oral notice to the General Manager of an unanticipated bypass that exceeds applicable Pretreatment Standards within twenty-four (24) hours from the time it becomes aware of

the bypass. A written submission shall also be provided within five (5) days of the time the User becomes aware of the bypass. The written submission shall contain a description of the bypass and its cause; the duration of the bypass, including exact dates and times, and, if the bypass has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the bypass. The General Manager may waive the written report on a case-by-case basis if the oral report has been received within twenty-four (24) hours.

(4) *Bypass*

- a. Bypass is prohibited, and the General Manager may take an enforcement action against a User for a bypass, unless
 1. Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
 2. There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgement to prevent a bypass which occurred during normal periods of equipment downtime or preventative maintenance; and
 3. The User submitted notices as required under paragraph (b)(3) of this section.
- b. The General Manager may approve an anticipated bypass, after considering its adverse effects, if the General Manager establishes that it will meet the three conditions listed in paragraph (b)(4) of this Section.

FINALLY ENACTED THIS 15th 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 TEXAS GOVERNMENT CODE, TITLE 5, SUBTITLE A, CHAPTER 5511.

Norma Sepulveda, Mayor

ATTEST:

Myra Herrera, City Secretary

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 15, 2026**

Agenda Item:

Consider and approve the appointment of **Marie Leal** as General Manager of the Harlingen Waterworks System.

Prepared By (Print Name): Cassandra Mata

Title: HR Director

Signature: *Cassandra Mata*

Brief Summary:

Harlingen Waterworks Board of Trustees recommends the appointment of **Marie Leal** as General Manager of the Harlingen Waterworks System.

Funding (if applicable):

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

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

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

Staff Recommendation:

Harlingen Waterworks Board of Trustees recommends approval of the appointment of Marie Leal as General Manager of the Harlingen Waterworks System.

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

Comments:

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

**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 15, 2026**

Agenda Item:

Consideration and possible action to approve the removal of the existing mural at Downtown Lozano Plaza and authorize the installation of a new mural, as recommended by the Keep Harlingen Beautiful Board, with all project costs funded by the Keep Harlingen Beautiful Board. Attachment (**Public Works**).

Prepared By: Ruth Trevino
Public Works Director

Signature: 

Brief Summary:

The Keep Harlingen Beautiful Board recommends replacing the existing mural at Downtown Lozano Plaza with a new mural that reflects the community's identity and enhances the downtown area. The proposed mural design, approved by the Keep Harlingen Beautiful Board, is attached for the City Commission's review and consideration. If approved, the existing mural will be removed and the new mural will be installed. All project costs will be funded by the Keep Harlingen Beautiful Board.

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:



Oneida Trevino.*DBA Creative Explorations RGV*

626 Viriole Lane
Harlingen, TX 78552
956-536-8512 or 956-536-7658
oaceves16@yahoo.com

**QUOTE**

QUOTE#: 032726
DATE: MARCH 30, 2026

CLIENT

Entity Name: City of Harlingen
Street Address: 404 S. 54th Street, Harlingen, Texas
78550
Phone: 956-216-5300

COMMENTS OR SPECIAL INSTRUCTIONS:

Mural for Downtown Harlingen

DESCRIPTION	QUANTITY	UNIT PRICE	TOTAL
Downtown Harlingen Mural- all inclusive	1	16,400	16,400
		SUBTOTAL	16,400
		TOTAL	\$16,400

Make all checks payable to Oneida Trevino.

**If you have any questions concerning this invoice, contact Oneida Trevino, 956-536-8512 or 956-536-7658,
oaceves16@yahoo.com

THANK YOU FOR YOUR BUSINESS!

**PROPOSED
MURAL
LOCATION**

**ON RIGHT SIDE OF
SHORTER WALL,
NEAR THE EDGE**

**CURRENT MURAL
LOCATION**





**AGENDA ITEM
EXECUTIVE SUMMARY**

Meeting Date: **July 15th, 2026**

Agenda Item:

Consideration and possible action to approve the proposed list of streets for the FY 2027 Street Improvement Program (SIP).

Prepared By: Roberto Hernandez, PE, CFM, MS

Title: City Engineer

Signature:



Brief Summary:

1. In accordance with Chapter 40, Article VII of the City of Harlingen Code of Ordinances, the City administers the annual Street Improvement Program (SIP) to provide for the inspection, maintenance, rehabilitation, and reconstruction of City streets and related public roadway infrastructure. Improvements typically include milling and asphalt overlay, full-depth pavement reconstruction, curb and gutter repairs, alley improvements, and other associated roadway improvements.
2. The proposed streets and alleys for the FY 2027 Street Improvement Program were selected through a comprehensive engineering evaluation that considered pavement condition assessments, remaining service life, field inspections, roadway classifications, traffic volumes, citizen requests, drainage concerns, utility improvements, and opportunities to coordinate work with other planned capital improvement projects.
3. For FY 2027, staff is recommending the inclusion of several public alley improvements as part of the SIP. The proposed alleys are located near the downtown area and other critical locations identified by staff where improvements are needed to address deteriorated pavement conditions, access limitations, drainage concerns, and long-term maintenance needs. The attached exhibit shows the proposed alley improvement locations for Commission review.
4. The proposed list of streets, alleys, and accompanying location exhibits are attached for Commission review. The recommended improvements are intended to preserve and extend the City's roadway infrastructure, improve ride quality and public safety, enhance access and connectivity, improve drainage performance where applicable, and reduce long-term maintenance costs.
5. Upon approval of the FY 2027 Street Improvement Program, the Engineering Department will proceed with the preparation of construction plans, technical specifications, cost estimates, and bid documents necessary to procure construction materials required for the program.
6. Material supply contracts and any required construction contracts will be presented to the City Commission at a future meeting for consideration and

approval. Construction of the approved street and alley improvements will primarily be performed by City Public Works personnel, with Engineering staff providing project management, construction administration, inspection, and materials testing.

