CITY COMMISSION
AGENDA
REGULAR MEETING
JANUARY 10, 2024
@ 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, JANUARY 10, 2024, 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.

The public will be permitted to offer citizen communication or participate in items listed as public hearings as provided by the agenda and as permitted by the presiding officer during the meeting.

To offer citizen communication or participate in scheduled public hearings, go to www.harlingentx.gov and click on " PUBLIC HEARING AND CITIZEN COMMUNICATION FORM." Fill out the form and indicate the item you wish to address, and submit the form.

Please indicate (1) the agenda item on which you wish to speak, (2) whether you prefer to speak on the item during citizen communication or at the time the agenda item is brought for consideration before the City Commission.

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

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

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

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

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

Call Meeting to Order

Invocation - Mayor Pro - Tem Rene Perez

Pledge of Allegiance/Welcome

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 the time? ***(City Attorney)***

1) Presentation of Awards:

   1 Harlingen Vital Statistics - 2023 Five-Star Award from the Texas Department of Vital Statistics.
   2. Business of the Month -

Citizen Communication/Input

2) Approval of Minutes

   a) Regular Meeting of December 6, 2023

3) Consent Agenda

   a) Consideration and possible action authorizing the City Manager to execute an interlocal cooperation agreement between the City of Harlingen and the City of Brownsville to purchase traffic signal equipment; and authorizing a match. Attachment. ***(Special Projects Department).***

   b) Consideration and possible action to approve an ordinance on second and final reading amending Harlingen Code of Ordinances, Chapter 18, Master Fee Schedule Exhibit "A", establishing a storage fee for the HEB Tennis Center. Attachment ***(Parks & Recreation)***

   c) Consideration and possible action to authorize the City Manager, on behalf of the City of Harlingen Police Department, to accept a generous donation of a K-9 Explosive Detection Dog valued at approximately $8,500.00. Attachment ***(Police)***

   d) Consideration and possible action to install a speed hump on the following roads: ***(This item was requested by Mayor Pro-Tem Rene Perez and Commissioner Ford Kinsley)***

      1. Dilworth Road between Business 83 and Garrett Road.

   e) Consideration and possible action to approve a request for street closures for the 2024 Jackson Street Market Days, first Saturday of each month from 9:00 a.m. to 3:00 p.m. Attachment ***(Police).***

      Close the North side intersection of Van Buren Avenue / West Street; the alleyway at the 100 Block of South West Street; the East side intersection of Jackson Avenue / "C" Street; the South side intersection of Commerce Street / Monroe Avenue; Place DETOUR sign at Commerce Street / Monroe Avenue to send traffic eastbound onto Monroe Avenue. Close the South side intersection of "B" Street / Monroe Avenue; the South side intersection of the 100 Block of North Commerce Street and the alleyway; the North side intersection of the 100 Block

of South Commerce Street and the alleyway; the North side intersection of Commerce Street / Van Buren Avenue; Place DETOUR sign at Commerce Street / Van Buren Avenue to send traffic eastbound onto Van Buren Avenue; Close the North and South side intersections of Jackson Avenue / "A", "1st" "2nd", and "3rd",Streets; the West side intersection of Jackson Avenue / 4th Street. The North Commerce vehicular southbound traffic will be re-routed eastbound onto Monroe Avenue and the South Commerce vehicular northbound traffic will be re-routed eastbound onto Van Buren Ave.

f) Consideration and possible action to approve a request to close Tennessee Street for the UTRGV 5K Color-Fun Run Event, Saturday, February 10, 2024, from 8:30 a.m. to 11:00 a.m. beginning at the UTRGV Clinical Education Building. Attachment ***(Police).***

g) Consideration and possible action to approve a request for street closures for the 33rd Annual Jalapeno 100 Bike Ride Event, Saturday, February 24, 2024, from 5:00 a.m. to 4:00 p.m. beginning and ending at the Boys and Girls Club located at 1209 West Washington Avenue. Attachment ***(Police).***

Fair Park Blvd. / West Teege Ave., Eastside of the intersection blocking east bound lane only.
Fair Park Blvd. between North "L" Street and North "J" Street (No thru traffic) to include all entries and exits from Harlingen Performing Arts, Municipal Auditorium and Casa de Amistad's parking lots.
North "J" Street / Washington Ave., Westside of the intersection.
North "K" Street / Washington Ave., Southside of the intersection,
North "L" / Adams Ave., Eastside of the intersection.
North "L" Street and Adams Ave. / Teege Ave., Southside of the intersections.
Include DETOUR signs at North "L" Street / Fair Park Blvd. to send traffic north and onto Wichita Avenue.

NEW BUSINESS

4) Consideration and possible action to approve the preliminary construction plans and final plat with a variance request regarding the minimum lot depth for Lot 26, Block 1, for the proposed Allison Subdivision, bearing a legal description of 27.91 acres of land out of Block 48, Lon C. Hill Subdivision. Applicant: Vigstol Engineering c/o Choice Land Development Attachment ***(Planning & Development)***

5) Public hearing to adopt an ordinance on first reading amending the City of Harlingen Code of Ordinances, Chapter 111, Article X, Section 111-280, Special Sign Categories, Permitted and Prohibited, by clarifying the allowable signage for feather flag signs for commercial establishments exceeding 100 linear feet at the longest point. Applicant: City of Harlingen ***(Planning & Development)***

a) Public Hearing

b) Consideration and possible action to approve an ordinance on first reading amending the City of Harlingen Code of Ordinances, Chapter 111, Article X, Section 111-280, Special Sign Categories, Permitted and Prohibited, by clarifying the allowable signage for feather flag signs for commercial establishments exceeding 100 linear feet at the longest point.

6) Public hearing to adopt an ordinance on first reading for a rezoning request from Residential, Single-Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 501 W. Filmore Avenue, bearing a legal description of Lot 1, Block 132 Harlingen Original Townsite. Applicant: Reynaldo Del Toro ***(Planning & Development)***

a) Public Hearing

b) Consideration and possible action to approve a request to rezone from Residential, Single-

Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 501 W. Filmore Avenue, bearing a legal description of Lot 1, Block 132, Harlingen Original Townsite.

7) Consideration and possible action authorizing the City Manager to approve a lease agreement with Vantage Tag Systems for 74 golf carts with Yamaha GPS Systems to be used at Tony Butler Golf Course during FY 2024-2028. Attachment ***(Golf)***

8) Consideration and possible action to approve an Inter-Local agreement between the City of Harlingen and Harlingen Irrigation District Cameron County No. 1, granting the City permission to use land for the construction and maintenance of the Lon C. Hill Destination Park and authorize the City Manager to execute the agreement. Attachment ***(Parks & Recreation)***

9) Consideration and possible action to adopt the Harlingen Economic Development Corporation (HEDC) updated FY 2024-2027 3-Year Strategic Plan. Attachment ***(HEDC)***

10) Consideration and possible action to prioritize recreational trail projects; and to approve a resolution authorizing the City Manager to submit a grant application to the Texas Parks and Wildlife's Recreational Trails Program. Attachment ***(Special Projects).***

11) Consideration and possible action to amend the budget for the Harlingen Health Department and add eleven (11) new positions for the Animal Shelter. Attachment/PowerPoint ***(Health Department)***

12) Consideration and possible action to create an Advisory Accessibility Board. ***(Mayor)***

13) Board Appointments
Specifically, appointment or discussion and possible action to include appointment and/or removal of any position subject to appointment or removal by statute, ordinance, or bylaws.
Airport
Animal Shelter Advisory Committee (2)
Audit Committee (Terms expire in June)
Charter Review Committee (4)
Civil Service Commission
Community Development Advisory Board (1)
Construction Board of Adjustments (4)
Convention & Visitors Bureau
Development Corporation of Harlingen, Inc.
Downtown Improvement Board
Golf Course Advisory Board
Harlingen Community Improvement Board
Harlingen Housing Authority Board
Harlingen Finance Corporation (5)
Harlingen Teen and Young Adult Advisory Board (2)
Healthy Harlingen Advisory Board
Keep Harlingen Beautiful Board (1)
Library Advisory Board
Mayor Wellness Council
Museum Advisory Board
Parks Advisory Board
Planning & Zoning Advisory Board
Senior Citizens Advisory Board (2)
Small Business Committee
Tax Increment Finance Board (1)
Utility Board of Trustees
Veterans Advisory Board
Zoning Board of Adjustment (2)

14) **Executive/Closed Session:** pursuant to Government Code Section 551.071 - attorney consultation; Section 551.072 - deliberation regarding real estate; and Section 551.087 - Economic Development relating to the following project:

a) Project Alphabet

15) Consideration and possible action regarding Item# 14(a) as discussed in Executive Session.

16) 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 **FRIDAY**, **JANUARY 5, 2024**, at or before 3:25 p.m. and remained so posted for at least 72 hours preceding the time of said meeting.

Dated this 5th day of JANUARY, 2024

Amanda C. Elizondo

Amanda C. Elizondo, City Secretary

2a)

REGULAR MEETING

CITY COMMISSION HARLINGEN, TEXAS

A Regular Meeting of the Harlingen City Commission was held December 6, 2023, at 5:30 p.m., at City Hall, Town Hall Meeting Room, 2nd Floor, Harlingen, Texas, and providing the public the ability to view the meeting via the 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.myharlingen.us Those in attendance were:

Mayor and Commissioners
Mayor Norma Sepulveda
Mayor Pro-Tem Rene Perez
Ford Kinsley Commissioner District 1
Daniel N. Lopez, Commissioner District 2
Michael Mezmar, Commissioner District 3
Frank Morales, Commissioner District 4

City Staff
Gabriel Gonzalez, City Manager
Amanda C. Elizondo, City Secretary
Mark Sossi, City Attorney

Call Meeting to Order

Mayor Sepulveda called the meeting to order, announced a quorum was established, and stated the meeting was duly posted according to state law. The following proceedings were held:

Invocation – Mayor Pro-Tem Rene Perez

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"?

Mayor Norma Sepulveda – None
Mayor Pro-Tem Perez – None
Commissioner Ford Kinsley – None
Commissioner Daniel N. Lopez – none
Commissioner Michael Mezmar - None
Commissioner Frank Morales – None

Citizen Communication/Input

- Raymond Reyes – 706 Nantucket Drive, Harlingen, TX – Continued Progress

1) Approval of Minutes

Regular Meeting of October 18, 2023

Commissioner Kinsley noted a minor revision was needed on Page 7.

Motion was made by Commissioner Kinsley and seconded by Commissioner Lopez to approve the Regular Meeting of October 18, 2023. Motion carried unanimously.

2) Consent Agenda

a) Consideration and possible action to approve a request from Sylvia Gamboa, Director of Guidance and Counseling for the Harlingen Consolidated Independent School District, for a street closure off Fair Park Boulevard between "J" Street and "L" Street in front of Casa de Amistad, for their Elementary School Expo, Thursday, March 28, 2024, at the Casa de Amistad from 9:00 a.m. to 2:00 p.m.

b) Consideration and possible action to approve a resolution authorizing the City Manager to accept a grant award of $1,250,000 from the Department of Justice – COPS Office 2023 COPS Hiring Program. COPS Funds $1,250,000 / Matching Funds $1,143,400. Project Total: $2,393,400.

c) Consideration and possible action to approve a request from St. Lutheran Church to close Washington Avenue, between Morgan Boulevard and Citrus Terrace, Saturday, December 9, 2023, and Sunday, December 10, 2023, from 4:00 p.m. to 8:30 p.m. for their Annual Nativity Nights Event.

d) Consideration and possible action to renew a Subscription Master Agreement between the City of Harlingen and eCivis Grant Management Software for one year.

e) Consideration and possible action to approve the Interlocal Agreement Between the Lower Rio Grande Valley Development Council (LRGVDC) and the City of Harlingen for the performance of governmental functions and provide basic police academy training, in-service police training for police department officers, other area officers and prospective peace officer candidates as per the agreement.

f) Consideration and possible action to approve the Fire Services Agreements with Cameron County Emergency Services District No. 1 and the cities of Combes, Primera, and Palm Valley for FY 2023-2024.

g) Consideration and possible action to approve the installation of speed humps in the following locations: (***This item was requested by Commissioner Frank Morales and Mayor Pro-Tem Rene Perez.***

1. 1400 Block of South "J" and 300 Block of N. "L" Streets.
2. 900 Block of South 4th Street.
3. 3800/3900 Bourbon Street
4. 3800/3900 Arroyo Vista Drive
5. Ona Ave. and Whitewing St.

h) Presentation by Robert Rodriguez, Finance Director, regarding the City of Harlingen Investment Reports for the quarter ending September 30, 2023, and for the year ending September 30, 2023.

Mayor Pro-Tem Perez abstained on Item 2 (a).

Motion was made by Commissioner Lopez and seconded by Commissioner Morales to approve a request from Sylvia Gamboa, Director of Guidance and Counseling for the Harlingen Consolidated Independent School District for a street closure of Fair Park Boulevard between "J" Street and "L" Street in front of Casa de Amistad, for their Elementary School Expo, Thursday, March 28, 2024, at the Casa de Amistad from 9:00 a.m. to 2:00 p.m. Motion carried unanimously.

Commissioner Mezmar referred to Item 2 (g) and requested to add Lamar St. and the 1100 Block of Citrus Terrance. Commissioner Lopez requested to add Sterling Ave. to the list for the installation of speed humps.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to approve the addition of Lamar Street, Citrus Terrace and Sterling Avenue to the list of street humps. Motion carried unanimously.

Commissioner Lopez abstained on Item 2 (f).

Motion was made by Mayor Pro-Tem Perez and seconded by Commissioner Morales to approve the Fire Services Agreements with Cameron County Emergency Services District No. 1, and the Cities of Combes, Primera, and Palm Valley for FY 2023-2024. Motion carried unanimously.

3) Consideration and possible action to cancel the Harlingen City Commission Meeting of January 3, 2024.

Motion was made by Commissioner Mezmar and seconded by Commissioner Lopez to cancel the Harlingen City Commission Meeting of January 3, 2024. Motion carried as follows: FOR: Commissioners: Lopez, Kinsley, Morales and Mezmar, AGAINST: Mayor Pro-Tem Perez. (Vote: 4-1)

4) Consideration and possible action to approve an Interlocal Cooperation Agreement between the City of Harlingen and Cameron County to provide $1,408,362.15 for the Grimes Road Improvement Project to be funded by TIRZ No. 1.

Commissioner Morales suggested the city use the $1.4 million in TIRZ No. 1 instead of the Grimes Road Project. We have plenty of drainage, water, and sewer issues, and it would be more appropriate to use them for these improvements.

Mr. Gonzalez stated that we can fund any project in the project plan or TIRZ No. 1. It could be funded, but no projects have been presented. Should the City Commission decide to invest the $1.4 million elsewhere, the TIRZ Fund still has an additional $1.2 million available for other eligible projects within the TIRZ boundaries.

Mr. Gonzalez stated this project will include drainage, and Cameron County will do some upgrades to provide better drainage in that area. It will cost the county over three million dollars. Improving Grimes Road will be necessary for the area behind the airport.

Commissioner Morales asked why not Rio Hondo Road instead of Grimes Road.

Mr. Gonzalez responded that this road would connect Loop 499 and FM 509 and provide a connection to the Port of Harlingen.

Commissioner Mezmar stated that this project is leveraging County funds; it will provide a broader road to handle increased traffic with access to the Port of Harlingen and the airport; it is a wise use of money. This project does not address sewage. It is about Grimes Road and drainage that comes off the road. This will attract more industry and commerce.

Mayor Sepulveda stated that this item was discussed in previous meetings and is a qualifying project. This is what the TIRZ is designed to do. We are partnering with the county, in line with the EDC, for growth in the industrial park. Let us support this project. I share your concerns over sewage, but it is more expensive and can be addressed later with the Texas Water Development Board.

Motion was made by Commissioner Mezmar and seconded by Commissioner Kinsley to approve an interlocal Cooperation Agreement between the City of Harlingen and Cameron

County to provide $1,408,362.15 for the Grimes Road Improvement Project to be funded by TIRZ No. 1. Motion carried as follows: FOR: Mayor Pro-Tem Perez, Commissioners: Mezmar, Kinsley; AGAINST: Commissioner Morales. ABSTAINED: Commissioner Lopez (Vote: 3 (yes), 1 Against, and 1- abstention)

5) Consideration and possible action to approve a contract with the most qualified and responsible bidder for the purchase and "turn-key" installation of petroleum storage tanks, dispensers, and complete system upgrade to replace (2) above-ground fuel storage tanks located at 404 S. 54th Street and (2) underground storage tanks located at 1006 S. Commerce St., and related canopies at both locations to comply with the most current TCEQ regulations and Fire codes and authorize the City Manager to sign the contract.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to approve a contract with the most qualified and responsible bidder for the purchase and "turn-key" installation of petroleum storage tanks, dispensers, and complete system upgrade to replace (2) above-ground fuel storage tanks located at 404 S. 54th Street and (2) underground storage tanks located at 1006 S. Commerce St., and related canopies at both locations to comply with the most current TCEQ regulations, Fire codes, and authorize the City Manager to sign the contract. Motion carried unanimously.

6) Consideration and possible action to approve a service contract between the City of Harlingen and UniFirst Corporation to provide uniform rental and laundering services for city employees, excluding Police and Fire Employees, and authorize the City Manager to sign the contract.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to approve the service contract between the City of Harlingen and UniFirst Corporation to provide uniform rental and laundering services for city employees excluding Police and Fire employees and authorize the City Manager to sign the contract. Motion carried unanimously.

7) Consideration and possible action to prioritize drainage improvement projects to identify grant funding and to approve a resolution authorizing the City Manager to submit multiple grant applications to the Texas Division of Emergency Management Hazard Mitigation Grant and the Building Resilient Infrastructure and Communities (BRIC) Grant Program.

Motion was made Commissioner Lopez and seconded by Commissioner Mezmar to prioritize drainage improvement projects to identify grant funding; and to approve a resolution authorizing the City Manager to submit multiple grant applications to the Texas Division of Emergency Management Hazard Mitigation Grant and the Building Resilient Infrastructure and Communities (BRIC) Grant Program. Motion carried unanimously.

8) Public Hearing and possible action to approve an ordinance on first reading for a rezoning request from Not Designated ("N") District to Residential, Single-Family ("R-1") District for a property bearing a legal description of 3.99 acres out of Block 139, Adams Gardens Subdivision "C," located along the south side of Hughes Road, approximately 400 feet east of Bass Boulevard. Applicant: Moore Land Surveying c/o Cano Home Builders.

Xavier Cervantes, Planning and Zoning Director, stated that this proposal is for single-family homes on the south side of Hughes Road and east of Bass Blvd. The Planning and Zoning Advisory Commission unanimously approved the subdivision, and it follows the City Comprehensive Plan. There was no opposition from residents residing within the 200 feet radius.

Mayor Sepulveda announced this was a public hearing and anyone wishing to speak for or against could do so.

a) Public Hearing – There being no comments, Mayor Sepulveda closed the public hearing.

b) Consideration and possible action to adopt an ordinance on first reading for a rezoning request from Not Designated ("N") District to Residential, Single-Family ("R-1") District for a property bearing a legal description of 3.99 acres out of Block 139, Adams Gardens Subdivision "C," located along the south side of Hughes Road, approximately 400 feet east of Bass Boulevard.

Motion was made by Commissioner Mezmar and seconded by Mayor Pro-Tem Perez to adopt an ordinance on first reading for a rezoning request from Not Designated ("N") District to Residential, Single-Family ("R-1") District for a property bearing a legal description of 3.99 acres out of Block 139, Adams Gardens Subdivision "C," located along the south side of Hughes Road, approximately 400 feet east of Bass Boulevard. Motion carried unanimously.

9) Public hearing and possible action to approve an ordinance on first reading for a rezoning request from Residential, Multi-family ("M-2") District to Planned Development District ("PD") for a 36-lot multi-family development with five ft. side yard setbacks, one access point instead of the required two, and one cul-de-sac instead of the required two for a property bearing a legal description of Lot 2, USBP Subdivision, located along the east side of New Hampshire Street approximately 1,200 ft south of Expressway 83. Applicant: David Chacon.

Mr. Cervantes stated that this property is just south of the Border Patrol Station by the expressway. They are proposing a multi-lot for apartments with one entrance on New Hampshire Street with a proposed onsite detention. Each lot will have either a four-plex or a six-plex apartment unit. When the second (vacant) area is developed, a second entrance will be provided. They are proposing 5-ft. side setbacks. In 2012, the Park Meadow Subdivision on Becker Road, the city granted a variance for only one entrance. With the Brazil Estate subdivision under construction, it will connect to the stub out. When this project is done, it will include a second entrance. The Fire Department approved this request contingent upon a second entrance when the property is developed. The Planning and Zoning Commission held a public hearing; there was no opposition, and the item was unanimously approved. If the single-family lot is not developed, the city ordinance requires an entrance because it is a dead-end street.

Mayor Sepulveda announced that this was a public hearing and anyone wishing to speak for or against could do so.

a) Public Hearing – David Chacon, Engineer, stated this is our first development in Cameron County. We recognize the need for this type of housing in this area. If approved, we look forward to working with the City of Harlingen.

b) Consideration and possible action to adopt an ordinance on first reading for a rezoning request from Residential, Multi-family ("M-2") District to Planned Development District ("PD") for a 36-lot multi-family development with five ft. side yard setbacks, one access point instead of the required two, and one cul-de-sac instead of the required two for a property bearing a legal description of Lot 2, USBP Subdivision, located along the east side of New Hampshire Street approximately 1,200 ft. south of Expressway 83. Applicant: David Chacon.

Motion was made by Commissioner Mezmar and seconded by Mayor Pro-Tem Perez to approve the ordinance on first reading for a rezoning request from Residential, Multi-family ("M-2") District to Planned Development District ("PD") for a 36-lot multi-family development with five ft. side yard setbacks, one access point instead of the required two, and one cul-de-sac instead of the required two for a property bearing a legal description of Lot 2, USBP Subdivision, located along the east side of New Hampshire Street approximately 1,200 ft south of Expressway 83. Motion carried unanimously.

10) Consideration and possible action to authorize the City Manager to sign a gift deed for the conveyance from the Harlingen Irrigation District to the City of Harlingen of the Lipscomb Ditch, being 15.094 acres of land out of Blocks 28, 29, 30, 31, 50, 51 and 52, of the Lon C. Hill Subdivision, located on the west side of Louisiana Street approximately 598 feet north of Morris Road. Applicant: Harlingen Irrigation District.

Mr. Cervantes stated that the request was for a single-family subdivision. Harlingen Irrigation District, the applicant, would like to expand this ditch to comply with the drainage requirements instead of having an onsite detention pond. The ditch belongs to the Irrigation District. Due to the development, there is no need for this ditch anymore for farming purposes. They are willing to gift the land to the city if the city accepts taking over the ditch, which will help this project. The ditch will be widened, and improvements will be made to help other vacant properties in the area. Commissioner Lopez asked if it would be the whole ditch or just the portion that is nearby them.

Luis Vargas, City Engineer, stated that the portion of the northwest will be done, as there will be a detention pond (in-line detention), ditch improvements, and a reinforced concrete box culvert (8x6) at the Louisiana Street crossing based on the 2008 Master Drainage Plan.

Commissioner Mezmar asked if the city would take over this property to widen and extend it to provide better drainage.

Mr. Vargas responded, yes.

Motion was made by Commissioner Mezmar and seconded by Commissioner Lopez to authorize the City Manager to sign a gift deed for the conveyance from the Harlingen Irrigation District to the City of Harlingen of the Lipscomb Ditch, being 15.094 acres of land out of Blocks 28, 29, 30, 31, 50, 51 and 52, of the Lon C. Hill Subdivision, located on the west side of Louisiana Street approximately 598 feet north of Morris Road. Motion carried unanimously.

11) Consideration and possible action to authorize the city manager to sign an access and utility easement document to capture a sidewalk and water meter on the subject property bearing a legal description of 0.026 acres out of Block 1, Williamson Subdivision, located on the west side of "F" Street, approximately 370 feet north of Expressway 83. Applicant: F Street Retail Partners, LTD.

Mr. Cervantes stated this is a new Stripes Store located at "F" Street and Expressway 83. After completing the project, the developer surveyed to determine if a portion of the sidewalk along "F" Street and utilities lines were on private property. The need for the utility easement allows the developer to close the project.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to sign an access and utility easement document to capture a sidewalk and water meter on the subject property bearing a legal description of 0.026 acres out of Block 1, Williamson Subdivision, located on the west side of "F" Street, approximately 370 feet north of Expressway 83. Motion carried unanimously.

12) Consideration and possible action to adopt an ordinance on the second and final reading for a Special Use Permit (SUP) request to allow a bar/lounge in a Light Industry (LI) District located at 1510 N. Commerce Street, bearing a legal description of Lot 3, Block 1, Replat of Lot 1, Block 1, Casa Blanca Subdivision. Applicant: Veronica Marie Rosas.

Mr. Cervantes stated that this bar was approved on first reading at the last City Commission meeting. There was a question regarding improvements to the façade. The applicant is here, as well as the owner, to answer any questions.

Mr. Tomas Diaz, the property owner, and Veronica Rosas, the applicant, were present.

Commissioner Lopez stated that he wanted to address them because the city is making a massive improvement on Commerce Street with a $5 million grant. I want to know if you are willing to fix up the façade so it looks nicer within the next year or two, by then the improvements will be completed and it will look nicer and more cohesive for those passing by.

Mr. Diaz stated that was not possible this year. It is not in the budget. We had a significant expense in replacing the framing on the roof this year, as well as upgrades on the inside.

Commissioner Lopez asked if he would consider it in the next two–three years.

Mr. Diaz stated that he would consider it.

Beverly Loftus, with the EDC, stated they had recently implemented round two of the Revitalize Harlingen, including Commerce Street as part of one of the zones. Funds are available for infrastructure improvements for this property and others along Commerce St. I highly recommend this business and others along Commerce St. to look at this program. They can go to harlingenedc.com/revitalizeharlingen to obtain the details or call the office. The grant will match up to $10,000.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to adopt the ordinance on the second and final reading for a Special Use Permit (SUP) to allow a bar/lounge in a Light Industry (LI) District located at 1510 N. Commerce Street, bearing a legal description of Lot 3, Block 1, Replat of Lot 1, Block 1, Casa Blanca Subdivision. Motion carried unanimously.

For the record the ordinance read as follows:

ORDINANCE NO. 23-50

AN ORDINANCE AMENDING THE CODE OF ORDINANCES, ORDINANCE No. (16-8) OF THE CITY OF HARLINGEN: TO ISSUE A SPECIAL USE PERMIT TO VERONICA MARIE ROSAS, TO ALLOW A BAR/LOUNGE IN A LIGHT INDUSTRY (LI) DISTRICT LOCATED AT 1510 N. COMMERCE STREET, BEARING A LEGAL DESCRIPTION OF LOT 3, BLOCK 1, REPLAT OF LOT 1, BLOCK 1, CASA BLANCA SUBDIVISION.

Passed and approved on first reading this the 6th day of December 2023
Passed and approved on second and final reading this the 1st day of November 2023

ATTEST: /s/ Amanda C. Elizondo, City Secretary /s/ Norma Sepulveda, Mayor

13) Consideration and possible action to approve the renewal of the Lease Document N62467-87-RP-00006 for 15.0 acres of land located at 1300 Teege Street, Harlingen, TX, currently used by the Navy Operational Support Center (NOSC) for a term beginning January 1, 2024, and ending December 31, 2024.

Motion was made by Commissioner Kinsley and seconded by Mayor Pro-Tem Perez to approve the renewal of the Lease Document N62467-87-RP-00006 for 15.0 acres of land located at 1300 Teege Street, Harlingen, TX, currently used by the Navy Operational Support Center (NOSC) for a term beginning January 1, 2024, and ending December 31, 2024. Motion carried unanimously.

14) Consideration and possible action to approve a project for $23,441, FY Budget 2023-2024, to improve a sidewalk on Dixieland Rd. across from Harlingen South.

Motion was made by Commissioner Lopez and seconded by Mayor Pro-Tem Perez to approve the project for $23,441, FY Budget 2023-2024 to improve a sidewalk on Dixieland Rd, across Harlingen South. Motion carried unanimously.

15) Consideration and possible action to approve the Harlingen Economic Development Corporation (HEDC) updated FY 2023-2024 Annual Work Plan.

Motion was made by Commissioner Mezmar and seconded by Mayor Pro-Tem Perez to approve the Harlingen Economic Development Corporation (HEDC) updated FY 2023-2024 Annual Work Plan. Motion carried unanimously.

16) Board Appointments

Commissioner Mezmar appointed Kenny Erwin to Keep Harlingen Beautiful and reappointed Chris Bartnesky to the Utilities Board of Trustees.

Commissioner Morales appointed Steve Brewer to the Utilities Board of Trustees to replace Enrique del Angel and Armando Prado to the Zoning Board of Adjustments to replace Frank R. Garcia.

Motion was made by Commissioner Kinsley and seconded by Mayor Pro-Tem Perez to approve the appointments of Kenny Erwin to Keep Harlingen Beautiful; reappointment of Chris Bartnesky, Utilities Board of Trustees; Steve Brewer, Utilities Board of Trustees (to replace) Enrique del Angel; appointed Armando Prado, Zoning Board of Adjustments (to replace) Frank R. Garcia. Motion carried unanimously.

17) Executive/Closed Session regarding the following items:

a) Pursuant to Tx. Government Code Section 551.071 (1) and (2) attorney consultation; Section 551.072 regarding Bass Pro land issue.

b) Consultation with City Attorney pursuant to Tx. Government Code Section 551.071 (2) regarding the Humane Society Animal Shelter.

c) Pursuant to Tx. Government Code Section 551.071 – attorney consultation; Section 551.072 – deliberation regarding real estate; and Section 551.087 – economic development relating to Project EDC and Project Spec Building 3 (HEDC).

At 5:49 p.m., Mayor Sepulveda announced the City Commission would convene in Executive/Closed Session to discuss Items 17 (a), (b), and (c).

Motion was made by Commissioner Mezmar and seconded by Mayor Pro-Tem Perez to convene into executive closed session. Motion carried unanimously.

At 7:04 p.m., Mayor Sepulveda announced the City Commission completed its executive session and declared the meeting open to the public.

18) **General Session:**

Consideration and possible action regarding Item #17 (a) as discussed in executive session.

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

19) **General Session**:

Consideration and possible action regarding Item #17 (b) as discussed in executive session.

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

20) Consideration and possible action regarding Item #17 (c) as discussed in executive session.

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

21 Adjournment

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

City of Harlingen

ATTEST:

Norma Sepulveda, Mayor

Amanda C. Elizondo, City Secretary

DRAFT

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 10, 2024**

Agenda Item:

Consideration and possible action authorizing the City Manager to execute an interlocal cooperation agreement between the City of Harlingen and the City of Brownsville to purchase traffic signal equipment; and authorizing a match. Attachment. ***(Special Projects Department).***

Prepared By: Ana Hernandez, Mobility & Special Projects Director

Brief Summary:

The Category 10 Carbon Reduction Program (CRP) is a new subprogram authorized in the Bipartisan Infrastructure Law (BIL) that targets traffic management, congestion reduction technology, truck parking, energy efficient streetlights, traffic controls, public transportation, and pedestrian and bicycle facilities. The Rio Grande Valley Metropolitan Planning Organization (RGVMPO) has allocated Category 10 – Carbon Reduction Program Funds to various projects within their boundaries.

The City of Harlingen will be receiving $60,500 as part of a larger signal improvement project for Cameron County. The CRP funds will cover the following intersection improvements:

1. Business 77 and 13th Street - (One (1) GPS clock @ $500)
2. FM 507/Morgan Boulevard and Austin Avenue - (One (1) cabinet @ $20,000)
3. FM 507/Morgan Boulevard and Grimes Avenue - (One (1) cabinet @ $20,000)
4. FM 507/Morgan Boulevard and Rio Hondo - (One (1) cabinet @ $20,000)

These proposed signal improvements were presented by the past RGVMPO Director, Andrew Canon, to the City Commission at their Regular Meeting on July 5, 2023.

The City of Brownsville will serve as the fiduciary agent for this project and enter into an Advanced Funding Agreement (AFA) with the Texas Department of Transportation (TXDOT) to procure the equipment on behalf of both municipalities. Each city will contribute 20% (or $12,100) to cover the required costs upon execution of the AFA.

Funding (if applicable):

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

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

Staff Recommendation:

Staff recommends approval of this agrement.

City Manager approval:

Comments:

City Attorney's approval:

STATE OF TEXAS

COUNTY OF CAMERON

INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF BROWNSVILLE AND THE CITY OF HARLINGEN, TEXAS FOR UTILIZING FUNDS FOR THE PURCHASE OF TRAFFIC CONTROL DEVICES AND EQUIPMENT.

THIS agreement is made on this ___ day of _____ , _____, 2023 by and between the CITY OF BROWNSVILLE, TEXAS, hereinafter referred to as "BROWNSVILLE," and the CITY OF HARLINGEN, TEXAS, hereinafter referred to as "HARLINGEN," pursuant to the provisions of the Texas Interlocal Cooperation Act, as follows:

WITNESSETH:

WHEREAS, BROWNSVILLE and HARLINGEN are home rule municipalities located in Cameron County, Texas;

WHEREAS, BROWNSVILLE and HARLINGEN desire to synchronize traffic lights throughout various portions of the city limits of each municipality; and

WHEREAS, BROWNSVILLE and HARLINGEN have agreed to provide a list of proposed intersections requiring replacement equipment along with the corresponding costs; and

WHEREAS, BROWNSVILLE has agreed to serve as the fiduciary agent for the procurement of such equipment and to enter into an Advance Funding Agreement with the Texas Department of Transportation for the purpose of such procurement of equipment on behalf of both municipalities; and

WHEREAS, BROWNSVILLE will need to pay TxDOT direct state cost 30 days after an AFA is adopted and 60 days before construction of this project; and

WHEREAS, BROWNSVILLE will need to pay TxDOT indirect state cost for this project; and

WHEREAS, the estimated total cost for the recommended light synchronization will be $1,118,500; and

WHEREAS, the estimated cost for Brownsville, Texas will be $1,058,000; and

WHEREAS, the estimated cost for Harlingen, Texas will be $60,500; and

WHEREAS, BROWNSVILLE and HARLINGEN have agreed to pay the city match (20%), as required by the Advance Funding Agreement, to BROWNSVILLE for the procurement of traffic control devices, equipment, and procedures, and any excess costs or savings will be shared between the municipalities in proportion to the percentage share of the total cost;

WHEREAS, BROWNSVILLE and HARLINGEN are authorized to enter into this Agreement pursuant to the Interlocal Cooperation Act, Texas Government Code 791.001 et seq., which authorizes local governments to contract with each other to perform governmental functions and services under the terms of the Act;

NOW, THEREFORE, BROWNSVILLE and HARLINGEN, in consideration of the mutual covenants expressed hereinafter, agree as follows:

1. BROWNSVILLE agrees to enter into an Advance Funding Agreement with the Texas Department of Transportation, and to serve as the fiduciary agent for the purpose of procuring traffic signal equipment on behalf of BROWNSVILLE and HARLINGEN. The traffic signal equipment includes GPS Clocks, and Cabinet/Controllers. The municipalities have provided an itemized list of each municipality's needed equipment, along with the estimated cost and required city match. The itemized list and estimated cost are attached to this agreement as Exhibit A, and are incorporated herein for all purposes.
2. HARLINGEN desires to procure cabinets and GPS equipment as is reflected in Exhibit A. The total cost of said equipment is $60,500, which is 5.41% of the total cost of all replacement equipment to be procured pursuant to this agreement. HARLINGEN agrees to pay BROWNSVILLE on or before October 1, 2024, the amount of $12,100, which amount reflects HARLINGEN's match as is required by the Advance Funding Agreement and any additional overrun cost associated with this project. Immediately upon execution of this Agreement, HARLINGEN shall deliver to BROWNSVILLE the specifications of said equipment.
3. Upon execution and receipt of all funds stated in this agreement, BROWNSVILLE will procure all replacement equipment pursuant to the Texas Procurement Act, Texas Department of Transportation procurement procedures, and City of Brownsville purchasing policies. BROWNSVILLE shall be responsible to comply with the requirements of the Advance Funding Agreement, including all requests for reimbursements. Any excess costs or savings will be shared between the municipalities in proportion to the percentage share of the total cost.
4. The municipalities understand that this Agreement is for the sole purpose of procuring the required replacement equipment only. Upon payment for, and receipt of the equipment by each municipality, and the subsequent distribution of any excess costs or savings, this Agreement shall terminate. It shall be the responsibility of each municipality to install and maintain its respective equipment, including making any warranty or other similar claims.
5. **Conflict of Applicable Law:** Nothing in this Agreement shall be construed so as to require the commission of any act contrary to law, and whenever there is any conflict between any provision of this Agreement and any present or future law, ordinance, or administrative, executive, or judicial regulation, order, or decree, or amendment thereof, contrary to which the parties have no legal right to contract, the latter shall prevail, but in such event the affected provision or provisions of the Agreement shall be modified only to the extent necessary to bring them within the legal requirements and only during the time such conflict exists.
6. **No Waiver:** No waiver by any party hereto of any breach of any provision of the Agreement shall be deemed to be a waiver of any preceding or succeeding breach of the same or any other provision hereof.
7. **Entire Agreement:** This Agreement contains the entire contract between the parties hereto, and each party acknowledges that neither has made (either directly or through any agreement or representative) any representation or agreement in connection with this Agreement not specifically set forth herein. This Agreement may be modified or amended only by agreement in writing executed by BROWNSVILLE and HARLINGEN and not otherwise.
8. TEXAS LAW TO APPLY: THIS AGREEMENT SHALL BE CONSTRUED UNDER AND IN ACCORDANCE WITH THE LAWS OF THE STATE OF TEXAS, AND ALL OBLIGATIONS OF THE PARTIES CREATED HEREUNDER ARE PERFORMABLE IN CAMERON COUNTY, TEXAS. THE PARTIES HEREBY CONSENT TO PERSONAL JURISDICTION IN CAMERON COUNTY, TEXAS.

9. **Additional Documents:** The parties covenant and agree that they will execute such other and further instruments and documents as are or may become necessary or convenient to effectuate and carry out the terms of this agreement.
10. **Successors:** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective heirs, executors, administrators, legal representatives, successors, and assigns where permitted by this Agreement.
11. **Assignment:** This Agreement shall not be assignable.
12. **Headings:** The headings and captions contained in this Agreement are solely for the convenience reference and shall not be deemed to affect the meaning or interpretation of any provision or paragraph hereof.
13. **Notice:** Except as maybe otherwise specifically provided in this Agreement, all notices, demands, requests or communication required or permitted hereunder shall be in writing and shall either be (i) personally delivered against a written receipt, or (ii) sent by registered or certified mail, return receipt requested, postage prepaid and addressed to the parties at the addresses set forth below, or at such other addresses as may have been theretofore specified by written notice delivered in accordance herewith:

If to Brownsville:

City of Brownsville

1001 E. Elizabeth Street

Brownsville, Texas 78520

If to Harlingen:

City of Harlingen

118 E. Tyler Ave

Harlingen, Texas 78550

Each notice, demand, request, or communication which shall be delivered or mailed in the manner described above shall be deemed sufficiently given for all purposes at such time as it is personally delivered to the addressee, or, if mailed, at such time as it is deposited in the United States mail.

14. **Gender and Number:** All pronouns used in this Agreement shall include the other gender, whether used in the masculine, feminine, or neuter gender, and singular shall include the plural whenever and as often as may be appropriate.
15. **Authority to Execute:** The execution and performance of this Agreement by BROWNSVILLE and HARLINGEN have been duly authorized by all necessary laws, resolutions, or corporate action,

and this Agreement constitutes the valid and enforceable obligations of the Cities in accordance with its terms.

16. **Governmental Purpose:** Each party is entering into the agreement for the purpose of providing governmental services or functions and will pay for such services out of current revenues available to the paying party as herein provided.
17. **Commitment of Current Revenues Only:** In the event that during any term hereof, the governing body of any party does not appropriate sufficient funds to meet the obligations of such party under this Agreement, the affected party shall use its best efforts to secure funds necessary for the continued performance of this Agreement. The parties intend this provision to be a continuing right to terminate this Agreement at the expiration of each budget period of each party hereto pursuant to the provisions of Tex. Loc. Govt. Code Ann. §271.903.