7. Staff recommends approval of the proposed FY 2027 Street Improvement Program, including the recommended street and alley improvements, allowing Engineering staff to proceed with design, procurement, and implementation of the program.

Funding (if applicable):

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

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

General Fund

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

Staff Recommendation:

Staff recommends approval.

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

Comments:

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



STREET IMPROVEMENT PROGRAM 2027

ROADWAY CANDIDATES

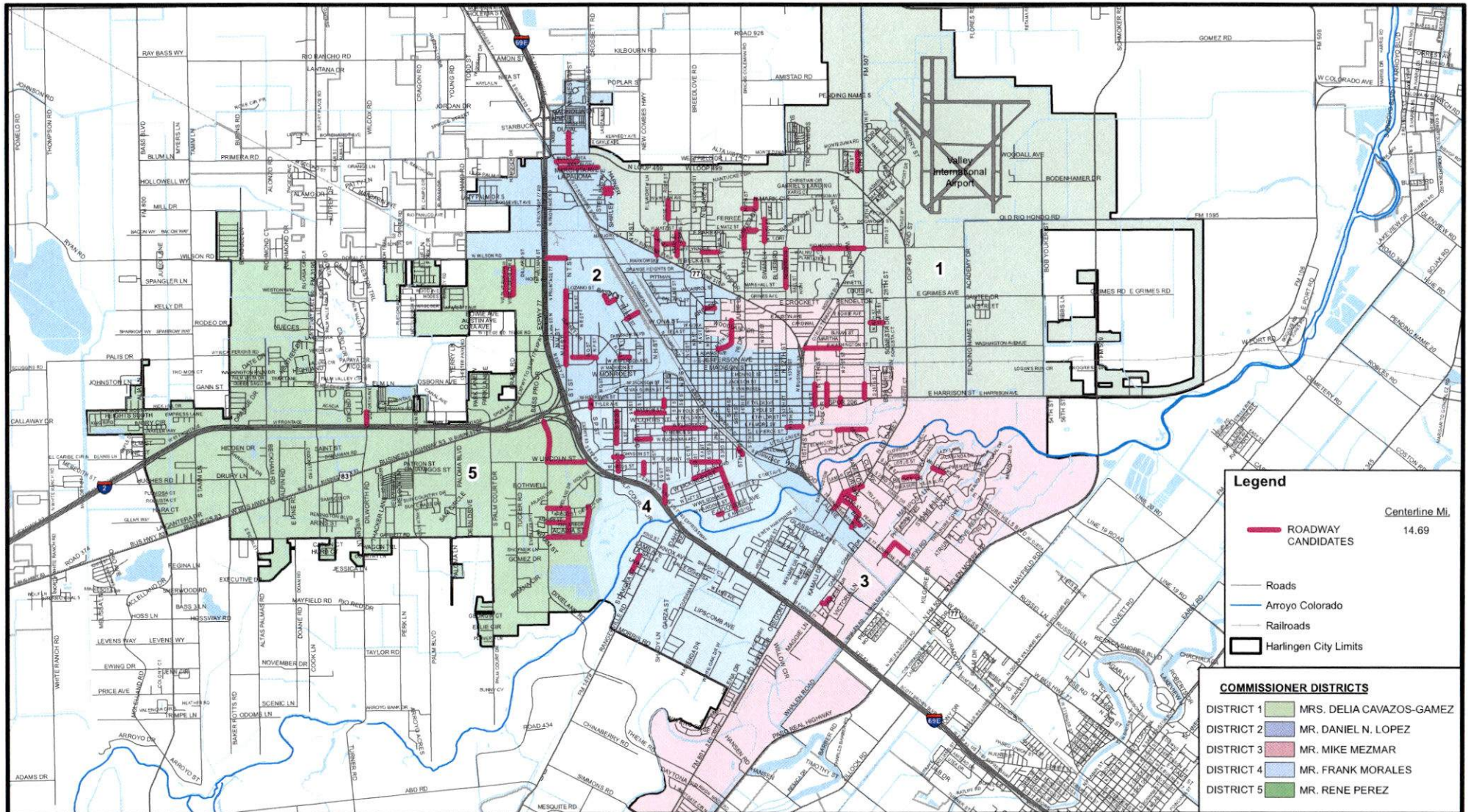
iWorQ						LENGTH	Lane	WIDTH
#	Score	District	STREET NAME	PROJECT LIMITS		Feet	Feet	Feet
District 1								
1	0	1	N 7TH ST	RIO HONDO RD	MATZ AVE	990	1,980	45
2	2	1	N G ST	77 SUNSHINE STRIP	W MATZ AVE	1,190	2,380	33
3	0-6	1	N ROSE ST	W LINDA ST	W VINSON AVE	993	1,986	32
4	0	1	24TH ST	PALM BLVD	BRAIR AVE	968	1,936	50
5	0	1	COUNTRY DR	N 7TH ST	E VINSON AVE	1,159	2,318	34
6	0	1	E AUSTIN AVE	N 26TH ST	END	735	1,470	44
7	2	1	E FLYNN AVE	N 1ST ST	N 3RD ST	790	1,580	34
8	2	1	E MATZ ST	N 7TH ST	HUNTER DR	648	1,296	34
9	0-2	1	N 10TH ST	S MARK CIR	E LORI LN	1,220	2,440	34
10	6	1	DENNIS ST	NEW COMBES HWY	END	1,258	2,516	34
11	5	1	W DAVIS AVE	NEW COMBES HWY	END	1,040	2,080	28
12	9	1	RIO HONDO RD	17TH ST	MORGAN BLVD	2,610	5,220	45
13	10	1	13TH ST	MARSHALL	RIO HONDO RD	2,102	10,510	58
Total						15,703	37,712 L.F.	
						2.97	7.14 MILES	
District 2								
14	4	2	ATLANTA	WICHITA ST	END	671	1,342	30
15	6	2	BARCELONA AVE	77 SUNSHINE STRIP	END	1,943	3,886	34
16	6	2	BASIN ST	WICHITA ST	END	808	4,040	32
17	4	2	BELL ST	SOUTH CAROLINA	END	343	686	34
18	6	2	BONITO RD	N LOOP 499	DUVAL AVE	1,072	2,144	26
19	6	2	BRENTWOOD	N 1ST ST	ARCADIA	491	982	34
20	6	2	BUENA VISTA	GRANADA ST	77 SUNSHINE STRIP	1,100	2,200	34
21	6	2	KRATZER ST	STERLING AVE	HAPNER ST W	306	612	34
22	6	2	BURKE CT	STERLING AVE	HAPNER ST W	327	654	34
23	6	2	E FILMORE ST	S 13TH ST	S BUSINESS 77	781	1,562	28
24	2	2	W ADAMS AVE	N K ST	L ST	512	1,024	34
25	6	2	W ADAMS AVE	FAIR PARK BLVD	N S ST	1,241	2,482	34
26	0	2	WILSON RD - CONCRETE RD	US-77 FRONTAGE RD	N T ST	950	2,850	42
27	6	2	T ST	FAIR PARK BLVD	LOZANO ST	3,850	7,700	43
28	8	2	PEASE ST	ED CAREY	SOUTH CAROLINA	650	1,300	34
29	9	2	SOUTH CAROLINA ST	S BUSINESS 77	PEASE ST	735	1,470	34
Total						15,780	34,934 L.F.	
						2.99	6.62 MILES	
District 3								
30	4	3	PEASE ST	SAM HOUSTON DR	ED CAREY	639	1,278	32
31	9	3	SAM HOUSTON DR	RUNNELS ST	S 77 SUNSHINE STRIP	953	1,906	34
32	4	3	WILLOWICKE DR	LAZY LAKE	PINE VALLEY DR	627	1,254	34
33	4	3	NW KING ARTHUR CT	NE KING ARTHUR CT	KING ARTHUR DR	507	1,014	34
34	6	3	N PARKWOOD DR	EAST PARKWOOD	S 25TH ST	1,520	3,040	33
35	6	3	RUNNELS ST	JONES DR	N ED CAREY	648	1,296	34
36	6	3	E WASHINGTON ST	MORGAN BLVD	N 21ST ST	1,775	3,550	45
37	6	3	N 5TH ST	E WASHINGTON ST	E AUSTIN AVE	1,990	3,980	31
38	0	3	S 17TH ST	E TYLER AVE	E JACKSON ST	1,133	2,266	34