WITNESS THE HANDS OF THE PARTIES effective as of the day and year first written above.

CITY OF BROWNSVILLE

Mayor, John Cowen Jr.

ATTEST:

City Secretary, Yolanda Galarza

CITY OF BROWNSVILLE INCORPORATED FEBRUARY 7 1853 TEXAS

CITY OF HARLINGEN

Mayor, Norma Sepulveda

ATTEST:

City Secretary, Amanda Elizondo

RGVMPO Category 10:

Carbon Reduction Program

City of Brownsville

Light Synchronization Project

CSJ: 0921-06-371

Information Packet

10 9 2023

Approved Carbon Reduction Program (CRP) Programming of Funds

apportionment year for funds programmed	PROJECT NAME	CSJ	PROJECT SPONSOR	COUNTY	HIGHWAY	TxDOT CONNECT PROJECT DESCRIPTION	PROJECT LIMITS (From)	PROJECT LIMITS (To)	ESTIMATED CRP Allocation
2024	Pharr International Bridge Commercial Vehicle Parking	0921-02-423	City of Pharr	Hidalgo	Pharr Bridge	Pharr International Bridge Commercial Vehicle Parking	900 ft North of Military Rd and Juniper St Intersection	1860 ft North of Military Rd and Juniper St Intersection	$ 11,439,844 00
2024	Stenger	0921-06-370	CCRMA	Cameron	Various	Construct 10' Concrete Shared Use Path	BUS 77 West	Fannin St	$ 1 750.156 00
2025	Southmost Nature Trail Phase IV	0921-06-289	City of Brownsville	Cameron	Various	Construct 10' Concrete Hike and Bike Trail	Southmost Nature Trail, from La Posada Dr.	Alamada Dr Monsees Rd	$ 2,500,000 00
2025	Light Signalization	0921-06-371	City of Brownsville	Cameron	Various	Signal Improvements	Various locations within Cameron County		$ 945,000.00
2025	Light Signalization	0921-02-522	City of Edinburg	Hidalgo	Various	Signal Improvements	Various locations within Hidalgo County		$ 945,000 00
2026	Southmost Nature Trail Phase III	0921-06-360	City of Brownsville	Cameron	Various	Construct 10' Concrete Hike and Bike Trail	Southmost NT Ph III, from Southmost Blvd	Manzano St	$ 1,000,000 00
2026	Los Fresnos Hike & Bike Trail	0921-06-334	City of Los Fresnos	Cameron	Los Fresnos Hike and Bike	Establish Hike and Bike Trail	Circles the City of Los Fresnos		$ 3,000,000 00
2027	Southmost Nature Trail Phase V	0921-06-361	City of Brownsville	Cameron	Various	Construct 10' Concrete Hike and Bike Trail	Southmost Nature Trail Ph V, from International Blvd	Los Ebanos Blvd Historic Battlefield TRAIL	$ 4,000,000 00
2027	Bus Curb Cuts	0921-06-372	City of Brownsville	Cameron	Various	Construction of bus passenger loading areas and facility improvements	Various locations throughout the City of Brownsville		$ 920,000 00
2024-2027								**Total SUM**	**$ 26,500,000.00**

RGVMPO Signalization Cost Proposal

		Loops	Cabinets	GPS	Sub-Totals	% of RGV
Cameron County	Brownsville	$690,000	$360,000	$8,000	$1,058,000	50.30%
	Harlingen	$0	$60,000	$500	$60,500	2.90%
	Cameron County Total	$690,000	$420,000	$8,500	$1,118,500	53.20%
Hidalgo County	Edinburg	$549,920	$160,000	$8,000	$717,920	34.10%
	McAllen	$0	$20,000	$500	$20,500	1.00%
	Mission	$53,360	$20,000	$5,500	$78,860	3.70%
	Pharr	$98,080	$60,000	$11,000	$169,080	8.00%
	Hidalgo County Total	$701,360	$260,000	$25,000	$986,360	46.80%
	Rio Grande Valley Total	**$1,391,360**	**$680,000**	**$33,500**	**$2,104,860**	**100.00%**

Rio Grande Valley Total	**$2,104,860**

Adopted 2023-2026 TIP Entry

PHARR	CAMERON		0921-06-371	VA	C	BROWNSVILLE	BROWNSVILLE	$1,020,600

LIMITS FROM: Various Locations within Cameron County

LIMITS TO:

REVISION DATE: 8/1/2023

MPO PROJ NUMBER: SIG-1

PROJECT DESCRIPTION: Signal Improvements

FUNDING CAT(S): 10 CRP, 3LC

REMARKS
P7:

PROJECT HISTORY:

Added Project

TOTAL PROJECT COST INFORMATION

PRELIM ENG:	$46,643
ROW PURCHASE:	
CONST COST:	$1,020,600
CONST ENG:	$59,779
CONTING:	$6,899
IND COSTS:	$27,605
POT CHG ORDER:	
BND FINANCING:	
TOTAL PROJECT COST:	$1,161,526

COST OF APPROVED PHASES: $1,020,600

AUTHORIZED FUNDING BY CATEGORY/SHARE

	FEDERAL	STATE	LOCAL	LC	TOTAL
CAT 10 - CRP	$756,000		$189,000		$945,000
CAT 3 LC				$75,600	$75,600
TOTALS	**$756,000**	**$0**	**$189,000**	**$75,600**	**$1,020,600**

Revision

Performance Measures	
PM 1: Safety	
PM 2: Pavement Conditions	
PM 3: System Performance	

Brownsville Area - RGVMPO

FY 2023 - 2026 Transportation Improvement Program

Funding by Category

Adopted: 6/28/2023

		FY 2023		FY 2024		FY 2025		FY 2026		Total FY 2023-2026	
Funding Category	Description	Programmed	Authorized	Programmed	Authorized	Programmed	Authorized	Programmed	Authorized	Programmed	Authorized
1	Preventive Maintenance and Rehabilitation										
2M or 2U	Urban Area (Non- TMA) Corridor Projects							$40,120,000	$40,120,000	$40,120,000	$40,120,000
8	Non-Traditionally Funded Transportation Project			$32,266,243	$32,266,243	$875,956	$875,956	$120,373,909	$120,373,909	$153,516,108	$153,516,108
4	Urban and Regional Connectivity							$40,000,000	$40,000,000		
5	CMAQ										
6	Structures - Bridge										
7	Metro Mobility & Rehab			$1,278,678	$1,278,678	$22,925,093	$22,925,093	$875,000	$875,000	$23,800,093	$23,800,093
8	Safety										
9	TAP Set-Aside Program										
10	Supplemental Transportation										
10 CBI	Corridor Border										
10 CRP	Carbon Reduction					$3,445,000	$3,445,000	$4,000,000	$4,000,000	$7,445,000	$7,445,000
11	District Discretionary										
Rider 11	Energy Sector										
12 VRF	Vehicle Reg. Funds					$6,378,902	$6,378,902			$6,378,902	$6,378,902
12	Strategic Priority							$7,471,188	$7,471,188	$7,471,188	$7,471,188
	Total			$33,544,921	$33,544,921	$33,624,951	$33,624,951	$212,840,097	$212,840,097	$280,009,969	$280,009,969

Funding Participation Source

Source	FY 2023	FY 2024	FY 2025	FY 2026	Total FY 23-26
Federal		$1,022,942	$26,631,530	$73,972,950	$101,627,422
State		$0	$1,275,780	$17,518,238	$18,794,018
Local Match		$255,736	$4,841,685	$975,000	$6,072,421
CAT 3 - Local Contributions (LC)		$32,266,243	$875,956	$120,373,909	$153,516,108
Total		$33,544,921	$33,624,951	$212,840,097	$280,009,969

RGVPO Category 10:

Carbon Reduction Program

City of Brownsville

Light Synchronization Project

CSJ: 0921-06-371

Map of Existing and Proposed

Synchronized Lighting Locations

Brownsville
N
Legend
Signalized Intersections
City Limits
© OpenStreetMap (and) contributors, CC-BY-SA
Brownsville
Los Ebanos
Southmost
Central Estates Colonia
Stewart Colonia
Coffee Road
Ruben M Torres Senior Boulevard
FM 802
CR 212
Zapata Avenue
East Price Road
FM 1847
McKenzie Road
Austin Road
FM 313
TX 4
FM 2519
CR 1419
FM 1419
I 69E
US 77
US 83
Gilson Road
Old Highway 77
Old Alice Road
Paredes Line Road
Dana Avenue
Old Port Isabel Road
Robindale Road
North Central Avenue
North Iowa Avenue
Minnesota Avenue
South Padre Island Highway
Boca Chica Boulevard
Palm Boulevard
Mc Davitt Boulevard
East 14th Street
Hortencia Boulevard
Morningside Road
East Avenue
Southmost Road
West University Boulevard
West Elizabeth Street
East Levee Street
East Saint Charles Street
East Saint Francis Street
East Fronton Street
Central Boulevard
North Coria Street
Wild Lane
West Price Road
Rockwell Drive
Robinhood Drive
Owens Road
Tuxpan Street
Arcelo Avenue
California Road

City of Brownsville Signalized Intersection Analysis

COUNTY	IMUNICIPAL	Measure	Route_Name	Intersection	AM_Congest	PM_Congest	AM_PM	Det_Failed	Sub-Total	Cabinet_Ty	Sub-Total	GPS	Sub-Total
CAMERON	BROWNSVILLE	110429.0951	Bus 77 B	OLD US 77	1	1	2	10		2		1	500
CAMERON	BROWNSVILLE	100000	Bus 77 B	ELIZABETH	0	1	1	10		2		0	
CAMERON	BROWNSVILLE	101284.7261	Bus 77 B	JEFFERSON	0	1	1	10		2		1	500
CAMERON	BROWNSVILLE	104100.412	Bus 77 B	48 BOCA CHICA	2	2	4	10		2		1	500
CAMERON	BROWNSVILLE	106566.4544	Bus 77 B	LOS EBANOS	0	0	0	10		2		1	500
CAMERON	BROWNSVILLE	108335.6135	Bus 77 B	PRICE	0	0	0	10		2		1	500
CAMERON	BROWNSVILLE	109013.2384	Bus 77 B	WILD ROSE	0	0	0	10		2		1	500
CAMERON	BROWNSVILLE	111681.0523	FM 802	CENTRAL	1	3	4	0		1	20000	0	
CAMERON	BROWNSVILLE	117081.0659	FM 802	Habana St	0	1	1	8	30000	1	20000	1	500
CAMERON	BROWNSVILLE	115405.7877	FM 802	S SAN MARCELO	0	1	1	8	30000	1	20000	1	500
CAMERON	BROWNSVILLE	111966.8649	FM 802	77 SB FR	1	1	2	0		2		0	
CAMERON	BROWNSVILLE	133790.3793	FM 802	77 NB FR	1	1	2	0		2		0	
CAMERON	BROWNSVILLE	114164.0174	FM 802	JOSE MARTI	0	1	1	8	30000	2		1	500
CAMERON	BROWNSVILLE	113556.4963	FM 802	Sunrise Mall	1	2	3	8	30000	2		1	500
CAMERON	BROWNSVILLE	118155.89	FM 802	1847	1	2	3	8	30000	2		1	500
CAMERON	BROWNSVILLE	113847.8392	International Blvd - SH4 - SH48	HOME DEPOT	1	1	2	8	30000	1	20000	0	
CAMERON	BROWNSVILLE	117366.7035	International Blvd - SH4 - SH48	MCKENZIE	1	1	2	8	30000	1	20000	0	
CAMERON	BROWNSVILLE	112162.538	International Blvd - SH4 - SH48	SECURITY	1	2	3	8	30000	1	20000	0	
CAMERON	BROWNSVILLE	116789.827	International Blvd - SH4 - SH48	ROBINDALE	2	2	4	8	30000	1	20000	0	
CAMERON	BROWNSVILLE	116322.871	International Blvd - SH4 - SH48	PRICE	2	3	5	8	30000	1	20000	0	
CAMERON	BROWNSVILLE	113257.105	International Blvd - SH4 - SH48	BOCA CHICA	3	4	7	10		2		0	
CAMERON	BROWNSVILLE	102836.8529	Price	BERNARD	0	0	0	8	30000	1	20000	0	
CAMERON	BROWNSVILLE	112491.4217	Price	OLD PORT ISABEL	2	2	4	10		1	20000	1	500
CAMERON	BROWNSVILLE	104824.5702	Price	77 NB FR	1	1	2	0		2		0	
CAMERON	BROWNSVILLE	104550.6666	Price	77 SB FR	2	1	3	0		2		0	
CAMERON	BROWNSVILLE	109280.8387	Price	EAGLE	1	0	1	8	30000	2		1	500
CAMERON	BROWNSVILLE	107815.5815	Price	PAREDES LINE	2	2	4	10		2		1	500
CAMERON	BROWNSVILLE	106811.8914	Price	NO RR ANYMORE	0	0	0	10		2		1	500
CAMERON	BROWNSVILLE	105630.6265	Price	RESACA	0	0	0	10		2		1	500
CAMERON	BROWNSVILLE	102278.8767	SH 48 / SH 4	BARNARD	0	0	0	8	30000	2		0	
CAMERON	BROWNSVILLE	100767.7728	SH 48 / SH 4	CORIA	0	0	0	8	30000	1	20000	0	
CAMERON	BROWNSVILLE	106671.113	SH 48 / SH 4	PALM	1	1	2	0		1	20000	0	
CAMERON	BROWNSVILLE	124941.1045	SH 48 / SH 4	IOWA	1	1	2	8	30000	1	20000	0	
CAMERON	BROWNSVILLE	105418.5083	SH 48 / SH 4	OLD ALICE	1	1	2	8	30000	1	20000	0	
CAMERON	BROWNSVILLE	117189.081	SH 48 / SH 4	OWENS	0	1	1	8	30000	1	20000	0	
CAMERON	BROWNSVILLE	121731.823	SH 48 / SH 4	CENTRAL	1	2	3	8	30000	1	20000	0	
CAMERON	BROWNSVILLE	119139.619	SH 48 / SH 4	2519 BILLY MITCHELL	0	2	2	8	30000	1	20000	0	
CAMERON	BROWNSVILLE	104451.2662	SH 48 / SH 4	CALLE CENZIO	0	0	0	8	30000	1	20000	0	
CAMERON	BROWNSVILLE	107154.302	SH 48 / SH 4	77 NB FR	1	1	2	0		2		0	
CAMERON	BROWNSVILLE	106924.9902	SH 48 / SH 4	77 SB FR	1	1	2	0		2		0	
CAMERON	BROWNSVILLE	107445.397	SH 48 / SH 4	PAREDES LINE	2	1	3	0		2		0	
CAMERON	BROWNSVILLE	111993.8972	SH 48 / SH 4	STRAWBERRY SQ	0	1	1	0		2		0	
CAMERON	BROWNSVILLE	126824.9739	SH 48 / SH 4	313 MINNESOTA	1	1	2	8	30000	2		0	
CAMERON	BROWNSVILLE	113144.7748	SH 48 / SH 4	KINGS	0	1	1	8	30000	2		0	
CAMERON	BROWNSVILLE	110448.6431	SH 48 / SH 4	MCDAVITT	3	3	6	8	30000	2		0	
CAMERON	BROWNSVILLE	113785.5804	SH 48 / SH 4	SECURITY	0	0	0	10		2		0	
								Brownsville	$690,000		$360,000		$8,000

Harlingen

N
Legend
Signalized Intersections
City Limits
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Rio Hondo Road
East Grimes Street
East Austin Avenue
East Washington Avenue
East Harrison Avenue
East Tyler Avenue
FM 106
Business 77
Ed Carey Drive
South Commerce Street
North 77 Sunshine Strip
South 77 Sunshine Strip
Loop 499
Loop 49
Pendleton Park
Harlingen High School
Memorial Middle School
Harlingen School of Health Professions
Oak Terrace Apartments
Parkview Terrace
Coakley Middle School
Harlingen Thicket World Birding Center
Marshall Avenue
East Grimes Road
East Pendleton Avenue
East Crockett Avenue
East Bowie Avenue
East Adams Avenue
East Jefferson Avenue
East Madison Avenue
East Monroe Avenue
East Jackson Avenue
East Van Buren Avenue
East Polk Avenue
East Taylor Avenue
East Filmore Avenue
East Pierce Avenue
East Buchanan Street
East Lincoln Avenue
East Taft Avenue
West Taft Avenue
West Jefferson Avenue
West Adams Avenue
West Lee Street
West Cora Street
Martha Street
Susan Avenue
Chaparral Lane
Cardinal Drive
Plantation Drive
North Pointe
Lake Harlingen
Little Creek
Greenway Drive
Little Creek Drive
North Parkwood Street
South Parkwood Street
Laurel Drive
Ebony Drive
Sam Houston Drive
Pease Street
Bell Street
Glasscock Avenue
East New Hampshire Street
Bush Street
Arroyo Colorado
Alone Vera
Jefferson
Morgan
Loop 4

City of Harlingen Signalized Intersection Analysis

COUNTY	IMUNICIPAL	Measure	Route_Name	Intersection	AM_Congest	PM_Congest	AM_PM	Det_Failed	Sub-Total	Cabinet_Ty	Sub-Total	GPS	Sub-Total
CAMERON	HARLINGEN	140645.53	Bus 77 H	Tyler Ave	1	1	2	10		2		0	
CAMERON	HARLINGEN	147811.67	Bus 77 H	7th St	1	1	2	10		2		0	
CAMERON	HARLINGEN	135275.637	Bus 77 H	NEW HAMPSHIRE	0	1	1	10		2		0	
CAMERON	HARLINGEN	145292.349	Bus 77 H	13th St	0	1	1	10		2		1	500
CAMERON	HARLINGEN	133892.798	Bus 77 H	TX-499 Loop	4	3	7	10		2		0	
CAMERON	HARLINGEN	141027.473	Bus 77 H	Harrison Ave	0	0	0	10		2		0	
CAMERON	HARLINGEN	151363.804	Bus 77 H	1st St	0	0	0	10		2		0	
CAMERON	HARLINGEN	102329.533	FM 507/Morgan Blvd	Austin Ave	0	0	0	10		1	20000	0	
CAMERON	HARLINGEN	103638.787	FM 507/Morgan Blvd	Grimes Ave	0	0	0	10		1	20000	0	
CAMERON	HARLINGEN	106735.809	FM 507/Morgan Blvd	Rio Hondo	0	0	0	10		1	20000	0	
								Harlingen	0		60000		500

RGVPO Category 10:

Carbon Reduction Program

City of Brownsville

Light Synchronization Project

CSJ: 0921-06-371

TxDOT Guidance

FUNDING CATEGORY
10

Supplemental Transportation Programs

DESCRIPTION	ALLOCATION OR DISTRIBUTION	PROJECT SELECTION GUIDELINES
Category 10 addresses a variety of transportation improvements through the following sub-programs: **Supplemental Transportation Projects (Federal)** Federal discretionary and congressional high-priority projects. **Carbon Reduction Program (CRP)** Addresses improvements designed to reduce transportation emissions, defined as carbon dioxide (CO2) emissions from on-road highway sources. **Federal Lands Access Program (FLAP)** Addresses transportation facilities located on, are adjacent to, or provide access to federal lands. **Texas Parks and Wildlife Department (TPWD)** Construction and rehabilitation of roadways within or adjacent to state parks and other TPWD properties. Subject to memorandum of agreement between TxDOT and TPWD. **Green Ribbon Program** Projects to plant trees and other landscaping to help mitigate the effects of air pollution in air quality non-attainment or near non-attainment counties. **Americans with Disabilities Act (ADA) Pedestrian Program** Addresses construction or replacement of on-system pedestrian facilities to make the system more accessible and safer for all pedestrians including those with disabilities. **Landscape Incentive Awards** Allows TxDOT to execute joint landscape development projects in nine locations based on population categories in association with the Keep Texas Beautiful Governor's Community Achievement Awards Program. The awards recognize participating cities' or communities' efforts in litter control, quality of life issues, and beautification programs and projects. **Railroad Grade Crossing and Replanking Program** Replacement of rough railroad crossing surfaces on the state highway system (approximately 50 installations per year statewide).	**Supplemental Transportation Projects (Federal)** Directed by federal legislation. **Carbon Reduction Program** TxDOT distributes to the MPOs and other areas of the state. A portion of these funds are designated for statewide use and the remaining portion is distributed to MPOs by population. **Federal Lands Access Program** Project applications are scored and ranked by the Programming Decision Committee (PDC), which includes representatives from FHWA, TxDOT, and a political subdivision of the state. **Texas Parks and Wildlife Department (TPWD)** Per Rider 21(c), funding is distributed as a statewide allocation. **Green Ribbon Program** Per Rider 15, allocations based on one-half percent of the estimated letting capacity for the TxDOT districts that contain air quality non-attainment or near non-attainment counties. **Americans with Disabilities Act (ADA)** Projects are selected statewide based on conditions of curb ramps or location of intersections without ramps. **Landscape Incentive Awards** Funding is distributed to 10 locations in the state based on results of the Keep Texas Beautiful Awards Program. **Railroad Grade Crossing and Replanking Program** Condition of crossing's riding surface and benefit to cost per vehicle using crossing. **Railroad Signal Maintenance Program** Based on number of crossings and type of automatic devices present at each.	For **CRP**, statewide projects are administered by TxDOT's Transportation Planning & Programming Division whereas MPOs administer project selection for funds distributed to urbanized areas with populations over 200,000 (TMAs), areas with populations 50,000 to 200,000, and small areas with populations under 50,000. For **FLAP**, project applications are scored and ranked by the Programming Decision Committee (PDC). Projects selected under FLAP are managed by TPP. **The Texas Parks and Wildlife Department** (TPWD) selects State Park Roads projects in coordination with TxDOT districts. **Green Ribbon** allocations are based on one-half percent of the estimated letting capacity for the TxDOT districts that contain air quality non-attainment or near non-attainment counties and managed by the TxDOT Design Division. **ADA** projects are selected based on conditions of curb ramps or the location of intersections without ramps and are managed by the Design Division. **Landscape Incentive Awards** are managed by the TxDOT Design Division.

FUNDING CATEGORY
10

Supplemental Transportation Programs
(continued)

DESCRIPTION	ALLOCATION OR DISTRIBUTION	PROJECT SELECTION GUIDELINES
Railroad Signal Maintenance Program Financial contributions to each railroad company in the state for signal maintenance. **Safety Rest Area/Truck Parking** This program is a state and national priority addressing the shortage of long-term parking for commercial motor vehicles on the highway system. **Intelligent Transportation Systems (ITS)** Improve Traffic Asset Management and Device Monitoring for better security controls. **Category 10 Carbon Reduction** In accordance with the federal IIJA, a new Carbon Reduction subprogram has been added to Category 10. Carbon Reduction funding is allocated to urbanized areas with populations over 200,000 (TMAs), areas with populations 50,000 to 200,000, and small areas with populations under 50,000. Some eligible projects include traffic management, congestion reduction technology, truck parking, energy efficient streetlights, traffic controls and options to reduce congestion using alternatives to single-occupant vehicle trips, including public transportation, pedestrian and bicycle facilities, and shared/pooled vehicle trips.	**Safety Rest Area/Truck Parking** Allocated to TxDOT's Maintenance Division, which selects projects statewide. **Intelligent Transportation System** Allocated to various TxDOT Divisions, which selects projects statewide.	The TxDOT Rail Division in coordination with TxDOT districts selects **Railroad Grade Crossing Replanking and Railroad Signal Maintenance projects.** All projects are selected using a performance-based prioritization process. **Safety Rest Area/Truck Parking** projects are selected and managed by TxDOT's Maintenance Division. **Intelligent Transportation System** projects are selected and managed by TxDOT's various divisions.

Texas Department of Transportation

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July 12, 2023

Carbon Reduction Program (CRP)

On November 15, 2021, the President signed the Infrastructure Investment and Jobs Act (IIJA) (Public Law 117-58, also known as the "Bipartisan Infrastructure Law") (BIL) into law. The BIL authorizes a new Carbon Reduction Program codified as 23 United States Code (U.S.C.) 175 to reduce transportation emissions. The linked Carbon Reduction Program (CRP) Implementation Guidance provides information on funding, eligible activities, and requirements of the CRP.

The purpose of the Carbon Reduction Program (CRP) is to reduce transportation emissions through the development of State carbon reduction strategies and by funding projects designed to reduce transportation emissions (See 23 U.S.C. 175 as established by the Infrastructure Investment and Jobs Act (IIJA) (Public Law 117-58, also known as the "Bipartisan Infrastructure Law" (BIL)) (BIL § 11403).

Texas will receive over $640 million for Fiscal Years 2022-2026 in Federal Apportionment. A total of 65% will be distributed in urban areas based on population and 35% of the total apportionment is available for any other location statewide. **Figure 1** includes the total CRP Texas allocation by FY and the State fund match. Allocations for each Metropolitan Planning Organization (MPO) are included in **Appendix A.**

	FY 2022 Federal allocation (80%)	FY 2022 Texas match (20%)	FY 2023 Federal allocation (80%)	FY 2023 Texas match (20%)	FY 2024* Federal allocation (80%)	FY 2024* Texas match (20%)	FY 2025* Federal allocation (80%)	FY 2025* Texas match (20%)	FY 2026* Federal allocation (80%)	FY 2026* Texas match (20%)
Allocation based on each area's proportion of the State population (65%)	$80M	$16M	$82M	$16.3M	$83M	$16.6M	$85M	$17M	$86.5M	$17.3M
Allocation anywhere in the State (35%)	$43M	$8.6M	$44M	$8.8M	$45M	$9M	$46M	$9M	$46.5M	$9.3M
Total	**$123M**	**$24.6M**	**$126M**	**$25M**	**$128M**	**$25.6M**	**$131M**	**$26M**	**$133M**	**$26.6M**

	FY2022	FY2023	FY2024*	FY2025*	FY2026*
FY Total	**$147.6M**	**$151M**	**$153.6**	**$157M**	**$157.6M**

*FY 2024-2026 allocations are estimated.
States can transfer up to 50% of CRP funding available each year to other federally funded programs.

Figure 1: Carbon Reduction Program Texas allocations

CRP funds are available for obligation for a period of 3 years after the last day of the fiscal year for which the funds are authorized (See 23 U.S.C. 118(b)). Thus, CRP funds are available for obligation for up to 4 years. Any amounts so apportioned or allocated that remain unobligated at the end of that period shall lapse. For example, the funds resulting from the apportionment for FY 2022 are available for obligation until September 30, 2025. Any amounts not obligated by the State on or before September 30, 2025, shall lapse.

The Federal Highway Administration's (FHWA) Carbon Reduction Program Fact Sheet and Implementation Guidance provides up to date information about the program.

Frequently Asked Questions

Carbon Reduction Program (CRP) and Carbon Reduction Strategy (CRS)

1. What is the difference between the Carbon Reduction Program (CRP) and Carbon Reduction Strategy (CRS)?

   The CRP, as established in the Infrastructure Investment and Jobs Act (IIJA), provides funding for projects designed to reduce carbon emissions. A CRS is a statewide document to support efforts that reduce transportation emissions and to identify projects and strategies to reduce these emissions. The CRS is a requirement of the CRP, which is a federal highway funding program that provides formula dollars to reduce transportation emissions (specifically carbon dioxide emissions) through the development of State carbon reduction strategies and funding projects designed to reduce transportation emissions. All state CRS documents must support efforts to reduce transportation emissions and identify projects and strategies to reduce carbon dioxide emissions.

2. Are MPOs required to develop a Carbon Reduction Strategy?

   No. Only States are required to develop a CRS in consultation with any MPO designated within the State (23 U.S.C. 175(d)(1)). Coordination meetings will take place with all MPOs as part of the CRS development process. Additional coordination will occur with MPOs that decide to develop their own carbon reduction strategy.

3. Do TxDOT Districts, MPOs, or the Transportation Planning and Programming (TPP) Division have to wait until the TxDOT CRS is approved before programming CRP funds?

   No. CRP funds for FYs 2022, 2023, and 2024 are available now through Category 10 Carbon Reduction in the Unified Transportation Program (UTP). Further, the CRS is not binding, so the funds are available now and will be regardless of whether CRS objectives are met.

4. What is the Texas Department of Transportation's (TxDOT) approach to developing the CRS?

   TxDOT recently completed interviews with peer state DOTs to identify best practices that will inform the CRS development. Currently, TxDOT is identifying and categorizing potential carbon reduction strategies and projects associated with the Texas transportation sector for further evaluation and prioritization. Next, TxDOT will develop a framework for evaluating and prioritizing the identified carbon reduction strategies and projects. The framework will be used to develop a prioritized list of carbon reduction strategies and projects for inclusion in the CRS.

5. What are the next steps for TxDOT in developing the CRS?

   The CRS is due to Federal Highway Administration (FHWA) by November 15, 2023. To meet this deadline, TxDOT is engaging with MPOs, TxDOT Divisions, and TxDOT Districts to identify potential carbon reduction strategies and projects, as well as criteria and considerations for evaluating and prioritizing the strategies and projects for inclusion in the CRS. This engagement will occur in summer 2023 (May through July). For more information regarding this engagement, please contact Adriana Torcat, Statewide Planning Branch Manager at Adriana.Torcat@txdot.gov.

6. What will happen to the CRS after it is submitted to FHWA?

FHWA has 90 days to either approve or deny certification of the CRS. Once approved by FHWA, TxDOT's CRS will be integrated into the Statewide Long-Range Transportation Plan (SLRTP) and MPO Metropolitan Transportation Plans (MTPs) or incorporated by reference into those plans. The CRS must then be updated at least once every four years (23 U.S.C. 175(d)(3) and (4)).

ALLOCATION OF FUNDS

7. What portion of the allocation to TxDOT Districts or MPOs is designated for Rural Areas?

Specifics can be found on the UTP allocation tables sent out by the TPP Division Director, Humberto "Tito" Gonzalez, on March 3, 2023. FHWA set up the program as follows (Source):

- Sixty-five percent (65%) of a State's CRP apportionment is to be obligated in the following areas in proportion to their relative shares of the State's population [§ 11403; 23 U.S.C. 175(e)(1)(A)]:
  - *Urbanized areas with an urbanized area population greater than 200,000:* This portion is to be divided among those areas based on their relative share of population unless the Secretary approves a joint request from the State and relevant MPO(s) to use other factors [§ 11403; 23 U.S.C. 175(e)(1)(A)(i) and (e)(3)].
  - *Urbanized areas with an urbanized area population of at least 50,000 but no more than 200,000:* This portion is to be divided among those areas based on their relative share of population unless the Secretary approves a joint request from the State and relevant MPO(s) to use other factors [§ 11403; 23 U.S.C. 175(e)(1)(A)(ii) and (e)(3)].
  - *Urban areas with population at least 5,000 and no more than 49,999* [§ 11403; 23 U.S.C. 175(e)(1)(A)(iii)].
  - *Areas with population of less than 5,000* [§ 11403; 23 U.S.C. 175(e)(1)(A)(iv)].
- The remaining 35% of the State's CRP apportionment is to be obligated in any area of the State. [§ 11403; 23 U.S.C. 175(e)(1)(B)]

8. Is a local match required? Will TxDOT be covering the local match?

Local participation may be required depending on the type of project and type of work. Certain categories of funding in the UTP are directly tied to federal apportionments. These include Categories 5, 7, 9 and 10 Carbon. When funds are allocated via the UTP, the allocation listed in the UTP is inclusive of the federal portion that is typically 80% and a non-federal portion that is typically 20%. This non-federal portion could be either state or local.

The use of Category 10 Carbon funds should be similar to other categories of funds provided via the UTP. Federal, state, and/or local participation is dictated by the project type, type of work, and type of federal funds. See the "Participation Chart" from TxDOT's Project Development Manual [http://onlinemanuals.txdot.gov/txdotmanuals/pdp/index.htm]. It is important to note that all participation ratios shown on the chart depict the minimum local participation for eligible costs. The federal percentage and state percentage shown on the chart depict a maximum.

To understand the chart, (i) identify the project type in question under the "Condition" column, then (ii) identify the type of work (preliminary engineering, construction engineering/construction funds; or right of way/utilities).

9. Does the MPO's local scoring or ranking methodology need to be different from the Category 7 STP-MM criteria, and tailored for CRP purposes and eligible activities?

No new or separate methodology has been required or suggested for the Carbon Reduction Program.

10. Can CRP funds be programmed to existing projects (either funded by Category 7 or Category 9) that are in project development?

If a project currently funded through another UTP category is eligible for CRP funds, you can work with the program manager to remove the original category and program Category 10 CR. For example, for a project currently funded with Category 9 funds, you would work with the corresponding MPO or TxDOT's Public Transportation Division (PTN) to remove Category 9 and use Category 10 CR. Similarly, for Category 7, the MPO could elect to remove Category 7 and program Category 10 CR.

11. Can CRP funds be grouped or applied to projects that are already grouped in the STIP?

Per FHWA, it is preferred that CRP funded projects be individually listed. A project that is currently grouped in the STIP will still be considered for funding under CRP subject to requests to be ungrouped.

12. Can Transportation Development Credits (TDCs) be used in lieu of local match on the Carbon Reduction Funds?

Yes. MPO TDCs can be used in lieu of required non-federal match.

13. Are the allocations included in the 2024 draft UTP the most current calculations?

Yes, the latest draft was sent out by the TPP Division Director, Humberto "Tito" Gonzalez, on March 3, 2023 and is included in **Appendix A**. Please contact Adriana.Torcat@txdot.gov if you need a copy of the draft distributed on the date indicated above.

14. Can MPOs spend ahead on their CAT 10CR allocation? For example, would an MPO be able to spend FY 24 and FY 25 in FY 24?

TxDOT's Finance Division will consider a request to accelerate funding on a case-by-case basis. Note that FY 2024 includes 3 years of allocations (FY 2022, FY 2023, and FY 2024).

15. If the funds are used on a project that is later de-commissioned (e.g., truck parking lot), do funds need to be "paid back" to FHWA?

This would be evaluated by FHWA on a case-by-case basis.

16. Would TxDOT Districts be responsible for letting the MPO selected projects? Or will project sponsors be responsible for letting?

MPOs and TxDOT Districts should determine project management responsibilities.

17. Will direct state costs (DSC) be covered by CRP funds?

Yes, CRP funds can cover direct state costs.

PROJECT ELIGIBILITY

18. What type of projects would be eligible for CRP funds?

Eligible CRP project types may include but are not limited to: traffic monitoring, advanced truck stop electrification, surface truck parking, capital projects for the construction of a bus rapid transit corridor or dedicated bus lanes, on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation, replacement of street lighting and traffic control devices with energy-efficient alternatives. Detailed information associated with a given project will be needed to determine eligibility.

19. Can MPOs use a call for proposals to select and award CRP funds to projects that are not in the UTP and STIP?

Yes, but TxDOT encourages MPOs to use CRP funds on currently eligible projects. CRP funds are available for obligation for a period of 3 years after the last day of the fiscal year for which the funds are authorized. Thus, CRP funds are available for obligation for up to 4 years. Any amounts apportioned or allocated that remain unobligated at the end of that period will lapse. (Source)

20. Are off-system projects eligible?

Yes. In addition, non-highway projects are eligible (Source). Every project funded under the CRP is treated as if it were located on a Federal-aid highway. This ensures applicability of Davis-Bacon wage requirements (Source).

21. Are added-capacity projects eligible?

No. CRP funds cannot be used exclusively for added-capacity projects. However, CRP funds can be used on eligible components of added capacity projects (Source).

22. Can CRP funds be used on planning activities (e.g., plans, specifications, and estimate (PS&E), environmental clearance, feasibility studies, right of way (ROW) acquisition, utility relocation)?

General planning activities (except development of the CRS) such as corridor or feasibility studies would not be considered eligible. Activities that support a construction project could be considered eligible. Detailed information for a given project and its associated planning activities will be required to determine eligibility.

23. If there are eligible activities on current projects, does a new CSJ need to be created, or can CRP funds be applied to existing CSJs?

Once eligibility has been confirmed, and in coordination with the MPO/RPO as applicable, you may switch funding categories for the existing CSJ. A new CSJ is not needed. The project must be individually listed in the STIP.

24. Can CRP funds be used for Transportation Alternative Projects?

Yes (Source), including, but not limited to, the construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other non-motorized forms of transportation.

Texas Department of Transportation

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CATEGORY 10: CARBON REDUCTION

DISTRICT/MPO/DIVISION	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030	FY 2031	FY 2032	FY 2033	TOTAL
ABL - Abilene MPO	$ 1,345,541	$ 466,574	$ 475,906	$ 457,604	$ 457,604	$ 457,604	$ 457,604	$ 457,604	$ 457,604	$ 457,604	$ 5,491,250
AMA - Amarillo MPO	$ 2,398,306	$ 830,932	$ 847,552	$ 814,958	$ 814,958	$ 814,958	$ 814,958	$ 814,958	$ 814,958	$ 814,958	$ 9,779,492
ATL - Texarkana MPO	$ 634,744	$ 220,101	$ 224,503	$ 215,870	$ 215,870	$ 215,870	$ 215,870	$ 215,870	$ 215,870	$ 215,870	$ 2,590,437
AUS - CAMPO MPO	$ 17,245,527	$ 5,979,980	$ 6,099,587	$ 5,865,017	$ 5,865,017	$ 5,865,017	$ 5,865,017	$ 5,865,017	$ 5,865,017	$ 5,865,017	$ 70,380,213
BMT - SETRPC MPO	$ 3,868,731	$ 1,272,152	$ 1,297,597	$ 1,247,696	$ 1,247,696	$ 1,247,696	$ 1,247,696	$ 1,247,696	$ 1,247,696	$ 1,247,696	$ 14,972,351
BRY - Bryan-College Station MPO	$ 2,087,936	$ 724,003	$ 738,484	$ 710,085	$ 710,085	$ 710,085	$ 710,085	$ 710,085	$ 710,085	$ 710,085	$ 8,521,018
CRP - Corpus Christi MPO	$ 3,900,223	$ 1,352,423	$ 1,379,474	$ 1,326,424	$ 1,326,424	$ 1,326,424	$ 1,326,424	$ 1,326,424	$ 1,326,424	$ 1,326,424	$ 15,917,085
DAL/FTW/PAR - NCTCOG MPO	$ 68,947,099	$ 23,907,780	$ 24,385,966	$ 23,448,163	$ 23,448,163	$ 23,448,163	$ 23,448,163	$ 23,448,163	$ 23,448,163	$ 23,448,163	$ 281,377,967
ELP - El Paso MPO	$ 9,411,814	$ 3,263,598	$ 3,328,874	$ 3,200,856	$ 3,200,856	$ 3,200,856	$ 3,200,856	$ 3,200,856	$ 3,200,856	$ 3,200,856	$ 38,410,280
HOU/BMT - H-GAC MPO	$ 65,381,443	$ 22,671,369	$ 23,124,826	$ 22,235,522	$ 22,235,522	$ 22,235,522	$ 22,235,522	$ 22,235,522	$ 22,235,522	$ 22,235,522	$ 266,826,291
LBB - Lubbock MPO	$ 2,892,316	$ 1,002,926	$ 1,022,986	$ 983,645	$ 983,645	$ 983,645	$ 983,645	$ 983,645	$ 983,645	$ 983,645	$ 11,803,744
LRD - Laredo Webb County Area MPO	$ 2,872,502	$ 996,056	$ 1,015,978	$ 976,907	$ 976,907	$ 976,907	$ 976,907	$ 976,907	$ 976,907	$ 976,907	$ 11,722,883
ODA - Permian Basin MPO	$ 2,975,862	$ 1,031,896	$ 1,052,535	$ 1,012,058	$ 1,012,058	$ 1,012,058	$ 1,012,058	$ 1,012,058	$ 1,012,058	$ 1,012,058	$ 12,144,701
PAR - Grayson County MPO	$ 754,288	$ 261,553	$ 266,785	$ 256,525	$ 256,525	$ 256,525	$ 256,525	$ 256,525	$ 256,525	$ 256,525	$ 3,078,301
PHR - Rio Grande Valley MPO	$ 13,185,672	$ 4,572,203	$ 4,663,653	$ 4,484,304	$ 4,484,304	$ 4,484,304	$ 4,484,304	$ 4,484,304	$ 4,484,304	$ 4,484,304	$ 53,811,658
SAT - AAMPO	$ 21,424,782	$ 7,429,159	$ 7,577,752	$ 7,286,337	$ 7,286,337	$ 7,286,337	$ 7,286,337	$ 7,286,337	$ 7,286,337	$ 7,286,337	$ 87,436,051
SJT - San Angelo MPO	$ 1,133,061	$ 392,895	$ 400,753	$ 385,342	$ 385,342	$ 385,342	$ 385,342	$ 385,342	$ 385,342	$ 385,342	$ 4,624,102
TYL - Longview MPO	$ 1,204,958	$ 417,826	$ 426,183	$ 409,793	$ 409,793	$ 409,793	$ 409,793	$ 409,793	$ 409,793	$ 409,793	$ 4,917,519
TYL - Tyler MPO	$ 1,587,133	$ 550,347	$ 561,355	$ 539,767	$ 539,767	$ 539,767	$ 539,767	$ 539,767	$ 539,767	$ 539,767	$ 6,477,203
WAC - Killeen-Temple MPO	$ 3,753,395	$ 1,301,510	$ 1,327,542	$ 1,276,489	$ 1,276,489	$ 1,276,489	$ 1,276,489	$ 1,276,489	$ 1,276,489	$ 1,276,489	$ 15,317,869
WAC - Waco MPO	$ 2,100,523	$ 728,368	$ 742,936	$ 714,365	$ 714,365	$ 714,385	$ 714,365	$ 714,365	$ 714,365	$ 714,365	$ 8,572,383
WFS - Wichita Falls MPO	$ 1,211,696	$ 420,163	$ 428,567	$ 412,085	$ 412,085	$ 412,085	$ 412,085	$ 412,085	$ 412,085	$ 412,085	$ 4,945,024
YKM - Victoria MPO	$ 776,014	$ 269,087	$ 274,469	$ 263,914	$ 263,914	$ 263,914	$ 263,914	$ 263,914	$ 263,914	$ 263,914	$ 3,166,969
Carbon Reduction Program - Non-TMAs/ MPOs	$ 75,521,306	$ 26,187,422	$ 26,711,204	$ 25,683,980	$ 25,683,980	$ 25,683,980	$ 25,683,980	$ 25,683,980	$ 25,683,980	$ 25,683,980	$ 308,207,791
TOTAL	$ 308,412,874	$ 106,250,323	$ 108,375,484	$ 104,207,706	$ 104,207,706	$ 104,207,706	$ 104,207,706	$ 104,207,706	$ 104,207,706	$ 104,207,706	$1,250,492,801

RGVPO Category 10:

Carbon Reduction Program

City of Brownsville

Light Synchronization Project

CSJ: 0921-06-371

FHWA Guidance

U S Department
of Transportation
Federal Highway Administration

Memorandum

Subject: **INFORMATION:** Carbon Reduction Program (CRP) Implementation Guidance

Date: April 21, 2022

In Reply Refer To:
HEP-1

From: Gloria M. Shepherd
Associate Administrator, Office of Planning, Environment, and Realty

To: Division Administrators
Directors of Field Services

On November 15, 2021, the President signed the Infrastructure Investment and Jobs Act (IIJA) (Public Law 117-58, also known as the "Bipartisan Infrastructure Law") (BIL) into law. The BIL authorizes a new Carbon Reduction Program codified at 23 United States Code (U.S.C.) 175 to reduce transportation emissions. The attached Carbon Reduction Program (CRP) Implementation Guidance provides information on funding, eligible activities, and requirements of the CRP.

Except for the statutes and regulations cited, the contents of this document do not have the force and effect of law and are not meant to bind the States or the public in any way. This document is intended only to provide information regarding existing requirements under the law or agency policies.

This document will be accessible on the Sustainability Website (FHWA Sustainability Website)., the BIL Website (FHWA Bipartisan Infrastructure Law Website)., and through the Policy and Guidance Center (FHWA Policy and Guidance Center).

If you have questions, please contact: Becky Lupes (202-366-7808 or Rebecca.Lupes@dot.gov) or John Davies (202-366-6039 or JohnG.Davies@dot.gov) of the Office of Natural Environment.

Attachment

Carbon Reduction Program Implementation Guidance
(April 21, 2022)

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A. Definitions

In this guidance, the following definitions apply:

Consultation means that one or more parties confer with other identified parties in accordance with an established process and, prior to taking action(s), considers the views of the other parties and periodically informs them about action(s) taken (*See* 23 CFR 450.104).

Coordination means the cooperative development of plans, programs, and schedules among agencies and entities with legal standing and adjustment of such plans, programs, and schedules to achieve general consistency, as appropriate (23 CFR 450.104).

Metropolitan Planning Organization means the policy board of an organization established as a result of the designation process under 23 U.S.C. 134(d) (23 U.S.C. 134(b)(2); 23 U.S.C. 175(a)(1)).

Transportation Emissions means carbon dioxide emissions from on-road highway sources of those emissions within a State (23 U.S.C. 175(a)(2)).

Transportation Management Area means a transportation management area identified or designated by the Secretary under 23 U.S.C. 134(k)(1) (*See* 23 U.S.C. 175(a)(3)).

Urbanized Area means a geographic area with a population of 50,000 or more, as determined by the Bureau of the Census (23 U.S.C. 134(b)(7); 23 U.S.C. 175(a)(1)).

B. PROGRAM PURPOSE

The purpose of the Carbon Reduction Program (CRP) is to reduce transportation emissions through the development of State carbon reduction strategies and by funding projects designed to reduce transportation emissions (See 23 U.S.C. 175 as established by the Infrastructure Investment and Jobs Act (IIJA) (Public Law 117-58, also known as the "Bipartisan Infrastructure Law" (BIL)) (BIL § 11403).

C. GUIDANCE ON ADMINISTRATION PRIORITIES AND USE OF THE FEDERAL-AID HIGHWAY FORMULA FUNDING

1. **Overview:** This document provides background and guidance to clarify eligibility requirements for the CRP. On December 16, 2021, FHWA issued guidance, *Policy on Using Bipartisan Infrastructure Law Resources to Build a Better America*, that serves as an overarching framework to prioritize the use of BIL resources on projects that will Build a Better America. That policy is available on FHWA's BIL resources implementation website at the following URL: https://www.fhwa.dot.gov/bipartisan-infrastructure-law/building_a_better_america-policy_framework.cfm.

2. **Safety:**

Prioritizing Safety in All Investments and Projects

The National Roadway Safety Strategy (NRSS) (issued January 27, 2022) commits the United States Department of Transportation (USDOT) and FHWA to respond to the current crisis in traffic fatalities by "taking substantial, comprehensive action to significantly reduce serious and fatal injuries on the Nation's roadways," in pursuit of the goal of achieving zero highway deaths. FHWA recognizes that zero is the only acceptable number of deaths on our roads and achieving that is our safety goal. FHWA therefore encourages States and other funding recipients to prioritize safety in all Federal highway investments and in all appropriate projects, using relevant Federal-aid funding, including funds from CRP.

The Safe System approach addresses the safety of all road users, including those who walk, bike, drive, ride transit, and travel by other modes. It involves a paradigm shift to improve safety culture, increase collaboration across all safety stakeholders, and refocus transportation system design and operation on anticipating human mistakes and lessening impact forces to reduce crash severity and save lives. To achieve the vision of zero fatalities, safety should be fully reflected in a State's transportation investment decisions, from planning and programming, environmental analysis, project design, and construction, to maintenance and operations. States should use data-driven safety analyses to ensure that safety is a key input in any decision made in the project development process and fully consider the safety of all road users in project development.

FHWA encourages State and local agencies to consider the use of funds from CRP to address roadway safety and implement the Safe System approach wherever possible. Improvements to safety features, including traffic signs, pavement markings, and multimodal accommodations that are routinely provided as part of a broader Federal-aid highway project can and should be funded from the same source as the broader project as long as the use is eligible under that funding source.

Because of the role of speed in fatal crashes, FHWA is also providing new resources on the setting of speed limits and on re-engineering roadways to help "self-enforce" speed limits. To achieve the vision of zero fatalities on the Nation's roads, FHWA encourages States to assess safety outcomes for all project types and promote and improve safety for all road users, particularly vulnerable users. FHWA recommends that streets be designed and operated to maximize the existing right-of-way for accommodation of nonmotorized modes and transit options that increase safety and connectivity. Pedestrian facilities in the public right-of-way must comply with the Americans with Disabilities Act.

Complete Streets

As one approach to ensuring the safety of all roadway users, FHWA encourages States and communities to adopt and implement Complete Streets policies that prioritize the safety of all users in transportation network planning, design, construction and operations. Section 11206 of the BIL defines Complete Streets standards or policies as

those which "ensure the safe and adequate accommodation of all users of the transportation system, including pedestrians, bicyclists, public transportation users, children, older individuals, individuals with disabilities, motorists, and freight vehicles." A complete street includes, but is not limited to, sidewalks, bike lanes (or wide paved shoulders), special bus lanes, accessible public transportation stops, safe and accommodating crossing options, median islands, pedestrian signals, curb extensions, narrower travel lanes, and roundabouts. A Complete Street is safe, and feels safe, for everyone using the street.

3. **Transit Flex:** FHWA, working with FTA, seeks to help Federal-aid recipients plan, develop, and implement infrastructure investments that prioritize safety, mobility, and accessibility for all transportation network users, including pedestrians, bicyclists, transit riders, micromobility users, freight and delivery services providers, and motorists. This includes the incorporation of data sharing principles and data management.

   Funds from CRP can be "flexed" to FTA to fund transit projects. For title 23 funds that are flexed to FTA, section 104(f) of title 23, U.S.C., allows funds made available for transit projects or transportation planning to be transferred to FTA and administered in accordance with chapter 53 of title 49, U.S.C., except that the Federal share requirements of the original fund category continue to apply (See 23 U.S.C. 104(f)(1)).

   The use of Federal-aid funding on transit and transit-related projects can provide an equitable and safe transportation network for travelers of all ages and abilities, including those from marginalized communities facing historic disinvestment. FHWA encourages recipients to consider using funding flexibility for transit or multimodal-related projects and to consider strategies that: (1) improve infrastructure for nonmotorized travel, public transportation access, and increased public transportation service in underserved communities; (2) plan for the safety of all road users, particularly those on arterials, through infrastructure improvements and advanced speed management; (3) reduce single-occupancy vehicle travel and associated air pollution in communities near high-volume corridors; (4) offer reduced public transportation fares as appropriate; (5) target demand-response service towards communities with higher concentrations of older adults and those with poor access to essential services; and (6) use equitable and sustainable practices while developing transit-oriented development.

4. **Transferability Between FHWA Programs:** Section 126 of title 23, U.S.C., provides that a State may transfer up to 50 percent of the amount apportioned for the fiscal year for certain highway programs, including CRP, to other eligible apportioned highway programs.[1] *See also* FHWA Order 4551.1, "Fund Transfers to Other Agencies and Among Title 23 Programs", (Fund Transfers to Other Agencies and Among Title 23 Programs). Historically States have used this flexibility to address unmet needs in areas where apportioned funding was insufficient.

   The BIL made historic investments in highway programs including more than $300 billion in Contract Authority from the Highway Trust Fund. This represents an average

[1] States may only transfer CRP funds that are allocated for use anywhere in the State.

annual increase of 29 percent in Federal-aid funding over the amount of Contract Authority for FHWA programs compared to fiscal year 2021. Congress also established more than a dozen new highway programs to help address urgent surface transportation needs.

States have the flexibility to transfer funds out of CRP to other apportioned programs, but we encourage States to first consider the need to transfer in light of the significant increase in apportioned funding and the considerable funding for new programs. States, working with FHWA, should determine the need for CRP funds – including the ability to apply CRP funds to eligible assets owned by local governments, counties, and Tribes – and identify and prioritize projects that maximize the CRP funding before deciding to transfer funds out of the CRP.

5. **ADA:** The Americans with Disabilities Act (ADA) of 1990 and Section 504 of the Rehabilitation Act of 1973 prohibit discrimination against people with disabilities and ensure equal opportunity and access for persons with disabilities. The Department of Transportation's Section 504 regulations apply to recipients of the Department's financial assistance (*See* 49 CFR 27.3(a)). Title II of the ADA applies to public entities regardless of whether they receive Federal financial assistance (*See* 28 CFR 35.102(a)). The ADA requires that no qualified individual with a disability shall, because a public entity's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity (*See* 28 CFR 35.149). A public entity's pedestrian facilities are considered a "service, program, or activity" of the public entity. As a result, public entities and recipients of Federal financial assistance are required to ensure the accessibility of pedestrian facilities in the public right-of-way, such as curb ramps, sidewalks, crosswalks, pedestrian signals, and transit stops in accordance with applicable regulations.

   If the project reduces transportation emissions, funds from CRP are available to improve accessibility and to implement recipients' ADA transition plans and upgrade their facilities to eliminate physical obstacles and provide for accessibility for individuals with disabilities. FHWA will provide oversight to recipients of CRP funds to ensure that each public agency's project planning, design, and construction programs comply with ADA and Section 504 accessibility requirements.

6. **Equity:** The BIL provides considerable resources to help States and other funding recipients advance projects that consider the unique circumstances affecting community members' mobility needs and allocate resources consistently with those needs, enabling the transportation network to effectively serve all community members. FHWA will work with States to ensure consideration of using CRP funds for projects and inclusion of project elements that proactively address racial equity, workforce development, economic development, and remove barriers to opportunity, including automobile dependence in both rural and urban communities as a barrier to opportunity or to redress prior inequities and barriers to opportunity.

Federal-aid recipients, including recipients of CRP funds, are responsible for involving the public, including traditionally underserved and underrepresented populations in transportation planning and complying with participation and consultation requirements in 23 CFR 450.210 and 23 CFR 450.316, as applicable. "Underserved populations" include minority and low-income populations but may also include many other demographic categories that face challenges engaging with the transportation process and receiving equitable benefits (*See* FHWA's Environmental Justice Reference Guide for additional information). In addition, CRP projects can support the Justice40 Initiative, which establishes a goal that at least 40 percent of the benefits of federal investments in climate and clean energy infrastructure are distributed to disadvantaged communities. (*See* OMB's Interim Implementation Guidance for the Justice40 Initiative or its successor for additional information).

To assist with these public engagement efforts, FHWA expects recipients of CRP funds to engage with all impacted communities and community leaders to determine which forms of communication are most effective. Recipients should gain insight on the unique circumstances impacting various disadvantaged and underrepresented groups so that new channels for communication may be developed. And, the recipients should use this information to inform decisions across all aspects of project delivery including planning, project selection, and the design process.

Among other things, recipients of CRP funds are also required to assure equitable treatment of workers and trainees on highway projects through compliance with Equal Employment Opportunity requirements under 23 CFR Part 230, Subpart A, as well as ensuring nondiscrimination in all of their operations on the basis of race, color, or national origin under Title VI of the Civil Rights Act of 1964. Recipients of CRP funds should ensure that they have the capacity and expertise to address Federal civil rights protections that accompany grant awards.

7. **Climate Change and Sustainability:** The United States is committed to a whole-of-government approach to reducing economy-wide net greenhouse gas pollution by 2030. The BIL provides considerable resources—including new programs and funding—to help States and other funding recipients advance this goal in the transportation sector. In addition, the BIL makes historic investments to improve the resilience of transportation infrastructure, helping States and communities prepare for hazards such as wildfires, floods, storms, and droughts exacerbated by climate change.

   FHWA encourages the advancement of projects that address climate change and sustainability. To enable this, FHWA encourages recipients to consider climate change and sustainability throughout the planning and project development process, including the extent to which projects under CRP align with the President's greenhouse gas reduction, climate resilience, and environmental justice commitments. In particular, consistent with the statute and guidance below, recipients should fund projects that reduce carbon dioxide emissions. FHWA encourages recipients to fund projects that support fiscally responsible land use and transportation efficient design, or incorporate electrification or zero emission vehicle infrastructure. In addition, FHWA encourages

recipients to consider projects under CRP that support climate change resilience, including consideration of the risks associated with wildfires, drought, extreme heat, and flooding, in line with guidance for projects in floodplains. FHWA also encourages recipients to consider projects under CRP that address environmental justice concerns.

8. **Labor and Workforce**: Highway programs, including CRP, may provide opportunities to support the creation of good-paying jobs, including jobs with the free and fair choice to join a union, and the incorporation of strong labor standards, such as the use of project labor agreements; employer neutrality with respect to union organizing; the use of an appropriately trained workforce (in particular registered apprenticeships and other joint labor-management training programs); and the use of an appropriately credentialed workforce in project planning stages and program delivery.

   Recipients should work with FHWA, to the extent possible, to identify opportunities for Federal-aid highway investments to advance high-quality job creation through the use of local or other geographic or economic hire provisions authorized under section 25019 in the BIL, and Indian employment preference for projects that are located on or near Tribal reservations authorized under 23 U.S.C. 140(d), or other workforce strategies targeted at expanding workforce training opportunities for people to get the skills they need to compete for these jobs, especially underrepresented populations: women, people of color, and groups with other systemic barriers to employment (people with disabilities, formerly incarcerated, etc.).

9. **Truck Parking:** Truck parking shortages are a national concern affecting the efficiency of U.S. supply chains and safety for truck drivers and other roadway users. Jason's Law, which was passed in 2012, established a national priority on addressing the shortage of long-term parking for commercial motor vehicles on the National Highway System (NHS).

   Many Federal-aid highway funding programs have eligibility for truck parking projects, including the CRP. CRP funds may be obligated for a project on an eligible facility that reduces transportation emissions. FHWA anticipates that such projects may support progress toward the achievement of national performance goals for improving infrastructure condition, safety, congestion reduction, system reliability, or freight movement on the NHS. Advanced truck stop electrification systems are eligible under 23 U.S.C. 175(c)(1)(A) and projects that reduce transportation emissions at port facilities are eligible under 23 U.S.C. 175(c)(1)(M).

   States should consider working with private sector truck stop operators and the trucking community in the siting and development of specific truck parking projects. States also are encouraged to offer opportunities for input from commercial motor vehicle drivers and truck stop operators through their State Freight Advisory Committees established under 49 U.S.C. 70201.

D. GOVERNING AUTHORITIES

1. Section 11101 of the BIL authorizes contract authority for the CRP.

2. Section 11104 of the BIL updates apportionment instructions in 23 U.S.C. 104.
3. Section 11403 of the BIL establishes the CRP in 23 U.S.C. 175.

E. FUNDING

1. **Authorization Levels:** Estimated annual CRP funding under the BIL is:

Estimated Annual CRP Funding	
Fiscal Year (FY) 2022	$1.234 B
FY 2023	$1.258 B
FY 2024	$1.283 B
FY 2025	$1.309 B
FY 2026	$1.335 B

The BIL sets each State's initial share of Federal-aid highway program apportioned (formula) funds annually based on the share of formula funds each State received in fiscal year 2021. The methodology for calculating the apportionments for FY 2022 under 23 U.S.C. 175 is discussed in FHWA Notice N4510.858. For FY 2023 through 2026 funds, please revisit FHWA's Notice website at the appropriate future time.

The Fiscal Management Information System Program Codes for these CRP funds are as follows:

Program Code	Program Description	Title 23 Reference
Y600	Carbon Reduction Program (CRP) Flexible	Section 175(e)(1)(B); Section 104(b)(7)
Y601	CRP – Urbanized Areas with Population Over 200K	Section 175(e)(1)(A)(i)
Y606	CRP – Urbanized Areas with Population 50K to 200K	Section 175(e)(1)(A)(ii)
Y607	CRP – Urban Areas with Population 5K to 49,999	Section 175(e)(1)(A)(iii)
Y608	CRP – Areas with Population less than 5K	Section 175(e)(1)(A)(iv)

For urbanized areas with population over 200K and urbanized areas with population 50K to 200K, the CRP funding in FMIS will be provided at the individual urbanized area level.[2]

[2] For example see FHWA Notice N 4510.864 Fiscal Year (FY) 2022 Supplementary Tables – Table 18 - Apportionments Pursuant to the Infrastructure Investment and Jobs Act and FHWA Notice N 4510.864 Fiscal Year (FY) 2022 Supplementary Tables – Table 19 - Apportionments Pursuant to the Infrastructure Investment and Jobs Act.

2. **Period of Availability:** CRP funds are contract authority. CRP obligations are reimbursed from the Highway Account of the Highway Trust Fund. CRP funds are available for obligation for a period of 3 years after the last day of the fiscal year for which the funds are authorized (*See* 23 U.S.C. 118(b)). Thus, CRP funds are available for obligation for up to 4 years.

3. **Obligation Limitation:** CRP funds are subject to the annual obligation limitation imposed on the Federal-aid highway program.

   In general, a State that is required under 23 U.S.C. 175(e) to obligate CRP funds in an urbanized area with an urbanized area population of 50,000 or more shall make available during the period of fiscal years 2022 through 2026 an amount of obligation authority distributed to the State for Federal-aid highways and highway safety construction programs for use in the area that is equal to the amount obtained by multiplying:
   a. the aggregate amount of funds that the State is required to obligate in the area under this subsection during the period; and
   b. the ratio that—
      i. the aggregate amount of obligation authority distributed to the State for Federal-aid highways and highway safety construction programs during the period; bears to
      ii. the total of the sums apportioned to the State for Federal-aid highways and highway safety construction programs (excluding sums not subject to an obligation limitation) during the period. (*See* 23 U.S.C. 175(e)(6)(A))

   Each State, each affected Metropolitan Transportation Planning Organization (MPO), and the Secretary shall jointly ensure compliance with 23 U.S.C. 175(e)(6)(A). (*See* 23 U.S.C. 175(e)(6)(B))

4. **Federal share:** The Federal share for CRP-funded projects is governed by 23 U.S.C. 120, as amended by the BIL. It is generally 80 percent (*See* 23 U.S.C. 120(b)).

5. **Combining CRP Funds with Other Eligible USDOT funding:** CRP funds can be spread further by combining them with other eligible USDOT funding for projects that support the reduction of transportation emissions, if the eligibility requirements and applicable Federal share are met for each program.

6. **Deobligations of Other Title 23 Obligated Funds:** Project Agreements should not be modified to replace one Federal fund category with another unless specifically authorized by statute (*See* 23 CFR 630.110(a)).

7. **Suballocation Within a State** (*See* 23 U.S.C. 175(e))
   Specified Areas
   For each fiscal year, 65 percent of funds apportioned to the State for the CRP shall be obligated, in proportion to their relative shares of the population in the State:

- In urbanized areas of the State with an urbanized area population of more than 200,000 (these funds may be obligated in the metropolitan area established under 23 U.S.C.134 that encompasses the urbanized area.);
- In urbanized areas of the State with an urbanized population of not less than 50,000 and not more than 200,000;
- In urban areas of the State with a population of not less than 5,000 and not more than 49,999; and
- In other areas of the State with a population of less than 5,000.

The State may obligate these funds suballocated for specified areas based on other factors if the State and relevant MPOs jointly apply to the Secretary for permission to base the obligation on other factors, and the request is approved by the Secretary.

Any Area of State
The remaining 35 percent of funds apportioned to a State for the CRP each fiscal year may be obligated in any area of the State.

F. CARBON REDUCTION STRATEGIES

1. **General:** By November 15, 2023, States are required to develop a Carbon Reduction Strategy in consultation with any MPO designated within the State (23 U.S.C. 175(d)(1)). The State Carbon Reduction Strategy shall support efforts to reduce transportation emissions and identify projects and strategies to reduce these emissions. The Carbon Reduction Strategy must be updated at least once every four years (23 U.S.C. 175(d)(3) and (4)). States and MPOs are encouraged to obligate CRP funding for projects that support implementation of the State's Carbon Reduction Strategy.

2. **Development:** States, in coordination with MPOs, are encouraged to develop their Carbon Reduction Strategies as an integral part of their transportation planning processes, such as by integrating them into the State's Long-Range Statewide Transportation Plan (LRSTP), the MPO's Metropolitan Transportation Plan (MTP), or by developing a separate document which is incorporated by reference into the LRSTP and MTP.

   States may request technical assistance from FHWA for the development of their Carbon Reduction Strategy (*See* 23 U.S.C. 175(d)(5)).

   Development of a Carbon Reduction Strategy is an allowable use of CRP funds (see Eligibilities below).

3. **Contents:** Each Carbon Reduction Strategy shall (*See* 23 U.S.C. 175(d)(2)):
   A. support efforts to reduce transportation emissions;
   B. identify projects and strategies to reduce transportation emissions, which may include projects and strategies for safe, reliable, and cost-effective options—
      i. to reduce traffic congestion by facilitating the use of alternatives to single-occupant vehicle trips, including public transportation facilities, pedestrian facilities, bicycle facilities, and shared or pooled vehicle trips within the State

or an area served by the applicable MPO, if any;

ii. to facilitate the use of vehicles or modes of travel that result in lower transportation emissions per person-mile traveled as compared to existing vehicles and modes; and

iii. to facilitate approaches to the construction of transportation assets that result in lower transportation emissions as compared to existing approaches;

C. support the reduction of transportation emissions of the State;

D. at the discretion of the State, quantify the total carbon emissions from the production, transport, and use of materials used in the construction of transportation facilities within the State; and

E. be appropriate to the population density and context of the State, including any metropolitan planning organization designated within the State.

4. **Review:** Not later than 90 days after the State submits a request for the approval of a Carbon Reduction Strategy, the Secretary will review the process used to develop the Carbon Reduction Strategy and either certify that the Carbon Reduction Strategy meets the requirements of 23 U.S.C. 175(d)(2) or deny certification and specify the actions necessary for the State to take to correct the deficiencies in the State's process for developing the Carbon Reduction Strategy (23 U.S.C. 175(d)(4)).

G. ELIGIBILITIES AND COORDINATION REQUIREMENTS

1. **General:** CRP funding may be used on a wide range of projects that support the reduction of transportation emissions. Projects must be identified in the Statewide Transportation Improvement Program (STIP)/Transportation Improvement Program (TIP) and be consistent with the Long-Range Statewide Transportation Plan and the Metropolitan Transportation Plan(s). (23 U.S.C. 134 and 23 U.S.C. 135)

   Projects are subject to requirements under the National Environmental Policy Act (42 U.S.C. 4321 *et seq.*), the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (42 U.S.C. 4601 *et seq.*), and other applicable Federal laws. Projects funded with CRP funds are required to be treated as projects on Federal-aid highways (23 U.S.C. 175(g)).

2. **Program Evaluation**
   States are encouraged to incorporate program evaluation including associated data collection activities from the outset of their program design and implementation to meaningfully document and measure their progress towards meeting an agency priority goal(s). Title I of the Foundations for Evidence-Based Policymaking Act of 2018 (Evidence Act), Pub. L. No. 115-435 (2019) urges federal awarding agencies to use program evaluation as a critical tool to learn, to improve equitable delivery, and to elevate program service and delivery across the program lifecycle. Evaluation means "an assessment using systematic data collection and analysis of one or more programs, policies, and organizations intended to assess their effectiveness and efficiency." Evidence Act § 101 (codified at 5 U.S.C. § 311). Credible program evaluation activities are implemented with relevance and utility, rigor,

independence and objectivity, transparency, and ethics (OMB Circular A-11, Part 6 Section 290).

Evaluation costs are allowable costs unless prohibited by statute or regulation, and such costs may include the personnel and equipment needed for data infrastructure and expertise in data analysis, performance, and evaluation. (2 CFR Part 200).

3. **Eligible Activities:** Subject to the general eligibility requirements described in Section E.1 of this memorandum, the following activities are listed as eligible under 23 U.S.C. 175(c):

   A. a project described in 23 U.S.C. 149(b)(4) to establish or operate a traffic monitoring, management, and control facility or program, including advanced truck stop electrification systems;
   B. a public transportation project eligible for assistance under 23 U.S.C. 142 (this includes eligible capital projects for the construction of a bus rapid transit corridor or dedicated bus lanes as provided for in BIL Section 11130 (23 U.S.C. 142(a)(3));
   C. a transportation alternatives project as described in 23 U.S.C. 101(a)(29) as in effect prior to the enactment of the FAST Act,[3] including the construction, planning, and design of on-road and off-road trail facilities for pedestrians, bicyclists, and other nonmotorized forms of transportation;
   D. a project described in section 23 U.S.C. 503(c)(4)(E) for advanced transportation and congestion management technologies;
   E. a project for the deployment of infrastructure-based intelligent transportation systems capital improvements and the installation of vehicle-to-infrastructure communications equipment, including retrofitting dedicated short-range communications (DSRC) technology deployed as part of an existing pilot program to cellular vehicle-to-everything (C-V2X) technology;
   F. a project to replace street lighting and traffic control devices with energy-efficient alternatives;
   G. development of a carbon reduction strategy (as described in the Carbon Reduction Strategies section above);
   H. a project or strategy designed to support congestion pricing, shifting transportation demand to nonpeak hours or other transportation modes, increasing vehicle occupancy rates, or otherwise reducing demand for roads, including electronic toll collection, and travel demand management strategies and programs;
   I. efforts to reduce the environmental and community impacts of freight movement;
   J. a project to support deployment of alternative fuel vehicles, including—
      (i.) the acquisition, installation, or operation of publicly accessible electric vehicle charging infrastructure or hydrogen, natural gas, or propane vehicle fueling infrastructure; and
      (ii.)the purchase or lease of zero-emission construction equipment and vehicles, including the acquisition, construction, or leasing of required supporting facilities;
   K. a project described under 23 U.S.C. 149(b)(8) for a diesel engine retrofit;
   L. certain types of projects to improve traffic flow that are eligible under the CMAQ

[3] See Transportation Alternatives Set-Aside Implementation Guidance as Revised by the Infrastructure Investment and Jobs Act

program, and that do not involve construction of new capacity; (23 U.S.C. 149(b)(5) and 175(c)(1)(L)); and

M. a project that reduces transportation emissions at port facilities, including through the advancement of port electrification.

Other projects that are not listed above may be eligible for CRP funds if they can demonstrate reductions in transportation emissions over the project's lifecycle. Consistent with the CRP's goal of reducing transportation emissions, projects to add general-purpose lane capacity for single occupant vehicle use will not be eligible absent analyses demonstrating emissions reductions over the project's lifecycle. For example, the following project types may be eligible for CRP funding:

Sustainable pavements and construction materials

Sustainable pavements technologies that reduce embodied carbon during the manufacture and/or construction of highway projects could be eligible for CRP if a lifecycle assessment (LCA) demonstrates substantial reductions in CO_2 compared to the implementing Agency's typical pavement-related practices. The LCA Pave Tool can be used to assess the CO_2 impacts of pavement material and design decisions.

Climate Uses of Highway Right-of-Way

Projects including alternative uses of highway right-of-way (ROW) that reduce transportation emissions are also eligible. For example, renewable energy generation facilities, such as solar arrays and wind turbines, can reduce transportation emissions. And, biologic carbon sequestration practices along highway ROW to capture and store CO_2 may demonstrate potential for substantial long-term transportation emissions reductions. State DOTs Leveraging Alternative Uses of the Highway Right-of-Way Guidance provides information on these practices.

Mode Shift

Projects that maximize the existing right-of-way for accommodation of nonmotorized modes and transit options that increase safety, equity, accessibility, and connectivity may be eligible. Projects that separate motor vehicles from pedestrians and bicyclists, match vehicle speeds to the built environment, increase visibility (e.g., lighting), and advance implementation of a Safe System approach and improve safety for vulnerable road users may also be eligible. Micromobility and electric bike projects, including charging infrastructure, may also be eligible.

States should work with the FHWA on eligibility questions for specific projects. The CMAQ Emissions Calculator Toolkit is an available resource for estimating the CO_2 emissions benefits of certain projects.

4. Flexibility on Use of Funds and Certification of Emissions Reduction

In addition to the above eligibilities, a State may use funds apportioned under CRP for any project eligible under the Surface Transportation Block Grant program (23 U.S.C 133(b)) if the Secretary certifies that the State has demonstrated a reduction in

transportation emissions (1) as estimated on a per capita basis, and (2) as estimated on a per unit of economic output basis. In the first year of this program, States should initially focus on developing their Carbon Reduction Strategies and using CRP funding to begin implementing their Carbon Reduction Strategies once adopted to establish a baseline; for this reason, the Secretary will not certify flexibility for the CRP until at least FY 2023. FHWA will publish additional guidance on the process under which the Secretary will certify state transportation emissions reductions. Section C.4 of this memo discusses the separate flexibility on transferability between FHWA programs.

5. Consultation and Coordination

Coordination in Urbanized Areas
Before obligating funds for eligible projects in an urbanized area that is not a transportation management area, a State must coordinate with any MPO that represents the urbanized area prior to determining which activities should be carried out under the project (23 U.S.C. 175(e)(4)). The State and MPO must also use their documented public involvement processes, including their process for seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services (23 U.S.C. 450.210(a)(1)(viii) and 450.316(a)(1)(vii)).

Consultation in Rural Areas
Before obligating funds for an eligible project in a rural area, a State must consult with any regional transportation planning organization or MPO that represents the rural area prior to determining which activities should be carried out under the project (23 U.S.C. 175(e)(5)). The State and MPO must also use their documented public involvement processes, including their process for seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services (23 U.S.C. 450.210(a)(1)(viii) and 450.316(a)(1)(vii)).

H. DAVIS-BACON ACT REQUIREMENTS

As provided at 23 U.S.C 175(g), all projects funded with CRP funding shall be treated as located on a Federal-aid highway. Accordingly, 23 U.S.C 113 applies, and Davis-Bacon wage rates must be paid. In general, Davis-Bacon requires that all laborers and mechanics employed by the applicant, subrecipients, contractors or subcontractors in the performance of construction, alteration, or repair work on an award or project in excess of $2000 funded directly by or assisted in whole or in part by funds made available under CRP shall be paid wages at rates not less than those prevailing on similar projects in the locality, as determined by the Secretary of Labor in accordance with subchapter IV of chapter 31 of title 40, United States Code commonly referred to as the "Davis-Bacon Act" (DBA).

For additional guidance on how to comply with DBA provisions and clauses, see https:/www.dol.gov/agencies/whd/government-contracts/construction and

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 10, 2024**

Agenda Item:

Consideration and possible action to approve an ordinance on second and final reading amending Harlingen Code of Ordinance Chapter 18, Master Fee Schedule Exhibit "A", establishing a storage fee for the HEB Tennis Center. Attachment ***(Parks & Recreation)***

Prepared By: Javier Mendez, Parks & recreations Director

Brief Summary:

Staff is requesting to amend the Master Fee Ordinance to create and add fees for the usage of the storage area at the HEB Tennis Center. Private Tennis Instructors who operate at the Center have requested storage for their equipment. We have placed a storage room next to the center which could be divided into two or three storage rooms, which can be rented out. Currently, we have no fees set up for private storage. This is an opportunity to generate additional revenues for the center.

Harlingen-HEB Tennis Center (Proposed):

Storage Fees	Current Rate	Proposed Rate
Private Storage Fee	$0	$35 per month

Staff recommends establishing a storage rental fee.

Funding (if applicable):

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

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

Staff Recommendation:

Staff recommends approval of the ordinance as it reads.

City Manager approval:

Comments:

City Attorney's approval:

ORDINANCE NO. XXX

AN ORDINANCE OF THE CITY OF HARLINGEN, TEXAS AMENDING EXHIBIT "A" OF ORDINANCE NO. 18-28 AND AMENDING CHAPTER 18, MASTER FEE SCHEDULE OF THE HARLINGEN CODE OF ORDINANCES ESTABLISHING FEES FOR CERTAIN LICENSES, PERMITS, AND OTHER SERVICES PROVIDED BY THE CITY OF HARLINGEN; AMENDING CHAPTER 36 PARKS AND RECREATION; PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS PERTAINING TO THE FOREGOING.

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

Section 1. That Chapter 18, Master Fee Schedule of the Code of Ordinances of the City of Harlingen is hereby amended by adding the following usage fees for the HEB Tennis Center at Pendleton Park and to read as follows:

Storage Fees	Current Rate	Proposed Rate
Private Storage Fee	$0	$35 per month

FINALLY ENACTED THIS _____day of January 2024 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

BY:_____
Norma Sepulveda, Mayor

ATTEST:

_____
Amanda C. Elizondo, City Secretary

3c)

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 10, 2024**

Agenda Item:

Consideration and possible action to approve and authorize the City Manager, on behalf of the City of Harlingen Police Department, to accept a generous donation of a K9 Explosive Detection Dog valued at approximately $8,500.00. The donation is being made by Julio B. Lopez, who is the owner of TN3T Canine, LLC, and a Deputy Chief with the Harlingen Police Department. Deputy Chief Lopez wants to make this donation, which will have a positive impact on the community. Further, K9 "Cruella" is a very social dog, which can also be used for presentations at schools and police sponsored events. Attachment (**Police**)

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

Brief Summary:

The Harlingen Police Department will be utilizing K9 Cruella within the Harlingen community to keep citizens and officers safe since K9 Cruella is trained in detecting explosives and firearms. In the event that HPD no longer needs the services of K9 Cruella, she should be returned to the donor, TN3T Canine, LLC.

Funding (if applicable):

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

.

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

Staff Recommendation:

Staff recommends that we accept this generous donation.

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

Comments:

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

Police K9 Donation Letter

Harlingen Police Department

November 15, 2023
1423 E. Grant St.
Brownsville TX 78521
Phone: 956-410-4039
tn3tk9@gmail.com

DPS License #: C24070601

Dear Chief Michael Kester,

TN3T CANINE, LLC would like to donate a 13-month-old "green" Dutch Shepherd female to the Harlingen Police Department to be used as an Explosive Detection dog. We believe that this great K9 would be an asset for the Citizens of Harlingen in detecting Explosives / Firearms, keeping the streets of Harlingen and Schools safer.

We at TN3T CANINE, LLC believe that this K9 will be the first that detects Explosives / Firearms for the department. K9 "CRUELA" is a single purpose K9 that is friendly and is not a patrol dog. K9 "CRUELA" is a very good social dog that can be also used for presentations at Police Sponsored Events.

TN3T CANINE, LLC strives to help local agencies in the valley with their K9 team's needs and services. As the company owner and a current law enforcement officer for Harlingen Police Department, I believe that this donation will make a positive impact to the Police Department and the City of Harlingen.

K9 CRUELA is a healthy dog that was taken to the vet for vaccinations and checkup. K9 CRUELLA's vaccinations are all up to date "NEGATIVE HEARTWORM". K9 CRUELLA was given a 6-month Heartworm prevention and has been cleared to work.

The donation amount to the Harlingen Police Department is in the amount of $8,500.00 (value of the dog). If the donation is approved TN3T CANINE, LLC would like to request a tax write-off letter from the Police Department in Letter Head, and if any issues arise that K9 CRUELLA is no longer wanted, it shall be returned to TN3T CANINE, LLC.

Respectfully,

Julio B. Lopez
TN3T CANINE, LLC (owner)

3d)

City of Harlingen

Agenda Item Request Form

We hereby request the following item to be added to the January 10, 2024, City Commission Agenda:

1. Consideration and possible action to install a speed hump on the following roads:

   Dilworth Road between Bus. 83 and Garrett Road.

Rene Perez, Mayor Pro-Tem, Dist.5

Ford Kinsley, Commissioner Dist. 1

3e)

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 10, 2024**

Agenda Item:

Consideration and possible action to approve a request for street closures for the 2024 Jackson Street Market Days held on the first Saturday of each month from 9:00 a.m. to 3:00 p.m. Attachment (**Police**).

- Close the northside intersection of Van Buren Avenue / West Street
- Close the alleyway at the 100 Block of South West Street.
- Close the eastside intersection of Jackson Avenue / "C" Street
- Close the southside intersection of Commerce Street / Monroe Avenue
- Place DETOUR sign at Commerce Street / Monroe Avenue to send traffic eastbound onto Monroe Avenue.
- Close the southside intersection of "B" Street / Monroe Avenue.
- Close the southside intersection of the 100 Block of North Commerce Street and the alleyway.
- Close the northside intersection of the 100 Block of South Commerce Street and the alleyway.
- Close the northside intersection of Commerce Street / Van Buren Avenue.
- Place DETOUR sign at Commerce Street / Van Buren Avenue to send traffic eastbound onto Van Buren Avenue.
- Close the north and southside intersections of Jackson Avenue / "A" Street
- Close the north and south side intersections of Jackson Avenue / First Street.
- Close the north and south side intersections of Jackson Avenue / 2nd Street.
- Close the north and south side intersections of Jackson Avenue / 3rd Street.
- Close the westside intersection of Jackson Avenue / 4th Street.

The North Commerce vehicular southbound traffic will be re-routed eastbound onto Monroe Avenue and the South Commerce vehicular northbound traffic will be re-routed eastbound onto Van Buren Ave.