STREET IMPROVEMENT PROGRAM 2027

ROADWAY CANDIDATES

	iWorQ					LENGTH	Lane	WIDTH
#	Score	District	STREET NAME	PROJECT LIMITS		Feet	Feet	Feet
39	0-2	3	S 19TH ST	E TYLER AVE	E JACKSON ST	1,136	2,272	34
40	0	3	S 21ST ST	E TYLER AVE	E HARRISON AVE	320	640	34
41	0	3	S 25TH ST	E HARRISON ST	E JACKSON ST	755	1,510	40
42	8	3	MEDICAL DR	VERMONT	DOCTORS MEMORIAL DR	901	1,802	34
43	8	3	JONES DR	ED CAREY	SAM HOUSTON	955	1,910	34
44	10	3	VERMONT AVE	MEDICAL DR	77 SUNSHINE STRIP	861	1,722	34
45	8	3	TED CIR	EMERALD LAKE DR	END	756	1,512	34
Total						15,476	30,952	L.F.
						2.93	5.86	MILES
District 4								
46	4	4	COLORADO	LIBERTY ST	LA SALLE	921	1,842	31
47	0	4	S 3RD ST	E CLEVELAND AVE	E COOLIDGE AVE	2,215	4,430	34
48	0	4	W CLEVELAND	S B ST	S 3RD ST	1,505	3,010	30
49	0	4	S EYE ST	W GRANT	W GARFIELD ST	614	1,228	36
50	0	4	S P ST	W HARRISON ST	W TYLER AVE	380	760	46
51	6	4	F ST	W HARRISON ST	W TYLER AVE	387	1,548	41
52	0	4	W COOLIDGE ST	1ST ST	END	182	364	22
53	6	4	W JOHNSON ST	S L ST	S M ST	453	906	31
54	2	4	S L-1/2 ST	HANSON ST	W BUCHANAN AVE	1,702	3,404	32
55	4	4	S L-1/2 ST	W GRANT	W HAYS ST	439	878	32
56	4	4	W MITCHELL ST	S H ST	S J ST	721	1,442	32
57	6	4	S WEST ST	E LINCOLN ST	END	360	720	36
58	6	4	W HANSON	S J ST	S F ST	965	1,930	32
59	6	4	W GRANT	S B ST	S 3RD ST	1,460	2,920	36
60	6	4	F ST	CANAL CROSSING	FRONTAGE	900	3,600	49
61	7	4	FILMORE	F ST	1ST	2,125	4,250	28
Total						15,329	33,232	L.F.
						2.90	6.29	MILES
District 5								
62	6	5	ARAGON DR	HAVERFORD BLVD	GARRET RD	1,640	3,280	37/26-VARIES
63	0-6	5	S DILWORTH RD	EXPRESSWAY 83	GRAHAM RD	668	1,336	24
64	6	5	VISTA VERDE CIR	VISTA VERDE CIR	VISTA VERDE CIR	3,350	6,700	34
65	6	5	W ADRIAN ST	MIDLANE DR	DIXIELAND RD	1,060	2,120	30
66	8	5	S MIDLANE DR	HAVERFORD BLVD	GARRET RD	1,530	3,060	38
67	8	5	GARRETT RD	DIXIELAND RD	ARAGON DR	1,865	3,730	34
68	8	5	HAVERFORD BLVD	DIXIELAND RD	MIDLAND ST	1,095	2,190	39
69	8	5	LINCOLN AVENUE	DIXIELAND RD	FRONTAGE RD	1,900	9,500	58
70	8	5	DIXIELAND ROAD	FRONTAGE RD	LINCOLN AVE	2,160	10,800	58
Total						15,268	42,716	L.F.
						2.89	8.09	MILES
DISTRICT 1-5: Sum Total						77,556	179,546	L.F.
						14.69	34.00	MILES