The barricades are to be set up on the streets at 5:00 a.m. and removed from the streets at 4:00 p.m. on the day of each event.

Prepared By (Print Name): Michael Kester
Title: Chief of Police

Signature: Michael Kester

Brief Summary:

Alexis Riojas, Downtown Director is requesting streets closures for the 2024 Jackson Street Market Days on the following streets:

- Close the northside intersection of Van Buren Avenue / West Street
- Close the alleyway at the 100 Block of South West Street.
- Close the eastside intersection of Jackson Avenue / "C" Street
- Close the southside intersection of Commerce Street / Monroe Avenue
- Place DETOUR sign at Commerce Street / Monroe Avenue to send traffic eastbound onto Monroe Avenue.
- Close the southside intersection of "B" Street / Monroe Avenue.
- Close the southside intersection of the 100 Block of North Commerce Street and the alleyway.
- Close the northside intersection of the 100 Block of South Commerce Street and the alleyway.
- Close the northside intersection of Commerce Street / Van Buren Avenue.
- Place DETOUR sign at Commerce Street / Van Buren Avenue to send traffic eastbound onto Van Buren Avenue.
- Close the north and southside intersections of Jackson Avenue / "A" Street
- Close the north and south side intersections of Jackson Avenue / First Street.
- Close the north and south side intersections of Jackson Avenue / 2nd Street.
- Close the north and south side intersections of Jackson Avenue / 3rd Street.
- Close the westside intersection of Jackson Avenue / 4th Street.

The North Commerce vehicular southbound traffic will be re-routed eastbound onto Monroe Avenue and the South Commerce vehicular northbound traffic will be re-routed eastbound onto Van Buren Ave.

The barricades are to be set up on the streets at 5:00 a.m. and removed from the streets at 4:00 p.m. on the day of each event.

The following are the dates for 2024 event schedule:

	May 4, 2024	September 7, 2024
February 3, 2024	June 1, 2024	October 5, 2024
March 2, 2024	July 6, 2024	November 2, 2024
April 6, 2024	August 3, 2024	December 7, 2024

Jackson Street Market Days is an old-fashioned, open-air market featuring antiques, collectibles, crafts, arts, food and fresh produce. The street closures will help to ensure the safety of the visitors attending this event.

The Harlingen Assistant Fire Chief has reviewed the request and provided his approval.

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: N/A

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

Staff Recommendation:

Staff recommends approval.

For Street Closures ONLY, Fire Chief's approval: [X] Yes [ ] No [ ] N/A

City Manager's approval: Yes No N/A

Comments:

City Attorney's approval: Yes No N/A

HARLINGEN POLICE DEPARTMENT
1018 FAIR PARK BLVD., HARLINGEN, TX 78550

INTER-DEPARTMENTAL COMMUNICATION
FRONT DESK: (956) 216-5401 ADMINISTRATION: (956) 216-5403

TO: Chief of Police **DATE: 1/4/24**

FROM: District Representative Benito Bravo #3412

RE: Street Closure Request for Market Days 2024 Calendar Year

Requestor: Harlingen Downtown Director Alexis Alaniz Riojas

This IDC is in reference to requests for Street Closures for the 2024 Market Days calendar year. Market Days is an old-fashioned, open-air market featuring antiques, collectibles, crafts, arts, food, and fresh produce. These events are hosted by the Harlingen Downtown Board and held every first Saturday of the month from 9:00 A.M. to 3:00 P.M.

The following dates are the scheduled events for the 2024 Market Days calendar year:

January 6, 2024	April 6, 2024	July 6, 2024	October 5, 2024
February 3, 2024	May 4, 2024	August 3, 2024	November 2, 2024
March 2, 2024	June 1, 2024	September 7, 2024	December 7, 2024

Mrs. Riojas the Harlingen Downtown Director is requesting on behalf of the Harlingen Downtown Board the closure of the following streets, for the safety of the public in attendance, on each of the events:

- Close the north side intersections of Van Buren Ave./ West Street.
- Close the alleyway at the 100 block of south West Street.
- Close the east side intersection of Jackson Ave./ C Street.
- Close the south side intersection of Commerce Street/ Monroe Ave.
- Place Detour sign at Commerce Street/ Monroe Ave. to send traffic eastbound onto Monroe Ave.
- Close the south side intersection of B Street/ Monroe Ave.
- Close the south side intersection of the 100 block of North Commerce Street and the alleyway.

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE		3412	01/04/2024
SERGEANT / SUPERVISOR		3464	1/4/24
COMMANDER / MANAGER		3019	1-4-24
DEPUTY CHIEF			
ASSISTANT CHIEF			
CHIEF OF POLICE		2088	1-5-24

HARLINGEN POLICE DEPARTMENT
1018 FAIR PARK BLVD., HARLINGEN, TX 78550

INTER-DEPARTMENTAL COMMUNICATION
FRONT DESK: (956) 216-5401 ADMINISTRATION: (956) 216-5403

- Close the north side intersection of the 100 block of South Commerce Street and the alleyway.
- Close the north side intersection of Commerce Street/ Van Buren Ave.
- Place Detour sign at Commerce Street /Van Buren Ave. to send traffic eastbound onto Van Buren Ave.
- Close the north and south side intersections of Jackson Ave./ A Street.
- Close the north and south side intersections of Jackson Ave./ First Street.
- Close the north and south side intersections of Jackson Ave./ 2nd Street.
- Close the north and south side intersections of Jackson Ave./ 3rd Street.
- Close the west side intersection of Jackson Ave./ 4th Street.

The North Commerce vehicular southbound traffic will be rerouted eastbound on Monroe Ave.
The South Commerce vehicular northbound traffic will be rerouted eastbound on Van Buren Ave.

If approved, barricades are to be delivered by the City of Harlingen Streets Department prior to 3:00 P.M. on Friday the day before each event. The barricades are to be set up on the street at 5:00 A.M. and removed from street at 4:00 P.M. on the day of each event. A copy of the map is attached to this IDC.

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE		3412	01/04/2024
SERGEANT / SUPERVISOR		3464	1/4/24
COMMANDER / MANAGER		8019	1-4-24
DEPUTY CHIEF			
ASSISTANT CHIEF			
CHIEF OF POLICE			

Re: STREET CLOSURE REQUESTS

Eduardo Alvarez - HFD <ealvarez@harlingentx.gov>
Thu 1/4/2024 11:22 AM
To:Frances Pena - HPD <fpena@harlingentx.gov>;Rafael Balderas HFD <rbalderas@harlingentx.gov>;Ruben Balboa - HFD <rbalboa@harlingentx.gov>;Donna Henderson HFD <dhenderson@harlingentx.gov>

HFD has no issues with these closures

E. Alvarez

Get Outlook for iOS

From: Frances Pena - HPD <fpena@harlingentx.gov>
Sent: Thursday, January 4, 2024 10:29:39 AM
To: Eduardo Alvarez - HFD <ealvarez@harlingentx.gov>; Rafael Balderas - HFD <rbalderas@harlingentx.gov>; Ruben Balboa - HFD <rbalboa@harlingentx.gov>; Donna Henderson - HFD <dhenderson@harlingentx.gov>
Subject: STREET CLOSURE REQUESTS

Good Morning Asst. Fire Chief Alvarez:

I would ask if you could please review the attached street closure requests for the following event:

1. 2024 MARKET DAYS
2. JALAPENO 100 RUN
3. UTRGV COLOR FUN RUN

Please provide your recommendation so that I can include as an agenda item at the next City Commission meeting.

Thank you!

Frances Pena
Exe. Admin. Asst.
Office of the Chief of Police Michael Kester
HARLINGEN POLICE DEPT.
1018 Fair Park Blvd.
Harlingen, TX 78550
(956) 216-5403 office
(956) 216-5407 fax
email: fpena@harlingentx.gov

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DOWNTOWN MARKET DAYS STREET CLOSURE 2024

Barricade

Detour Route

Benito Bravo - HPD

From:	Alexis Riojas
Sent:	Wednesday, January 3, 2024 1:54 PM
To:	Frances Pena - HPD
Cc:	Mike Kester - HPD; Amanda V. Lucio; Benito Bravo - HPD; Charles Fechner - HPD; Frances Pena - HPD; Hector Leal - HPD; Jose J. Lopez - HPD; Manuel Tovar - HPD; Jorge Moreno - HPD; Orlando Gonzales - HPD
Subject:	Street Closures: Market Days (2024)
Attachments:	Market Days Street Closures - 2024.pdf

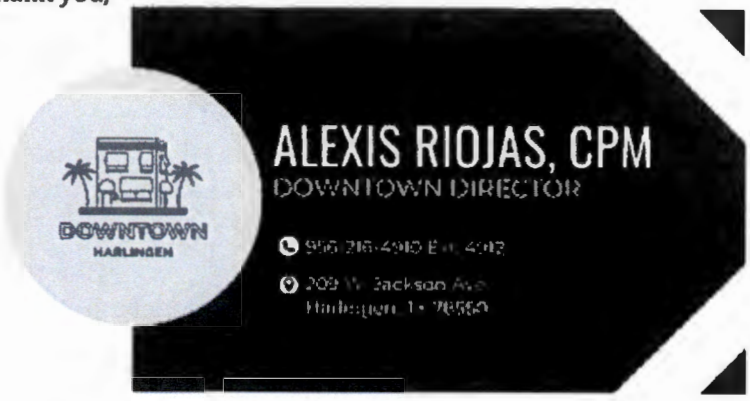
Good Afternoon,

"Market Days" will continue as a monthly event that will be held every 1st Saturday of the month from 9 a.m. – 3 p.m. Attached is a street closure map for the event called "Market Days" for the year. Street closures will begin at 5:00 a.m. – 4:00 p.m.

Following Dates:
January 6, 2024
February 3, 2024
March 2, 2024
April 6, 2024
May 4, 2024
June 1, 2024
July 6, 2024
August 3, 2024
September 7, 2024
October 5, 2024
November 2, 2024
December 7, 2024

Let me know if you have any questions.

Thank you,



Market Days Street Closures - 2024

3f)

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 10, 2024**

Agenda Item:

Consideration and possible action to approve a request to close Tennessee Street for the UTRGV 5K Color-fun run event on Saturday February 10, 2024, from 8:30 a.m. to 11:00 a.m. beginning at the UTRGV Clinical Education Building. Attachment (**Police**).

Prepared By (Print Name): Michael Kester
Title: Chief of Police

Signature: Michael Kester

Brief Summary:

Samantha Gonzalez, Business Operations & Engagement Coordinator for UTRGV University Recreation is requesting to close Tennessee Street for the UTRGV 5K Color-fun run on Saturday, February 10, 2024, from 8:30 a.m. to 11:30 a.m. beginning at the UTRGV Clinical Education Building. Attachment (**Police**).

The street closures will help to ensure the safety of the participants and visitors attending this event.

The Assistant Harlingen Fire Chief has reviewed the request and provided approval.

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: N/A

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

Staff Recommendation:

Staff recommends approval.

For Street Closures ONLY, Fire Chief's approval: ☒ Yes ☐ No ☐ N/A

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

Comments:

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

HARLINGEN POLICE DEPARTMENT
1018 FAIR PARK BLVD., HARLINGEN, TX 78550

INTER-DEPARTMENTAL COMMUNICATION
FRONT DESK: (956) 216-5401 ADMINISTRATION: (956) 216-5403

TO: Chief of Police **DATE:** 1/3/24

FROM: Sergio Ruiz #4110

RE: UTRGV UREC (01/03/2024)
Requestor: Samatha Gonzalez (956-882-7176)
Event Date: Saturday, February 10, 2024
Time: 8:30am- 11:00am
Location: UTRGV Clinical and Education Building (2102 Treasure Hills Blvd.)
Street Closed: Fair Park Blvd. in between J St. and L St.

Mrs. Samatha Gonzalez, will be having a 5K color-fun run at **UTRGV Clinical and Education Building on Saturday February 10, 2023**. They will start the run at 8:30 am and it will run through all 3 UTRGV campus locations. Attached included is the event flyer and race route, which shows the only street that needs to be closed would be Tennessee, which UTRGV is blocked for the event already and the VA is closed, so the closure of that street should not affect traffic in the area.

All other roads will have UREC personnel (flaggers) to help runners stay safe and help with traffic should there be any. They will have cones, flaggers, and a golf cart to help with safety. As they finish in the different areas, the golf cart will come around and pick up all equipment (staff, powder, cones, and tarps that they will put down to keep powder off the roads) to open roads back up fully.

I am recommending for the street closure to be granted and for the Harlingen Streets Department deliver and drop off barricades at the time specified for the event. Attached is a map and street closure request for the event that was submitted by the event coordinator.

Respectfully,

Sergio Ruiz #4110

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE	Sergio Ruiz	4110	01/05/24
SERGEANT / SUPERVISOR		3464	1/3/24
COMMANDER / MANAGER		3019	1-3-24
DEPUTY CHIEF		1933	1-3-24
ASSISTANT CHIEF			
CHIEF OF POLICE		2088	1-3-24

Re: STREET CLOSURE REQUESTS

Eduardo Alvarez - HFD <ealvarez@harlingentx.gov>
Thu 1/4/2024 11:22 AM
To:Frances Pena - HPD <fpena@harlingentx.gov>;Rafael Balderas - HFD <rbalderas@harlingentx.gov>;Ruben Balboa - HFD <rbalboa@harlingentx.gov>;Donna Henderson - HFD <dhenderson@harlingentx.gov>

HFD has no issues with these closures

E. Alvarez

Get Outlook for iOS

From: Frances Pena - HPD <fpena@harlingentx.gov>
Sent: Thursday, January 4, 2024 10:29:39 AM
To: Eduardo Alvarez - HFD <ealvarez@harlingentx.gov>; Rafael Balderas - HFD <rbalderas@harlingentx.gov>; Ruben Balboa - HFD <rbalboa@harlingentx.gov>; Donna Henderson - HFD <dhenderson@harlingentx.gov>
Subject: STREET CLOSURE REQUESTS

Good Morning Asst. Fire Chief Alvarez:

I would ask if you could please review the attached street closure requests for the following event:

1. 2024 MARKET DAYS
2. JALAPENO 100 RUN
3. UTRGV COLOR FUN RUN

Please provide your recommendation so that I can include as an agenda item at the next City Commission meeting.

Thank you!

Frances Pena
Exe. Admin. Asst.
Office of the Chief of Police Michael Kester
HARLINGEN POLICE DEPT.
1018 Fair Park Blvd.
Harlingen, TX 78550
(956) 216-5403 office
(956) 216-5407 fax
email: fpena@harlingentx.gov

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DYE HARD ORANGE 5K

UTRGV HARLINGEN CLINICAL EDUCATION BUILDING

2.10.24

CHECK-IN STARTS 7:15AM
RACE TIME 8:30AM

Join us in promoting spirit, tradition, and wellness by participating in our Dye Hard Orange 5K Color Fun Run/Walk.

REGISTER TODAY!

UTRGV UNIVERSITY RECREATION

UTRGV | UT Health Rio Grande Valley

School of Podiatric Medicine

Corporation
Bar & Grill
Golden Palms Retirement
Center and Healthcare
START
FINISH
Valley Baptist Medical
Center Harlingen
Pease St
UTRGV Clinical
Education Building
Sierra Apartments
Stone Pine Ct
White Tail Dr
Clinica
Familiar Pharmacy
Panda Express
Pease St
UTRGV Institute
of Neuroscience
Bobcat Ln
Treasure Cv
VA Health Care Ctr
Great China Chinese
Veterans Dr
Reata Apartments
Luby's
Camelot Dr
Harlingen Collegiate
High School
Affordable Attic
Self Storage
Windsor Atrium
Bargain Warehouse
Sun Valley Rehabilitation
and Healthcare Center
Chop Shop Barbershop
Sundance

Sergio Ruiz - HPD

From: Samantha Gonzalez <samantha.gonzalez@utrgv.edu>
Sent: Friday, December 22, 2023 3:29 PM
To: Carlos Diaz - HPD; Sergio Ruiz - HPD
Subject: UTRGV URECs Dye Hard Orange 5K
Attachments: Dye Hard Orange 5K Route Layout.png; Dye_Hard_5k_8.5x11 final copy.pdf

Hello,

My name is Samatha Gonzalez, we met yesterday regarding a 5K color-fun run UTRGV UREC wants to host on February 10, 2023. We will start the run at 8:30 am and it will run through all 3 UTRGV campus locations. Attached I have included the event flyer and race route, which shows the only street blockade we would need is Tennesse, which UTRGV is blocked for the event already and the VA is closed, so the closure of that street should not affect anyone. All other roads will have UREC personnel (flaggers) to help runners stay safe and help with traffic should there be any. We have cones, flaggers, and a golf cart to help with safety. As we finish in the different areas, the golf cart will come around and pick up all equipment (staff, powder, cones, and tarps that we put down to keep powder off the roads) to open roads back up fully. I appreciate the feedback from the meeting and understand this is a process, so please let me know if you need more information from me or if any forms need to be filled out to get this approved. We did this event last year and were very successful with Harlingen PDs assistance, so I hope that this year will be the same. Again, please reach out if further details are needed.
Happy Holidays!

Thank You,

UTRGV
UNIVERSITY RECREATION
The University of Texas Rio Grande Valley
Brownsville • Edinburg • Harlingen

Samantha Gonzalez, M.A.
Business Operations & Engagement
Coordinator Multi-Campus
956.882.7176 | samantha.gonzalez@utrgv.edu
utrgv.edu/urec
@utrgvurec

Department ..... urec@utrgv.edu
Competitive Sports..... recsports@utrgv.edu
Fitness & Wellness..... recfitness@utrgv.edu
Outdoor Adventures..... recadventures@utrgv.edu
Reservations..... recreservations@utrgv.edu
Aquatics..... recaquatics@utrgv.edu

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AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 10, 2024**

Agenda Item:

Consideration and possible action to approve a request for street closures for the 33rd Annual Jalapeno 100K Bike Ride event on Saturday, February 24, 2024, from 5:00 a.m. to 4:00 p.m. beginning and ending at the Boys and Girls Club located at 1209 West Washington Avenue. Attachment (**Police**).

- Fair Park Blvd. / West Teege Ave., eastside of the intersection blocking east bound lane only.
- Fair Park Blvd. between North "L" Street and North "J" Street (No thru traffic) to include all entries and exits from Harlingen Performing Arts, Municipal Auditorium and Casa de Amistad's parking lots.
- North "J" Street / Washington Ave., westside of the intersection.
- North "K" Street / Washington Ave., southside of the intersection,
- North "L" / Adams Ave., eastside of the intersection.
- North "L" Street and Adams Ave. / Teege Ave., southside of the intersections.
- Include DETOUR signs at North "L" Street / Fair Park Blvd. to send traffic north and onto Wichita Avenue.

Prepared By (Print Name): Michael Kester
Title: Chief of Police

Signature: Michael Kester

Brief Summary:

Ana Adame with Bicycle World RGV is requesting the following street closures for the 33rd Annual Jalapeno 100K Bike Ride event being held on Saturday, February 24, 2024:

- Fair Park Blvd. / West Teege Ave., eastside of the intersection blocking east bound lane only.
- Fair Park Blvd. between North "L" Street and North "J" Street (No thru traffic) to include all entries and exits from Harlingen Performing Arts, Municipal Auditorium and Casa de Amistad's parking lots.
- North "J" Street / Washington Ave., westside of the intersection.
- North "K" Street / Washington Ave., southside of the intersection,
- North "L" / Adams Ave., eastside of the intersection.
- North "L" Street and Adams Ave. / Teege Ave., southside of the intersections.
- Include DETOUR signs at North "L" Street / Fair Park Blvd. to send traffic north and onto Wichita Avenue.

The street closures will help to ensure the safety of the participants and visitors attending this event.

The Assistant Harlingen Fire Chief has reviewed the request and provided approval.

Funding (if applicable):

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

Staff Recommendation:

Staff recommends approval.

For Street Closures ONLY, Fire Chief's approval:	☒ Yes	☐ No	☐ N/A
City Manager's approval:	☐ Yes	☐ No	☐ N/A

Comments:

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

HARLINGEN POLICE DEPARTMENT
1018 FAIR PARK BLVD., HARLINGEN, TX 78550

INTER-DEPARTMENTAL COMMUNICATION
FRONT DESK: (956) 216-5401 ADMINISTRATION: (956) 216-5403

TO: Chief of Police **DATE: 1/4/24**

FROM: District Representative Benito Bravo #3412

RE: Street Closure Request for 33rd Annual Jalapeno 100 Bike Ride

Requestor: Ana Adame / Bicycle World RGV
Event Date: Saturday, February 24, 2024
Time: 6:00 A.M.– 4:00 P.M.
Location: Boys and Girls Club 1209 West Washington Ave.

Description: The 33rd Annual Jalapeno 100 Bike Ride is being held at the Boys and Girls Club located at 1209 West Washington Ave. in Harlingen TX. The route of the bike ride will start and finish at the Boys and Girls Club. All proceeds for the event will benefit the Boys and Girls Club of Harlingen.

To insure the safety of all the participants which are estimated to be 500 to 800 cyclists, we're requesting the closure of the following streets on the day of the event between 5:00 A.M. and 4:00 P.M.
If approved, barricades are to be delivered by the City of Harlingen Streets Department prior to 3:00 P.M. on Friday, February, 23, 2024. A copy of the map is attached to this IDC.

The following streets are requested to be temporarily closed throughout the duration of the event:

- Fair Park Blvd/ West Teege Ave. east side of the intersection blocking east bound lane only.
- Fair Park Blvd. between North L Street and North J Street (No thru traffic) to include all entries and exits from Harlingen Performing Arts, Municipal Auditorium and Casa de Amistad parking lots.
- North J Street/ Washington Ave. west side of the intersection.
- North K Street/ Washington Ave. south side of intersection.
- North L Street/ Adams Ave. east side of intersection.
- North L Street and Adams Avenue/Teege Ave. south side of the intersections.
- Please include Detour Signs at North L St./ Fair Park Blvd. to send traffic north and onto Wichita Ave.

	SIGNATURE	ID#	DATE
OFFICER / EMPLOYEE		3412	01/04/2024
SERGEANT / SUPERVISOR		3464	1/4/24
COMMANDER / MANAGER		3019	1-4-24
DEPUTY CHIEF		1933	1-4-24
ASSISTANT CHIEF			
CHIEF OF POLICE		2088	1-4-24

2024 33RD ANNUAL JALAPEÑO 100 BIKE RIDE

Barricade

Start/ Finish Line

Re: STREET CLOSURE REQUESTS

Eduardo Alvarez - HFD <ealvarez@harlingentx.gov>
Thu 1/4/2024 11:22 AM

To:Frances Pena - HPD <fpena@harlingentx.gov>;Rafael Balderas - HFD <rbalderas@harlingentx.gov>;Ruben Balboa - HFD <rbalboa@harlingentx.gov>;Donna Henderson - HFD <dhenderson@harlingentx.gov>

HFD has no issues with these closures

E. Alvarez

Get Outlook for iOS

From: Frances Pena - HPD <fpena@harlingentx.gov>
Sent: Thursday, January 4, 2024 10:29:39 AM
To: Eduardo Alvarez - HFD <ealvarez@harlingentx.gov>; Rafael Balderas - HFD <rbalderas@harlingentx.gov>; Ruben Balboa - HFD <rbalboa@harlingentx.gov>; Donna Henderson - HFD <dhenderson@harlingentx.gov>
Subject: STREET CLOSURE REQUESTS

Good Morning Asst. Fire Chief Alvarez:

I would ask if you could please review the attached street closure requests for the following event:

1. 2024 MARKET DAYS
2. JALAPENO 100 RUN
3. UTRGV COLOR FUN RUN

Please provide your recommendation so that I can include as an agenda item at the next City Commission meeting.

Thank you!

Frances Pena
Exe. Admin. Asst.
Office of the Chief of Police Michael Kester
HARLINGEN POLICE DEPT.
1018 Fair Park Blvd.
Harlingen, TX 78550
(956) 216-5403 office
(956) 216-5407 fax
email: fpena@harlingentx.gov

This e-mai and the documents that accompany this email may contain information belonging to the sender, which is legally privileged. The information is intended only for the use of the individual or entity stated in this email If

Henry Roberts Memoria

33rd ANNUAL Jalapeño 100

All Proceeds Benefitting

BOYS & GIRLS CLUB OF HARLINGEN

Saturday, February 24, 2024

Start/Finish: Boys & Girls Club
1209 Washington, Harlingen Tx 78550
T-Shirts & Medals for early birds!

Whats your Spice Level?

12 Mile 25 Mile 50 Mile 66.7 Mile 100 Mile

Early Bird Registration:
$45 untill 1-31-2024
Starting 2-1-2024 - $50

Early Bird Registration for 100 Miler
$55 untill 1-31-2024
Starting 2-1-2024 - $60

Registration on February 23, 2024: $55 100 Mile - $65

Register @ www.athleteguild.com

Chick-fil-A Rio Grande Valley PLATINUM SPONSOR

CITY OF HARLINGEN TEXAS

Benito Bravo - HPD

From: Ana Adame <Ana.Adame@arkware.tech>
Sent: Thursday, December 28, 2023 5:51 PM
To: Mike Kester - HPD; Frances Pena - HPD
Cc: Carlos Diaz - HPD; Benito Bravo - HPD
Subject: 33rd Annual Jalapeno 100 Bike Ride
Attachments: Jalapeno flyer.2024.jpg; Barricades&Street Closures.2024.pdf; Key Intersections that require assistance from Harlingen PD.docx

Good afternoon Chief Kester,

We are working on the 33rd Annual Jalapeno 100 Bike Ride and I have attached a flyer, Map of the Barricades and Street Closures and also a List of Key intersections in which I will require some assistance.

I have been meeting with the Harlingen Parks & Rec., Harlingen CVB and Gerald Gathright from the Boys and Girls Club. I will also reach out to the Harlingen Fire Department to give them the date of the event and also to ask if they would bring the fire truck and display our U.S. Flag.

If you have any questions or concerns, please do not hesitate to contact me via email or phone. I have listed my cell phone as well.

Sincerely,

Ana Adame
Bicycle World RGV
Jalapeno 100 Committee
1113 S. 77 Sunshine Strip
Harlingen, Texas 78550
Ph. 956.423.3168
Cell.956.343.5265

Benito Bravo - HPD

From:	Frances Pena - HPD
Sent:	Tuesday, January 2, 2024 8:33 AM
To:	Hector Leal - HPD; Charles Fechner - HPD; Manuel Tovar - HPD
Cc:	Jose J. Lopez - HPD; Benito Bravo - HPD
Subject:	Fw: 2024 Jalapeno Street Closures
Attachments:	Jalapeno flyer.2024.jpg; Barricades&Street Closures.2024.pdf; Key Intersections that require assistance from Harlingen PD.docx

---

From: Ana Adame <Ana.Adame@arkware.tech>
Sent: Friday, December 29, 2023 4:40 PM
To: Cassandra Consiglio <ccuellar@harlingentx.gov>
Cc: Javier Mendez <jmendez@harlingentx.gov>; Frances Pena - HPD <fpena@harlingentx.gov>; Charles Fechner - HPD <cfechner@harlingentx.gov>; Mike Kester - HPD <mkester@harlingentx.gov>
Subject: 2024 Jalapeno Street Closures

Hello Cassandra,

At this time I am addressing some questions that were asked of me at 2023 Jalapeno 100 regarding street closures.

In a previous email from today, I sent attachments regarding these street closures. (you will see them again in this email).

However, I came across this list and thought I would address it now.

1. Date of the Event: **February 24, 2024 (Saturday)**
2. Time Frame of the event (start to finish)- **6 AM to 4PM**
3. When do the roads need to be closed? **5 AM**
4. When do the roads need to be opened? **4 PM**
5. Are there any other non-race road closures needed (ex. Fair Park Blvd in from Lon C. Hill Park)? **Yes, Fair Park Blvd in front of Lon C. Hill Park, from 5 AM to 4 PM.**

Ana Adame
Bicycle World RGV
Jalapeno 100 Committee
1113 S. 77 Sunshine Strip
Harlingen, Texas 78550
Ph. 956.423.3168
Cell Pho. 956.343.5265

4)

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 10, 2024**

Agenda Item:

Consideration and possible action to approve the preliminary construction plans and final plat with a variance request regarding the minimum lot depth for Lot 26, Block 1, for the proposed Allison Subdivision, bearing a legal description of 27.91 acres of land out of Block 48, Lon C. Hill Subdivision. Applicant: Vigstol Engineering c/o Choice Land Development

Prepared By:	Xavier Cervantes, AICP, CPM
Title:	Planning and Development Director
Signature:	Xavier Cervantes

Brief Summary:

Project Timeline

- April 21, 2023 – Preliminary construction plans and final plat application and subdivision application submitted to the City.
- May 17, 2023 – Letter sent to applicant outlining deficiencies; application deemed incomplete.
- August 30, 2023 – Preliminary construction plans and final plat resubmitted to the City.
- September 18, 2023 – Letter sent to applicant outlining deficiencies; application deemed incomplete.
- October 30, 2023 – Preliminary construction plans and final plat resubmitted to the City.
- November 7, 2023 – Variance application submitted to the City. **(ATTACHMENT I)**
- November 13, 2023 – Preliminary construction plans and final plat deemed complete.
- December 13, 2023 – Consideration of the preliminary construction plans and final plat, and variance request by the Planning and Zoning Commission. **The Planning and Zoning Commission recommended approval unanimously.**
- January 10, 2024 – Consideration of variance request by the City Commission.

Summary:

- The developer is requesting approval of the preliminary construction plans and final plat with a variance from the City of Harlingen Code of Ordinances Section 109-124(b) and Section 111-118(3) with regards to the minimum lot depth of 120 feet.

- Staff has no objections to the variance for Lot 26, Block 1, due to the tract of land on the west side, that is not part of the subdivision, makes the subdivision layout along Morris Road limited.

- The proposed Allison Subdivision consists of 65 single family residential lots. It is located inside City Limits on the southwest corner of Morris Road and Louisiana Street. All the lots will front an interior public street. All the lots except Lot 26, Block 1 meet the 120-depth requirement. All the subdivision lots meet the 6,000 square foot lot area minimum. Lot 26, which is an irregular shaped lot has an area of 6,852 square feet.

- Drainage requirements meet the current standard for a 50-year storm. The Lipscomb Ditch will be widened to meet the drainage requirements.

- Water and wastewater services will be provided by Harlingen Water Works System.

- All items on the preliminary and final plat checklist will be addressed prior to the recording of the final plat.

Staff Recommendation:

Staff recommends approval with the variance request:

1. Compliance with the requirements from the Engineering, HWWS, Fire Department, and Planning Departments please see attached comments (ATTACHMENT IV – VIII).

2. There are special circumstances or conditions affecting the land involved such that a strict application of the provisions of this chapter would deprive the applicant of the reasonable use of his land; and

3. The subject property is irregularly shaped which makes it difficult to accommodate the required width for the lot; however, it is a buildable lot and exceeds the minimum square footage of a residential lot.

4. The Fire, Planning, and Engineering Departments agree with approval of the variance request.

Funding (if applicable):

Are funds specifically designated in the current budget for the full amount for this purpose? *If no, specify source of funding and amount requested	☐ Yes	☐ No*	
Finance Director's approval:	☐ Yes	☐ No	☐ N/A
City Manager's approval: GG	✓ Yes	☐ No	☐ N/A
City Attorney's approval:	✓ Yes	☐ No	☐ N/A

Attachment I—Subdivision Application

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT
MASTER APPLICATION

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

Project Address: NW Corner of Morris Rd. & Louis — Nearest Intersection: Morris Road & Louisiana Street

(Proposed) Subdivision Name: Allison Subdivision — Lot: _____ Block: _____

Existing Zoning Designation: R1 — Future Land Use Plan Designation: Low Density Residential

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

Applicant/Authorized Agent: Andy Vigstol — Phone: (956) 212-2743 — FAX: _____

Email Address (for project correspondence only): avigstol@yahoo.com

Mailing Address: 2802 Lazy Lake Drive — City: Harlingen — State: Tx — Zip: 78550

Property Owner: Choice Land Development — Phone: (956) 423-5810 — FAX: _____

Email Address (for project correspondence only): natalie@lsfarms.com

Mailing Address: 19562 Simmons Road — City: San Benito — State: Tx — Zip: 78586

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

☐ Annexation Request.....No Fee	■ Preliminary Construction Plans and Final Plat.....$150.00
☐ Administrative Appeal (ZBA).....$125.00	☐ Minor Plat.....$100.00
☐ Comp. Plan Amendment Request...$250.00	☐ Re-Plat.....$250.00
☐ Re-zoning Request.....$250.00	☐ Vacating Plat.....$250.00
☐ SUP Request/Renewal.....$250.00	☐ Development Plat..... $50.00
☐ Zoning Variance Request (ZBA).....$250.00	☐ Subdivision Variance Request.....$25.00 (each)
☐ PDD Request.....$250.00	☐ Right-of-Way / Utility Easement Abandonment.....No Fee
☐ License to Encroach.....$250.00	

Please provide a basic description of the proposed project: Subdividing 27.91 Acres out of Lon C. Hill Subdivision into 63-lot subdivision.

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

Applicant's Signature: _____ Date: 4/13/2023

Property Owner(s) Signature: Natalie S Leal Date: 4/13/23

Accepted by: _____ Date: _____

Attachment II—Variance Application

SUBDIVISION VARIANCE REQUEST SUBMITTAL CHECKLIST

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

Complete

- ☐ Variance requests must be submitted at the time the preliminary construction plans and final plat are submitted to the City. (Sec. 109-27 of the Harlingen Code of Ordinances)
- ☐ A written statement describing the requested variance and an explanation of the special conditions that result in the unnecessary hardship for which the variance is requested.
- ☐ Any other information (drawings, pictures, etc.) the applicant would like to submit in support of the subject request.

- I understand that the variance requested will not be scheduled for Planning and Zoning Commission review unless all items on this list are completed.
- I understand that variances related to paving, curb, and gutter, fire hydrant, or certain construction within the regulatory floodplain for subdivisions located within the City limits or in the ETJ will not be considered.
- I understand that, in accordance with Sec. 109-27 of the Harlingen Code of Ordinances, variances cannot be granted unless the Planning and Zoning Commission and/or City Commission finds that:
    - There are special circumstances or conditions affecting the land involved such that the strict application of the provisions of the Subdivision Ordinance would deprive the applicant of the reasonable use of his land; and
    - The variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
    - The granting of the variance will not be detrimental to the public health, safety, welfare, or injurious to other property in the area; and
    - The granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with the provisions of the Subdivision Ordinance.
- I understand that financial hardship, standing alone, shall not be deemed an undue hardship for which variance approval can be based.
- I have read and understand in its entirety the City of Harlingen's Subdivision Ordinance and understand that the requirements of a variance request are subject to the terms and conditions therein.
- I understand that while all requirements for the submittal of a variance request may be complete, the City Commission is the sole authority for the consideration and approval or denial of the request.
- I understand that a simple majority vote of the City Commission is required to reverse the decision of the Planning and Zoning Commission.

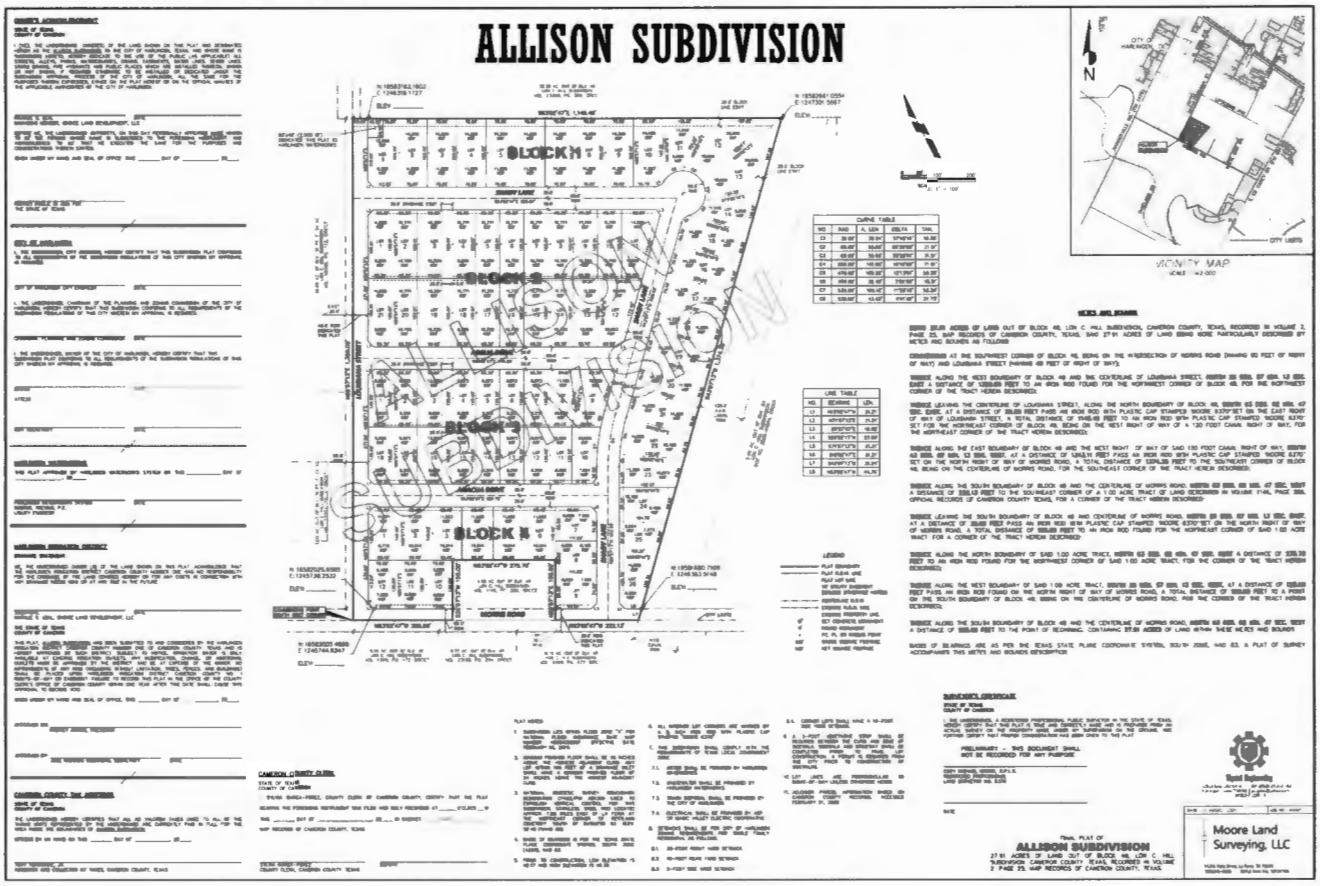
Owner: Choice Land Development, LLC Date 11/7/2023

Owner Address: 19562 Simmons Road San Benito, Tx

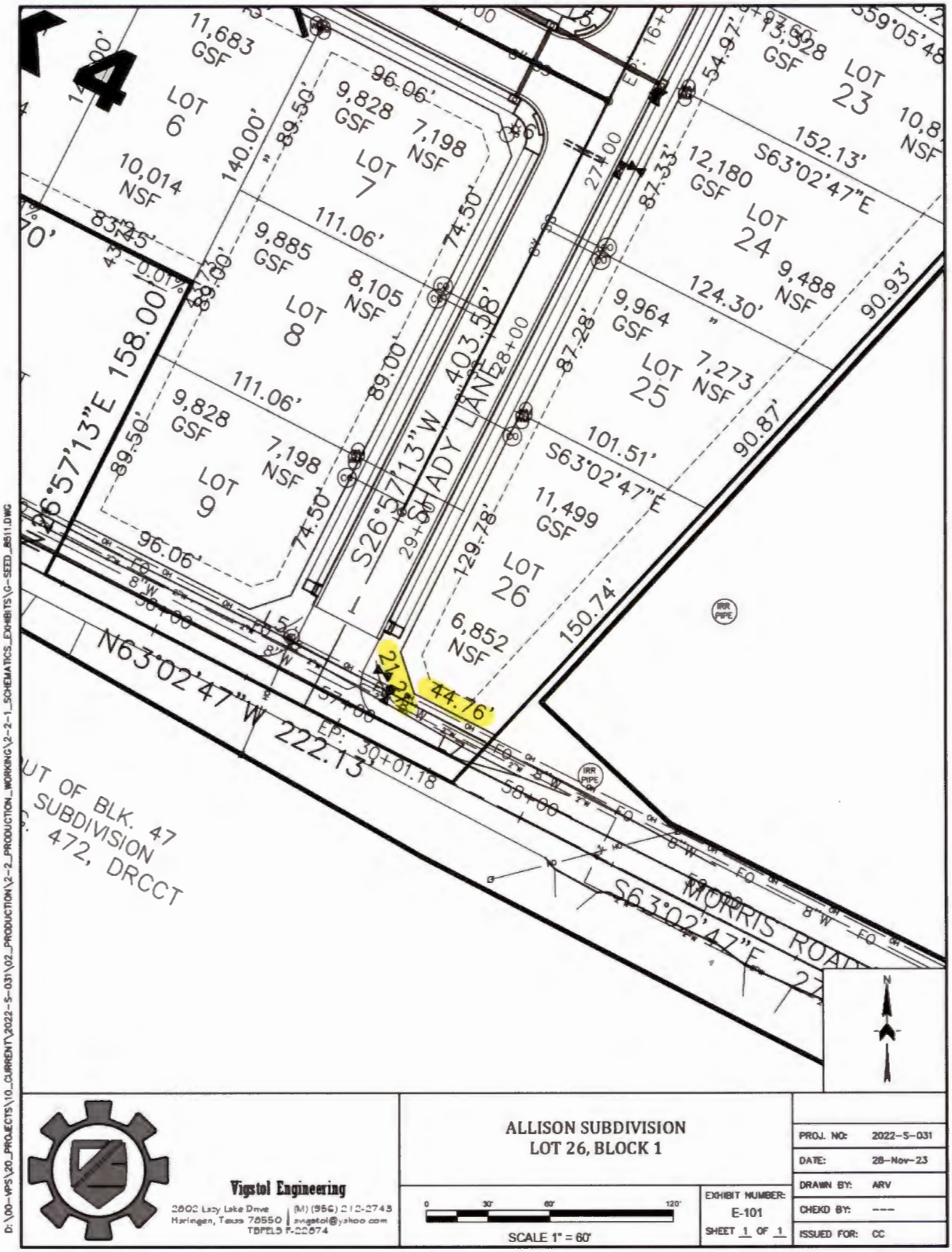
Phone/Fax: (956) 423-5810

Signature:

Attachment II —Final Plat



Attachment II —Lot 26



D:\00-WPS\20_PROJECTS\10_CURRENT\2022-S-031\02_PRODUCTION\2-2_PRODUCTION_WORKING\2-2-1_SCHEMATICS_EXHIBITS\G-SEED_BS11.DWG

Vigstol Engineering
2802 Lazy Lake Drive | (M) (956) 212-2743
Harlingen, Texas 78550 | avigstol@yahoo.com
TBPELS F-22674

ALLISON SUBDIVISION
LOT 26, BLOCK 1

SCALE 1" = 60'

EXHIBIT NUMBER: E-101
SHEET 1 OF 1

PROJ. NO:	2022-S-031
DATE:	28-Nov-23
DRAWN BY:	ARV
CHEKD BY:	---
ISSUED FOR:	CC

Attachment III — Aerial View of the Proposed Allison Subdivision

Attachment I—Aerial View of the Lipscomb Ditch

Attachment III — Aerial View

View from Morris Road

View from Louisiana Road

Attachment V — Variance Request Letter

Vigstol Engineering

November 7, 2023

Ms. Soledad Nunez
City Planner
502 E. Tyler Ave.
Harlingen, Tx 78550
(956) 216-5160

RE: Allison Subdivision Variance Request

Dear Ms. Nunez,

We are requesting a Subdivision Variance for Lot 26, Block 1 of Allison Subdivision. This corner lot was placed in continuity with the other lots in Block 1 and will front Shady Lane. It meets and exceeds all lot requirements with the exception of the south side yard. This is due to the unique shape of the subdivision.

Sincerely,

Andy Vigstol, PE, SIT
Managing Member | Vigstol Engineering, PLLC

2802 Lazy Lake Drive (M) (956) 212-2743
Harlingen, Texas 78550 | avigstol@yahoo.com
TBPELS F-22874

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

10/31/2023

Andy Vigstol, P.E., SIT
2802 Lazy Lake Drive
Harlingen, Texas 78550

Re: Allison

Dear Mr. Vigstol,

City staff reviewed the preliminary plans and final plat of the proposed "Allison Subdivision" submitted on October 30, 2023. The application is considered complete subject to a list of conditions from the different City Departments. If you agree with the listed conditions, please come into the Planning and Development Office to pay the $150.00 subdivision application fee. Once the payment is received, the proposed subdivision will be considered "filed" and staff will place the subdivision in the next scheduled meeting of the Planning and Zoning Commission.

Preliminary and Final:

1. Pursuant to Sec. 111.118 of the Code of Ordinances Chapter 111-Zoning, the minimum frontage for a one-family dwelling in a Single-Family Residential District shall be 50 feet.
    a. Please clarify the dimensions for lot 26. (Variance request pending board approval)
2. Pursuant to Sec. 109.124-(c)(12) the developer shall improve or pay escrows for 10 feet of additional pavement with curb and gutters and a 5 – foot sidewalk along the Louisiana Street & Morris Road boundaries.
3. Coordinate the location of the cluster mailbox with the Post Office.
4. All other applicable fees must be paid prior to recording of the final plat.

Thank you,

Soledad A. Núñez

Soledad A. Núñez
City Planner

CITY OF HARLINGEN TEXAS

Traffic Signal Division Memorandum

Date: May 17, 2023

To: - Planning & Development/ Sol Nunez

From: Arnold Campos/Traffic Signal Supervisor

Re: Allison Subdivision – 14 LED Streetlights

The City of Harlingen/Public Works has reviewed the street lighting plan for Allison Subdivision and approves the location of the 14 streetlights proposed. Streetlights shall be of LED.

The developer/builder will be responsible for all costs associated with the installation of these streetlights. Once installed and energized, the City of Harlingen will be responsible for the monthly billing under the city's streetlight account.

If you have any questions please feel free to call me at 216-5324 or cell 245-6023.

Sincerely,

Arnold Campos Jr.

Arnold Campos Jr.
Traffic Signal Maintenance Supervisor
404 S. 54th Street Harlingen, TX 78550

cc: file

Subdivision Review

Subdivision Name:	**Allison – 3rd Submittal**
Proposed Use:	**65 Lot Single Family Residential Use**
Location:	**Located on the northeast corner of Morris Road and Louisiana Street**
Developer:	**Choice Land Development, LLC**
Engineer:	***Vigstol Engineering* / (956) 212-2743** agvigstol@yahoo.com

Approval: ____ Yes __X__ Yes with Comments ____ No

Comments:

1. **As per Sec. 109-91 (d) (5) a fire hydrant plan which includes location of existing and proposed fire hydrants. Fire hydrants must be shown to create a coverage network of not more than 500-foot intervals measured along streets or other public access right-of-way for single-family residential subdivisions. In all other subdivisions, this distance must be a 150-foot radius.**

Juan Sauceda Jr. Fire Marshal	**Fire Prevention**	**November 14, 2023**
Departmental Official Signature	Department	Date
(956) 216-5790	jsauceda@harlingentx.gov	Juan Sauceda Jr
Contact Number	Contact E-mail	Signature

CITY OF HARLINGEN TEXAS

Engineering Department | 502 E. Tyler Ave. 78550 | (956) 216-5223

September 15, 2023

Luis Vargas, PE, CFM
City Engineer
24200 FM 509
Harlingen, Texas 78550

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

RE: REVIEW OF – ALLISON SUBDIVISION

Dear Mr. Olivo,

Please find comments below regarding the preliminary construction documents for the above-mentioned subdivision per Section 109-128.(a) of the City of Harlingen City Ordinances.

☒ Approved

☐ Approved with Conditions

☐ Disapproved

Please review and address the following comments:

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

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

Sincerely,

Digitally signed by Luis Vargas
DN: cn=Luis Vargas, o=City of Harlingen, ou=Engineering, email=lvargas@harlingentx.gov, c=US
Date: 2023.08.15 17:58:59 -05'00'

Luis Vargas, PE, CFM – City Engineer

HARLINGEN WATERWORKS SYSTEM

ALLISON SUBDIVISION PLAT SUBMITTAL #3

November 13, 2023

To: Xavier Cervantes, Director
Planning & Zoning Dept.
City of Harlingen

From: Joseph A. Lunn, E.I.T., Assistant Utility Engineer
Engineering Dept.
Harlingen Waterworks System

Response: **APPROVED with CONDITIONS**

Joseph A. Lunn, E.I.T. Digitally signed by Joseph A. Lunn, E.I.T. Date: 2023.11.13 17:04:19 -06'00'

UTILITY PLAN COMMENTS:

No.	Comment/Revision	Addressed
1	See redlined plan sheets, to be addressed in the construction plan review phase.	

FINAL PLAT COMMENTS:

No.	Comment/Revision	Addressed
1	The condition for this approval is that the construction plans will need to be addressed for the construction plan review. As such, the final plat is approved, but the utility improvements require further updates.	

ADDITIONAL COMMENTS:

- Comment response required upon resubmittal. Submitter must mark Yes or No in the Addressed column. Resubmittals missing response to comments will not be reviewed.
- HWWS comments subject to modification based on additional information of future comments issued by the City of Harlingen, changes made to the plans after approval has been given, or if new information is uncovered through field discovery.

Attachment IX – Fire Approval

CITY OF HARLINGEN TEXAS

Subdivision Variance Routing Slip

Applicant: Andy Vigstol c/o Choice Land Development, LLC

Phone No.: (956) 212-2743

Location: Northwest corner of Morris Road & Louisiana Street

Project Description: Variance request with regards to the minimum lot width for Lot 26, Block 1, for the proposed Allison Subdivision, bearing a legal description of 27.91 acres of land out of Block 48. Lon C. Hill Subdivision.

Department: Fire Prevention Bureau

Approval: X YES ___ NO

Comments: Applicant will have to meet any codes, regulations, ordinances, and standards required for a construction permit.

Fire Marshal Juan Sauceda Jr.

Juan Sauceda Jr

Date: November 27, 2023

Attachment IX – Engineering Approval

CITY OF HARLINGEN TEXAS

Subdivision Variance Routing Slip

Applicant: Andy Vigstol c/o Choice Land Development, LLC

Phone No.: (956) 212-2743

Location: Northwest corner of Morris Road & Louisiana Street

Project Description: Variance request with regards to the minimum lot width for Lot 26, Block 1, for the proposed Allison Subdivision, bearing a legal description of 27.91 acres of land out of Block 48, Lon C. Hill Subdivision.

Department: Engineering

Approval: **X** YES _____ NO

Comments:

Signature

12/14/2023

Date

PLANNING AND ZONING COMMISSION

December 13, 2023

Consideration and possible action to recommend to the City Commission the preliminary construction plans and final plat and a variance request with regards to the minimum lot width for Lot 26, Block 1, for the proposed Allison Subdivision, bearing a legal description of 27.91 acres of land out of Block 48, Lon C. Hill Subdivision. Applicant: Vigstol Engineering c/o Choice Land Development

City Planner Sol Nuñez presented the proposed subdivision and variance request to one of the lots in the subdivision to the Board.

- Ms. Nuñez referred to an aerial view of the property they are proposing to subdivide into sixty-five (65) lots. She said they are requesting a variance to section 109-124(B) and section 111-118 (3) with regards to the minimum depth of one hundred and twenty (120) feet for one lot. She reported that staff has no objections to the variance for Lot 26, Block 1, especially due to a home she identified on the screen. She said that all the subdivision lots are being reconfigured and the existing home will be staying. She said the home is owned by someone else and that someone does live there.
- Ms. Nuñez stated that the proposed Allisson subdivision consists of 65 lots, single-family dwellings. She referred to Lot 26 as being what they are requesting for the variance.
- Ms. Nuñez indicated the subject area is located inside city limits at the southwest corner of Morris Rd. and Louisiana St. All lots will front interior, public streets and all the lots, except for Lot 26, meet the one hundred and twenty (120) foot depth requirements.
- She continued and said that all subdivision lots meet the six thousand (6000) square foot lot requirement for the area and that Lot 26, which is irregularly shaped, has an area square footage of six thousand eight hundred and fifty-two (6852). She specified that the Lot is over the minimum six thousand (6000) square feet and that it was the depth on one of the sides that does not meet the one hundred and twenty (120) foot depth requirement. This is the reason for requesting the variance.
- Ms. Nuñez reported the drainage requirements will meet the fifty (50-) year standard however they do plan to widen the Lipscomb ditch, which is the ditch across the street from Louisiana St. that they will be using to meet the requirement.
- Ms. Nunez said that water and wastewater will be provided by Harlingen Water Works.
- She said the developer will have to meet any requirements set forth by all the departments prior to the recording of the final plat.
- Ms. Nuñez stated that Staff is recommending approval of the preliminary construction plans and final plat with a variance. She said they must comply with all requirements from the Engineering, Water Works, Fire and Planning Department. She said all of those comments are in the meeting packet.
- Ms. Nunez shared there are special circumstances or conditions affecting the land involved such that a strict application of the provisions of this chapter would deprive the applicant of

reasonable use of their lands since the property is irregularly shaped. It makes it difficult for Lot 26 to accommodate the one hundred and twenty (120) foot depth requirements.

- Ms. Nuñez said that Fire and Planning agree with the approval of the request. She shared that comments are pending from Engineering, however she noted that Mr. Vargas was present and could answer. She proceeded to ask if there was agreement. Mr. Luis Vargas, City Engineer, stated that he agreed with the variance of the reduced land and that he also recommended approval of the drainage.
  Mr. Cervantes added that for that Lot, instead of having a normal backyard, it will be a side yard. He said that because of the shape of the property, there is no other way to design the subdivision. He added that somebody may like that. Ms. Nuñez said they will have to get crafty with the design and reiterated that they are over the minimum square footage for the area.
- Ms. Nuñez shared views of the property from Morris Rd. and Louisiana St. She also referred to the variance request provided by the engineer on record. She said that Staff does recommend approval. She informed the Board that the engineer for the project was also present.

Chrm. Consiglio asked for the location of the development. Ms. Nuñez stated it was on the corner of Louisiana St. and Morris Rd. Mr. Cervantes it was Southeast of the Border Patrol offices. Ms. Nunez referenced back to the map of the project and pointed out Louisiana St. and down to Expressway 83. Ms. Nunez also pointed out the city limit. She said that everything to the North was inside city limits, and everything south was outside the city limit.

Cmr. Cruz-Velazquez asked for the location of Lot 26 within the property view. Ms. Nunez assisted with identifying it on the map. She said it was fronting Shady Lane and Morris Lane would be along their side yard. She also said that the engineer could speak on behalf of the developer on what they are planning to do.

Chrm. Consiglio asked if there were any more questions for staff.

Cmr. Sanchez indicated he wanted clarification from the engineer. He asked if the improvement to widen the Lipscomb ditch was to provide an offsite, online detention center. Luis Vargas, City Engineer, came forward to the podium. Mr. Vargas referred to the slide and said the area shaded in red would be used as a pond. He explained that they will release at the required 10-year rate and then that will have an overflow structure over the pipe at the end of Lipscomb ditch. He described there will be a widening back downstream and then at the point at Louisiana St., they propose to follow the master plan which calls for an 8 x 6 box culvert. He said he thought these improvements were being done in exchange of doing an on-site detention pond. Mr. Cervantes added that the ditch belongs to the Irrigation District. However, they are giving the ditch to the city because they don't need it for irrigation purposes anymore. He said it went before City Commission last week and that they approved taking ownership of the ditch and that they are working on the deed to make it official.

Cmr. Sanchez asked if the current drainage ordinance allows for a developer to use on-site detention in a property not within the subdivision to address the drainage requirements. Mr. Vargas started to

answer but Cmr. Sanchez added more to his questions. He asked if it needs to be adjoining to the property itself or whether it can be off-site like it is and added that it is not parallel along the property limits. Mr. Vargas said that was correct. He said that he believed the Subdivision Development Guide says that it has got to be parallel, at least on one side. He further stated that it needed to be significant to alleviate the drainage or just counter for the development drainage. Mr. Vargas pointed out the start of the ditch, stating there was no downstream or upstream. He said he thought having this as the drainage or the detention pond and then allowing it to overflow into the ditch downstream would take the added drainage from the development as well as be the replacement of the culvert further north. Cmr. Sanchez said if he was comfortable with what is being proposed then it was fine. He said he just wanted to make sure they were in compliance with the ordinance. Cmr. Sanchez further added that what is proposed is meeting the requirement but its just not parallel. Mr. Vargas said that the ordinance and in the Subdivision Development Guide, there isn't a quantified perimeter or side of the development where it needs to be. It just says that if there is a ditch right next to the development it can be used. It doesn't have to be at a five hundred (500) foot distance. Mr. Cervantes added that the updated Subdivision Development Guide allows for flexibility. Mr. Vargas further added that he didn't believe the Guide has the word "parallel". It just says that if there is a ditch right next to it, there is a possibility that it can be used for widening and also to compensate for the added runoff from the development. He said they could qualify it though if that is the hold. Cmr. Sanchez asked for the formality of obtaining approval from the [Irrigation District] engineers before it goes to the City Commission. Mr. Vargas stated that the culvert at Louisiana St. has been undersized for a few years and so if the development will make the expenditure for improvements, then it helps. Cmr. Sanchez said it would help from a regional standpoint. Mr. Vargas said that the plan was from 2008 and now there is new rainfall data so if a bigger box than an 8x6 is required, they could put in another or a bigger one. Cmr. Sanchez said he was sure the developers and engineers are fully aware of the situation.

Chrm. Consiglio called about Cmr. Gamez. He said he had a question regarding the lift station. Mr. Vargas said that this was a Water Works question but that he might be able to answer. Mr. Gamez questioned why Water Works and asked if it was being used for supplying or extracting water sewer. He said it was too small on the plans to see the kind of pump system. He referenced having a couple at his work locations and so that is why he wanted to know what it was being used for. Ms. Nunez indicated the engineer for the project could answer his question. Mr. Andy Vigstol came forth and introduced himself to the Board as the engineer on record for the project. Mr. Vigstol explained that the lift station was sized specifically for this project with a larger pump. He explained that the pump recommendation from the manufacturer for the size was 70-80 gallons per minute at peak time. He said the pump is twice the size and has additional capacity. He said it will be up to Harlingen Water Works how much they want to allocate to that. He said the pump is oversized for the Allison subdivision so the property to the North may get the benefit. He explained that the lift station is going to collect from the northwest corner up to Plaza Estates, which is the subdivision just to the north and the west. Cmr. Gamez asked if it would be used to pump water out. He also asked what kind of pump was being used. Mr. Vigstol said that it would be used to pump water out; that it was sanitary sewer water. He asked Mr. Gamez if he was asking about the brand name. Mr. Gamez asked about the

grinding pumps and size. Mr. Vigstol said that the force main that Water Works is requesting is a six (6-) inch; that it will be a six (6-) inch effluent line. Cmr. Gamez asked if it was going to be one (1) or two (2) lines. Mr. Vigstol said it will be one (1) line. Cmr. Games asked for how many houses. Mr. Vigstol said it will be for 77. Cmr. Gamez reacted to the number. Mr. Vigstol assured him that the six (6-) inch force main is a large line. Cmr. Gamez followed up by asking what size pad was being used and said he was asking for flow. Mr. Vigstol said the depth was twenty (20) feet. He said it was deep but circular in shape. He said he thought it was four (4-) foot diameter or maybe radius. He said he could get specific details about it. Cmr. Gamez asked if they will have a secondary just in case. Mr. Vigstol said he believed it did. He said this was really specked out by Water Works and it is what Water Works has requested. He said they are the end users of it and so they are getting what they want essentially. Cmr. Gamez stated it seemed undersized in his opinion; ideal for commercial but not residential. He said he was questioning that. Mr. Gamez confirmed the location of the lift station. He then asked a question about the Lipscomb ditch and the partial widening of it because it is a starting ditch for drainage for the water. Mr. Vigstol said he was correct; that it was the upstream end of it. Cmr. Gamez asked who would maintain the rest of the ditch. Mr. Cervantes stated it would be maintained by the City. He explained the City is giving the property from that intersection with the red and yellow, all the way to the Expressway. He said they are giving the ditch to the City and so once it is taken over after the deed is signed and recorded, the City will take over the maintenance. Mr. Gamez asked if the outlet of the ditch is the Arroyo. He was told yes. Mr. Vigstol described that it will go under the Expressway and said that TxDOT has ten (10) by 10 boxes. He reiterated it goes under there and from there it goes into the Arroyo. Cmr. Gamez thanked him.

Chrm. Asked about the current property there and flooding. Mr. Vigstol said they are installing this big box right now. He described that it had a thirty (30-) inch pipe under Louisiana Street. He asked if the Chrm. was referring to property owners to the west. The Chrm. referred to the cut out in the area. Mr. Vigstol explained that the rears of the property will be butted up against it on the north and so everything will drain out to the street that way. He then pointed out three (3) properties to the west that are going to face the same way. He said those will need to be built-up to meet the drainage requirements and that the drainage will go towards Morris Rd. and from Morris Rd. they will have a ditch cut that will take it into the storm sewer system. He said it will improve drainage on that property. Chrm. Consiglio explained that he asked the question because it is something they have had before and that they'll get questions about it. The Chrm. asked if there were any more questions for the Engineer of record for this project or if there was a motion. Cmr. Sanchez moved to approve. The Chrm. clarified the motion was to approve the preliminary construction plans and the variance. The motion was seconded by Cmr. Clinton-Solis. The Chrm. then asked if there was any further discussion and upon hearing none moved to a vote. The motion passed unanimously.

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 10, 2024**

Agenda Item:

Conduct a public hearing and consideration and possible action to adopt an ordinance on first reading amending the City of Harlingen Code of Ordinances Chapter 111, Article X, Section 111-280, Special Sign Categories, Permitted and Prohibited, by clarifying the allowable signage for feather flag signs for commercial establishments exceeding 100 linear feet at the longest point. Applicant: City of Harlingen. Attachment ***(Planning & Development)***

Prepared By: Xavier Cervantes, AICP, CPM
Title: Planning and Development Director
Signature: Xavier Cervantes

Brief Summary:

Project Timeline

- November 15, 2023 – Discussion with the Planning and Zoning Commission regarding proposed amendments to the sign ordinance.
- November 25, 2023 - In accordance with State and local law, notice of the required public hearings published in the Valley Morning Star.
- December 13, 2023 – Public hearing and consideration of the ordinance amendment by the Planning and Zoning Commission (P&Z). **The Planning Zoning commission held a public hearing and recommended approval to the ordinance amendment.**
- January 10, 2024 – Public hearing and consideration of the ordinance amendment scheduled before the City Commission.
- February 7, 2024 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- In September 6, 2023 the zoning ordinance was amended to allow "feather flag" signs to businesses with limitations.
- Owners of larger businesses in the community have expressed concern that they are limited to only one "feather flag" sign per location at any one time.
- As approved in concept during the November 1, 2023 City Commission meeting the proposed ordinance amendment would allow larger businesses to have one "feather flag" sign per location for every 50 linear feet of building at the longest point.
- In addition, the fees for the initial permits and renewals are clarified.

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

ORDINANCE NO. 24-_____

AN ORDINANCE AMENDING THE CITY OF HARLINGEN CODE OF ORDINANCES CHAPTER 111, ARTICLE X, SECTION 111-280, SPECIAL SIGN CATEGORIES, PERMITTED, AND PROHIBITED, BY CLARIFYING THE ALLOWABLE SIGNAGE FOR FEATHER FLAGS SIGNS FOR COMMERCIAL ESTABLISHMENTS EXCEEDING 100 LINEAR FEET AT THE LONGEST POINT; AND PROVIDING FOR PUBLICATION AND ORDAINING OTHER MATTERS RELATED TO THE FOREGOING

WHEREAS, The amendments are also consistent with the purpose of the One Vision One Harlingen Comprehensive Plan, which is to provide a growth-friendly economic development environment that also preserves and enhances the architectural character of the area,; and

WHEREAS, The Planning and Zoning Commission has reviewed the proposed sign ordinance amendments and has recommended approval; and

WHEREAS, The City of Harlingen has complied with all notices and public hearings as required by law; and

WHEREAS, The City Commission of the City of Harlingen desires to amend the City's sign regulations and finds that it is in the best interests of the citizens of Harlingen to amend the sign regulations as set forth below;

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

SECTION I: That the City of Harlingen Code of Ordinances, Chapter 111, Zoning, Article X, Sections 111-280 is hereby amended by adding the language underlined (<u>added</u>) to read in full as follows:

ARTICLE X. - SIGN REGULATIONS

Sec. 111-280. - Special sign categories, permitted, and prohibited signs.

(a) *Political signs.* Political signs are a special type of temporary sign. Political signs shall not be placed adjacent to a roadway such that placement would create an obstruction of view for vehicular traffic.

(b) *Painted signs.* Signs painted on buildings require a sign permit and will be counted toward overall square footage of signs allowed.

(c) *Real estate signs.* Real estate signs will be exempt from permitting if less than 36 square feet. These signs may be in place until such time the real property is no longer offered for sale or lease.

(d) *Construction signs.* Construction signs are used to promote the contractor, bank or other business/service involved or responsible for construction taking place on the premises and are allowable without permits until such time as construction is complete and the building is occupied by tenant or user. Such businesses/services include, but are not limited to, landscaping, financing, and subcontractors of all types.

(e) *Banners.* Banner signs, as defined in section 111-275, are allowed subject to the following:

(1) Such signs no greater than 80 square feet do not require city sign permits.

(2) Such signs no greater than 80 square feet are exempt from the total permitted sign area calculation described in section 111-277(b).

(3) The total area of all such signs on a building or tenant space mounted to or attached to any portion of the building or building support columns shall not exceed 20 percent of the area of the wall on which said signs are attached.

(4) All such signs shall be removed and/or replaced no longer than one year from the date of placement or when such signs become tattered, torn, or otherwise contrary to the requirements of section 111-279, whichever occurs first.

(5) Such signs shall be mounted in one of the following manners:

a. Flat against the wall of a building or fence and securely attached to said building or fence at all corners and every three feet along the length and width of said banner; or

b. Securely attached at all corners between two permanent mounting structures such as masonry support columns, steal support columns, or an approved permanent frame.

(6) Banner signs commonly referred to as "wind flags," "feather flags," or similar, are allowed subject to the following but only for properties located outside the Downtown District Overlay (DID):

a. Obtaining a sign permit;

b. Such signs shall not exceed nine (9) feet in height and shall only be permitted in commercial or industrial zoning categories or an institutional land use and must be located where an established legal business or institution exists.

c. One “feather flag” sign shall be permitted per business per property. If the business is located in a commercial plaza one “feather flag” sign shall be permitted per business within the plaza. For commercial establishments exceeding 100 linear feet of building at the longest point, they shall be allowed one “feather flag” sign for every fifty (50) feet of linear feet of building at the longest point. The “feather flag” sign(s) shall be allowed on a temporary basis for a period of one month with a maximum of four permits to be issued per calendar year.

d. Such “feather flag” signs shall be removed by the owner(s) during inclement weather.

e. The “feather flag” sign owner(s) must sign a waiver of liability form before the permit is issued.

f. No portion of the “feather flag” sign shall be within the city right-of-way and shall not be a traffic hazard.

g. "Wind flag" signs shall be allowed in private property without having to obtain sign permits as long as connected to a permanent pole structure. Commercial or institutional properties with a building shall have a total allowance of two (2) square feet for "wind flag" signs per total linear foot of building visible from a public street.

h. All such "feather flag" and "wind flag" signs shall be removed when such signs become tattered, torn, or otherwise contrary to the requirements of Section 111-279.

i. The initial processing fee for "feather flag" sign permits shall be $20.00 (no matter the number of feather flags allowed at any one time). The processing fee to renew a permit for another 30 days shall be $10.00 in person and $0.00 if done on-line.

SECTION II: That the City Secretary of the City of Harlingen, Texas is hereby authorized and directed to cause a true copy of the caption of this ordinance to be published in a newspaper having general circulations in the City of Harlingen, Cameron County, Texas.

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

FINALLY ENACTED this _____ day of _____, 2024, at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

PLANNING AND ZONING COMMISSION

December 13, 2023

Public hearing and take action to consider an amendment to the Code of Ordinances Chapter 111, Article X, Section 111-280, Special Sign Categories, Permitted and Prohibited, by clarifying the allowable signage for feather flag signs for commercial establishments exceeding 100 linear feet at the longest point. Applicant: City of Harlingen

Xavier Cervantes, Planning and Development Director, presented the consideration for amendment before the Board. He recapped that the ordinance to allow feather flag signs with limitations was adopted a few months ago. He said that a few permits have been issued already based on the adopted ordinance however, some of the business owners of the larger businesses have expressed concern that they are only allowed one feather flag sign at one time, and some want more than one. He continued and said that a presentation was made to the City Commission and they, in concept, approved those bigger businesses to be allowed more than one at one time. He clarified that the permit would still be for 30 days, four times per calendar year. He said the proposed new language is that if it is 100 feet at the longest point, you qualify for one feather flag sign for every 50 feet. He also said there was some additional language about the fees. He used the example of Academy, clarifying that Academy has not expressed any interest in doing this. He said that Academy measures 303 feet so they could potentially have six (6) at the same time. He had another example using Texas Roadhouse. He explained that the front is on the side and that it measures eighty-two (82) feet. However, the side facing the frontage road measures a little over one hundred (100) feet so they could qualify for two (2) at the same time measuring the longest point.

Cmr. Sanchez asked if the flags need a separation of fifty (50) feet or if they could be clustered. Mr. Cervantes explained they have to apply, and the city planners have to approve the locations. He said they don't want them at the corners due to traffic hazards. He said there is an application process, that there is a waiver of liability form that they have to sign and that they have to propose the locations to the city planners. He also clarified that the location has to be on private property and not within the right-of-way. He said they could be relatively close to each other but just not be a traffic hazard to motorists. Chrm. Consiglio said there was some freedom to allow the business owner to display how they feel is best.

Chrm. Consiglio asked if there were any questions for Staff and then said they could move to Public Hearing and then come back to questions. The Chrm. opened the Public Hearing. He asked if anyone would like to speak on this item. Seeing none, the Public Hearing was closed. The Chrm. asked if there were any questions for Staff or if there was a motion. Cmr. Villareal moved to approve. The motion was seconded by Cmr. Cruz-Velasquez. Chrm. Consiglio asked if there was any further discussion and upon hearing none moved the motion to a vote. The motion passed. One "nay" was recorded from Cmr. Clinton-Solis.

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 10, 2024**

Agenda Item:

Public hearing and consideration to adopt an ordinance on first reading for a rezoning request from Residential, Single-Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 501 W. Filmore Avenue, bearing a legal description of Lot 1, Block 132 Harlingen Original Townsite. Applicant: Reynaldo Del Toro. Attachment ***(Planning & Development)***

Prepared By: Xavier Cervantes, AICP, CPM
Title: Planning and Development Director
Signature: Xavier Cervantes

Brief Summary:

Project Timeline

- November 6, 2023 – Application for rezoning submitted to the City. **(ATTACHMENT I)**
- December 2, 2023 – In accordance with State and local law, notice of the required public hearing was mailed to all property owners within a 200 feet radius of subject tract.
- December 2, 2023 – In accordance with State and local law, notice of the required public hearing was published in the Valley Morning Star.
- December 13, 2023 - Public hearing and consideration of the requested rezoning by the Planning and Zoning Commission (P&Z). **The Planning & Zoning Commission held a public hearing and recommended approval of the rezoning unanimously.**
- January 10, 2024 – Public hearing and consideration of requested rezoning via 1st ordinance reading scheduled before the City Commission.
- February 7, 2024 – Pending approval of 1st ordinance reading, consideration of approval of 2nd ordinance reading scheduled before the City Commission.

Summary

- The applicant is requesting to rezone the subject properties from Residential, Single-Family, ("R-1") District to Residential, Duplex ("R-2") District to allow for a duplex on the property. (**ATTACHMENT I**).

- The subject property, located at the northwest corner of West Filmore Avenue and E Street, has a width of 50 feet and a depth of 140 feet. The property is currently vacant. **(ATTACHMENT III)**

- The surrounding properties are zoned Residential, Single-Family ("R-1") to the south, east, and west, and General Retail ("GR") to the north. Surrounding land uses include single family residences to the south, east, and west, and the Robinhood Apartments to the north. **(ATTACHMENT IV)**

- The Future Land Use Plan component of the City of Harlingen Comprehensive Plan One Vision One Harlingen shows this area as low-density residential. The request is generally consistent with the Future Land Use Plan. A Duplex zoning is considered low-density residential; therefore, staff recommends approval of the rezoning request. **(ATTACHMENT VII).**

- To the present, the Planning and Zoning Department has received no phone calls in opposition from the surrounding property owners for the proposed request.

Funding (if applicable):

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

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

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

Staff Recommendation:

Staff recommends approval of the rezoning request.

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

Comments:

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

Attachment I - Application

CITY OF HARLINGEN PLANNING AND DEVELOPMENT DEPARTMENT
MASTER APPLICATION

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

Project Address 501 W. Filmore St. Nearest Intersection S E St.

(Proposed) Subdivision Name _____ Lot _____ Block _____

Existing Zoning Designation R1 Future Land Use Plan Designation R2

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

Applicant/Authorized Agent J. Reynaldo Del Toro Phone 956-525-5410 FAX _____

Email Address (for project correspondence only): reynaldodeltoro@hotmail.com

Mailing Address 1344 E. 8th St Ste 1 City Brownsville State TX Zip 78520

Property Owner 1 Supply LLC and or Assigns Phone 956-525-5410 FAX _____

Email Address (for project correspondence only): reynaldodeltoro@hotmail.com

Mailing Address 1344 E. 8th St. Ste 1 City Brownsville State TX Zip 78520

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

☐ Annexation Request..... No Fee	☐ Preliminary Construction Plans and Final Plat..... $150.00
☐ Administrative Appeal (ZBA)..... $125.00	☐ Minor Plat..... $100.00
☐ Comp. Plan Amendment Request... $250.00	☐ Re-Plat..... $250.00
☑ Re-zoning Request..... $250.00	☐ Vacating Plat..... $250.00
☐ SUP Request/Renewal..... $250.00	☐ Development Plat..... $50.00
☐ Zoning Variance Request (ZBA)..... $250.00	☐ Subdivision Variance Request..... $25.00 (each)
☐ PDD Request..... $250.00	☐ Right-of-Way / Utility Easement Abandonment..... No Fee
☐ License to Encroach..... $250.00	

Please provide a basic description of the proposed project: To build a duplex

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

Applicant's Signature: _____ Date: 11-06-2023

Property Owner(s) Signature: _____ Date: _____

Accepted by: _____ Date: _____

Attachment I - Application

RE-ZONING REQUEST
SUBMITTAL CHECKLIST

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

Complete

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

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

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

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

Owner: J. Reynaldo De La Torre Date 11-06-2023

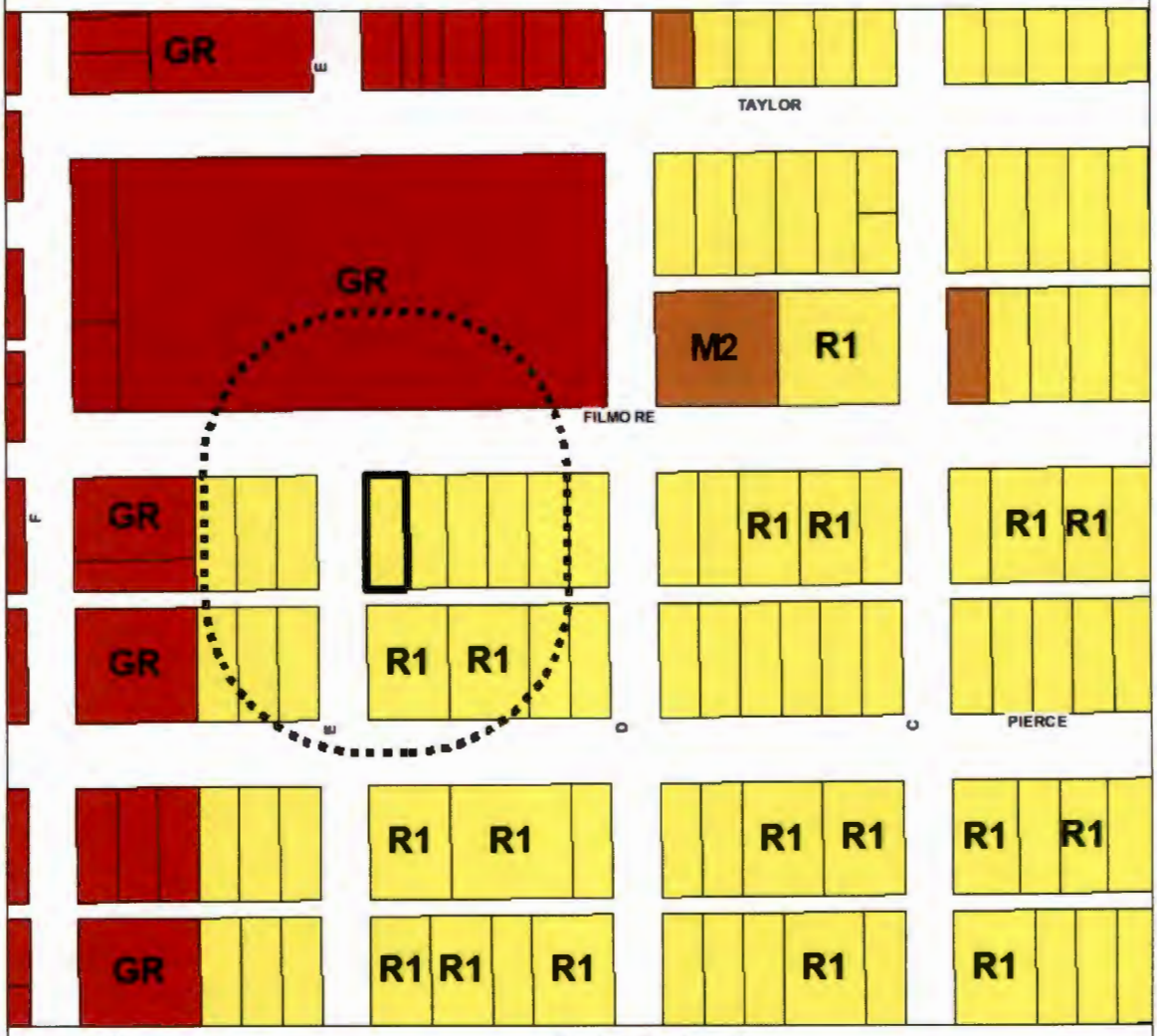
Owner Address: 1344 E. 8th St Ste 1 Brownsville TX 78520

Phone/Fax: 956-525-5410

Signature: _____

Attachment II - Application

Request to rezone from Residential, Single - Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 501 W. Filmore, bearing a legal description of Lot 1, Block 132, Harlingen Original Townsite. Applicant: Reynaldo Del Toro



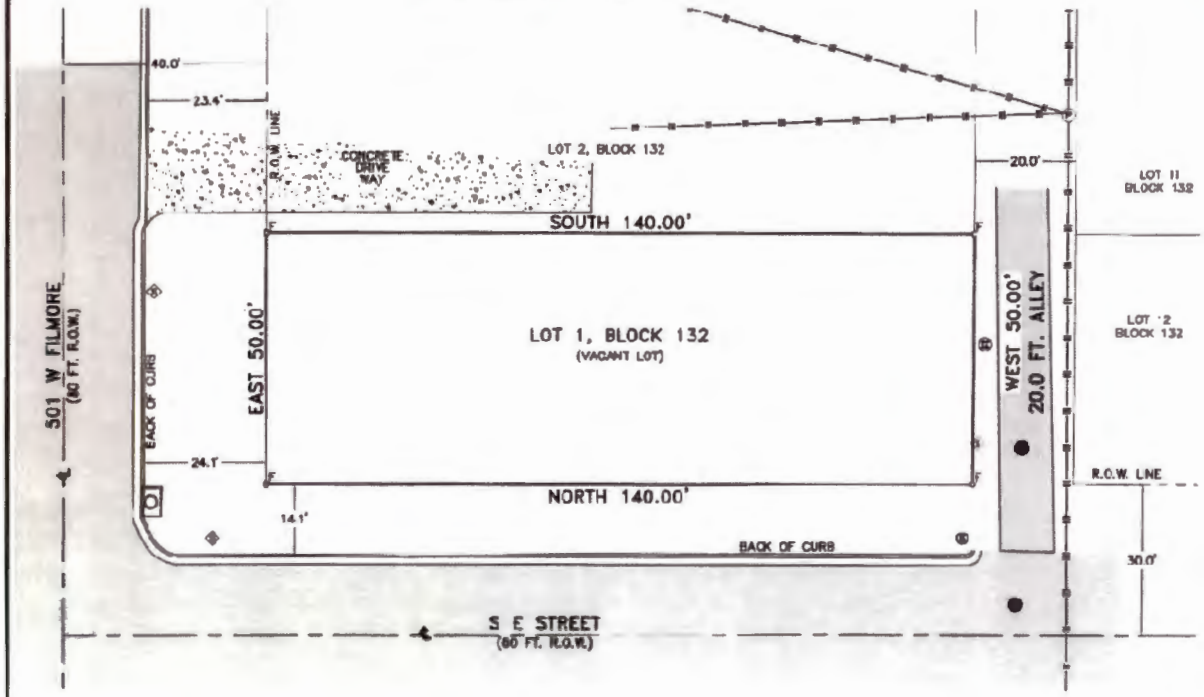
This map has been produced by the City of Harlingen for the sole purpose of locating jurisdictional boundaries and is not intended for any other. The map data is compiled from various sources including orthophoto imagery, engineer plans and plats, survey field notes, and other sources. This map is intended for graphic representation only. No warranty is made by the City regarding its accuracy or completeness. Before relying on any information on the map, check with the Planning Department. Date of map 11.6.2023

Attachment III - Survey

NOTES:

1. BASIS OF BEARINGS: HARLINGEN ORIGINAL TOWNSITE M.R.C.C.T. VOLUME 2, PAGE 14
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND	
	CURB INLET
	MANHOLE
	SIGN
	GAS VALVE
	POWER POLE
	OVERHEAD POWER LINE
	1/2" IRON ROD FOUND



FLOOD ZONE

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY WAS SCALED TO BE IN FLOOD ZONE "X" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY NO. 485477, PANEL NO 48061C0285F, WHICH BEARS AN EFFECTIVE DATE OF FEBRUARY 16, 2018. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE FLOOD ZONE. AN ELEVATION CERTIFICATE MAY BE NEEDED TO DETERMINE THE FLOOD ZONE.