City of Harlingen
Engineering Department
24200 FM 508
HARLINGEN, TX 78550
(956) 216-5280

PROPOSED STREET IMPROVEMENT PROGRAM PROJECT 2026-2027 OVERALL EXHIBIT

PROJ. NO:

DATE: 07-2-2026

DRAWN BY:

CHEKD BY:

ISSUED FOR:

4,000 2,000 0 4,000 Feet

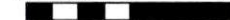


EXHIBIT NUMBER:

01

SHEET 1 OF 1



PROPOSED DOWNTOWN ALLEY IMPROVEMENTS 2027

ALLEY CANDIDATES

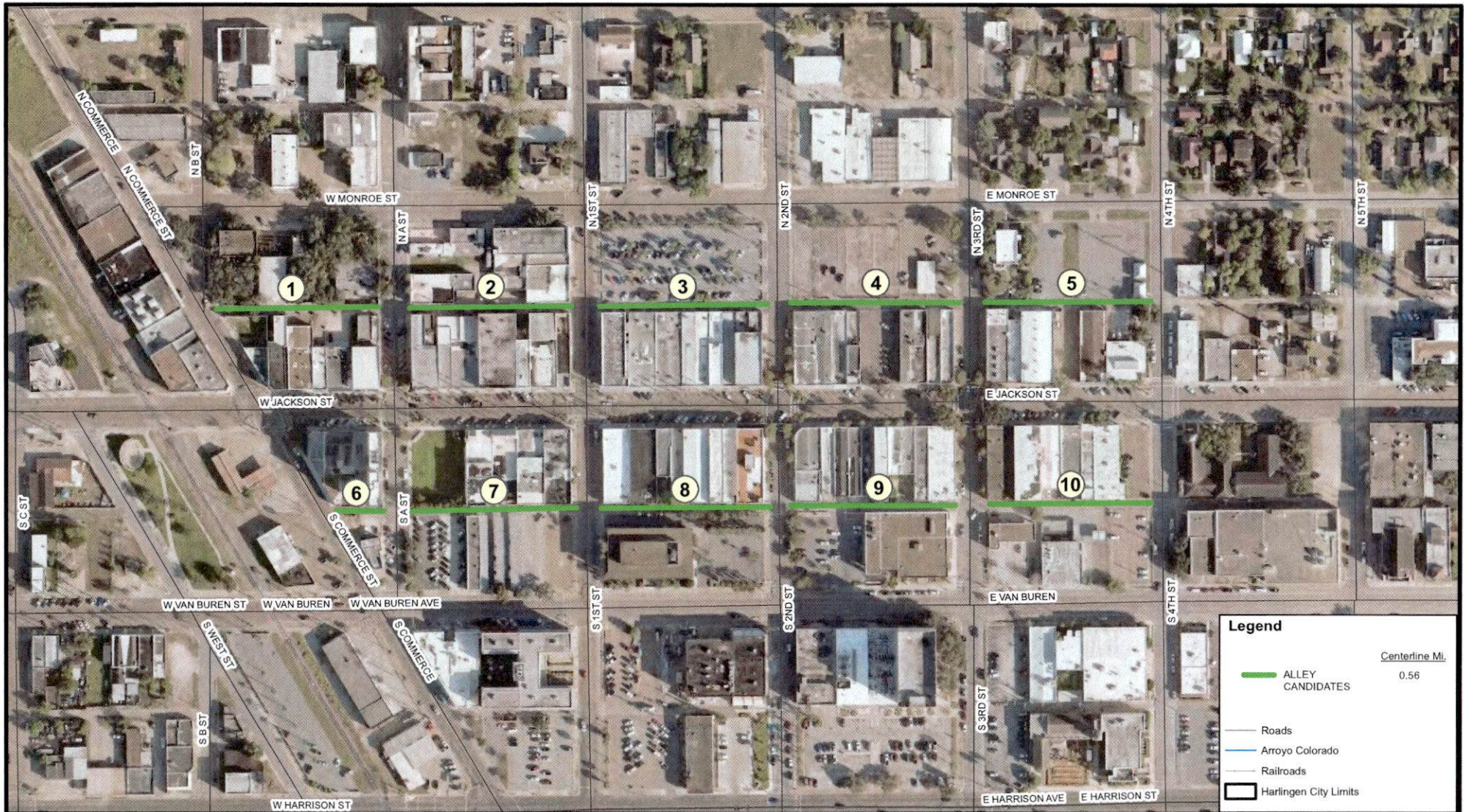
				LENGTH	Lane	WIDTH
STREET NAME				Feet	Feet	Feet
Downtown Alleys						
Alleys between Jackson Ave and Monroe Ave From Commerce St to 4th St	ALLEY 1	COMMERCE ST	A ST	320	640	20
	ALLEY 2	A ST	1ST ST	320	640	20
	ALLEY 3	1ST ST	2ND ST	320	640	20
	ALLEY 4	2ND ST	3RD ST	320	640	20
	ALLEY 5	3RD ST	4TH ST	320	640	20
Alleys between Jackson Ave and Van Buren Ave From Commerce St to 4th St	ALLEY 6	COMMERCE ST	A ST	98	196	20
	ALLEY 7	A ST	1ST ST	320	640	20
	ALLEY 8	1ST ST	2ND ST	320	640	20
	ALLEY 9	2ND ST	3RD ST	320	640	20
	ALLEY 10	3RD ST	4TH ST	320	640	20
Total				2,978	5,956	L.F.
				0.56	1.13	MILES