SURVEYOR'S CERTIFICATE

THE UNDERSIGNED HEREBY CERTIFIES THAT THIS SURVEY, AS DESCRIBED HEREIN, WAS MADE ON THE GROUND ON 11/02/23; THAT THE ONLY VISIBLE IMPROVEMENTS ON THE GROUND ARE AS SHOWN; THAT THERE ARE NO VISIBLE ENCROACHMENTS, VISIBLE OVERLAPPINGS, APPARENT CONFLICTS, OR VISIBLE EASEMENTS, EXCEPT AS SHOWN HEREIN.
THIS SURVEY CONFORMS TO THE MINIMUM STANDARDS OF PRACTICE AS REQUIRED BY THE TEXAS BOARD OF PROFESSIONAL LAND SURVEYING. THIS SURVEY IS NOT VALID WITHOUT ORIGINAL SEAL AND SIGNATURE.

STATE OF TEXAS REGISTERED OSCAR A CHAVEZ 5821 PROFESSIONAL LAND SURVEYOR

Oscar A. Chavez, RPLS

PLAT OF SURVEY

LOT ONE (1),
BLOCK ONE HUNDRED THIRTY-TWO (132),
HARLINGEN ORIGINAL TOWNSITE,
CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 14, MAP RECORDS OF CAMERON COUNTY, TEXAS.

For: I SUPPLY LLC

CADCon Civil Engineers / Land Surveyors
Chávez Automated Design Consultants Corp.
735 Land O'Lakes Dr.; Brownsville, Texas 78521; 956/546-7148

Scale: 1"= 20' | Date: 11/03/2023 | Job No: FB-29534

Attachment IV - Aerial

Attachment V – Future Land Use Map

Attachment VI – Street View

Street View from West Filmore

ORDINANCE NO. 24-

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HARLINGEN: REZONING FROM RESIDENTIAL, SINGLE-FAMILY ("R-1") DISTRICT TO RESIDENTIAL, DUPLEX ("R-2") DISTRICT FOR A PROPERTY LOCATED AT 501 WEST FILMORE, BEARING A LEGAL DESCRIPTION OF LOT 1, BLOCK 132, HARLINGEN ORIGINAL TOWNSITE.

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

BE IT ORDAINED BY THE CITY OF HARLINGEN

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

Rezoning from Residential, Single-Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 501 W. Filmore, bearing a legal description of Lot 1, Block 132, Harlingen Original Townsite, as shown in exhibit "A".

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

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

FINALLY ENACTED this ____ day of _____, 2024 at a regular meeting of the Elective Commission of the City of Harlingen, Texas at which a quorum was present, and which was held in accordance with TEXAS GOVERNMENT CODE, CHAPTER 551.

CITY OF HARLINGEN

_____
Norma Sepulveda, Mayor

ATTEST:

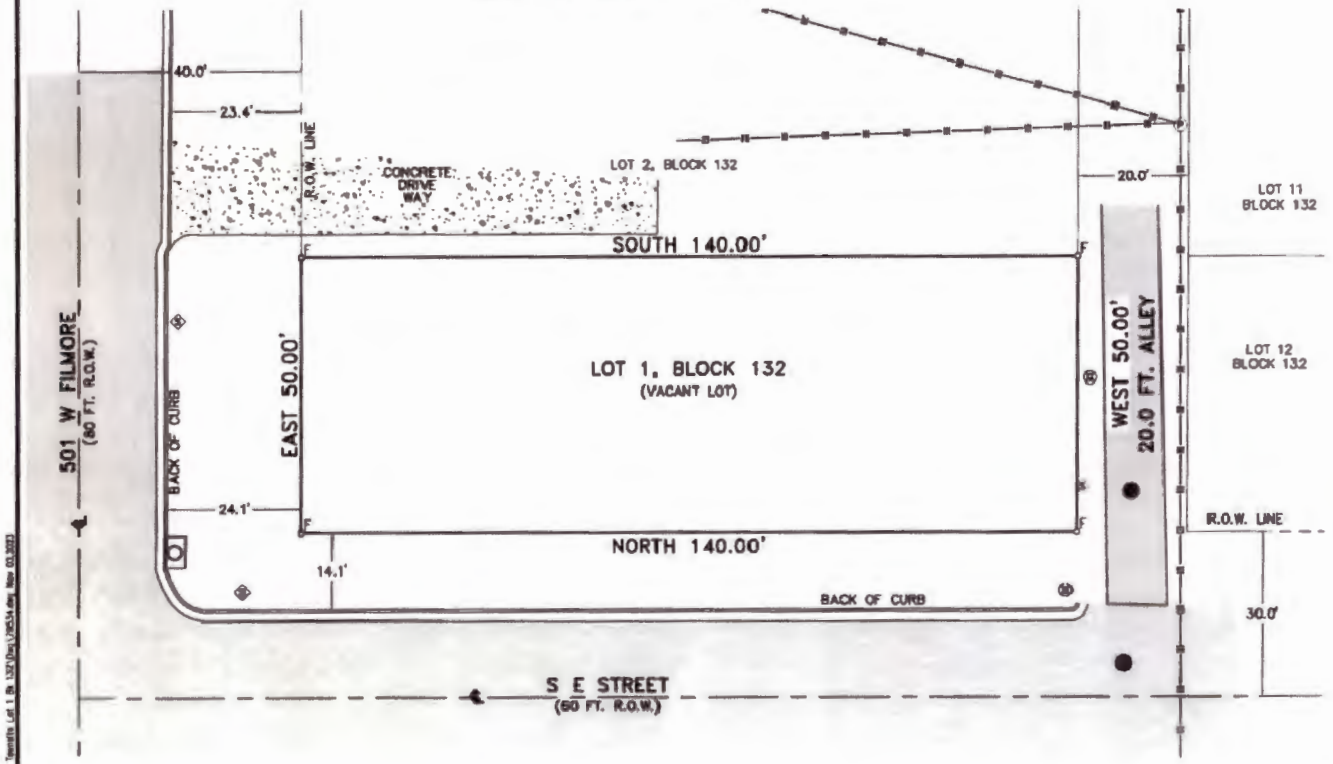
_____
Amanda C. Elizondo, City Secretary

Exhibit "A"

NOTES:

1. BASIS OF BEARINGS: HARLINGEN ORIGINAL TOWNSITE M.R.C.C.T. VOLUME 2, PAGE 14
2. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

LEGEND	
	CURB INLET
	MANHOLE
	SIGN
	GAS VALVE
	POWER POLE
	OVERHEAD POWER LINE
	1/2" IRON ROD FOUND



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SURVEYOR'S CERTIFICATE

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STATE OF TEXAS REGISTERED OSCAR A CHAVEZ 5621 PROFESSIONAL LAND SURVEYOR

Oscar A. Chavez, RPLS

PLAT OF SURVEY

LOT ONE (1), BLOCK ONE HUNDRED THIRTY-TWO (132), HARLINGEN ORIGINAL TOWNSITE, CAMERON COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 2, PAGE 14, MAP RECORDS OF CAMERON COUNTY, TEXAS.

For: I SUPPLY LLC

CADCon Civil Engineers / Land Surveyors
Chávez Automated Design Consultants Corp.
755 Land O'Lakes Dr.; Brownsville, Texas 78521; 956/546-7148

Scale: 1"= 20' | Date: 11/03/2023 | Job No.: FB-29534

PLANNING AND ZONING COMMISSION
December 13, 2023

Public hearing and take action to consider a request to rezone from Residential, Single – Family ("R-1") District to Residential, Duplex ("R-2") District for a property located at 501 W. Filmore, bearing a legal description of Lot 1, Block 132, Harlingen Original Townsite. Applicant: Reynaldo Del Toro

City Planner Sol Nuñez presented the request to rezone before the Board. The provided the following information about the subject property:

- The applicant is requesting to rezone to allow for a duplex on the property. She referred to the highlighted property on the map.
- She described that the property is located on the corner of Filmore and East St., with a frontage of 50 feet and a depth of 140 feet.
- Ms. Nuñez referred to an aerial view of the subject property. She indicated the property is currently vacant.
- She stated that the surrounding properties are zoned single-family residential to the southeast and west and general retail to the north. Surrounding land uses are single family residences to the southeast and West, and the Robin Hood Apartments to the north.
- Ms. Nuñez referred to a survey of the property provided by the applicant. She said the future land use component of the City of Harlingen Comprehensive Plan shows this area as low density residential. The request is generally consistent with the future land use plan. A duplex zoning is considered low density residential, so staff is recommending approval of the rezoning.
- Ms. Nuñez reported that they didn't receive any calls from any property owners at all – no inquiries, no oppositions, no calls at all.
- Ms. Nuñez referred to the future land use plan. She then showed street views of the subject property from W. Filmore and from East St.
- Ms. Nunez concluded by reiterating that Staff did recommend approval of the rezoning request. She concluded by identifying that the applicant was present to answer any questions the Board may have.

Chrm. Consiglio asked if there were any questions for Staff. Hearing no questions, he moved to open the Public Hearing. He asked if anyone would like to speak on this item, asking them to approach the podium. Seeing none, the Public Hearing was closed, and the Chrm. asked for a motion. Cmr. Villareal moved to approve. The motion was seconded by Cmr. Cruz-Velasquez. Chrm. Consiglio asked if there was any further discussion and upon hearing none moved the motion to a vote. The motion passed unanimously.

7)

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 10, 2024**

Agenda Item:

Consideration and possible action authorizing the City Manager to approve a lease agreement with Vantage Tag Systems for 74 golf carts with Yamaha GPS systems to be used at Tony Butler Golf Course during FY 2023-2024. Attachment ***(Golf)***

Prepared By: Jeffrey D Hart, Director of Golf

Brief Summary:

The Vantage TAG Text system is an attachment to the leased golf carts that gives real time yardage to the front, middle and back of the green while providing basic hole information such as hole number, handicap, pace of play information and a restricted zone kill switch that will disable the cart if it is driven into a restricted zone. The lease cost for a 60-month lease is $15.75 per cart. We will have 74 carts with this system costing $1,165.50 a month, $13,986.00 a year and $69,930 for the 5 5-year lease.

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:

Tony Butler Golf Course Staff and Advisory Board have unanimously agreed that the city of Harlingen should lease the Vantage TAG Text system (option 2)

City Manager approval:

Comments:

City Attorney's approval:

VANTAGE
TAG SYSTEMS

SPECIAL 2023 YAMAHA GPS PRICING PROGRAM

All lease prices include shipping, system installation, mapping, course set-up, staff training, service, support, warranty, remote diagnostics, cellular, data, smart phone app with remote access, and unlimited software upgrades. All Yamaha accounts receive 2 additional TAG Trackers and 1 complete fleet swap at no charge during the term of the lease ($8,500 value).

TAG Golf unit includes our advanced telematics package providing real time location, Bing, google, and street maps, back-office software management program, real time cart location, restricted zones, geo-fencing, pace of play, alerts, reports including average pace, cart utilization detail, cart trails and traffic patterns, and more.

TAG Golf – 60 Month lease/$12.75 per unit per month

Vantage TAG Text system is one of the most robust, reliable, and cost-effective display systems in the industry, it provides real time yardage to the front, middle, and back of green while providing basic hole info such as hole number, handicap, automated pace of play information, restricted zone violations, and personal messages to players.

TAG Text – 60 Month lease/$15.75 per unit per month

Infinity System provides a full color touch screen mounted to steering column or universal roof mount provides custom 3D hole graphics, hole overview, pace of play, custom digital scorecard, 2-way communications, blind shot displays cart ahead, food and beverage package, waterproof blue tooth speakers, and much more.

Infinity System – 60 Month lease/$32.95 per unit per month

8)

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 10, 2024**

Agenda Item:

Consideration and possible action to approve an Inter-local agreement between the City of Harlingen and Harlingen Irrigation District Cameron County No. 1, granting the City permission to use land for the construction and maintenance of the Lon C. Hill Destination Park and authorize the City Manager to execute the agreement. Attachment ***(Parks & Recreation)***

Prepared By: Javier Mendez, Parks & recreations Director

Brief Summary:

As we were working on the construction plans for Lon C. Hill Destination Park Phase II, it was discovered that some existing improvements and proposed improvements are encroaching on the Harlingen Irrigation District ROW. In order to document and ratify approval of these encroachments, the Irrigation District has requested that we enter into an Inter-local agreement with them to formalize the responsibilities of both parties. The Irrigation District staff are plannign to present the agreement to their board during their meeting on January 10, 2024.

Funding (if applicable):

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

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

Staff Recommendation:

Staff recommends approval of the inter-local agreement and to authorize the City Manager to sign the document.

City Manager approval:

Comments:

City Attorney's approval:

INTERLOCAL AGREEMENT PURSUANT TO CHAPTER 791 OF THE TEXAS GOVERNMENT CODE BETWEEN THE CITY OF HARLINGEN AND THE HARLINGEN IRRIGATION DISTRICT CAMERON COUNTY NO. 1 FOR THE USE OF CANAL RIGHT-OF-WAY PROPERTY FOR THE CONSTRUCTION AND MAINTENANCE OF THE LON C. HILL DESTINATION PARK IMPROVEMENTS

This Interlocal Agreement ("Agreement") made pursuant to Chapter 791 of the Texas Government Code is by and between the CITY OF HARLINGEN, TEXAS **("CITY")**, a home rule municipality political subdivision of the State of Texas. acting through its duly authorized City Manager, and the HARLINGEN IRRIGATION DISTRICT CAMERON COUNTY NO. 1 **("DISTRICT")**, and acting by and through its Board President.

WITNESSETH:

WHEREAS, DISTRICT owns the irrigation canal right of way along the south side of the Fair Park Blvd and the west side of the Park's Service Road north of Fair Park Blvd.; and

WHEREAS, CITY and **DISTRICT** mutually desire to enter into this agreement in order to govern the CITY's use of the DISTRICT's right of way that extends through the **PARK** in Harlingen, Texas; and

WHEREAS, CITY and **DISTRICT** each represent themselves and are duly authorized to enter into this Agreement;

NOW, THEREFORE, in consideration of the recitals and mutual covenants made by **CITY** and **DISTRICT** to be respectfully kept and performed. the parties agree as follows:

SECTION I. PURPOSE OF AGREEMENT

1.1. The purpose of this Agreement is to grant the **CITY** authority to construct. reconstruct and maintain the park improvements and all necessary appurtenances thereto, such as lawn, trees, shrubbery, parking, along, upon, over and across the **DISTRICT'S** Canal Right of Way located in the **PARK (the "CANAL PROPERTY")**. The **CITY** and **DISTRICT** mutually agree that the **PARK** offers a public benefit to the citizenry of Harlingen, which by reference is shown in **Exhibit "A"**.

SECTION II: TERM

2.1. This Agreement shall commence upon the ratification of both parties as evidenced by the execution of this Agreement ("Effective Date") and ends twenty (20) years after execution ("Expiration Date.") The Agreement shall renew for an additional twenty (20) year term upon written and signed agreement by both parties at least thirty (30) days prior to the start of the subsequent twenty (20) year term.

SECTION III: FINANCIAL OBLIGATIONS

3.1 Each party represents and covenants that their respective financial obligations and liability hereunder shall constitute operating expenses of such party payable from funds annually budgeted and appropriated, therefore, from current revenues available to each party pursuant to Section 791.011 of the Texas Government Code.

SECTION IV: ADDITIONAL FACILITIES

4.1 In the event **CITY** makes further improvements to the **PARK, CITY** agrees, at its sole cost and expense, to be responsible for all maintenance and repairs of such improvements during the term of this Agreement.

4.2 Prior to making any physical site improvements on the **CANAL PROPERTY**, written mutual agreement is required by both the **CITY** and **DISTRICT** for construction and design of proposed improvements.

SECTION V: FACILITY MAINTENANCE

5.1 **CITY** agrees to maintain and operate the **PARK** and its improvements according to acceptable standards and to bear any and all costs associated with the operations. **CITY** agrees that it shall maintain and operate the **PARK** in a manner that does not interrupt the operation of the canal or other **DISTRICT** facility located on the property.

5.2 **DISTRICT** agrees that it shall maintain the **CANAL PROPERTY** identified in **Exhibit "A"**, and to bear any and all costs associated with the maintenance. The **DISTRICT** shall determine when such maintenance is necessary to maintain adequate water flow pursuant to its own measurements and standards and will notify the **CITY** when such maintenance is required. **CITY** shall perform maintenance within 48 hours of being notified.

5.3 **DISTRICT** shall continue to periodically dredge the canal when **DISTRICT** determines it is necessary. **CITY** shall be responsible to remove and dispose of any spoil material resulting from the dredging if the **CITY** does not want the spoils to remain on the bank of the canal. **DISTRICT** shall perform dredging in the ordinary manner for dredging its facilities located in rights of way. If **CITY** requires any special measures be taken by **DISTRICT**, such as additional precautions, work, or restoration or the area, the cost of such additional measures shall be paid by **CITY**.

5.4 **CITY** agrees to reimburse **DISTRICT** any expenses incurred by **DISTRICT** relating to cost of supervision of any project or work by **CITY** hereunder, and other reasonable out-of-pocket expenses incurred by **DISTRICT** in connection with the granting and supervision of this Agreement.

5.5 This Agreement shall be terminated if either party determines that the other's activity in the **PARK** or **CANAL PROPERTY** has caused damage or disruption to **DISTRICT** or its facilities that have not been remedied in thirty days or at a time agreed to in writing signed by both parties. Upon expiration of this Agreement, **DISTRICT** has the right to remove any facilities installed under this Agreement, and to assess the cost of said removal against **CITY**.

SECTION VII: MODIFICATION OF AGREEMENT

7.1 The terms and conditions of this Agreement may be modified at any time by the mutual consent of both parties in writing and signed by duly authorized representatives of both parties.

SECTION VIII: WRITTEN NOTICE

8.1 Unless otherwise specified, written notice will be deemed to have been duly served if

delivered in person to the individuals listed below or if it is delivered or sent certified mail to the business address below. Each party may change its business address upon thirty (30) days written notice to the other party.

CITY: City Manager
City of Harlingen
118 E. Tyler Street
Harlingen, Texas 78550
Ph: (956) 216-5100

DISTRICT: General Manager
Harlingen Irrigation District Cameron County No.1
301 E. Pierce Ave.
Harlingen, Texas 78550
Ph: (956) 423-7015

SECTION IX: WAIVER

9.1 Failure of any party, at any time, to enforce a provision of this Agreement, in no way constitutes a waiver of that provision, nor in anyway affects the validity of this Agreement, any part of this Agreement, or the right of the party thereafter to enforce each and every provision of this Agreement. No term of this Agreement will be deemed waived or breach excused unless such waiver is in writing and signed by the party claiming to have waived. Furthermore, any consent to or waiver of a breach will not constitute consent to or waiver of or excuse of any other different or subsequent breach.

SECTION X: INVALIDITY

10.1 If any portion of this Agreement is held invalid, illegal or unenforceable by a court or other tribunal of competent jurisdiction, the validity, legality, and enforceability of the remaining provisions will not in any way be affected or impaired. The parties will use their best efforts to replace the respective provisions of this Agreement with legal terms and conditions approximating the original intent of the parties.

SECTION XI. ENTIRE AGREEMENT

11.1 It is understood this Agreement contains the entire agreement between the parties and supersedes any and all prior agreements, arrangements, or understandings between the parties relating to the subject matter. No oral understandings, statements, promises, or inducements contrary to the terms of this Agreement exist. This Agreement cannot be changed or terminated orally. No verbal agreement or conversation with any officer, agent or employee of **CITY** or **DISTRICT**, either before or after the execution of this Agreement, affects or modifies any terms or obligations of this Agreement.

SECTION XII: CHOICE OF LAW, PLACE OF PERFORMANCE AND JURISDICTION

12.1 This Agreement is governed by the laws of the State of Texas.

12.2 Performance of this Agreement is in Cameron County, Texas.

12.3 Both parties agree that all suits, actions, claims and causes of action relating to the construction, validity, performance and enforcement of this Agreement shall be in the courts of Cameron County, Texas.

SECTION XIII: FORCE MAJEURE

13.1 Neither party shall be liable in damages or have the right to terminate this Agreement for any delay or default in performing hereunder if such delay or default is caused by conditions beyond its control, including Acts of God, Government restrictions, wars, insurrections, natural disasters or other emergencies as declared by Federal, State or County agencies or departments and/or any other cause beyond the reasonable control of the party whose performance is affected. If performance of any obligation of either party is prevented or rendered impracticable or infeasible as discussed in this paragraph, it is understood and agreed that there shall be no claim for damages against the obligated party for failure to perform it obligations under this agreement.

SECTION XIV: AUTHORITY

14.1 Each party has full power and authority to enter into and perform under this Agreement, and the person signing this Agreement on behalf of each party has been properly authorized and empowered to enter into this Agreement. The persons executing this Agreement represent that they have authorization to sign on behalf of their respective entities.

SECTION XV: ALLOCATION OF RESPONSIBILITY

15.1 To the extent permitted by the constitution and laws of the State of Texas and without the waiver of sovereign immunity or any other defense to which the parties may be entitled to assert, respectively, parties shall retain all applicable legal responsibility for their respective personnel or contractors working pursuant to this interlocal agreement with respect to, inter alia, pay, personnel benefits, injuries, accidents, losses, damages, and civil liability. This interlocal agreement is not intended to change in any way the individual employee status or the liability or responsibility of any Party under applicable law.

Notwithstanding the above, this Interlocal Agreement does not confer any liability on the City of Harlingen that is legally attributable to the Harlingen Irrigation District Cameron County No. 1 under the Texas Torts Claims Act nor does this confer liability on Harlingen Irrigation District Cameron County No. 1 that is legally attributable to the City of Harlingen under the Texas Tort Claims Act. Provided further that nothing in this Interlocal Agreement is intended or will be construed to create any rights or remedies for any third party and no third party is intended to be a beneficiary of this Interlocal Agreement.

SECTION XVI: IMMUNITIES

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

SECTION XVII: AGREEMENT READ

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

DATED this the _____ day of _____, 2024.

CITY OF HARLINGEN

_____

ATTEST: Gabriel Gonzalez, City Manager

_____

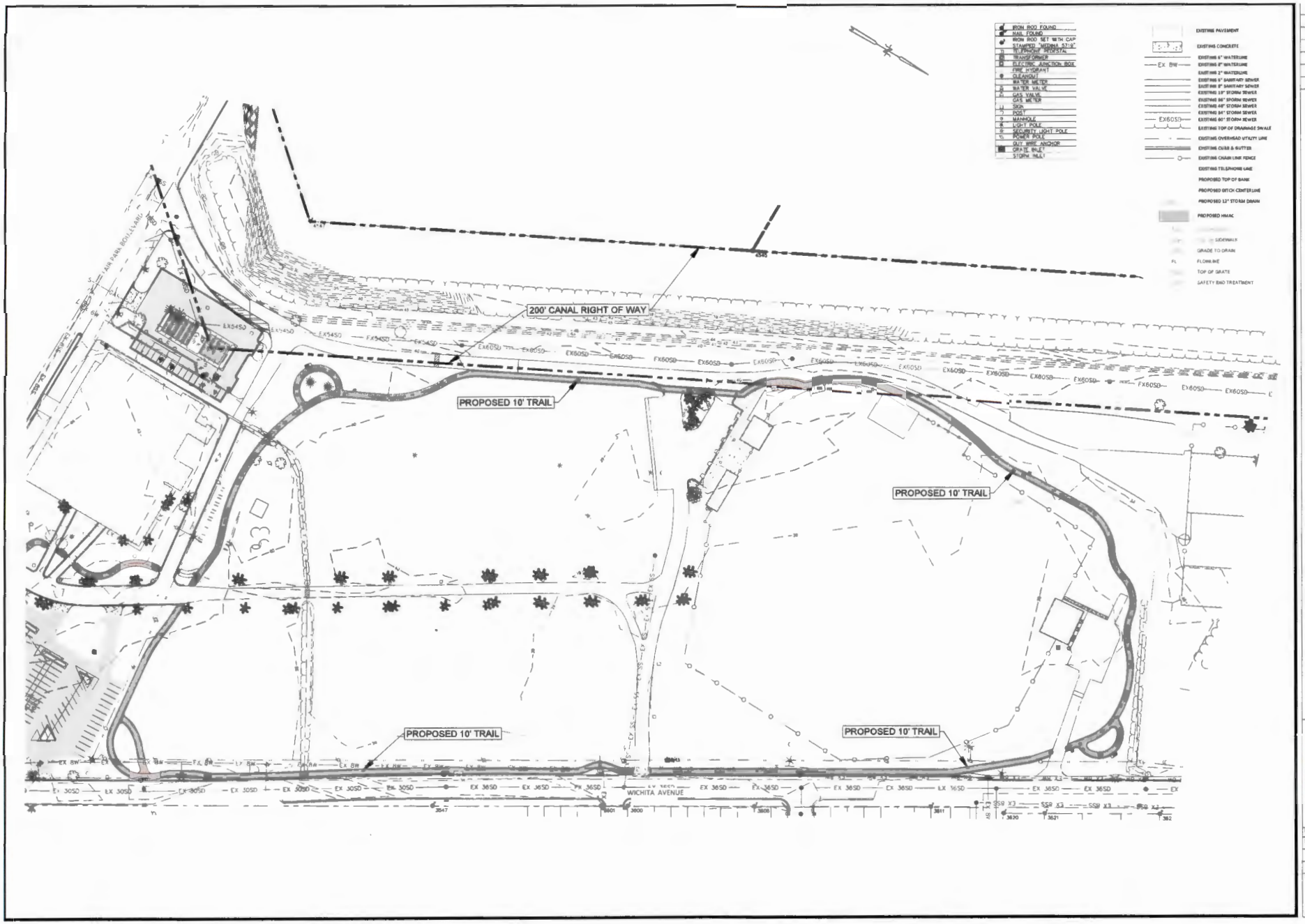
Amanda C. Elizondo, City Secretary

DATED this the _____ day of _____, 2024.

HARLINGEN IRRIGATION DISTRICT
CAMERON COUNTY NO. 1

ATTEST: _____

BY:_____



CITY OF HARLINGEN
DESTINATION PARK IMPROVEMENTS PHASE II
HARLINGEN, TEXAS

CITY OF HARLINGEN TEXAS

DATE 07/23/2024
SCALE 1" = 80'

SHEET
1

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 10, 2024**

Agenda Item:

Consider and Adopt Harlingen Economic Development Corporation's (HEDC) updated FY 2024-2027 3-year Strategic Plan.

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

Brief Summary:

On December 19, 2023 the HEDC board held a meeting and unanimously approved the updated FY 2024-2027 3-year Strategic Plan. The plan is the result of a two-day retreat held in July 2023. The EDC Board, City Commission as well as major economic development stakeholders gathered to review the previously approved plan to determine its viability particularly after COVID. The document synthesizes the discussions that were held during those two days, and lists agreed upon goals. Additionally, the document provides more details on the SWOT analysis that was conducted during the two-day retreat. This document now serves as the basis for the HEDC's Annual Work Plan which outlines specific tactics and key performance indicators to achieve the goals established in the Three-year Strategic Plan.

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:

HEDC CEO and Board Members recommend approval.

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

Comments:

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

HARLINGEN
Economic Development Corporation

2024-2027 Strategic Plan

MISSION STATEMENT

The mission of the Harlingen Economic Development Corporation is to improve the quality of life of the citizens of Harlingen through the creation of wealth, jobs, and investment.

VISION STATEMENT

The vision of the Harlingen Economic Development Corporation is inclusive economic development for citizens of Harlingen.

GOALS

1. Develop an aggressive business attraction and retention strategy
2. Foster a highly skilled local workforce
3. Create an Entrepreneurship/ Innovation Hub
4. Support infrastructure for local industry
5. Develop and execute a unified marketing program to elevate Harlingen locally, nationally, and internationally
6. Elevate organizational structure to be a model for Economic Development

HARLINGEN
Economic Development Corporation

2024-2027 Strategic Plan

The Strategic Planning Process

In July 2023, the Harlingen Economic Development Corporation (EDC) embarked on a strategic planning process to develop the strategic priorities for 2024 through 2027. The following is the process used to reach the conclusions for the strategic plan.

The process kicked off with a preliminary planning meeting between Harlingen EDC staff and professional facilitator Alysia A. Cook, PCED, IOM with Opportunity Strategies LLC. They reviewed key issues facing the EDC, discussed the programs and projects currently underway, and prepared the process and format for the planning session.

During the planning retreat, the facilitator conducted an anonymous SWOT (Strengths, Weaknesses, Opportunities, & Threats) Analysis with the participants. She also conducted an exercise called Start-Stop-Accelerate. The results of each are included in this document.

On Thursday, July 27, 2023, the EDC board, staff, and stakeholders met at Texas State Technical College Welcome Center for a strategic planning workshop to begin planning for 2024 through 2027.

The following is the Harlingen EDC 2024-2027 Strategic Plan.

MISSION STATEMENT

The mission of the Harlingen Economic Development Corporation is to improve the quality of life of the citizens of Harlingen through the creation of wealth, jobs, and investment.

VISION STATEMENT

The vision of the Harlingen Economic Development Corporation is inclusive economic development for citizens of Harlingen.

Inclusive economic development means giving all entities (individual or collective ventures) equitable opportunities to succeed and to profit.

Expectations

The facilitator asked the participants to share any expectations for the day. Responses were as follows:

- Attract more industry
- Guidelines for future
- How to build international relationship
- Small business & retail
- Increase entertainment options
- Incubators
- Targets – which and why?
- Grow building permit numbers
- Testimonials from developers/builders
- KPIs

- Sustainable growth
- Technology hub
- How can TSTC continue to help?
- Unity – ways to work together
- Leverage travelers
- BRE (business retention & expansion)
- Increase community engagement
- Student incubator - expand CEO program
- After-school programs for adults
- Leverage FAA / airport dollars
- Streamline residential development processes and overcome obstacles
- Infrastructure
- Relationships with the Governor's Office

HARLINGEN
Economic Development Corporation

2024-2027 Strategic Plan

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4. Support infrastructure for local industry
5. Develop and execute a unified marketing program to elevate Harlingen locally, nationally, and internationally
6. Elevate organizational structure to be a model for Economic Development

SWOT Analysis

The facilitator engaged the participants in an exercise to brainstorm and list the strengths and weaknesses of the Harlingen Economic Development Corporation, as well as the current and/or potential opportunities and threats facing the organization. The facilitator shared the aggregated responses with the whole group and discussed the comments collected. The results of the SWOT are listed here:

Strengths

- Leadership
- Communication with major stakeholders
- Small business support
- Location of Harlingen (central location)
- Educational partnerships
- Business workshops
- Relationships with business community
- Implementation of good programs and incentives
- Office location
- Managing resources (money)
- Our Airport is self-sustaining (only one in RGV)
- Clean city
- Direct route to Mexico/Bridge
- Port of Harlingen
- Customer service disability outreach
- TSTC
- UT-RGV
- K-12
- Marine Military Academy (MMA)

- HCISD
- Agility
- Valley Baptist / HRL Medical
- Birding center
- Parks
- Youth sports
- Rail
- Available land
- Warehouse space
- Water rights surplus: 30% access capacity
- Passionate staff
- Debt ratio is low
- HCISD: Innovative school district
- Low cost of living
- Relaxed pace
- Labor availability
- Flow of life/ quality of life
- Public City events
- EDC owned industrial land (some land)
- Low unemployment
- Collaboration
- Innovative funding
- PeopleFund
- Convention Center
- Federal legislation

Weaknesses

- Product development + KPIs
- Not full knowledge of product development status
- Not knowing when past business closed
- Lack of communication/Bilingual staff
- Partner communications
- Not enough BRE
- Showcasing of success / marketing offerings
- Telling our story
- Lack of budget
- Too conservative – need to be more aggressive
- Few international/ contacts/ relationships
- Focus on which primary jobs we pursue
- Lack of industry training - professional development for board
- Lack of retail
- Lack of relationships with state elected officials
- Educating our community on what the EDC does
- Regional relationships
- Underutilization of existing resource partners
- Specialized subcommittees
- Skilled and unskilled labor
- Understaffed EDC
- Appearance of municipal golf course & Victor Park from I-69E
- Incubator
- Clarify Incentives policies
- Inadequate infrastructure: sewage/wastewater
- Lake of collateral materials
- Lack of Research & Development facilities
- Lack of Research Universities

- Lack of 4-year University in Harlingen
- City does not fully utilize all economic incentives there are
- Available warehouse space
- Lack of industry

Opportunities

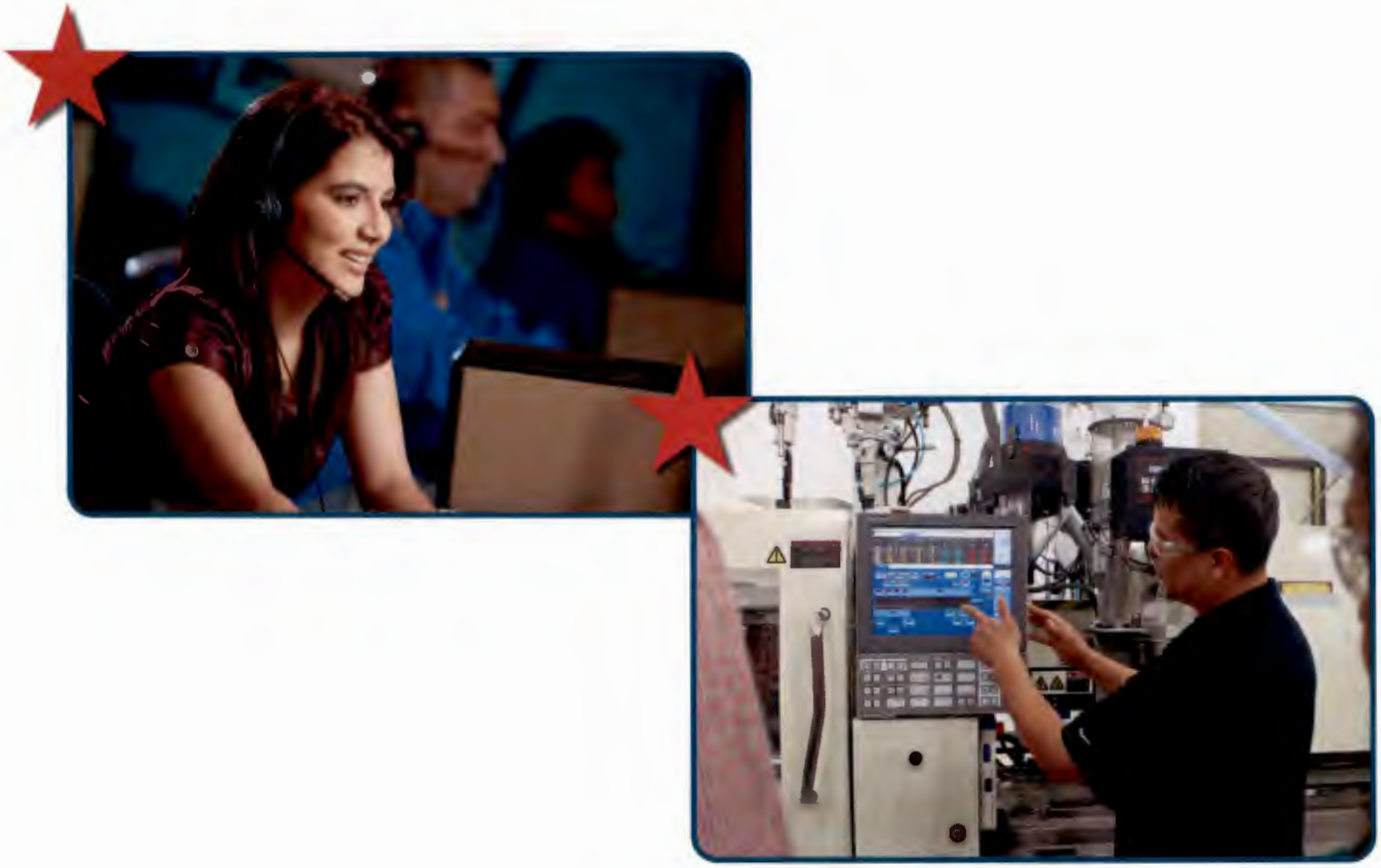
- Location
- Young population and workforce
- New EDC Director with strong background and expertise
- Room for growth
- Institutions of higher education
- An international airport
- Port of Harlingen and International bridge with Mexico
- Forward thinking leadership
- Collaboration mindset
- Growing our repeat Winter Texan population
- Available Real Estate:
  - Office
  - Warehouse
  - Retail
  - Manufacturing
- Lack of infrastructure: blank canvas for opportunities
- Environment/Green spaces/Trails
- Quality of life
- Federal and State funding
- Water availability (surplus)
- Hospitals (2 current)
- Recruitment of physicians - Collab with RGV medical school
- Secondary schools (South) - CTE partnerships

- Legislators – need to meet, network, and leverage relationships
- Professional development for staff
- Targeted Industry Analysis
- Land database - product inventory
- Technology/Innovation - outside of community to bring in
- Entrepreneurship
- SpaceX / Aerospace
- LNG (workforce and suppliers)
- Supply chain/Logistics (all inclusive)
- Incubator
- Hospitality growth
- International relationships

Threats

- War
- Natural disasters
- Being reactive instead of proactive
- McAllen/Brownsville: larger budgets and population bases
- Complacency
- Not thinking outside the box
- Attempting too much
- Lack of infrastructure: water, sewer, road, technology, drainage
- Reputation/negative perceptions (Mexico cartels)
- Perception of Valle Vista Mall (safety)
- Vacant storefronts
- Lack of skilled labor
- Low wages
- Drought - weather
- Agricultural water supply
- Aging population
- Not master planning for future
- Blight throughout the city
- Lack of income-aligned/attainable housing
- Housing for our young families
- Housing for workforce/medical
- Water deliveries from Mexico
- Recession or depression
- Legislative unfunded mandates
- Lack of childcare facilities
- High interest rates
- Brain Drain
- Upkeep

- Homelessness
- Lack of welcome gateway signs
- Lack of wayfinding signage



Start – Stop – Accelerate

The facilitator engaged the board and staff in a group exercise called Start – Stop – Accelerate which divides participants into small groups and has them offer feedback on what the EDC needs to start doing, stop doing, and accelerate efforts to do.

These are individual recommendations and not necessarily agreed to by all participants. The responses are as follows:

Start

- Start relationship with applicable department or stakeholders to align with industry needs
- Target Industry Study
- Development international relationships
- Develop and update collateral material (what sets us apart)
- E-newsletter
- Quarterly stakeholder roundtables
- Consistent relationship building with the Governor's Office
- Target industry tradeshows
- Training for stakeholders on our target industries
- EDC Board Training
- SEDC (Southern Economic Development Council) membership & attend 2024 conference
- Sponsor Eco-tourism Infrastructure Trail Study
- Specific outreach to Winter Texans
- Develop EDC / Harlingen elevator speech
- Development for infrastructure planning (need consultant)
- Incentive policies
- KPI's (Key performance indicators)
- Telling our story

- Incubator:
  - Identify niche to serve
  - Consolidate project/funds with HCISD, TSTC, and others
- Collecting improved data for:
  - Housing
  - Industry
  - Growth
  - Medical
  - Retail
  - Profiles
- Better budget evaluation

Stop

- Advertising Harlingen assets to Harlingen (irrelevant advertising)
- Close-mindedness
- Isolation
- Spending on retail and restaurants and low hanging first (low ROI / salary projections)
- Reinventing the wheel - leverage resources more efficiently
- Shortchanging ourselves and Harlingen
- Industrial District Agreements (IDAs) for city services (annex in instead)

Accelerate

- Industry attraction communication (Primary jobs)
- Entertainment & Tourism attraction
- BRE (Business Retention & Expansion) including retail, office, and national brand manufacturers
- Marketing collateral materials for our targeted industries

- Beautification
- Relevant training for staff & board
- TSTC / HCISD / TWC alignment for workforce
- Entrepreneurship support and partnerships – accelerate the ecosystem
- Unified messaging
- Medical District Development project
- Cultural change mindset / view of Harlingen (Sexy Harlingen/Rebrand)
- Trade show exposure
- Host trade shows
- The telling of our success stories
- Incubator creation
- Staff size
- New EDC home

Harlingen EDC FY 2024-2027 Goals

1. **Develop an aggressive business attraction and retention strategy**
   a. Business Recruitment
      i) Domestic Industrial
      ii) Foreign Direct Investment
      iii Retail/Commercial
   b. Business Retention & Expansion (BRE)

2. **Foster a highly skilled local workforce**

3. **Create an Entrepreneurship/Innovation Hub**

4. **Support infrastructure for local industry (water, wastewater, transportation, rail, Airport, Port of Harlingen, etc.)**

5. **Develop and execute a unified marketing program to elevate Harlingen locally, nationally, and internationally**

6. **Elevate organizational structure to be a model for Economic Development**
   - Staff
   - Board
   - Processes/Systems
   - Accreditation
   - Memberships
   - Professional development

GOAL 1:
DEVELOP AN AGGRESSIVE BUSINESS ATTRACTION AND RETENTION STRATEGY

STRATEGIES	METRIC/KPI
1a. Business Recruitment (Domestic Industrial). · Conduct Target Industry Analysis Q1 2024. · Promote and identify opportunities for spec building constructions. · Participate in growth industry tradeshows. · Host corporate prospects in Harlingen. · Align corporate recruitment efforts with targeted industries. · Conduct corporate prospect visits at their home locations when needed. · Respond to applicable state and economic development ally RFPs. · Continue to develop relationships with economic development allies.	Number of proposals submitted. Number of prospects hosted in Harlingen. TIA completed.
1b. Foreign Direct Investment. · Explore opportunities to increase Mexican investment. · Work with US and Mexican Government officials to promote international trade. · Meet with at least four foreign trade organizations and foreign Chambers of Commerce. · Participate in economic development trade missions with allies. · Leverage participation in Select USA to market Harlingen to foreign investors.	Number of international visits with foreign companies/organizations.
1c. Retail/Commercial. · Identify and foster relationships with key developers to increase retail and commercial development. · Leverage retail association memberships and participate in tradeshows promoting Harlingen to retail prospects. · Identify sites within Harlingen ripe for retail/commercial development. · Use third-party service providers to develop data-driven recruitment strategies for retailers.	Number of retail tradeshows attended. Number of retail/commercial prospect meetings held.

STRATEGIES	METRIC/KPI

2. Business Retention & Expansion (BRE)
· Establish a formal BRE Program.
· Meet with at least four local businesses per week.
· Ensure local company meeting reports are updated in CRM software.
· Conduct annual BRE Surveys to target industries.
· Support existing small businesses.
  · Revitalize Harlingen Program
  · PeopleFund
  · Equipment matching grant
  · UTRGV programming
  · Other board-approved programs
· Work with city departments to promote a streamlined permitting process.
· Work with local stakeholders to promote a business-friendly environment.
· Update and maintain a database of industrial and targeted industry businesses in Harlingen.
	Was BRE Program formalized?
	Number of local company visits held.
	Number of participants in Kauffman program.
	Number of companies supported by Revitalize Harlingen program.

GOAL 2:
FOSTER A HIGHLY SKILLED LOCAL WORKFORCE

STRATEGIES	METRIC/KPI
1. Continue to work with Workforce Solutions Cameron County to identify pools of ready-to-work people and connect them with Harlingen Businesses to fill job openings.	Minimum 4 meetings/year
2. Continue to work with Harlingen CISD, TSTC, and other institutions of higher education and workforce training organizations to enhance the local workforce to build a talent pipeline.	Minimum 4 meetings/year
3. Promote and support Internship and Apprenticeship Programs led by local industry partners whenever possible.	Number of meetings
4. Identify new workforce training programs based on target industry analysis.	Number of programs identified and launched

GOAL 3:
CREATE AN ENTREPRENEURSHIP/INNOVATION HUB

STRATEGIES	METRIC/KPI
1. Finalize entrepreneurship/innovation hub study and market analysis by Q2 FY 2024.	❑
2. Establish entrepreneurship/innovation hub ad-hoc committee.	❑
3. Explore potential site locations for site development by Q4 FY 2024.	❑
4. Finalize lease or purchase agreements for selected site by FY Q1 2025.	❑
5. Complete site construction work. (time period contingent on site selected)	❑
6. Promote and market the incubator.	❑
7. Determine the policies and procedures of operation.	❑
8. Open Incubator.	❑

GOAL 4:
SUPPORT INFRASTRUCTURE FOR LOCAL INDUSTRY (UTILITIES, TRANSPORTATION, RAIL, AIRPORT, PORT OF HARLINGEN, ETC.)

STRATEGIES	METRIC/KPI
1. Identify and prioritize transportation routes necessary for industrial development.	❑
2. Support efforts to improve the Port of Harlingen's capacity.	❑
3. Work with VIA to support air service development.	❑
4. Support intermodal transportation hub development and more efficient rail service in Harlingen and at the Port of Harlingen.	❑
5. Advocate and work with Mexican officials to improve services on the Mexican side of the border to optimize commercial traffic into Mexico.	❑
6. Work with Cameron County and Mexican officials to promote and increase traffic at the Free Trade International Bridge at Los Indios.	❑
7. Support and advocate the Outer Parkway to the 2nd Causeway to South Padre Island.	❑
8. Work with utility service providers to enhance infrastructure for industrial development.	❑

GOAL 5:
DEVELOP AND EXECUTE A UNIFIED MARKETING PROGRAM TO ELEVATE HARLINGEN LOCALLY, NATIONALLY, AND INTERNATIONALLY

STRATEGIES	METRIC/KPI
1. Hire a professional marketing agency to assist in the development of unified brand and messaging for domestic and international markets.	❑
2. Utilize target industry analysis to enhance strategic marketing efforts.	❑
3. Refine marketing placement strategy.	❑
4. Establish a collaborative marketing committee with city stakeholders to develop one cohesive message that all stakeholders/partners can promote.	❑
5. Develop marketing collateral for tradeshows, recruitment, and retention efforts.	❑
6. Incorporate quality of life aspects in our marketing collateral.	❑
7. Leverage social media to increase followers, website visitors, and promote community engagement.	Number of visitors to website and followers
8. Launch quarterly e-newsletter.	❑
9. Leverage media outlets to tell our story.	❑

GOAL 6:
ELEVATE ORGANIZATIONAL STRUCTURE TO BE A MODEL FOR ECONOMIC DEVELOPMENT

STRATEGIES	METRIC/KPI
1. Ensure HEDC staff and board is compliant with required Sales Tax and other training.	❑
2. Be strategic on purchasing professional memberships.	❑
3. Evaluate and determine need for tools such as CRM, BRE, COSTAR, etc. that help us do our job.	❑
4. Update staff annual performance review form.	❑
5. Develop a corporate and business retention incentive policy.	❑
6. Establish an onboarding process for new staff and board members.	❑
7. Encourage staff to participate in formal training programs to expand their educational capacity in economic development.	❑
8. Establish annual meetings with major partners (i.e.: HCISD, 4A, 4B, Airport Board, HWWS, Planning and Development, Port of Harlingen, and Harlingen City Commission) to promote community collaboration.	❑
9. Diversify economic development funding by researching grant opportunities from the federal, state, and private sectors.	❑

Facilitated by Opportunity Strategies LLC

10)

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 10, 2024**

Agenda Item:

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

Prepared By: Ana Hernandez, Mobility & Special Projects Director

Brief Summary:

The Texas Parks and Wildlife Department (TPWD) administers the Texas Recreational Trails Program, which makes funding available for publicly accessible recreational trail projects, including construction of new recreational trails, improvements to existing trails, development of trailhead or trailside facilities, and acquisition of trail corridors.

Individual trail grant awards under the Texas Recreational Trail Program can range between $4,000 to $300,000 (80% of a 375,000) for non-motorized trails. The maximum grant award for motorized trail projects is $500,000 (80% of a $625,000). The local match requirement is 20 percent of the total project cost. The deadline to submit an application is February 1, 2024.

Staff is requesting direction from the City Commission to prioritize and select a trail project that will be submitted to the Texas Recreational Trails Program in February. Staff is also requesting to memorialize the City Commission's support via a resolution (attached) even though a resolution is not required. A preliminary list of projects prepared by the Parks and Recreation Department has been included for the consideration of the City Commission.

Funding (if applicable):

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

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

Staff Recommendation:

Staff recommends approval of the resolution as presented.

City Manager approval:

Comments:

City Attorney's approval:

RESOLUTION 2024 - ____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF HARLINGEN, TEXAS AUTHORIZING THE CITY MANAGER TO SUBMIT A GRANT APPLICATION TO THE TEXAS PARKS AND WILDLIFE DEPARTMENT TEXAS RECREATIONAL TRAILS PROGRAM; AUTHORIZING THE COMMITMENT OF A LOCAL MATCH; AND DEALING WITH RELATED MATTERS.

WHEREAS, The Texas Parks and Wildlife Department (TPWD) administers the Texas Recreational Trails Program, which makes funding available for publicly accessible recreational trail projects, including construction of new recreational trails, improvements to existing trails, development of trailhead or trailside facilities, and acquisition of trail corridors; and,

WHEREAS, the City of Harlingen intends to submit a grant application for _____; and,

WHEREAS, the Texas Recreational Trails Program guidelines require a cost share of 20% non-federal match; and,

WHEREAS, the City of Harlingen City Commission would like to memorialize its support for the City's grant application via this Resolution.

NOW, THEREFORE, BE IT RESOLVED that the City Manager or designee is authorized to submit a grant application to the Texas Parks and Wildlife Texas Recreational Trails Program for _____; and act on behalf of the City of Harlingen in all matters related to the grant application, and subsequent grant contract(s) that may result.

IT IS FURTHER RESOLVED that if selected, the City Commission agrees to commit funds and/or in-kind services to equal the 20% non-federal match requirement as the City's local contribution.

IT IS FURTHER RESOLVED that if selected, the City will comply with all applicable grant requirements. Grant funds and any grant-funded equipment or facilities will be used only for the purposes for which they are intended under the grant(s).

CONSIDERED and **ADOPTED** this **10th day of January 2024** at a **Regular Meeting** of the Elective Commission of the City of Harlingen, Texas, at which a quorum was present, and which was held in accordance with Government Code Chapter 551, as amended.

_____
Norma Sepulveda, Mayor

ATTEST:

_____
Amanda C. Elizondo, City Secretary

Texas Parks & Wildlife Department

Recreation Grants Branch

Recreational Trails

Program Guidance and Grant Application Instructions

Revised September 2023

(PWD 1067B-P4000)

U.S. Department of Transportation
Federal Highway Administration

TEXAS PARKS & WILDLIFE

Deadline: February 1st

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Texas Parks & Wildlife Department
Texas Recreational Trails Program – Grant Application Instructions

You must fully read the application instructions and other grant preparation resources prior to completing your application. Download and read the most recent documents by selecting "Recreational Trails Grant Program – Resources" at this link: Recreation Grants Online Resources.

Cost effectiveness is an extremely important selection criterion. Proposals that maximize new trail opportunities across the state are most successful in this highly competitive grant competition. Project proposals that seek to fund trail rehabilitation of existing routes or trail support facilities should justify that these funding items are valuable improvements in great need by the community. More non-trail items in a grant budget often means that your proposal is less competitive in the grant pool.

Your application package should clearly and concisely express the recreational value of the trail project, show how the project was designed with the site's unique natural and cultural resource character in mind, note any meaningful trail or community connections, demonstrate sustainable design, and articulate a well-developed project budget. Supporting documentation should include labelled and easy to understand maps and representative photographs. Refer to this document, the budget template / sample, the application instructions, and the application itself frequently while composing your project proposal application. Be sure your narratives address all items noted in the instructions and grant application headings.

Make sure supporting documents are concise & easy to understand. Your project's maps and photographs (as well as your budget) are important documents used as informational slides during internal funding discussions regarding your grant proposal. These documents should be well-planned visual aids supporting your proposed project.

Proposal Budget

- Review the budget page in the Sample Blank Application to help you prepare your project budget in the proper format for entry into the online budget form.
- Be clear & concise with your itemized budget. Use appropriate detail and combine similar line items.
- Large single budget line items like "trail construction" should be backed up with additional detail of construction work to be performed. This detail, including contractor estimate documentation, can be included as an "Additional Optional Upload".
- Match items such as in-kind services, volunteer labor, or donated materials should be labelled as such and placed 100% on the project sponsor side of the budget. Unless balancing match, most other budget items should be split 80% - 20%, as those items will be reimbursed at 80%.
- Round all numbers up to at least the nearest whole dollar, and to the nearest hundred dollars if you are able.

All applications must include the following supplemental documents (uploaded as PDF files):

1. Clearly labelled site and vicinity maps locating the trail for orientation purposes. If a professionally produced map is not available, the trail drawn and clearly labelled on a park or city map is acceptable.
2. U.S.G.S. topographic map (7.5 minute series) with the trail location drawn and labelled on map. An 8.5 x 11 inch copy of the portion of the map on which the project is located will suffice, but write the name of the quadrangle on the copy.
3. Clearly labelled photographs representative of the project site.

Recommended additional supporting materials (uploaded as a single multi-page PDF file):

- Statement or Letters of Support.
- Signed statement of (public or private) land owner's willingness to allow the trail project for at least 20 years. (This is a required document if the project is not on the sponsor's land.)

RECREATIONAL TRAILS GRANT - APPLICATION INSTRUCTIONS

THIS DOCUMENT REPRESENTS THE MINIMUM AMOUNT OF INFORMATION THAT MUST BE UNDERSTOOD PRIOR TO APPLYING FOR A RECREATIONAL TRAILS GRANT IN TEXAS. READ THESE INSTRUCTIONS AND THE SAMPLE BLANK APPLICATION FULLY BEFORE BEGINNING YOUR ONLINE APPLICATION. CHECK FOR THE MOST RECENT VERSION OF ALL OF THESE DOCUMENTS ON THE RECREATION GRANTS ONLINE RESOURCES PAGE. ALL APPLICATIONS MUST BE SUBMITTED THROUGH THE RGO SYSTEM. PLEASE REFER TO APPLICATION INSTRUCTIONS BEFORE INQUIRING WITH ADDITIONAL QUESTIONS.

The Texas Parks and Wildlife Department (TPWD) administers the Texas Recreational Trails Fund (TRTF), also called the Texas Recreational Trails Program, under the approval of the Federal Highway Administration (FHWA) Recreational Trails Program (RTP). This federal program receives its funding from a portion of the federal gas taxes paid on fuel used in non-highway recreational vehicles. Funds can be spent on both motorized and non-motorized **publicly accessible recreational trail projects**, including:

- **Construction of new recreational trails,**
- **Improvement of existing trails,**
- **Development of trailhead or trailside facilities, and**
- **Acquisition of trail corridors**.

SUCCESSFUL PROJECTS

These grant funds are set aside for the creation or significant rehabilitation of public-use trail opportunities throughout the state of Texas. Projects must remain open and maintained for general public use for at least 20 years after the completion of the trail project.

The Texas Trails Advisory Committee and Texas Parks and Wildlife Department staff evaluates projects in terms of their overall quality, ability to serve recreational needs, cost-effectiveness, benefits, community support, innovation, geographic scope and distribution, and accommodation of barrier-free access. The highest ranked projects are typically those that make the best use of funds for trail construction and closely associated amenities, like signage and trailheads. Prior year grant awards are noted at the links below:

2023: https://tpwd.texas.gov/newsmedia/releases/?req=20230525b
2022: https://tpwd.texas.gov/newsmedia/releases/?req=20220526a
2021: https://tpwd.texas.gov/newsmedia/releases/?req=20210527b
2020: https://tpwd.texas.gov/newsmedia/releases/?req=20200521a
2019: https://tpwd.texas.gov/newsmedia/releases/?req=20190522a

THIS IS A REIMBURSEMENT-BASED GRANT PROGRAM

Funding provided by this program is on a **cost reimbursement** basis. **Projects sponsors must have cash on hand** for all grant purchases and must initiate approved projects **using their own funds**. Project sponsors will be reimbursed up to **80 percent** of allowable costs **after submitting documentation of expenses**. Twenty percent of the project cost must come from matching funds. Individual trail grant awards can range from $4,000 (with $5,000 or more total project cost) to $300,000 ($375,000 or more total project cost) for non-motorized projects. The award limit for motorized trail projects is $500,000 ($625,000 or more total project cost). Exceptions to the award limit are limited to motorized recreation land acquisition proposals that have been discussed in advance with Texas Parks and Wildlife Department Recreational Trails Program staff. Projects will be selected for funding based on rankings made by the Texas Trails Advisory Committee made up of both motorized and non-motorized trail users. The Texas Parks and Wildlife Commission will approve and authorize funding for selected projects based on the recommendations of the Texas Trails Advisory Committee. This typically happens in late May following each grant cycle. Selected projects must comply with FHWA funding

requirements and be in accordance with all state and federal laws, and executive orders.

WHO IS ELIGIBLE TO RECEIVE FUNDS

Eligible applicants include:

- Cities,
- Counties,
- State agencies (including TPWD state parks and wildlife management areas),
- Other governmental bodies created under state law such as river authorities, water districts, municipal utility districts, or public school districts,
- Federal land managers,
- Not-for-profit organizations (e.g. land conservancies, trail user groups, conservation clubs, "Friends of the Park", etc.) Organizations must be incorporated as a nonprofit with the Secretary of State or must have filed with their county to do business in the state of Texas.

Only one entity will be considered the sponsor of any proposal. Even though projects are encouraged to be undertaken as partnerships, the sponsor organization for the project will be the one who signs the Project Grant Agreement, is responsible to account for the costs incurred, and will receive the reimbursements. ***If the land owner is different from the sponsor, the application must include documentation of the owner's willingness to allow the trail improvements to be constructed on their land and be open to public for a minimum of 20 years after completion of the grant project.***

To be an eligible entity, each applicant must be registered in the System for Award Management (SAM). If you have not already registered, please do so immediately as it may take several weeks to receive confirmation. These registrations are necessary prerequisites to receive federal grant funds. Please see the final page of these instructions for more information on this process. Applicants must also be in good standing with the Texas Comptroller of Public Accounts to be eligible to receive any reimbursements.

ELIGIBLE PROJECT ACTIVITIES

The following activities are permitted under this trail funding program.

1. **Construction of new recreational trails on public (federal, state, county, municipal, district, etc.) or private lands.** To receive funding for trails on private lands, the sponsor must obtain a legally binding easement, lease, or license, satisfactory to TPWD, keeping the trail open to the public for a minimum of twenty (20) years from the date of the close of the grant.

2. **Trail restoration, rehabilitation or resurfacing.** Includes rerouting or repair of areas damaged by trail use, flooding, or erosion; rehabilitation of trail tread; rehabilitation of trail facilities that have deteriorated over time; or trail accessibility upgrades.

3. **Development of trail-side and trail-head facilities.**

4. **Provision of features which facilitate access and use of trails by persons with disabilities.**

5. **Acquisition of easements or leases for trails or trail corridors.** Easements or other less than fee simple property interest must be secured for at least twenty (20) years.

6. **Acquisition of property by fee simple title when acquisition cannot be accomplished by easement.** Property acquired under this fund will be subject to continuing recreational use provision, Section 6(f) (3) of the Land and Water Conservation Fund Act. **Please contact Texas Recreational Trails Program staff if acquisition of property for a trail project site is being considered.**

7. **Educational signing to interpret natural and/or cultural resources or for proper trail etiquette.** Research, development and printing costs of educational/interpretive brochures or handouts are not eligible for reimbursement.

8. **Environmental mitigation.** Provide for redesign, reconstruction, non-routine maintenance, or relocation to mitigate or minimize impact to the natural environment. Plant material is permitted as a budget item as long it is only associated with construction mitigation and/or erosion control.

Eligible Items
• Trail construction • Signs and displays • Restrooms • Parking areas • Drinking water (water tanks, fountains, faucets) • Horse-watering facilities, hitching posts/corrals • Portable buildings for tool storage • Bike racks • Benches and picnic tables • Fencing or bollards • Trail building or maintenance tools and equipment (only if the federal grant award for the project is under $500,000)
Ineligible Items
• Facilities that support other recreation activities (e.g., camping areas, park entry roads, non-trailside bathrooms, boat ramps, swimming areas, etc.) • Landscaping • Sidewalks • Other Buildings (fee booth, offices, etc.) • Non-U.S. iron, steel, manufactured products, or construction materials (including tools and mechanized equipment), unless the federal grant award for the project is under $500,000

USES NOT PERMITTED WITH TEXAS RECREATIONAL TRAILS PROGRAM FUNDS

Many of the non-permitted uses are specified in the federal act. Others have been added to the Texas program and may be changed in the future as priorities are revised.

1. Condemnation of any kind of interest in property.

2. Adding motorized uses to trails which were predominantly used by non-motorized trail users and on which motorized use was either prohibited or had not occurred, as of May 1, 1991.

3. Spending moneys on private land managed as a commercial enterprise.

4. Spending moneys on trails which are generally not open to the public. Projects which are restricted to club or community members or which are only open during scheduled events will not be eligible for funding. If a project sponsor plans to charge a nominal fee for trail use (to help cover operation and maintenance costs), this is allowable and **does not** constitute a trail closed to the general public.

5. Research and planning. This program is limited to spending on site-based trail projects (construction, maintenance, or acquisition). Some site planning, design, and engineering specifications can be funded as part of a project which results in completed trail work on the ground. Regional plans, jurisdictional plans, needs assessments, or plans for an entire park or recreational area are ineligible.

6. Sidewalks or trails that have only a transportation or access path function. Trails must be of sufficient length to serve the recreational use for which they are proposed. A path that only connects facilities in a park will not be considered a recreation trail.

7. Costs incurred prior to the issuance of a grant agreement will not be covered.

8. No foreign iron, steel, manufactured products, or construction materials may be purchased using Texas RTP funds, unless the federal grant award for the project is under $500,000. **Buy America requirements, including the 2021 Build America, Buy America (BABA) Act, apply to materials and products that will be purchased with RTP funds and restrict the use of foreign sourcing on these items, including tools and equipment.** A waiver of these purchasing requirements is available for trail projects with a federal grant award of under $500,000. Effort should be made to source domestic materials and products prior to exercising the waiver.

LIMITATIONS ON GRANT AWARDS

Motorized Projects

To be considered a motorized project, the trail project must allow access and recreational use by Off-Highway Vehicles powered by internal combustion engines. For the purposes of this grant program, electric bicycles (e-bikes), electric golf carts, electric scooters, and other electric vehicles are not considered to be a motorized use. Trail projects that accommodate e-bikes are eligible to apply under the non-motorized category. A multiple-use trail project that accommodates both motorized and non-motorized uses may be considered under the motorized category.

Size of Awards

Any project application that requests more than the allowed grant award limit will be deemed ineligible. The online grant application program automatically performs calculations on budget numbers upon each save of the budget, so applicants must be certain their budget is correct and at or under the maximum award amount before submitting an application. *Awarded budgets may be rounded to nearest $100 at the time of the grant award.

Non-Motorized Projects: The Texas Recreational Trails Program limits the amount granted to any single sponsor in one application period to a maximum of $300,000 (80% of a $375,000 project). The minimum award per sponsor is $4,000 (80% of a $5,000 project) in an application period.

Motorized Trail Projects: The Recreational Trails Act stipulates that 30% of available funds go toward motorized trail projects. In Texas, we seek to generate enough motorized trail projects to meet or exceed this minimum threshold and have thus instituted an increased award limit for motorized projects of $500,000 (80% of a $625,000 project). Any motorized trail project with a scope that includes a land acquisition component may exceed the maximum award limit with advance permission from Texas Parks and Wildlife Department Recreational Trails Program staff.

Number of Projects per Sponsor

Non-Motorized project applicants must submit only one project per application period. The Trails Advisory Committee is sensitive to the geographic distribution of funds and will not recommend funding for more than one non-motorized project per sponsor.

A non-motorized project sponsor, however, may submit a single project proposal for trail work of a similar nature on an entire system of trails in one jurisdiction. For example, a city may submit one application proposing to add crushed fines on all the trails in its area, even though the trails are not connected and are located at various sites around town.

Motorized project sponsors may submit more than one project per grant period, provided such projects

represent distinct projects. A sponsor may also submit both one non-motorized project and one or more motorized projects. Motorized project sponsors may not combine distinct motorized and non-motorized projects into a single application.

30%-30%-40% Reserved Funds

The federal act mandates that at least 30 percent of the funds be earmarked for motorized trail recreation, and at least 30 percent be dedicated to non-motorized trail recreation. The remaining 40 percent is discretionary for "diversified" trail use. The Texas Trails Advisory Committee will be responsible for fairly distributing selected projects among these categories based on information in the application. Historically in Texas, there has been high demand for non-motorized project funding and smaller demand for motorized project funding.

OTHER CONSIDERATIONS

Match vs. Reimbursable Costs

The following table shows the types of costs that may be included in a project and which are reimbursable. Donations from the private sector (land, materials, or labor) may only be attributed to the sponsor's match. Sponsors may not make a profit by being reimbursed beyond their out-of-pocket costs. Private donations which exceed the 20 percent project sponsor share can be noted in the application narrative as an additional value. **Please be sure match items are clearly labelled as such in the project budget.**

Allowable Costs for Reimbursement

- Acquisition of fee title land or easement/lease
- Service contracts
- Direct labor costs (hired workers, current staff, force account)
- Materials purchased (Non-U.S. sourced products are not allowable except under certain circumstances.)
- Equipment rental
- Purchase of trail construction tools or equipment (if the federal grant award is $500,000 or less)
- Professional Services (e.g. design, engineering, and architectural services) are limited to 12% of the total federal grant-funded construction estimate amount. *An amount over 12% may be included in the budget using matching funds.*
- Environmental Survey costs (e.g. natural and cultural resource site assessments) may be considered above the 12% professional services limit on a case-by-case basis.
- Hourly operation rate of currently owned equipment that was not purchased with federal money (based on the FEMA schedule of equipment rates).

Allowable Costs for Sponsor's Match

- Appraised value of donated land or easement
- Value of volunteer labor ($21.35 per hour)
- Value of donated materials or contribution of materials on hand.
- Value of donated equipment
- Professional services over the 12% grant-funded maximum
- Any of the reimbursable costs which are paid for by cash donations or sponsor's appropriations (to account for the required 20% match)
- Hourly operation rate of currently owned equipment that was not purchased with federal money (based on the FEMA schedule of equipment rates).

Projects on Federal Land

The re-authorization of this program in 1998 permits federal funds, in-kind labor of federal employees, and the FEMA rate value of non-Recreational Trails Program-funded federal equipment as match for Recreational Trails Program funds up to 95% of the total project cost. The remaining 5 percent of the project cost must be provided by non-federal sources, typically through a partnership arrangement with a local government or non-profit group. Recreational Trails Program grant funds will still not exceed 80% of the total project cost. Agreements and permissions from the project's land owner / land manager must be included in the project application. If there are questions about projects involving federal lands or federal partners, please contact us for clarification.

Projects on TPWD Land

Friend's groups or similar project sponsors that are proposing projects on State Parks lands must have their projects fully vetted and approved by State Parks management prior to application submission, including approved environmental and cultural review documentation. Sponsors of these projects should contact TPWD Recreational Trails program staff prior to submission to ensure that proper permissions and documentation have been achieved.

Projects on Land Not Owned or Controlled by the Sponsor

Agreements and permissions from the project's land owner must be included in the project application. At a minimum, the land owner / land manager must provide a signed document on letterhead with acknowledgement of the specific trail project. All projects much be open to the general public for a minimum of twenty years following project completion. Any project that occurs on private lands must hold a trail access easement or lease for at least twenty years. All project work to be reimbursed through this grant program must be paid for by the project's sponsor to be eligible for grant reimbursement. Project work paid for by the land owner (if it differs from the project sponsor) or any other partnering organization is not eligible for reimbursement through the grant program.

Design Standards

Trails and trailhead / trailside facilities should be attractive to the public and harmonious with the natural environment. In general, new development and improvements should be designed to avoid or minimize harm to the natural setting, accommodate the number and types of proposed uses, and be consistent with topographic limitations of the site. Emphasis should be given to public health, safety, the natural environment, barrier-free access, sustainability, and the protection of recreational and community values of the area.

Natural and Cultural Resource Review

Projects recommended for funding will be submitted to TXDOT / Texas Historical Commission for a cultural resource review and to TXDOT / TPWD resource staff for a natural resource review. As these are federal grant funds from the Federal Highway Administration, TXDOT has been assigned the federal resource review authority for funded projects. If these reviews find the potential for sensitive resources at a proposed project site, the project applicant will immediately be notified as to what actions are necessary to mitigate the situation.

The review by TXDOT in cooperation with the Texas Historical Commission focuses primarily on whether the project will impact known archeological sites or if the site's location and character are likely to contain archeological deposits. If the site contains, or likely contains, archeological deposits, a field survey by a qualified archeologist is usually required.

A review by the TPWD resource staff is general in nature and seeks to promote design and construction best practices to mitigate any potential environmental effects of the project. A TXDOT biological review focuses primarily on whether the project site has the known existence of animal and/or plant species listed as threatened or endangered, or habitat to support such species. If this is the case, the project's impact on the listed species is assessed and a field survey by a qualified biologist may be required. If the rare species is federally listed, the U.S. Fish and Wildlife Service must approve the project for it to proceed. If a site has not previously undergone natural and cultural resource survey, we recommend budgeting funds in the project proposal for surveys of the trail route.

Applicants may be required to remedy resource impact concerns prior to initiating work on the project. Sometimes a simple rerouting of the trail to avoid sensitive areas will allow a project to proceed, in other cases the remedy is much more time consuming and costly. If the remedy costs are too great (over 15% of total project costs), the sponsors will have the following options: a) cover the costs of the mitigation overruns themselves or b) withdraw their application without penalty.

Barrier-Free Access

Applicants must ensure that support facilities in the area proposed for Texas Recreational Trails Program assistance will meet current barrier-free accessibility standards (i.e. construct elements of the proposed project accessible to users who are physically and/or mentally disabled). All trailhead parking facilities, trail bridges, and restrooms developed with grant assistance must be fully accessible. Typically, newly constructed trails

intended for use by pedestrians must be accessible to people using wheelchairs, whether manual or motorized. Projects in developed areas should place particular emphasis on accessibility. If applicable, sponsors will need to justify why it is not feasible to make trails fully accessible. Projects should be registered with the Texas Department of Licensing and Regulation (TDLR) Elimination of Architectural Barriers Program.

Sometimes physical limitations of the trail corridor site do not allow for total accessibility. Some projects may be required to obtain a variance to Texas Accessibility Standards from the Texas Department of Licensing and Regulation. However, land managers are encouraged to incorporate accessible features when they do not negatively impact the environment. When a sponsor proposes accessible facilities above and beyond that required by law, it will make the application more competitive and increase its potential for funding.

APPLICATION SUBMISSION, REVIEW, AND SELECTION OF PROJECTS

Project applicants shall submit an original application utilizing the Recreation Grants Online web-based grant management system. The application must include all applicable support documentation. **The application deadline is February 1st of each year.**

Recreation Grants Online (RGO)

The program utilizes an online application process. **Paper applications will not be accepted.** To access the online application, please find your organization or create an account at http://tpwd-recgrants.intelligrants.com/. To watch a short video that guides you through this process, click HERE.

Additional resources can be found in RGO through the "Resources" link located at the top, left-hand portion of your screen. If you have any technical questions about how to use the online application site, contact rec.grants@tpwd.texas.gov. Technical support is available Monday through Friday, 8:00 a.m. to 5:00 p.m. CST.

Application

Prior to completing a specific grant application, the entity (project sponsor) must register their organization in our RGO system. The designated administrator for an organization can assign and manage other user accounts to specific grant opportunities. More information on getting started in RGO can be found on the Resources tab.

SAM (System for Award Management) information is required when you register your organization in RGO and apply for a grant opportunity. See the final page of these instructions for more information on the SAM registration process. Federal entities do not need to confirm registration in SAM.

Fill out all fields in a clear and concise manner. Many fields have descriptive text to help you with your response. If you have any questions, you may contact Recreational Trails Program staff.

All narratives submitted in the application should be clear and concise. Be sure to address all topics noted in each section heading. The "Description of the Project" should be particularly concise, using approximately 200 words.

Application Budget

Though awarded projects will be allowed some variance from the originally submitted budget, the proposed project budget will become part of your grant contract if awarded. You must use the online budget form to communicate your proposed project budget. A budget form is included in the Sample Blank Application and will help you format your budget for entry in the online application system. The online budget form allows you

to add additional line items as needed. You may contact Recreational Trails Program or technical support staff with any questions.

Using the online budget form, provide an itemized list of all activities to be undertaken and the cost of each activity. Provide as much detail as possible (consider trail construction materials, volunteer or paid labor, services contracts, land acquisition, equipment/tool rental and the value of in-house equipment or labor). Be clear with your budget and show as many line items as are appropriate but combine similar items so that they are described by one line item. For example, "Volunteer Trail Tools" or "3-in. asphalt surfacing with 6-in. road base course", should be single line items. Grant-funded Professional Services costs (design, engineering, or architectural services) are limited to 12% of the total grant construction estimate amount. Amounts over 12% may be funded by match. Environmental survey costs (natural or cultural resource site assessments) are also limited to 12% of the total grant construction estimate amount. Environmental surveys costs may be considered above the 12% professional services limit on a case-by-case basis.

This program guidance document details the allowable and non-allowable expenses for Recreational Trails Program grants. Read these instructions carefully as any non-allowable expenses on the proposed budget may result in the removal of your application from consideration. Any additional or detailed budget documents (e.g., a construction estimate document from a contractor) can be included in your proposal as a supporting document. Including this additional detail is especially important when your budget includes only a few line items for "trail construction".

Please round all numbers up to a whole number and, if your line item allows, up to the nearest hundred dollars. **Clearly articulate which budget items are match items and make sure these amounts are placed in the proper column.** Values for items such as volunteer hours, in-kind services, or donated materials should only be placed in the match column.

Support Documentation

Clear and easy to understand support documentation is important to the success of your proposal. PDF documents are the most appropriate file type for all uploads. Each type of support document should include only one PDF file. Combine multiple pages into one PDF document for each category of support documentation. Your application must include a USGS topographic map, vicinity map, site map, and representative photographs of the project site. Clearly identify your distinct project location in every map you include in your proposal, regardless of the scale. Legible hand-drawn and scanned documents are appropriate if you have no other way to include or markup your maps and photographs. Please make sure all documents are not pixelated and are easy to read. **Your project's maps and photographs are important documents used during funding discussions regarding your grant proposal and should be well-planned visual aids supporting your proposed project.** Free topographic map downloads are available from the USGS HERE.

If applicable to your site, lease agreements or signed statements of landowner willingness should also be included.

Additional supporting documents (i.e., environmental surveys, excerpts from master plans, letters of support, etc.) are optional but may be included. There are upload categories for Environmental Surveys, Texas Historical Commission (THC) Coordination, Final Design / Specifications, Authorizing Resolutions, and other Additional Supporting Documents. Again, each type of support documentation should include only one PDF file and you must combine multiple pages into one PDF document for each category of support documentation.

Please upload documents using these file name conventions, replacing the X's with the name of your municipality or organization: XXXXXX_SITEMAP, XXXXXX_VICINITYMAP, XXXXXX_TOPOMAP, XXXXXX_PHOTOS, XXXXXX_SUPPORT.

Review and Evaluation Process

The project applications will be reviewed for completeness and eligibility prior to the being reviewed for quality.

Projects with ineligible budget items or requests for more than the maximum grant award will be deemed ineligible. The Texas Trails Advisory Committee will assist TPWD staff in selecting a slate of recommended projects to be presented to the Texas Parks and Wildlife Commission for final approval. Project applicants will be notified in writing through RGO of their project's selection or disapproval after the Commission action, typically by early June of each year. Please make sure all contact information in the RGO system is up to date.

Criteria for Selecting Projects

The Texas Recreational Trails Program's grant evaluation does not utilize a hard point-based scoring system. The Texas Trails Advisory Committee and Texas Parks and Wildlife Department staff will evaluate each application on its own merit. Projects will be evaluated in terms of their eligibility, application quality, overall project quality, ability to serve recreational needs, cost-effectiveness, benefits, community support, innovation, connectivity, geographic scope and distribution, and accommodation of barrier free access.

The cost-effectiveness criteria rewards those projects which accomplish a lot with a little amount of funding as well as those projects which propose a greater proportion of basic trail work as opposed to support facilities, design, and engineering. Basic trail work includes tasks such as trail layout, vegetation clearing, bridges, work on the trail tread (shaping, drainage structures, surfacing, steps, and erosion control), retaining walls, and acquisition of trail corridor. Trailside and trailhead facilities are considered support facilities because they are not providing *direct* recreation opportunities.

Projects which serve multiple, compatible trail users will be given priority as will projects undertaken with broad partnerships and community support. Trail projects that, when completed, serve more of a transportation function will be ranked lower than those that serve a recreational function.

Federal guidance for the Recreational Trail Program encourages project sponsors to engage qualified youth conservation or service corps to perform funded trail construction and maintenance tasks. A list of qualified youth and young adult service programs can be found at http://www.corpsnetwork.org/impact/corps-by-state. Please note in your budget and narrative if you intend to use a conservation corps as a part of your project.

Proposals should clearly articulate the recreational value of a trail project (i.e., does the project add new recreational opportunities to an area?), show how the project is unique to the site, note any meaningful trail or community connections, and include labelled and easy to understand maps and representative photographs.

Resubmission

Sponsors whose projects are not selected and approved for funding may resubmit their proposals for consideration in the next cycle by notifying TPWD prior to the next deadline. Sponsors should modify their proposals to give them a better chance of achieving a higher ranking.

PUBLIC SUPPORT OR OPPOSITION TO A PROJECT

Documented public support or opposition to a project will be considered by the Texas Trails Advisory Committee during the evaluation of projects and recommendations for funding. Resolutions of support from local political entities are not required to submit a project proposal for funding or to receive funding. However, if opposition to a project arises to the extent that a political subdivision, within whose jurisdiction the project falls, passes a resolution opposing funding of the project, that will be sufficient cause to not select the project. A resolution of opposition would also be grounds to rescind funding for a previously funded project if the resolution is received prior to the start of construction.