F STRET AND TYLER AVENUE ALLEY IMPROVEMENTS 2027

ALLEY CANDIDATES

				LENGTH	Lane	WIDTH
STREET NAME				Feet	Feet	Feet
Alleys						
Alleys between Tyler Ave and Polk Ave From F St to D St	ALLEY 1	COMMERCE ST	A ST	320	640	20
	ALLEY 2	A ST	1ST ST	320	640	20
Total				640	1,280	L.F.
				0.12	0.24	MILES



City of Harlingen
Engineering Department
24200 FM 508
HARLINGEN, TX 78550
(956) 216-5280

DOWNTOWN ALLEY IMPROVEMENTS

PROJ. NO:
DATE: 06-25-2026
DRAWN BY:
CHECKD BY:
ISSUED FOR:

150 75 0 150 Feet



EXHIBIT NUMBER:
01
SHEET 1 OF 1



City of Harlingen
Engineering Department
24200 FM 508
HARLINGEN, TX 78550
(956) 216-5280

F STREET AND TYLER AVENUE ALLEY IMPROVEMENTS

PROJ. NO:

DATE: 07-01-2026

DRAWN BY:

CHEKD BY:

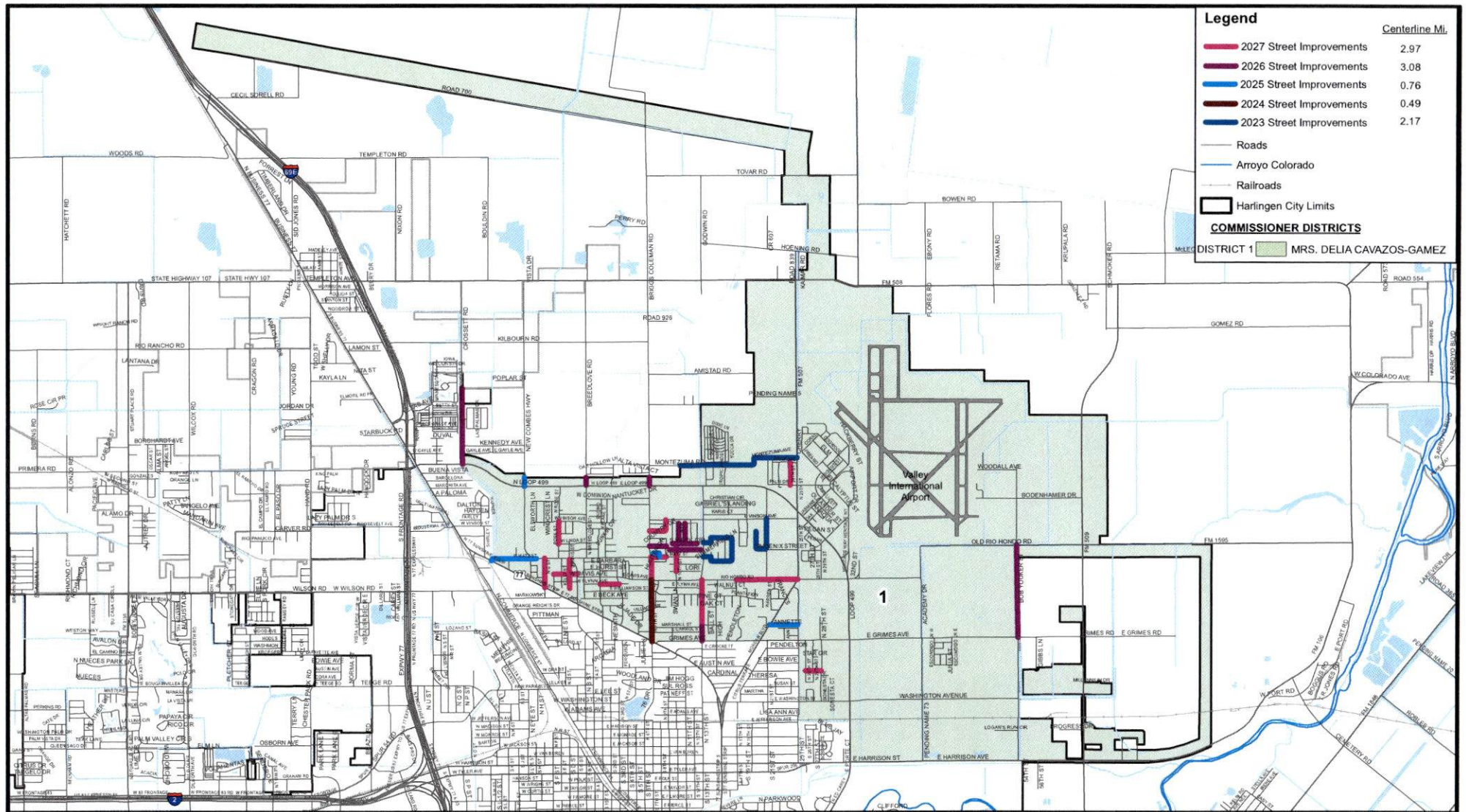
ISSUED FOR:



EXHIBIT NUMBER:

01

SHEET 1 OF 1



Centerline Mi.	
2.97	2027 Street Improvements
3.08	2026 Street Improvements
0.76	2025 Street Improvements
0.49	2024 Street Improvements
2.17	2023 Street Improvements
	Roads
	Arroyo Colorado
	Railroads
	Harlingen City Limits
	COMMISSIONER DISTRICTS
	DISTRICT 1 MRS. DELIA CAVAZOS-GAMEZ



City of Harlingen
Engineering Department
24200 FM 509
HARLINGEN, TX 78550
(956) 216-5280

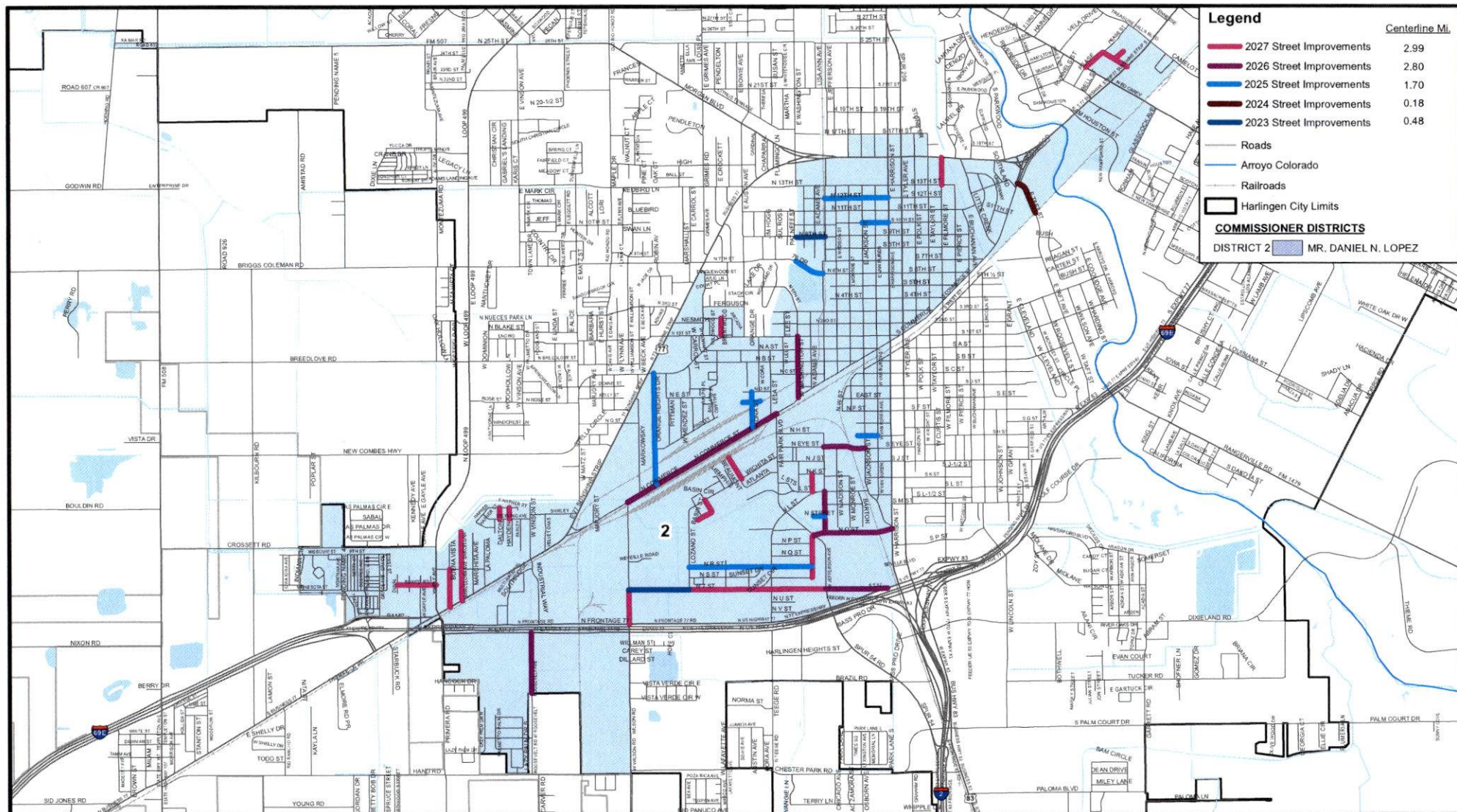
PROPOSED STREET IMPROVEMENT PROGRAM PROJECT 2026-2027 DISTRICT 1

PROJ. NO:
DATE: 07-01-2026
DRAWN BY:
CHECKD BY:
ISSUED FOR:

3,000 1,500 0 3,000 Feet



EXHIBIT NUMBER:
01
SHEET 1 OF 1



Legend		Centerline MI.
—	2027 Street Improvements	2.99
—	2026 Street Improvements	2.80
—	2025 Street Improvements	1.70
—	2024 Street Improvements	0.18
—	2023 Street Improvements	0.48
—	Roads	
—	Arroyo Colorado	
—	Railroads	
 	Harlingen City Limits	
COMMISSIONER DISTRICTS		
 	DISTRICT 2	MR. DANIEL N. LOPEZ



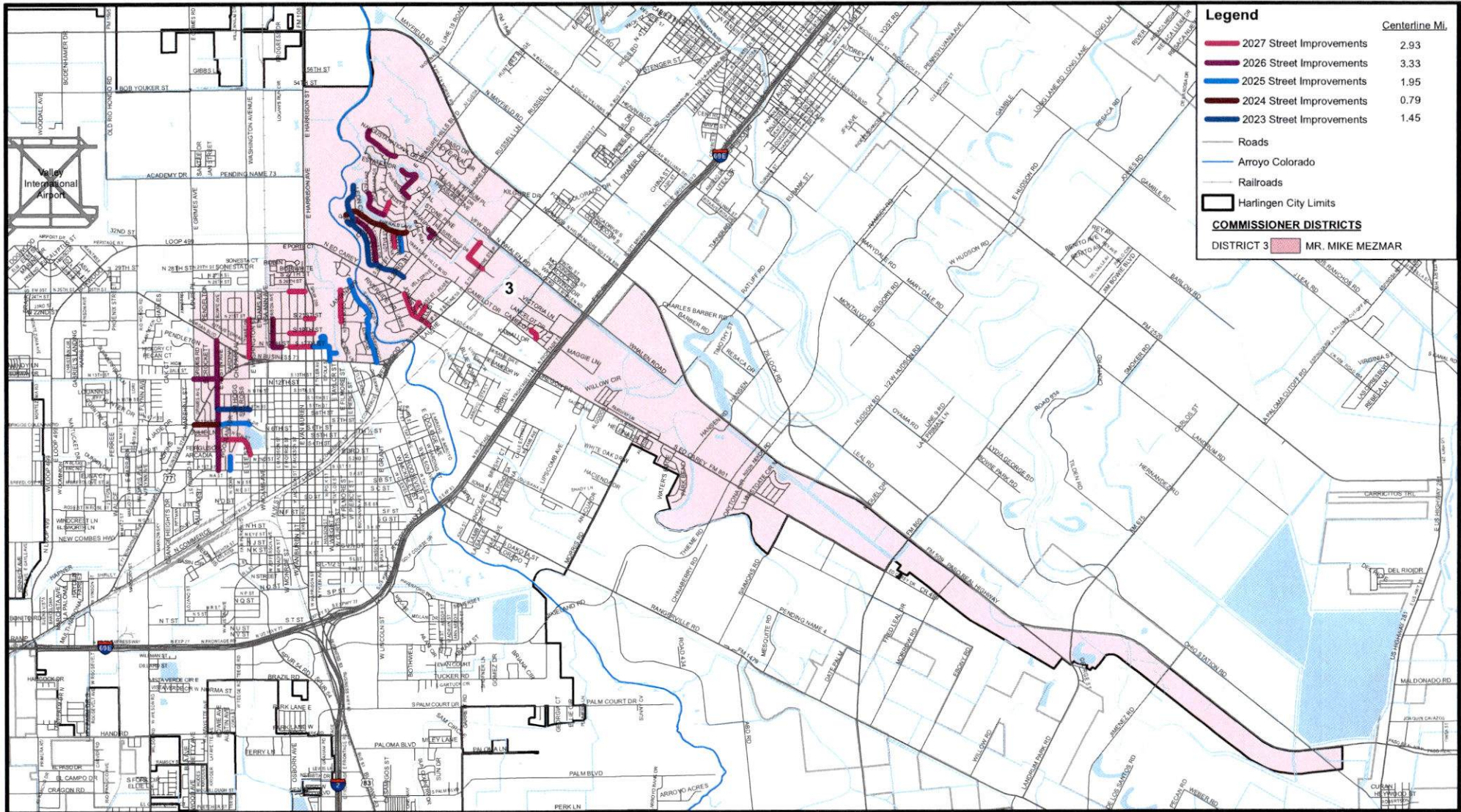
City of Harlingen
Engineering Department
24200 FM 509
HARLINGEN, TX 78550
(956) 216-5280

PROPOSED STREET IMPROVEMENT PROGRAM PROJECT 2026-2027 DISTRICT 2

PROJ. NO:
DATE: 07-01-2026
DRAWN BY:
CHECKD BY:
ISSUED FOR:



EXHIBIT NUMBER:
01
SHEET 1 OF 1



Legend

	Centerline Mi.
2027 Street Improvements	2.93
2026 Street Improvements	3.33
2025 Street Improvements	1.95
2024 Street Improvements	0.79
2023 Street Improvements	1.45

Roads
 Arroyo Colorado
 Railroads
 Harlingen City Limits
COMMISSIONER DISTRICTS
 DISTRICT 3 MR. MIKE MEZMAR



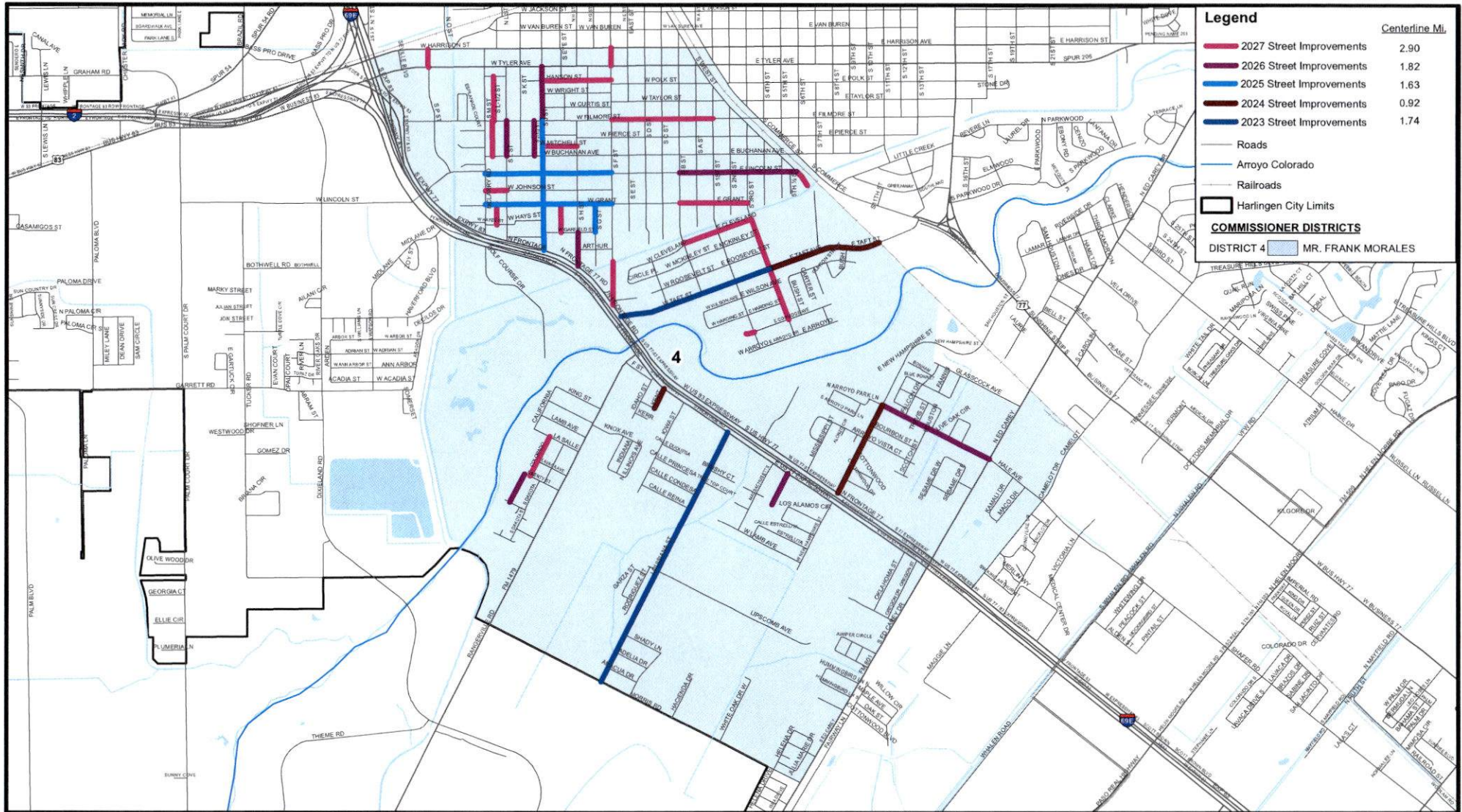
City of Harlingen
 Engineering Department
 24200 FM 509
 HARLINGEN, TX 78550
 (956) 216-5280

**PROPOSED STREET IMPROVEMENT
 PROGRAM PROJECT 2026-2027
 DISTRICT 3**

PROJ. NO:	
DATE:	07-01-2026
DRAWN BY:	
CHEKD BY:	
ISSUED FOR:	



EXHIBIT NUMBER:
 01
 SHEET 1 OF 1



City of Harlingen
Engineering Department
24200 FM 509
HARLINGEN, TX 78550
(956) 216-5280

**PROPOSED STREET IMPROVEMENT
PROGRAM PROJECT 2026-2027
DISTRICT 4**

PROJ. NO:

DATE: 07-01-2026

DRAWN BY:

CHEKD BY:

ISSUED FOR:

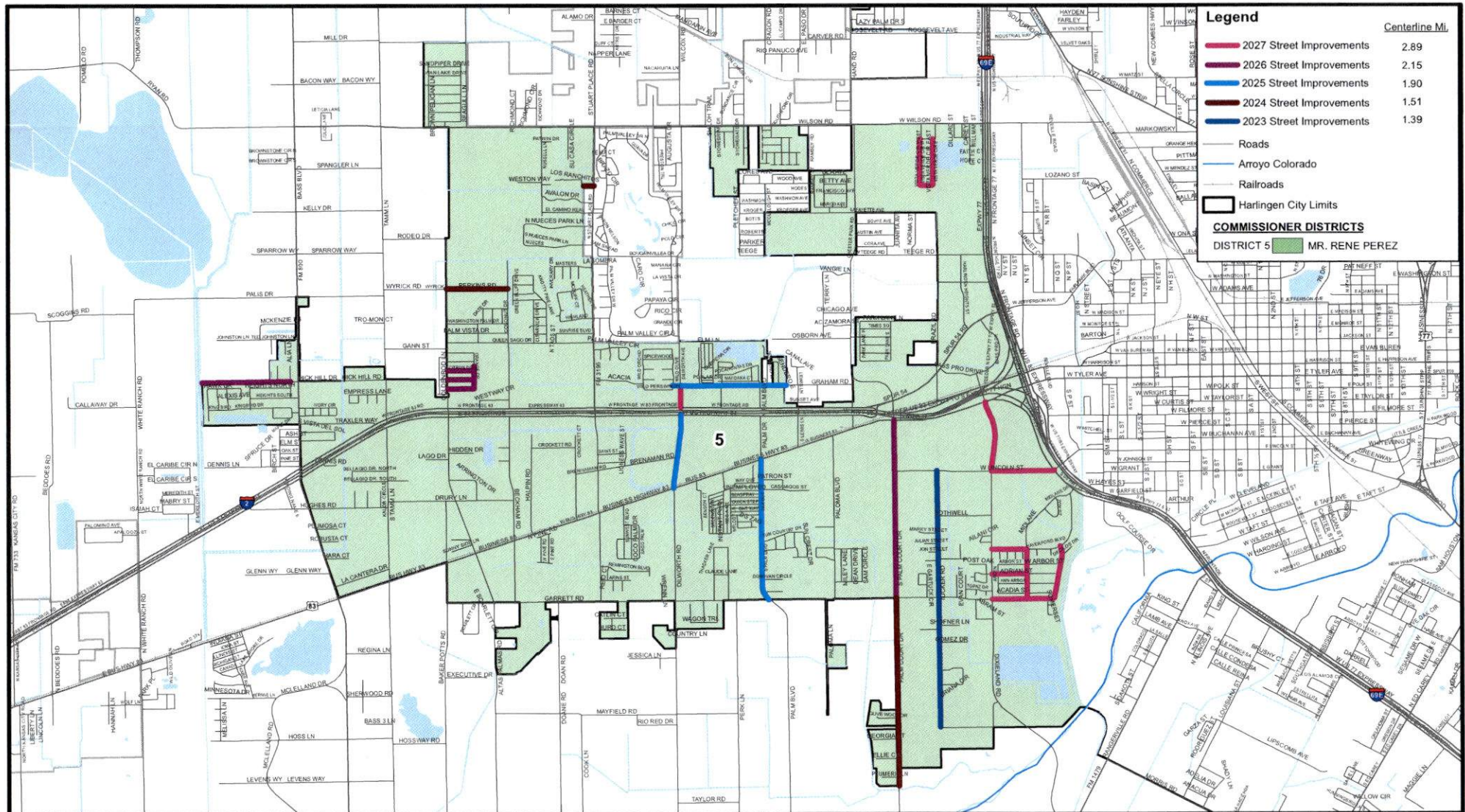
1,500 750 0 1,500 Feet



EXHIBIT NUMBER:

01

SHEET 1 OF 1



City of Harlingen
Engineering Department
24200 FM 509
HARLINGEN, TX 78550
(956) 216-5280

PROPOSED STREET IMPROVEMENT PROGRAM PROJECT 2026-2027 DISTRICT 5

PROJ. NO:

DATE: 07-02-2026

DRAWN BY:

CHEKD BY:

ISSUED FOR:

2,000 1,000 0 2,000 Feet



EXHIBIT NUMBER:

01

SHEET 1 OF 1