PROJECT MANAGEMENT

Approved Projects

Approved projects may undergo a federal resource review for a year or more after the award announcement is made. The grant recipient may only initiate activities to undertake the approved scope of work ***after*** this review period is completed and a Project Agreement is signed and permission to proceed with construction is granted. This includes not taking title to lands or easements that are included in the project costs. The sponsor will not be reimbursed for project costs incurred prior to the date of the signed Agreement. Unlike the Texas Recreation and Parks Account (Local Parks) grants, the Texas Recreational Trails Program does not allow application preparation, site design, and other pre-application costs to be recovered retroactively. For this reason, applicants need only develop project concepts well enough to have a reasonable budget. In specific instances, sponsors of approved projects may initiate a grant agreement and be given permission to proceed with only a project site archeological or environmental survey before permission to proceed with construction is granted.

The Project Agreement is the contract between TPWD and the sponsor setting forth the approved work, allowable costs, and the sponsor's commitment to follow required procedures.

Compliance with Federal and State Requirements

During the application period, sponsors are ***not*** being asked to obtain all the necessary permits and clearances which the project ultimately will need. Projects approved to receive federal funds, however, must meet any number of federal and state requirements. If selected, sponsors must be prepared to submit many federal forms; undergo environmental reviews and possibly prepare mitigation plans; obtain all permits and permissions; comply with the Uniform Relocation Assistance and Real Property Acquisition Policy Act of 1970 and other acquisition requirements (if acquisition is involved); follow required procurement procedures, expect audits, and supply quarterly progress reports. *If you are not deterred by this, we look forward to being your partner in providing more recreational trail opportunities!*

Reimbursement Procedures

In general, TPWD will reimburse the sponsor for 80 percent of the project's total cost, provided that:

(a) The costs are for allowable expenditures as outlined in the sponsor's application budget and approved in the Project Agreement signed by TPWD and the sponsor, and
(b) Sponsor supplies adequate documentation that fully accounts for out-of-pocket expenditures and any donated labor, land, or materials, and certifies that the expenditures have been incurred on the project.
(c) The amount of donated labor, land, or materials does not exceed 20 percent of the total project costs.
(d) Quarterly Progress Reports are submitted and regular progress is made on the project.

Sponsors must submit reimbursement requests to TPWD at a minimum of a quarterly basis by submitting receipts and other documentation of expenditures and work undertaken. After processing the billing, TPWD will make a payment to the sponsor for 80 percent of the amount submitted. It can take up to 60 days for reimbursement payments to reach sponsors. Reimbursements must be submitted via TPWD's online grant management system, Recreation Grants Online.

Quarterly Reporting

Quarterly reports allow staff to evaluate your project status throughout the grant award. Reports are due in RGO within 2 weeks of quarter closing dates. Reports must be submitted regardless of grant inactivity for

that quarter and are considered late if received after the due date. Reports must include a project status narrative as well as a current photo of the project site.

DATE DUE	*REPORTING PERIOD*
APRIL 15	January 1 – March 31
JULY 15	April 1 – June 30
OCTOBER 15	July 1 – September 30
JANUARY 15	October 1 – December 31

RETENTION AND USE

Project sponsor must commit to maintaining and operating their completed project so that it is safe for public use for a minimum of 20 years. Operation of the site must include regular and reasonable public access hours during the full course of the 20 year minimum.

Any property acquired with Texas Recreational Trails Program assistance shall be retained and used for public trail recreation in perpetuity. Any property so acquired shall not be wholly or partly converted to other than public recreation uses without the approval of the TPWD. Such approval will be given only upon conditions as TPWD deems necessary to assure the substitution of other outdoor recreation properties of at least equal fair market value and of reasonably equivalent usefulness, quality, and location. (See "Guidelines for Conversion of Fund Supported Properties" for more information.)

OPERATION AND MAINTENANCE

Property developed with Recreational Trails Program grant funding assistance shall be operated and maintained for a minimum of 20 years from the close of the grant as follows:

A. The property shall be maintained to appear attractive and inviting to the public.

B. Sanitation and sanitary facilities shall be maintained in accordance with applicable health standards.

C. Properties shall be kept reasonably safe for public use.

D. Buildings, roads, trails, and other structures and improvements shall be kept in reasonable repair throughout their estimated lifetime to prevent undue deterioration and to encourage public use.

E. The facility shall be kept open for public use at reasonable hours and times of the year, according to the type of area or facility.

F. Equipment purchased with Recreational Trails Program grant funding assistance shall be maintained and operational for its useful life, shall be used on the project it was purchased for, and may not be transferred or disposed of without coordination with and permission from TPWD Recreational Trails Program staff.

AVAILABILITY TO USERS

A. **Non-Discrimination** – Property developed with program assistance shall be open to entry and use by all persons regardless of age, race, color, sex, religion, national origin, or handicap who are otherwise eligible. Discrimination on the basis of residence, including preferential reservation or membership systems, is prohibited, except to the extent those reasonable differences in admission or other fees may be maintained on the basis of residence.

B. **Reasonable Use Limitations** – Participants may impose reasonable limits on the type and extent of use of the areas and facilities acquired or developed with program assistance when such a limitation is necessary for maintenance or preservation. Thus, limitations may be imposed on the number of persons using an area or facility or the type of users such as hunters only or hikers only. All limitations shall be in accord with the applicable grant agreement and amendments.

CONTACTS

For further information or for questions regarding the Texas Recreational Trails Program:

TPWD State Park Recreational Grants
Texas Parks and Wildlife Department
4200 Smith School Road
Austin, Texas 78744
Telephone: (512) 389-8224
Fax: (512) 389-8242

Trey Cooksey
Trails Program Manager
512-389-8743
Trey.Cooksey@tpwd.texas.gov

Erica Keller
OHV Program Coordinator
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Erica.Keller@tpwd.texas.gov

Erick Hetzel
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512-389-8128
Erick.Hetzel@tpwd.texas.gov

Chris Sheffield
Trails Coordinator
512-389-8749
Chris.Sheffield@tpwd.texas.gov

Blake Powers
RGO 2020 System Technical Support
512-389-8725
Blake.Powers@tpwd.texas.gov

Web address: http://www.tpwd.state.tx.us/business/grants/recreation-grants

Online Applications and Grants Management: https://tpwd-recgrants.intelligrants.com

Recreation Grants Online Resources page: https://tpwd-recgrants.intelligrants.com/portal2.aspx?APPTHEME=TXPWD
Look for the documents labelled "Recreational Trails Grant…"

General Email address: rec.grants@tpwd.state.tx.us

SAM REGISTRATION / DUNS

Due to federal requirements, we need project sponsors to be registered and active in the federal System for Award Management (SAM). SAM registration allows entities to receive a federal grant agreement, accept reimbursements, and other grant management actions. Please register in SAM as soon as possible. Once active in SAM, you will be able to see your organization's unique CAGE code and Unique Entity ID (UEI) and report it in RGO on your entity's registration page. Your organization must keep this registration active by updating it annually. You can follow the directions at the following link and contact the SAM Help Desk for technical guidance. When registering, please allow for your organization to be publicly viewable, so that our fiscal staff can verify it online.

https://www.sam.gov

Please note that registering and maintaining your organization's SAM account is free. Your organization may receive a number of emails from for-profit firms with marketing schemes that offer renewal of your SAM registration or maintenance of your account for a fee. Some of these emails may appear to be from a government agency. A recent article describing these schemes is available at this link. You should disregard all of these emails and conduct all of your SAM business through the official government website. Renewal of your registration is generally a fairly easy process that you should plan to perform annually.

11)

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 10, 2024**

Agenda Item:

Consideration and possible action to amend the budget for the Harlingen Health Department and add eleven (11) new positions for the Animal Shelter.

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

Brief Summary:

The City of Harlingen Health Department is requesting to amend the budget and add the following positions for the Harlingen Animal Shelter. The shelter needs 11 positions to be able to function daily and have the animals cared for and rehomed as soon as possible. The number of positions and annual salary with benefits are as follow:

1- Animal Shelter Manager - $53,910.04 annual salary with benefits.
1- Animal Shelter Supervisor - $45,195.44 annual salary with benefits.
1- Animal Adoption Coordinator - $36,968.10 annual salary with benefits.
1- Animal Shelter Administrative Secretary - $38,448.54 annual salary with benefits.
4- Animal Care Technician Full Time - $34,201.40 annual salary with benefits per position.
3- Animal Care Technician Part Time - $18,202.08 annual salary with benefits per position.

Grant Total: $364,933.96

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:

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

Comments:

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

CITY OF HARLINGEN
BUDGET AMENDMENT REQUEST FORM

INSTRUCTIONS: Complete all items. Submit original signed form to the Finance Department.

This form should ONLY be used to amend original budget. Do not use this form for budget adjustments.

Fiscal Year 2024 **Department** Health Department

Revenues

Account Number	Account Description	Current Budget	Adjustment Amount (+) or (-)	Revised Budget
				0
				0
				0
				0
				0
				0
				0
				0
	Total	**$ 0**	**$ 0**	**$ 0**

Expenditures

Account Number	Account Description	Current Budget	Adjustment Amount (+) or (-)	Revised Budget
001-7217-729-10-01	Personnel Svcs-Pay/Salaries-Full Time		217,196	217,196
001-7217-729-10-02	Personnel Svcs-Pay/Salaries - Part Time		46,800	46,800
001-7217-729-11-01	Personnel Svcs-Benefits/City FICA		16,368	16,368
001-7217-729-11-02	Personnel Svcs-Benefits/City Medicare		3,828	3,828
001-7217-729-11-11	Personnel Svcs-Benefits/City TMRS		23,338	23,338
001-7217-729-11-21	Personnel Svcs-Benefits/City Health Ins.		57,593	57,593
001-7217-729-11-22	Personnel Svcs-Benefits/Life Insurance		312	312
001-7217-729-11-31	Personnel Svcs-Benefits/Worker's Comp.		502	502
	Total	**$ 0**	**$ 365,937**	**$ 365,937**

Rollover Purchase Order Numbers

Detailed Justification/Reason for Adjustment

Projected payroll amounts for the eleven positions needed to staff the Harlingen Animal Shelter. This positions consist of 1-Animal Shelter Manager, 1-Animal Shelter Supervisor, 1-Animal Adoption Coordinator, 1-Admin Secretary, 4-Animal Care Techs full time and 3 Animal Care Techs part time.

I request approval for this budget amendment and certify that the information provided on this form is true and correct.

Requested: Department Director's Signature — **Date Requested** 1/3/2024

ADMINISTRATION / FINANCE USE ONLY

Approved: Budget Manager's Signature — Date Approved

Approved: Finance Director's Signature — Date Approved

Approved: City Manager's Signature — Date Approved

Document No. _____ Count 8 Entered By _____ Date Entered _____

POSITION DESCRIPTION

Job Title:	Administrative Secretary	Reports to: Sr. Executive/Administrator
Department:	Varied	Pay Grade: 6
Division:	Varied	FLSA Status: Non-Exempt
Job Family:	Financial Administration-Administrative Support	

DISTINGUISHING FEATURES OF THE CLASS

Provides highly skilled secretarial support to a senior executive or administrator. While some positions in this class act as office managers and/or may supervise a small clerical staff, Administrative Secretaries are characterized by responsibility for a variety of administrative activities to be met with minimal supervision. An Administrative Secretary is required to make, and is held accountable for, decisions on operating problems within a definite sphere of activity.

ESSENTIAL DUTIES AND RESPONSIBILITIES include, but are not limited, to the following:

- Performs a wide variety of highly skilled secretarial tasks for an administrator;
- Schedules and coordinates appointment calendars for one or more administrators;
- Responds to sensitive requests for information and assistance;
- Coordinates the flow of paperwork including periodic and special reports between various divisions;
- Composes and types directives, bulletins, schedules, and agendas;
- Makes arrangements for meetings and ensures that proceedings are properly recorded;
- Types and edits drafts;
- Maintains/oversees the maintenance of departmental administrative files;
- Operates a variety of office equipment incidental to clerical and secretarial duties;
- Talks with citizens making complaints or requesting service in person or by telephone, providing necessary information and following through on the resolution of problems;
- Keeps supervisor informed of details affecting office management decisions;
- Issues instructions in the name of the agency head;
- Reviews incoming correspondence, drafting responses on matters for which authority has been delegated;
- Makes travel arrangements;
- Observes safety regulations and communicates potential safety hazards;
- Demonstrates continuous effort to improve operations, decrease turnaround times, streamline work processes, and work cooperatively and jointly to provide quality seamless customer service.

SUPERVISION RECEIVED & EXERCISED

- General supervision is received from a senior executive or administrator.
- This position has no supervisory responsibilities.

QUALIFICATION GUIDELINES

Knowledge of:

- Format and organization of correspondence, reports, and written directives.
- Modern office practices, procedures, and equipment.
- Municipal organization.

Ability to:

- Operate a typewriter, personal computer, word processor, and other common office machines.
- Act independently and logically to implement policies of supervisor.
- Compose correspondence from fragmentary instructions.
- Work cooperatively with other City employees and the public.
- Communicate orally, in the English language, with employees and the public in face-to-face one-on-one settings, in group settings, or using a telephone.
- Comprehend and make inferences from written material.
- Learn job-related material primarily through oral instruction and observation. This learning takes place mainly in an on-the-job training setting.
- Enter data or information into a terminal, PC or other keyboard device.
- Sort, separate, arrange, file or distribute incoming mail, materials in prescribed manner.
- Produce written documents with clearly organized thought using proper sentence construction, punctuation, and grammar.
- Work safely without presenting a direct threat to self or others.

Additional requirements:

- Some positions will require the performance of other essential and marginal functions depending upon assignment.

Education & Experience:

- One year of college or technical school, or two years related experience or combination of education and experience.

Licenses, Certificates & Registrations:

- None required.

PHYSICAL REQUIREMENTS

The employee is regularly required to sit; use hands to finger, handle, feel; reach with hands and arms; lift arms and reach above shoulder height to retrieve or place files or books; and bend or stoop to retrieve or place file or books. The employee must occasionally lift and /or move up to 20 pounds. Specific vision abilities required by this job include close vision and ability to adjust focus.

WORKING CONDITIONS

The noise level in the work environment is usually moderate.

POSITION DESCRIPTION

Job Title:	Animal Shelter Manager	Reports to: Environmental Health Director	
Department:	Environmental Health	Pay Grade: 113	
Division:	Animal Shelter	FLSA Status: Non-Exempt	
Job Family:	Health-Protective Service		

DISTINGUISHING FEATURES OF THE CLASS

Performs full journey level duties of the Animal Control Officer, observation, care, treatment, and euthanasia of dogs, cats, and other wild and domestic animals; relating to control of animals, disease control, public safety, and education; and to keep detailed records of all animal shelter functions. This classification is distinguished from the Animal Care technician by the technical knowledge needed for more difficult and complex assignments and supervisory responsibilities over subordinate staff. General supervision is received from the Environmental Health Director who evaluates performance based on results achieved.

ESSENTIAL DUTIES AND RESPONSIBILITIES include, but are not limited, to the following:

- Performs tasks listed for Animal Care Technician;
- May perform tasks listed for Animal Control Officer;
- Plans, coordinates, schedules and oversees daily activities of subordinate personnel;
- Evaluates work performance and instructs workers in proper and safe work methods;
- Prepares, daily, weekly, monthly and annual activity and statistical reports;
- Gathers and disseminates information relating to rabies and other communicable disease to the general public;
- Responds to emergency calls after normal working hours, as required;
- Acts as liaison between the departments;
- Assesses the effectiveness of risk management programs and initiatives;
- Promotes and maintains safety in the workplace;
- Demonstrates continuous effort to improve operations, streamline work processes, and work cooperatively and jointly to provide quality seamless customer service.

SUPERVISION RECEIVED & EXERCISED

- General direction is received from the Environmental Health Director.
- Exercises technical and functional supervision over lower level staff.

QUALIFICATION GUIDELINES

Knowledge of:

- Methods and techniques of licensing and disposing of animals.
- Methods and practices of animal collection and impoundment.
- Operational characteristics of animal control equipment and tools.
- Principals and procedures of record keeping and reporting.
- English usage, spelling, grammar and punctuation.
- Safe driving principles and practices.
- Modern office practices, methods and computer equipment.

Ability to:

- Perform a broad range of supervisory responsibilities over others.
- Operate a variety of animal control equipment and tools in a safe and effective manner.
- Operate modern office equipment including computer equipment and software.
- Operate a motor vehicle safely.
- Communicate clearly and concisely in Spanish and English, both orally and in writing.
- Work cooperatively with other City employees and the general public.
- Respond to requests and inquiries from the general public.
- Operate modern office equipment and prepare accurate and complete records.
- Prepare and maintain accurate and complete records

Additional requirements:

- This position requires the use of City vehicles. Individuals must be physically capable of operating the vehicles safely and possess a valid driver's license.
- Some positions will require the performance of other essential and marginal functions depending upon assignment.

Education & Experience:

- High School Diploma or General Equivalency Degree (GED); and one year experience and/or training; or equivalent combination of education and experience.

Licenses, Certificates & Registrations:

- Animal Control Certification required; or must be able to obtain within the first year of employment.
- Euthanasia Certification required; or must be able to obtain within the first year of employment.
- Opacity Certification required; or must be able to obtain within the first year of employment.
- Valid Texas Driver's License

PHYSICAL REQUIREMENTS

The employee is frequently required to use hands and fingers to handle, feel and reach with hands and arms. The employee is occasionally required to climb; balance; stoop; kneel and crouch; and lift and/or move up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, depth perception and ability to adjust focus.

WORKING CONDITIONS

The employee is occasionally exposed to outdoor weather conditions, blood borne pathogens and moving vehicle traffic. The noise level in the work environment is usually moderate.

POSITION DESCRIPTION

Job Title:	Animal Shelter Supervisor	Reports to: Animal Shelter Manager	
Department:	Environmental Health	Pay Grade: 108	
Division:	Animal Shelter	FLSA Status: Non-Exempt	
Job Family:	Health-Protective Service		

DISTINGUISHING FEATURES OF THE CLASS

Performs full journey level duties in the observation, care, treatment, and euthanasia of dogs, cats, and other wild and domestic animals; relating to control of animals, disease control, public safety, and education; and to keep detailed records of all animal shelter functions. This classification is distinguished from the Animal Care technician by the technical knowledge needed for more difficult and complex assignments and supervisory responsibilities over subordinate staff. General supervision is received from the Animal Shelter Manager who evaluates performance based on results achieved.

ESSENTIAL DUTIES AND RESPONSIBILITIES include, but are not limited, to the following:

- Performs tasks listed for Animal Care Technician;
- Plans, coordinates, schedules and oversees daily activities of subordinate personnel;
- Evaluates work performance and instructs workers in proper and safe work methods;
- Prepares, daily, weekly, monthly and annual activity and statistical reports;
- Gathers and disseminates information relating to rabies and other communicable disease to the general public;
- Responds to emergency calls after normal working hours, as required;
- Acts as liaison between the departments;
- Assesses the effectiveness of risk management programs and initiatives;
- Promotes and maintains safety in the workplace;
- Demonstrates continuous effort to improve operations, streamline work processes, and work cooperatively and jointly to provide quality seamless customer service.

SUPERVISION RECEIVED & EXERCISED

- General direction is received from the Animal Shelter Manager.
- Exercises technical and functional supervision over lower level staff.

QUALIFICATION GUIDELINES

Knowledge of:

- Methods and techniques of licensing and disposing of animals.
- Methods and practices of animal collection and impoundment.
- Operational characteristics of animal control equipment and tools.
- Principals and procedures of record keeping and reporting.
- English usage, spelling, grammar and punctuation.
- Safe driving principles and practices.
- Modern office practices, methods and computer equipment.

Ability to:

- Perform a broad range of supervisory responsibilities over others.
- Operate a variety of animal control equipment and tools in a safe and effective manner.
- Operate modern office equipment including computer equipment and software.
- Operate a motor vehicle safely.
- Communicate clearly and concisely in Spanish and English, both orally and in writing.
- Work cooperatively with other City employees and the general public.
- Respond to requests and inquiries from the general public.
- Operate modern office equipment and prepare accurate and complete records.
- Prepare and maintain accurate and complete records

Additional requirements:

- This position requires the use of City vehicles. Individuals must be physically capable of operating the vehicles safely and possess a valid driver's license.
- Some positions will require the performance of other essential and marginal functions depending upon assignment.

Education & Experience:

- High School Diploma or General Equivalency Degree (GED); and one year experience and/or training; or equivalent combination of education and experience.

Licenses, Certificates & Registrations:

- Animal Control Certification preferred
- Euthanasia Certification required, or must be able to obtain within first year of employment
- Opacity Certification preferred
- Valid Texas Driver's License

PHYSICAL REQUIREMENTS

The employee is frequently required to use hands and fingers to handle, feel and reach with hands and arms. The employee is occasionally required to climb; balance; stoop; kneel and crouch; and lift and/or move up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, depth perception and ability to adjust focus.

WORKING CONDITIONS

The employee is occasionally exposed to outdoor weather conditions, blood borne pathogens and moving vehicle traffic. The noise level in the work environment is usually moderate.

POSITION DESCRIPTION

Job Title:	Animal Adoption Coordinator	Reports to: Animal Shelter Supervisor
Department:	Environmental Health	Pay Grade: 103
Division:	Animal Shelter	FLSA Status: Non-Exempt
Job Family:	Health-Protective Service	

DISTINGUISHING FEATURES OF THE CLASS

The Animal Adoption Coordinator is responsible for overseeing all adoption and rescue-related functions at the animal shelter. Primary duties include oversight of adoption and rescue processes on all platforms - email, phone and in person, oversight assistance with all guest services, assistance in daily animal care operations, communication assistance with supporting veterinarians, record keeping, assistance with animal intake and assistance with volunteer communication and oversight. Difficult problems are referred to a supervisor. Courtesy, tact and firmness are required in dealing with the general public in a variety of situations, some of which may be stressful. General supervision is received from a Shelter Supervisor, who evaluates performance based on observation and discussions concerning the effectiveness of carrying out instructions.

ESSENTIAL DUTIES AND RESPONSIBILITIES include, but are not limited, to the following:

- Assist the public in making appropriate matches with animals in care, explaining policies and regulations to possible adoptors.
- Use strong customer service skills to approve or deny applications in a positive, firm and not-threatening manner.
- Conduct adoption and behavioral consultations as needed.
- Review all pertinent information on the adoption application with the potential adopter, ensuring adoptor is aware of all local and state laws pertaining to the adoption+.
- Review all adoption applications.
- Work with supervisors on assisting adopters with any issues that may arise post adoption.
- Keep the City of Harlingen social media up to date with current animals for adoption.
- Work with volunteers and staff on promotion of the animals. Adoption specials and special needs of the animals.
- Create adoption promotion signage and social media campaigns.
- Develop a working knowledge of all animals available for adoption through hands on interaction, review of related paperwork, and database information.
- Work with rescue organizations to place animals as needed.
- Inspects animals on a routine basis, gives shots, baths, and dips and cares for animals to include daily walking.
- Assists with the euthanasia of animals as necessary.
- Observes all safety regulations and communicates potential risks.
- Demonstrates continuous effort to improve operations and to provide quality seamless customer service.

SUPERVISION RECEIVED & EXERCISED

- General supervision is received from the Animal Shelter Supervisor.
- This position has no supervisory responsibility.

QUALIFICATION GUIDELINES

Knowledge of:

- General principles of animal care and disease treatment and prevention.
- Basic mathematical principals.
- English usage, spelling, grammar and punctuation.
- Modern office practices, methods, and computer equipment.
- Principals and procedures of record keeping and reporting.
- Safe driving principles and practices.

Ability to:

- Operate modern office equipment including computer equipment and software.
- Operate a motor vehicle safely.
- Communicate clearly and concisely in Spanish and English, both orally and in writing.
- Understand follow oral and written instructions.
- Work cooperatively with other City employees and the general public.
- Respond to requests and inquiries from the general public.

Additional requirements:

- This position requires the use of City vehicles. Individuals must be physically capable of operating the vehicles safely and possess a valid driver's license.
- Some positions will require the performance of other essential and marginal functions depending upon assignment.

Education & Experience:

- High school diploma or General Equivalency Degree (GED); or six months related experience and/or training; or equivalent combination of education and experience.

Licenses, Certificates & Registrations:

- Euthanasia Certification preferred
- Valid Texas Driver's License

PHYSICAL REQUIREMENTS

The employee is frequently required to use hands to handle and feel; reach with hands and arms. Regular exposure to animals, cleaning chemicals, fumes, dust, animal feces, bites, scratches. The employee is occasionally required to climb, balance; stoop; kneel and crouch; and lift and/or move up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, depth perception and ability to adjust focus.

WORKING CONDITIONS

The employee is exposed to blood borne pathogens, and some disagreeable elements. The noise level in the work environment is usually loud.

POSITION DESCRIPTION

Job Title:	Animal Care Technician	Reports to: Animal Shelter Supervisor
Department:	Environmental Health	Pay Grade: 101
Division:	Animal Shelter	FLSA Status: Non-Exempt
Job Family:	Health-Protective Service	

DISTINGUISHING FEATURES OF THE CLASS

Performs entry level duties in the observation, care, treatment, and euthanasia of dogs, cats, and other wild and domestic animals; relating to control of animals, disease control, public safety, and education; and to keep detailed records of all animal shelter functions. Difficult problems are referred to a supervisor. Courtesy, tact and firmness are required in dealing with the general public in a variety of situations, some of which may be stressful. General supervision is received from a Shelter Supervisor, who evaluates performance based on observation and discussions concerning the effectiveness of carrying out instructions.

ESSENTIAL DUTIES AND RESPONSIBILITIES include, but are not limited, to the following:

- Includes knowledge of basic, routine, or repetitive tasks or operations, such as the ability to operate or use simple tools and equipment.
- Inspects kennel areas checking each animal individually for any abnormal activity such as vomiting, diarrhea, or blood in kennels. Reports all abnormal activity to supervisors, or veterinarian and make appropriate notes so animal can be examined.
- Requires handling or using catchpoles, syringes for injections, DEA regulated drugs administering medications and using machinery as needed.
- Cleans and disinfects cages, kennels, cat litter boxes, food bowls, and outdoor years as needed, including changing soiled bedding.
- Operates washer and dryer to clean kennel bedding.
- Performs routine work of sheltering and caring for impounded animals and completes all necessary paperwork.
- Responsible for general cleaning of building and premises
- Feed and waters animals daily
- Inspects animals on a routine basis, gives shots, baths, and dips and cares for animals to include daily walking.
- Assists with the euthanasia of animals as necessary.
- Observes all safety regulations and communicates potential risks.
- Demonstrates continuous effort to improve operations and to provide quality seamless customer service.

SUPERVISION RECEIVED & EXERCISED

- General supervision is received from the Animal Shelter Supervisor.
- This position has no supervisory responsibility.

QUALIFICATION GUIDELINES

Knowledge of:

- General principals of animal care and disease treatment and prevention.
- Basic mathematical principals.
- English usage, spelling, grammar and punctuation.
- Modern office practices, methods, and computer equipment.
- Principals and procedures of record keeping and reporting.
- Safe driving principals and practices.

Ability to:

- Operate a variety of animal control equipment and tools in a safe and effective manner.
- Operate modern office equipment including computer equipment and software.
- Operate a motor vehicle safely.
- Communicate clearly and concisely in Spanish and English, both orally and in writing.
- Understand follow oral and written instructions.
- Work cooperatively with other City employees and the general public.
- Respond to requests and inquires from the general public.

Additional requirements:

- This position requires the use of City vehicles. Individuals must be physically capable of operating the vehicles safely and possess a valid driver's license.
- Some positions will require the performance of other essential and marginal functions depending upon assignment.

Education & Experience:

- High school diploma or General Equivalency Degree (GED); or six months related experience and/or training; or equivalent combination of education and experience.

Licenses, Certificates & Registrations:

- Animal Control Certification preferred
- Euthanasia Certification required; or must be able to obtain within the first year of employment
- Valid Texas Driver's License

PHYSICAL REQUIREMENTS

The employee is frequently required to use hands to handle and feel; reach with hands and arms. The employee is occasionally required to climb; balance; stoop; kneel and crouch; and lift and/or move up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, depth perception and ability to adjust focus.

WORKING CONDITIONS

The employee is exposed to outdoor weather conditions, blood borne pathogens, moving vehicle traffic and disagreeable elements. The noise level in the work environment is usually loud.

POSITION DESCRIPTION

Job Title:	Part-Time Animal Care Technician	Reports to: Environmental Health Manager
Department:	Environmental Health	Pay Grade: 4
Division:	Animal Shelter	FLSA Status: Non-Exempt
Job Family:	Health-Protective Service	

DISTINGUISHING FEATURES OF THE CLASS

Performs entry level duties in the observation, care, treatment, and euthanasia of dogs, cats, and other wild and domestic animals; relating to control of animals, disease control, public safety, and education; and to keep detailed records of all animal shelter functions. Difficult problems are referred to a supervisor. Courtesy, tact and firmness are required in dealing with the general public in a variety of situations, some of which may be stressful. General supervision is received from a Shelter Supervisor, who evaluates performance based on observation and discussions concerning the effectiveness of carrying out instructions.

ESSENTIAL DUTIES AND RESPONSIBILITIES include, but are not limited, to the following:

- Includes knowledge of basic, routine, or repetitive tasks or operations, such as the ability to operate or use simple tools and equipment.
- Inspects kennel areas checking each animal individually for any abnormal activity such as vomiting, diarrhea, or blood in kennels. Reports all abnormal activity to supervisors, or veterinarian and make appropriate notes so animal can be examined.
- Requires handling or using catchpoles, syringes for injections, administering medications and using machinery as needed.
- Cleans and disinfects cages, kennels, cat litter boxes, food bowls, and outdoor years as needed, including changing soiled bedding.
- Performs routine work of sheltering and caring for impounded animals and completes all necessary paperwork.
- Responsible for general cleaning of building and premises
- Feed and waters animals daily
- Inspects animals on a routine basis, gives shots, baths, and dips and cares for animals to include daily walking.
- Assists with the euthanasia of animals as necessary.
- Observes all safety regulations and communicates potential risks.
- Demonstrates continuous effort to improve operations and to provide quality seamless customer service.

SUPERVISION RECEIVED & EXERCISED

- General supervision is received from an Animal Shelter Supervisor.
- This position has no supervisory responsibility.

QUALIFICATION GUIDELINES

Knowledge of:

- General principles of animal care and disease treatment and prevention.
- Basic mathematical principals.
- English usage, spelling, grammar and punctuation.
- Modern office practices, methods, and computer equipment.
- Principals and procedures of record keeping and reporting.

- Safe driving principles and practices.

Ability to:
- Operate a variety of animal control equipment and tools in a safe and effective manner.
- Operate modern office equipment including computer equipment and software.
- Operate a motor vehicle safely.
- Communicate clearly and concisely in Spanish and English, both orally and in writing.
- Understand follow oral and written instructions.
- Work cooperatively with other City employees and the general public.
- Respond to requests and inquires from the general public.

Additional requirements:
- This position requires the use of City vehicles. Individuals must be physically capable of operating the vehicles safely and possess a valid driver's license.
- Some positions will require the performance of other essential and marginal functions depending upon assignment.

Education & Experience:
- High school diploma or General Equivalency Degree (GED); or six months related experience and/or training; or equivalent combination of education and experience.

Licenses, Certificates & Registrations:
- Valid Texas Driver's License

PHYSICAL REQUIREMENTS

The employee is frequently required to use hands to handle and feel; reach with hands and arms. The employee is occasionally required to climb; balance; stoop; kneel and crouch; and lift and/or move up to 100 pounds. Specific vision abilities required by this job include close vision, distance vision, depth perception and ability to adjust focus.

WORKING CONDITIONS

The employee is exposed to outdoor weather conditions, blood borne pathogens, moving vehicle traffic and disagreeable elements. The noise level in the work environment is usually loud.

HARLINGEN ANIMAL SHELTER

CITY OF HARLINGEN TEXAS

REQUEST FOR PROPOSALS

Who we've reached out to:
- Laguna Madre Humane Society
- Brownsville Animal Defense
- Palm Valley Humane Society
- No Kill RGV

Who responded:
- As of Thursday, January 4, 2024, one sealed proposal has been submitted from No Kill RGV.

When it was advertised:
- Mentioned on December 15, 2023, on The City of Harlingen Facebook page
- December 19, 2023, on Valley Morning Star
- December 27, 2023, on Valley Morning Star

POSITIONS

Animal Shelter Manager

- Plans, coordinates, schedules, and oversees daily activities of subordinate personnel.
- Prepares, daily, weekly, monthly and annual activity and statistical reports.
- Evaluate the efficiency of risk management efforts and initiatives, while promoting workplace safety.
- Responds to emergency calls after normal working hours and serves as liaison between the departments.
- Cross trained in all workplace positions.

Requirements:
- Animal Control Certification required (must be able to obtain within 1 year of employment)
- Euthanasia Certification required (must be able to obtain within 1 year of employment)
- Opacity Certification required (must be able to obtain within 1 year of employment)

Annual Salaries: **$53,910.04 with benefits**

Number of Positions: **1**

POSITIONS

Animal Shelter Supervisor

- Exercises technical and functional supervision over lower level staff.
- Plans, coordinates, schedules, and oversees daily activities of subordinate personnel.
- Prepares, daily, weekly, monthly and statistical reports.
- Evaluate the efficiency of risk management efforts and initiatives, while promoting workplace safety.
- Responds to emergency calls after normal working hours; required weekends.
- Cross trained in all workplace positions.

Requirements:
- Animal Control Certification preferred
- Euthanasia Certification required (must be able to obtain within 1 year of employment)
- Opacity Certification preferred

Annual Salaries: **$45,195.44 with benefits**

Number of Positions: **1**

POSITIONS

Animal Adoption Coordinator

- Assists citizens making safe and appropriate matches with animals in care.
- Responsible for exercising positive and firm customer service skills to approve or deny applications.
- Review all adoption applications and provides potential adopters with the local and state laws pertaining to the adoption.
- Assists in animal daily inspections: walking, giving shots, baths, and dips.

Annual salary: **$36,968.10 with benefits**

Number of positions: **1**

Animal Shelter Administrative Secretary

- Schedules and coordinates appointments for one or more administrators.
- Operates the flow of paperwork and oversees administrative files.
- Engages with citizens, addressing complaints and service requests in person or via telephone, and ensuring the resolution of issues.
- Strives to enhance operations, optimize work processes, and deliver high-quality customer service.

Annual salary: **$38,448.54 with benefits**

Number of positions: **1**

POSITIONS

Full-Time Animal Care Technician

- Inspects kennels, ensuring safe housing for animals in care.
- Administers regulated medications as needed.
- Cares for impounded animals and completes all necessary paperwork.
- Performs daily animals care needs: shots, showers and dips.

Annual salary: **$34,201.40 with benefits**

Number of positions: **4**

Part-Time Animal Care Technician

- Inspects kennels, ensuring safe housing for animals in care.
- Administers regulated medication needed.
- Cares for impounded animals and completes all necessary paperwork.
- Performs daily animal care needs: shots, showers, and dips.

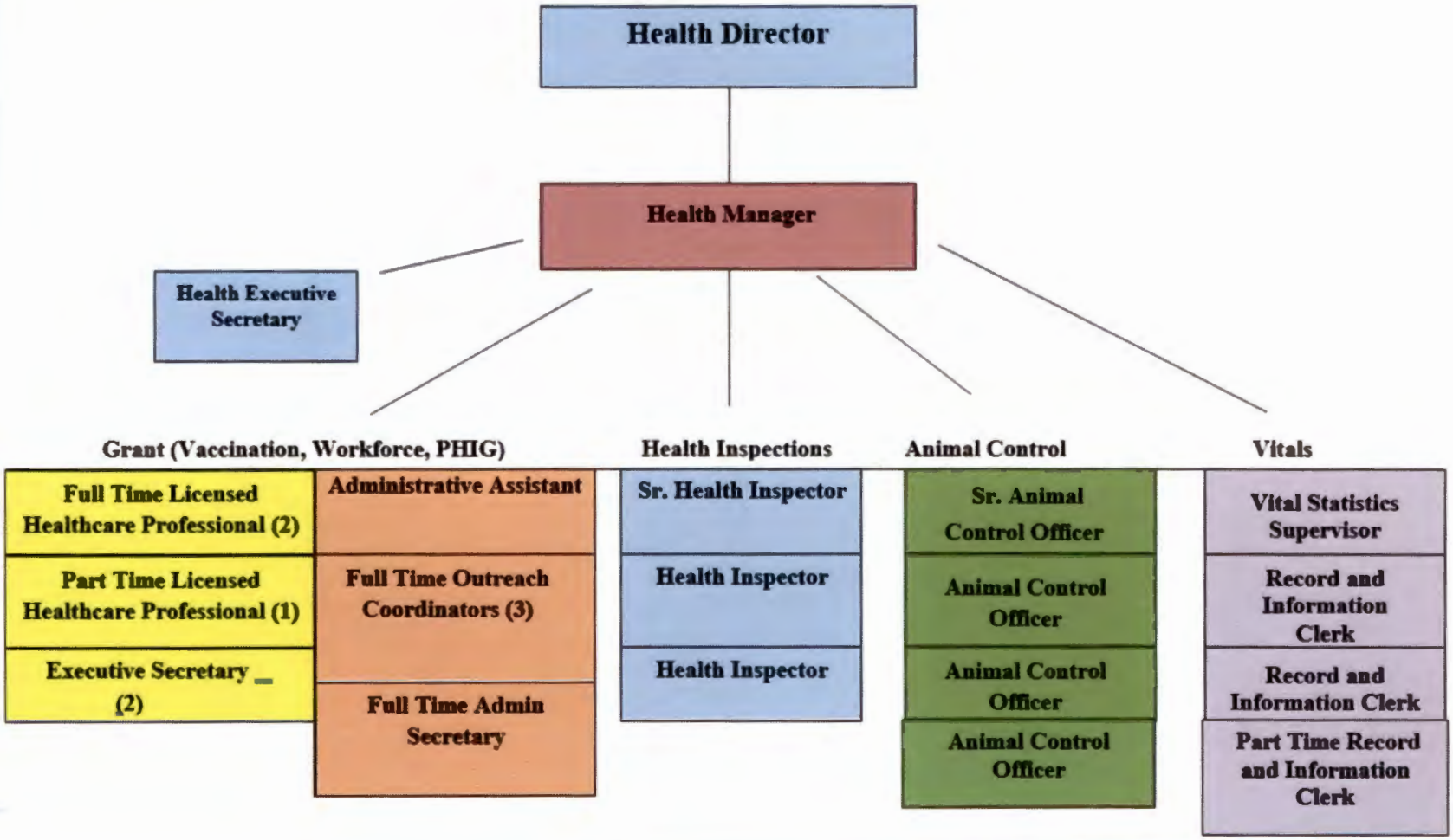
Annual salary: **$18,202.08 with benefits**

Number of positions: **3**

EXPENDITURES

Account Number	Account Descriptions	Current Budget	Adjustment Amount (+) or (-)	Revised Budget
001-7217-729-10-01	Personnel Svcs-Pay/ Salaries- Full Time		217,196	217,196
001-7217-729-10-02	Personnel Svcs-Pay/ Salaries- PartTime		46,800	46,800
001-7217-729-11-01	Personnel Svcs-Benefits/City FICA		16,368	16,368
001-7217-729-11-02	Personnel Svcs-Benefits/City Medicare		3,828	3,828
001-7217-729-11-11	Personnel Svcs-Benefits/City TMRS		23,338	23,338
001-7217-729-11-21	Personnel Svcs-Benefits/City Health Ins.		57,596	57,596
001-7217-729-11-22	Personnel Svcs-Benefits/Life Insurance		312	312
001-7217-729-11-31	Personnel Svcs-Benefits/Worker's Comp.		502	502
	Total	**$ -**	**$ 365,937**	**$ 365,937**

Organizational Chart



THANK YOU!

Any questions?

Sharvill@harlingentx.gov
Health Director

CITY OF HARLINGEN TEXAS

12)

AGENDA ITEM
EXECUTIVE SUMMARY

Meeting Date: **January 10, 2024**

Agenda Item:
Consideration and possible action to create an Advisory Accessibility Board. ***(Mayor)***
Prepared By: Hermelinda Gonzales. Assistant City Secretary
Brief Summary:
Funding (if applicable): Are funds specifically designated in the current budget for the full amount (Yes/No): *If no, specify source of funding and amount requested: Finance Director's approval (Yes/No/NA):
Staff Recommendation:
City Manager approval: **Comments:**
City Attorney's approval: